

**DOCUMENTS EXECUTED BY AFFIXING THE COMMON SEAL  
FOR THE PERIOD 28 May 2013 TO 25 June 2013**

**ATTACHMENT 1**

**Section 70A Notification:**

<b>Document:</b>	Section 70A Notification.
<b>Parties:</b>	<b>City of Joondalup and Steven P Johnston.</b>
<b>Description:</b>	To restrict the occupation of the ancillary accommodation to dependent member(s) of the family of the occupier(s) of the main dwelling on the land at Lot 174 (80) High Street, Sorrento.
<b>Date:</b>	28 May 2013.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>District Planning Scheme No. 2.</i>
<b>Strategic Community Plan:</b>	Quality Urban Environment.
<b>Key Theme:</b>	Quality built outcomes.
<b>Policy:</b>	Not applicable.
<b>Risk Management Considerations:</b>	The purpose of the Section 70A is to alert future landowners of the restrictions that apply to this dwelling. This reduces the risk that purchasers of the property will not be informed of the applicable restrictions.
<b>Financial/Budget Implications:</b>	The applicant paid fees of \$139 (new ancillary accommodation additions) excluding GST to cover all costs associated with the application.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Ancillary accommodation assists in providing diversity in housing choice for large extended families.
<b>Consultation:</b>	The proposal was advertised to three neighbouring properties for comment during the assessment process. No submissions were received.

<b>Document:</b>	Section 70A Notification.
<b>Parties:</b>	<b>City of Joondalup and K M Campbell, N A Campbell and C A Jones.</b>
<b>Description:</b>	To restrict the occupation of the ancillary accommodation to dependent member(s) of the family of the occupier(s) of the main dwelling on the land at Lot 197 (9) Magnolia Mews, Edgewater.
<b>Date:</b>	28 May 2013.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>District Planning Scheme No. 2.</i>
<b>Strategic Community Plan:</b>	Quality Urban Environment.
<b>Key Theme:</b>	Quality built outcomes.
<b>Policy:</b>	Not applicable.
<b>Risk Management Considerations:</b>	The purpose of the Section 70A is to alert future landowners of the restrictions that apply to this dwelling. This reduces the risk that purchasers of the property will not be informed of the applicable restrictions.
<b>Financial/Budget Implications:</b>	The applicant paid fees of \$208 (new ancillary accommodation) excluding GST to cover all costs associated with the application.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Ancillary accommodation assists in providing diversity in housing choice for large extended families.
<b>Consultation:</b>	The proposal was not advertised, as it was considered there was no impact on adjoining properties as a result of the development.

<b>Document:</b>	Section 70A Notification.
<b>Parties:</b>	<b>City of Joondalup and J T S Gott and L Gott.</b>
<b>Description:</b>	To restrict the occupation of the ancillary accommodation to dependent member(s) of the family of the occupier(s) of the main dwelling at Lot 336 (14) Seabird Place, Craigie.
<b>Date:</b>	25 June 2013.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>District Planning Scheme No. 2.</i>
<b>Strategic Community Plan:</b>	Quality Urban Environment.
<b>Key Theme:</b>	Quality built outcomes.
<b>Policy:</b>	Not applicable.
<b>Risk Management Considerations:</b>	The purpose of the Section 70A is to alert future landowners of the restrictions that apply to this dwelling. This reduces the risk that purchasers of the property will not be informed of the applicable restrictions.
<b>Financial/Budget Implications:</b>	The applicant paid fees of \$640 (new ancillary accommodation) excluding GST to cover all costs associated with the application.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Ancillary Accommodation assists in providing diversity in housing choice for large extended families.
<b>Consultation:</b>	The proposal was not advertised as it was considered there is no impact on adjoining properties as a result of the development.

## Withdrawal of Caveat

<b>Document:</b>	Withdrawal of Caveat.
<b>Parties:</b>	<b>City of Joondalup and Peet and Co Ltd</b>
<b>Description:</b>	To remove a caveat over Lots 123-126 (26-32) Grand Ocean Entrance, Burns Beach that required the owners to undertake remediation works to four adjoining sites following the use of a temporary car park. The obligations of the Deed of Agreement are satisfied and the caveat can now be withdrawn to enable the sale of the property.
<b>Date:</b>	28 May 2013.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>District Planning Scheme No. 2.</i>
<b>Strategic Community Plan:</b>	
<b>Key Theme:</b>	The Built Environment.
<b>Policy:</b>	Not applicable.
<b>Risk Management Considerations:</b>	The purpose of the caveat was to ensure that Peet and Co Limited's obligations under the Deed of Agreement were met.
<b>Financial/Budget Implications:</b>	Not applicable.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Not applicable.
<b>Consultation:</b>	Not applicable.

