

**DOCUMENTS EXECUTED BY AFFIXING THE COMMON SEAL
FOR THE PERIOD 24 AUGUST 2015 TO 7 SEPTEMBER 2015**

APPENDIX 3

ATTACHMENT 1

SECTION 70A NOTIFICATION:

Document:	Section 70A Notification.
Parties:	City of Joondalup and Kristian Ravn.
Description:	Notification under Section 70A between City of Joondalup and Kristian Robert Ravn advising current and future owners that Lot 15 (7) Acacia Way, Duncraig is in the vicinity of a transport corridor and may be affected by transport noise.
Date:	24 August 2015.
Signed/Sealed:	Signed and Sealed.
Legislation:	<i>Transfer of Land Act 1893.</i>
Strategic Community Plan:	Quality Urban Environment.
Policy:	Not applicable.
Risk Management Considerations:	The purpose of the Section 70A is to alert future landowners of the transport noise that may currently, or may in the future affect the site.
Financial/Budget Implications:	The applicant paid fees of \$73 (Subdivision clearance request) to cover all costs associated with the application.
Regional Significance:	Not applicable.
Sustainability Implications:	Not applicable.
Consultation:	Not applicable.

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PARKING AMENDMENT LOCAL LAW 2015:

Document:	<i>City of Joondalup Parking Amendment Local Law 2015.</i>
Parties:	City of Joondalup.
Description:	To amend certain provisions within the <i>City of Joondalup Parking Local Law 2015.</i>
Date:	24 August 2015.
Signed/Sealed:	Signed and Sealed.
Legislation:	<i>Local Government Act 1995.</i> <i>Local Government (Functions and General) Regulations 1996.</i> <i>Local Government (Parking for People with Disabilities) Regulations 2014.</i>
Strategic Community Plan:	Governance and Leadership. Corporate capacity.
Policy:	<i>Parking Schemes Policy.</i>
Risk Management Considerations:	Should the City not follow the local law creation process as detailed in the Act, the local law may be disallowed by the Joint Standing Committee on Delegated Legislation (JSCDL).
Financial/Budget Implications:	The cost associated with the local law making process is approximately \$2,500, being public advertising costs and costs to publish the local law in the <i>Government Gazette</i> . Funds are available in the <i>2015-16 Budget</i> for statutory advertising.
Regional Significance:	Not applicable.
Sustainability Implications:	Not applicable.
Consultation:	<p>The development of local laws requires statutory advertising of the proposal and consultation with the public throughout the local law making process. This has been undertaken and included:</p> <ul style="list-style-type: none"> • giving statewide public notice, advertising the proposed local law and inviting submissions to be made within no less than six weeks from the date of advertising, including: <ul style="list-style-type: none"> ○ advertising in <i>The West Australian</i> newspaper ○ displaying public notices at the City of Joondalup Administration Centre, public libraries and customers service centres ○ advertising on the City's website • providing a copy of the notice and a copy of the proposed local law to the Minister for Local Government.

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LEASE AGREEMENT:

Document:	Lease Agreement.
Parties:	City of Joondalup and the Minister for Health.
Description:	Lease Agreement between the City of Joondalup and the Minister for Health for the Currambine Child Health Clinic for two years commencing 15 May 2015, with a first further term of one year and a second further term of one year.
Date:	24 August 2015.
Signed/Sealed:	Signed and Sealed.
Legislation:	Sections 3.58 and 3.59 of the <i>Local Government Act 1995</i> , together with the <i>Local Government (Functions and General) Regulations 1996</i> determine how a local government may dispose of property.
Strategic Community Plan:	Community Wellbeing. Quality facilities.
Policy:	<i>Asset Management Policy.</i>
Risk Management Considerations:	Not applicable.
Financial/Budget Implications:	ABC Community Group to pay all utility costs.
Regional Significance:	Not applicable.
Sustainability Implications:	The <i>Property Management Framework (PMF)</i> aims to support the equitable access and the efficient and effective management of City owned and managed properties. It also recognises the value and community benefit of activities organised and provided for by community groups. In addition, the PMF aims to protect and enhance the City's assets for the benefit of the community and for future generations.
Consultation:	The Manager of Asset Management met with the Department of Health to agree on terms for the premises. The lease document is the same as for the Padbury Child Health Clinic. The City agrees to the two year Lease Agreement with one year options for the new child health centre at the Currambine Community Centre with a \$5,000 contribution to outgoings and the cessation of the City's \$10,000 contribution to existing family centres in Woodvale and Joondalup.

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REPLACEMENT AGREEMENT:

Document:	Replacement Agreement.
Parties:	City of Joondalup and John Vincent Forgione.
Description:	Replacement Agreement between City of Joondalup and John Vincent Forgione to enable transfer of land from Benjamin Victor Heys to John Vincent Forgione and the transferee (Forgione) to enter into the deed ensuring reciprocal access and parking is maintained across the subject land at Lot 2 (2/8) Dugdale Street, Warwick.
Date:	7 September 2015.
Signed/Sealed:	Signed and Sealed.
Legislation:	<i>District Planning Scheme No. 2.</i>
Strategic Community Plan:	Quality Urban Environment. Quality built outcomes.
Policy:	Not applicable.
Risk Management Considerations:	The purpose of the agreement is to ensure reciprocal access and parking is maintained over the sites.
Financial/Budget Implications:	Not applicable as the replacement of the caveat is at the cost of the applicant.
Regional Significance:	Not applicable.
Sustainability Implications:	Not applicable.
Consultation:	Not applicable.

