

minutes

Office Development Committee

MEETING HELD ON **MONDAY, 8 OCTOBER 2012**

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CITY OF JOONDALUP

MINUTES OF THE OFFICE DEVELOPMENT COMMITTEE MEETING HELD IN CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON MONDAY, 8 OCTOBER 2012.

ATTENDANCE

Committee Members:

MAYOR TROY PICKARD	<i>Presiding Member</i>
CR LIAM GOBBERT	Central Ward
CR KERRY HOLLYWOOD	<i>Deputy Presiding Member</i>
CR TOM McLEAN, JP	North Ward
MR GARRY HUNT	Chief Executive Officer
MS DALE PAGE	Director Planning and Community Development

Officers:

MR BRAD SILLENCE	Manager Governance and Marketing
MR BLIGNAULT OLIVIER	Manager City Projects
MRS LESLEY TAYLOR	Governance Officer

Guests:

MR JULIUS SKINNER	Jackson McDonald Lawyers
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DECLARATION OF OPENING

The Presiding Member declared the meeting open at 7.37am.

PUBLIC QUESTION TIME

Nil.

PUBLIC STATEMENT TIME

Nil.

APOLOGIES/LEAVE OF ABSENCE

Leave of Absence previously approved

Cr Russ Fishwick, JP	29 September to 9 November 2012 inclusive.
Cr Liam Gobbert	20 – 21 November 2012 inclusive.

CONFIRMATION OF MINUTES

MINUTES OF THE OFFICE DEVELOPMENT COMMITTEE MEETING HELD ON 18 SEPTEMBER 2012

MOVED Cr Gobbert, SECONDED Cr McLean that the minutes of the meeting of the Office Development Committee held on 18 September 2012 be confirmed as a true and correct record.

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Mayor Pickard, Crs Gobbert, Hollywood, McLean, Mr Hunt and Ms Page

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

DECLARATIONS OF INTEREST

Nil.

IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS

Item 1 Confidential – Joondalup City Centre Commercial Office Development

PETITIONS AND DEPUTATIONS

Nil.

MOTION TO GO BEHIND CLOSED DOORS – [02154, 08122]

MOVED Cr Hollywood, **SECONDED** Mr Hunt that the Office Development Committee:

- 1** in accordance with Sections 5.23(2)(d) of the *Local Government Act 1995* and Clause 67 of the City's *Standing Orders Local Law 2005*, **RESOLVES** to close the meeting to members of the public to consider the following items:
 - 1.1** Item 1, Confidential - Joondalup City Centre Commercial Office Development as it relates to *legal advice obtained, or which may be obtained, by a local government and which relates to a matter to be discussed at the meeting*; and
- 2** **PERMITS** the following employees to remain in the meeting room during discussion on Item 1, Joondalup City Centre Commercial Office Development while the meeting is sitting behind closed doors as detailed in part 1 above:
 - **Manager Governance and Marketing, Mr Brad Sillence;**
 - **Manager City Projects, Mr Blignault Olivier;**
 - **Governance Officer, Mrs Lesley Taylor; and**
 - **Jackson McDonald Lawyers, Mr Julius Skinner.**

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Mayor Pickard, Crs Gobbert, Hollywood, McLean, Mr Hunt and Ms Page

The meeting was closed at 7.39am. There were no members of the public present at that time.

REPORTS**ITEM 1 CONFIDENTIAL - JOONDALUP CITY CENTRE
COMMERCIAL OFFICE DEVELOPMENT****WARD:** North**RESPONSIBLE
DIRECTOR:** Mr Garry Hunt
Office of the Chief Executive Officer**FILE NUMBER:** 70512, 101515**ATTACHMENTS:** Attachment 1 Amended draft Request for Expression of Interest –
Commercial/Office Development of City Owned
Property
Attachment 2 Amended draft Memorandum of Understanding –
Commercial/Office Development of City Owned
Property
Attachment 3 Draft Process Model
Attachment 4 Site Plan – Preferred Sites
Attachment 5 Site Plan – Site Options

*(Please Note: These attachments are confidential and will appear in the official
Minute Book only)*

This report is confidential in accordance with Section 5.23(2)(d) of the *Local Government Act 1995*, which also permits the meeting to be closed to the public for business relating to the following:

Legal advice obtained, or which may be obtained, by a local government and which relates to a matter to be discussed at the meeting.