## Section 136C Easement

<b>Document:</b>	Section 136C Easement.
<b>Parties:</b>	<b>City of Joondalup and Clayton J Sanders.</b>
<b>Description:</b>	To satisfy condition 12 of development approval DA01/0435 requiring the disabled car parking bay to be made available to Lot 183 (68) Regents Park Road, Joondalup.
<b>Date:</b>	28 May 2013.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>District Planning Scheme No. 2.</i> <i>Transfer of Land Act 1893.</i>
<b>Strategic Community Plan:</b>	Quality Urban Environment.
<b>Key Theme:</b>	Quality built outcomes.
<b>Policy:</b>	Not applicable.
<b>Risk Management Considerations:</b>	The easement is required to ensure that the disabled car parking bay is made available to Lot 183 (68) Regents Park Road, Joondalup.
<b>Financial/Budget Implications:</b>	Not applicable.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Not applicable.
<b>Consultation:</b>	Not applicable.

## Deed of Easement

<b>Document:</b>	Deed of Easement.
<b>Parties:</b>	<b>City of Joondalup and Water Corporation</b>
<b>Description:</b>	Deed of Easement for protection against development on or over a Water Corporation 500mm diameter bore water main. The easement is eight metres wide on land Lot 23 (77) Gibson Avenue, Padbury.
<b>Date:</b>	28 May 2013.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	Sections 195 of the <i>Land Administration Act 1997 (WA)</i>
<b>Strategic Community Plan:</b>	Financial Sustainability.
<b>Key Theme:</b>	Financial diversity.
<b>Policy:</b>	City Policy - Sustainability. To establish the City's position on its responsibility towards developing, achieving and maintaining a sustainable community.
<b>Risk Management Considerations:</b>	The land area detailed in the easement will indicate to the future developer where it can and cannot build.
<b>Financial/Budget Implications:</b>	The overall value of the land will be reduced based on this easement and revaluation of Lot 23 is currently being undertaken.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	The disposal of City freehold land that has been set aside for community use should not be disposed of without there being a nominated purpose.
<b>Consultation:</b>	A form of consultation has taken place in the form of the public advertising of the amendment to <i>District Planning Scheme No. 2</i> to rezone the land. Depending on the method of disposal for this site – further public consultation will take place.

**Mortgagee's Deed of Covenant**

<b>Document:</b>	Mortgagee's Deed of Covenant.
<b>Parties:</b>	<b>City of Joondalup and Robinson Corp Pty Ltd ATF RR Development Trust and Westpac Banking Corporation.</b>
<b>Description:</b>	Re: sale of land at Lot 613 (11) Pacific Way, Beldon. With property being subject to mortgage a Mortgagee's Deed of Covenant is required to ensure the bank agrees to Council's requirement for the property to be used only for Aged Persons' Dwellings.
<b>Date:</b>	28 May 2013.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	Sections 3.58 and 3.59 of the <i>Local Government Act 1995</i> deals with disposal of local government land, in addition to the <i>Local Government (Functions and General) Regulations 1996</i> .
<b>Strategic Community Plan:</b>	Financial Sustainability.
<b>Key Theme:</b>	Financial diversity.
<b>Policy:</b>	City Policy - Sustainability. To establish the City's position on its responsibility towards developing, achieving and maintaining a sustainable community.
<b>Risk Management Considerations:</b>	The land has now been sold and is proposed to settle shortly. A potential risk from this point forward is that development on the site may cause dissatisfaction for nearby residents.
<b>Financial/Budget Implications:</b>	The land sold for \$1,350,000 excluding GST. There is a real estate commission of 1.5% of the selling price (including GST) to be deducted. Other sundry disposal costs also relate to the disposal of this site. The balance will be deposited in the Joondalup Performing Arts and Cultural Facility Reserve Fund.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	The disposal of City freehold land that has been set aside for community use should not be disposed of without there being a nominated purpose.
<b>Consultation:</b>	Public advertising of the rezoning amendment took place for 42 days.