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AMENDMENT 80 TO DISTRICT PLANNING SCHEME NO. 2:

Document:	Amendment 80 to <i>District Planning Scheme No. 2</i> .
Parties:	City of Joondalup and Western Australian Planning Commission.
Description:	Amendment 80 to <i>District Planning Scheme No. 2</i> between the City of Joondalup and Western Australian Planning Commission to recode Lot 1001 (14) Camberwarra Drive, Craigie from R20 to R40 and include the lot in Schedule 2 – Restricted Uses – Aged or Dependent Persons’ Dwelling.
Date:	7 September 2015.
Signed/Sealed:	Signed and Sealed.
Legislation:	<i>Planning and Development Act 2005.</i> <i>Town Planning Regulations 1967.</i>
Strategic Community Plan:	Quality Urban Environment.
Policy:	Not applicable.
Risk Management Considerations:	Not applicable.
Financial/Budget Implications:	The City, as the applicant, is required to cover the costs associated with the scheme amendment process. The costs incurred for the advertising of the amendment which comprised of letters to nearby landowners, placing notices in the relevant newspapers and a sign on-site was \$1,735.51.
Regional Significance:	Not applicable.
Sustainability Implications:	The proposed amendment will enable aged and dependent persons’ dwellings on Lot 1001 which will contribute to environmental, economic and social sustainability by providing dwellings near existing facilities and infrastructure within established suburbs. It will also allow ageing in place where people can continue to reside in their local area over the longer term.
Consultation:	The proposed scheme amendment was advertised for public comment for a period of 42 days closing on 3 June 2015, by way of: <ul style="list-style-type: none"> • letters to nearby land owners • a notice placed in the Joondalup Community newspaper and <i>The West Australian</i> newspaper • a sign on the subject site • a notice on the City’s website.

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LEASE AGREEMENT:

Document:	Lease Agreement.
Parties:	City of Joondalup and Vodafone Network Pty Ltd.
Description:	Lease Agreement between City of Joondalup and Vodafone Network Pty Ltd for the property at Lot 804 (17) Burlos Court, Joondalup for a period of 20 years commencing 1 January 2015.
Date:	7 September 2015.
Signed/Sealed:	Signed and Sealed.
Legislation:	Sections 3.58 and 3.59 of the <i>Local Government Act 1995</i> , together with the <i>Local Government (Functions and General) Regulations 1996</i> determine how a local government may dispose of property. <i>Telecommunications Act 1997 (Cwth).</i>
Strategic Community Plan:	Community Wellbeing. Quality facilities.
Policy:	<i>Asset Management Policy.</i>
Risk Management Considerations:	Not applicable.
Financial/Budget Implications:	Previous rent - \$6,633.25. Proposed rent - \$10,000 per annum. The Lessee is responsible for the payment of electricity.
Regional Significance:	Not applicable.
Lease prepared by:	The Lessee's solicitors.
Lease content approved by:	The City's Principal Legal Officer, Manager Asset Management, Director Infrastructure Services.
Sustainability Implications:	The <i>Property Management Framework (PMF)</i> aims to support the equitable access and the efficient and effective management of City owned and managed properties. It also recognises the value and community benefit of activities organised and provided for by community groups. In addition, the PMF aims to protect and enhance the City's assets for the benefit of the community and for future generations.
Consultation:	The City initially proposed a rental of \$27,500 per annum for the premises and the Lessee responded with advice that their maximum rental is \$10,000 per annum. The City attempted firm negotiations over a period of three or four months with proposed rents of \$18,000 per annum and \$15,000 per annum however the Lessee refused to exceed \$10,000 per annum. The previous rent for the premises is \$6,633 per annum and the new lease includes a market rent review at five years. The Lessee pays an additional rent of \$10,000 per annum to co-locate on the tower at the adjacent site and the City receives 50% of the co-location fee.

	<p>The City advised in January one months notice to terminate the lease however the Lessee proposed in reply that they would serve the City with a <i>Land Access and Activity Notice</i> under the <i>Telecommunications Act 1997 (Cwth)</i>.</p> <p>The matter was referred to the City Principal Legal Officer who advised that:</p> <ul style="list-style-type: none">• the Lessee has rights under the <i>Telecommunications Act 1997 (Cwth)</i> which enable it to remain in occupation of the site by serving a notice• the Lessee is under no obligation to enter a new lease or pay rental. <p>Based on this advice it is considered to be in the City's best interest to accept the rental of \$10,000 per annum and enter a new lease before the issue of a notice by the Lessee.</p>
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