A full report was provided to Elected Members and Committee Members under separate cover. The report is not for publication.

OFFICER'S RECOMMENDATION:

That:

- 1 The Office Development Committee:
 - 1.1 NOTES the Joondalup City Centre Commercial Office Development report including the amended draft Expression of Interest and Memorandum of Understanding documents;
 - 1.2 NOTES that the amendments made to the draft Expression of Interest and Memorandum of Understanding documents are in line with Committee discussions undertaken at the meeting held on 18 September 2012;

2 Council:

- 2.1 CONFIRMS the inclusion of Lot 507 (90) Boas Avenue, Joondalup, in addition to Lot 496 (70) Davidson Terrace, Joondalup (or a combination of both), as the preferred sites for the Joondalup City Centre Commercial Office Development;
- 2.2 ENDORSES the amended Expression of Interest and Memorandum of Understanding documents forming Attachments 1 and 2 of this Report; and
- 2.3 REQUESTS the Chief Executive Officer to initiate the Expression of Interest process outlined in the Report.

During discussion on this Item, the Office Development Committee agreed that the following changes be made to both the Request for Expressions of Interest and the Memorandum of Understanding documents:

Request for Expressions of Interest

Schedule 1 – Terms and Conditions, Stamped Page 16

DPS ~~the current City of Joondalup District Planning Scheme~~ means the City of Joondalup District Planning Scheme No. 2, as amended from time to time, or a scheme that replaces it.

4.3 *Own enquiries, Stamped Page 19*

The word “solely” be inserted after the words “and should not rely.....” in the third line.

Schedule 6 – Preferred Project Model, Stamped Page 33

Points 6(a) to be renumbered as 6(b) and 6(b) to be renumbered as 6(a) with the new Part 6(b) to now read:

- 6 (b) ~~the contribution of the Preferred Respondent will be responsible for calculated based on the balance of the development cost of the building (excluding any contribution made by the City); and~~

Memorandum of Understanding

8 *Contract Documents, Stamped Page 51*

8(a) to now read:

If the Heads of Agreement is executed in accordance with clause 6.1(f) or (g), then the parties must, acting promptly and in good faith:

MOVED Ms Page, SECONDED Cr Gobbert that:

1 The Office Development Committee:

- 1.1 **NOTES** the Joondalup City Centre Commercial Office Development report including the amended draft Expression of Interest and Memorandum of Understanding documents;
- 1.2 **NOTES** that the amendments made to the draft Expression of Interest and Memorandum of Understanding documents are in line with Committee discussions undertaken at the meeting held on 18 September 2012;

2 Council:

- 2.1 **CONFIRMS** the inclusion of Lot 507 (90) Boas Avenue, Joondalup, in addition to Lot 496 (70) Davidson Terrace, Joondalup (or a combination of both), as the preferred sites for the Joondalup City Centre Commercial Office Development;
- 2.2 **ENDORSES** the amended Expression of Interest and Memorandum of Understanding documents forming Attachments 1 and 2 of this Report as amended; and
- 2.3 **REQUESTS** the Chief Executive Officer to initiate the Expression of Interest process outlined in the Report.

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Mayor Pickard, Crs Gobbert, Hollywood, McLean, Mr Hunt and Ms Page

MOTION TO GO TO OPEN DOORS – [02154, 08122]

MOVED Mr Hunt, SECONDED Cr Gobbert that the Office Development Committee, in accordance with Clause 67(4) of the City's *Standing Orders Local Law 2005*, RESOLVES the meeting be now held with OPEN DOORS.

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Mayor Pickard, Crs Gobbert, Hollywood, McLean, Mr Hunt and Ms Page

Doors opened at 8.20am.

No members of the public or press were present.

In accordance with the City's *Standing Orders Local Law 2005*, Mayor Pickard read aloud the Motion in relation to:

Item 1 Confidential – Joondalup City Centre Commercial Office Development.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION

Nil.

CLOSURE

There being no further business, the Presiding Member declared the Meeting closed at 8.23am; the following Committee Members being present at that time:

Mayor Troy Pickard
Cr Liam Gobbert
Cr Kerry Hollywood
Cr Tom McLean, JP
Mr Garry Hunt
Ms Dale Page