## Amendment to District Planning Scheme No. 2

<b>Document:</b>	Amendment No. 67 to <i>District Planning Scheme No. 2</i> .
<b>Parties:</b>	<b>City of Joondalup and WA Planning Commission.</b>
<b>Description:</b>	Scheme Amendment No. 67 proposes to rezone the southern portion of Lot 1 (12) Cockman Road, Greenwood, from 'Service Industrial' to 'Commercial' as adopted by Council at its meeting held on 27 May 2013 – CJ067-05/13 refers.
<b>Date:</b>	11 June 2013.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	Part 5 of the <i>Planning and Development Act 2005</i> along with the <i>Town Planning Regulations 1967</i> enables local governments to amend a Local Planning Scheme and sets out the process to be followed.
<b>Strategic Community Plan:</b>	Economic Prosperity, Vibrancy and Growth.
<b>Key Theme:</b>	Activity Centre development.
<b>Policy:</b>	Not applicable.
<b>Risk Management Considerations:</b>	Not applicable.
<b>Financial/Budget Implications:</b>	The applicant has paid fees of \$5,125.48 (including GST) to cover all costs with assessing the request, public consultation and document production.
<b>Regional Significance:</b>	The subject site is identified within state strategic documents and the City's Local Planning Strategy and draft Local Commercial Strategy as a Local Centre. The proposed scheme amendment allows for commercial land uses to be considered for the entire site and will allow the local centre to better serve the needs of the local community as consistent with these documents.
<b>Sustainability Implications:</b>	<p>The proposed scheme amendment will support the opportunity for economic growth by allowing land uses more suited to the existing development on-site to be considered, as well as avoiding land use conflict with existing and surrounding commercial and residential land uses which could be created with the current 'Service Industrial' zoning.</p> <p>The provision of commercial land uses that will service the local community within walking distance also accords with sustainability principles.</p>

<b>Consultation:</b>	<p>The proposed scheme amendment was advertised for public comment for a period of 42 days, closing on 3 April 2013. Consultation included:</p> <ul style="list-style-type: none"><li>• written notification to seven surrounding landowners</li><li>• a notice placed in the Joondalup community newspaper and The West Australian newspaper</li><li>• a sign on the subject site</li><li>• a notice on the City's website.</li></ul> <p>No submissions were received.</p>
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## Amendment to DPS No. 2

<b>Document:</b>	Amendment No. 69 to <i>District Planning Scheme No. 2</i> .
<b>Parties:</b>	<b>City of Joondalup and WA Planning Commission.</b>
<b>Description:</b>	Scheme Amendment No. 69 to amend the residential density code of Lot 921 (98) Ellersdale Avenue, Warwick from R20 to R80 and restrict the permitted uses to Aged Persons' Dwellings, Retirement Village and Nursing Home.
<b>Date:</b>	11 June 2013.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	Part 5 of the <i>Planning and Development Act 2005</i> along with the <i>Town Planning Regulations 1967</i> enables local governments to amend a Local Planning Scheme and sets out the process to be followed.
<b>Strategic Community Plan:</b>	Quality Urban Environment.
<b>Key Theme:</b>	Quality built outcomes.
<b>Policy:</b>	Not applicable.
<b>Risk Management Considerations:</b>	Not applicable.
<b>Financial/Budget Implications:</b>	The applicant has paid fees of \$5,764.81 (including GST) to cover the City's costs of processing the scheme amendment.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	The proposed scheme amendment would ensure aged persons' accommodation is retained near existing facilities and infrastructure in an established suburb, allowing for people to age in place.
<b>Consultation:</b>	<p>The proposed scheme amendment was advertised for public comment for a period of 42 days, closing on 17 April 2013. Consultation included:</p> <ul style="list-style-type: none"> <li>• written notification to 54 surrounding landowners</li> <li>• a notice placed in the Joondalup Community newspaper and The West Australian newspaper</li> <li>• a sign on the subject site</li> <li>• a notice on the City's website.</li> </ul> <p>One neutral submission was received from the Department of Health. The comments provided were in relation to any future development of the site.</p>