

DOCUMENTS EXECUTED BY AFFIXING THE COMMON SEAL  
ON 13 SEPTEMBER 2016

DEED OF EASEMENT AND WITHDRAWAL OF CAVEAT

<b>Document:</b>	Deed of Easement and Withdrawal of Caveat.
<b>Parties:</b>	<b>City of Joondalup and Equation Pty Ltd.</b>
<b>Description:</b>	Deed of Easement and Withdrawal of Caveat for Lot 147 (2) Padbury Circle, Sorrento (part of Sorrento Plaza).
<b>Date:</b>	27 September 2016.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>Transfer of Land Act 1893.</i>
<b>Strategic Community Plan:</b>	Urban Quality Environment.
<b>Key Theme:</b>	Quality built outcomes.
<b>Objective:</b>	
<b>Policy:</b>	Not applicable.
<b>Risk Management Considerations:</b>	<p>The owner of Lot 147 is preparing to sell the lot.</p> <p>As part of a 1982 Deed of Agreement relating to reciprocal parking and access, an easement over Lot 147 is required for the benefit of patrons of the business on Lot 149.</p> <p>An easement in gross is proposed in order to satisfy the above requirement. A similar easement in gross exists on Lot 149.</p> <p>Caveat C467656 would be withdrawn following registration of the Deed of Easement.</p> <p>The proposal has been reviewed by the Principal Legal Officer and course of action is considered satisfactory.</p>
<b>Financial/Budget Implications:</b>	Not applicable.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Not applicable.
<b>Consultation:</b>	Not applicable.

## LEASE 2489/100

<b>Document:</b>	Lease No. 2489/100 Public Swimming Enclosure and Associated Shark Barrier.
<b>Parties:</b>	<b>City of Joondalup and Conservation and Land Management Executive Body.</b>
<b>Description:</b>	Lease for public swimming enclosure and associated shark barrier for part of Marmion Marine Park Marine Reserve Number 1 for 15 years commencing 1 October 2016.
<b>Date:</b>	18 October 2016.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<ul style="list-style-type: none"> <li>• <i>Section 155(2) Amended Conservation and Land management Act 1984.</i></li> <li>• <i>Transfer of Land Act 1893.</i></li> <li>• <i>Local Government Act 1995.</i></li> </ul>
<b>Strategic Community Plan:</b>	The Natural Environment.
<b>Key Theme:</b>	Accessible environments.
<b>Objective:</b>	
<b>Policy:</b>	<i>Sustainability Policy.</i>
<b>Risk Management Considerations:</b>	<ul style="list-style-type: none"> <li>• Failure of Contractor to be able to deliver the project due to financial issues.</li> <li>• Failure to deliver appropriate signage for Pre Construction and permanent signage.</li> <li>• Failure to communicate with the general public resulting in negative feedback regarding the project.</li> <li>• Maintenance processes fail to identify faults, resulting in degradation of the structure.</li> <li>• Post Construction – Accretion of sand at Hillarys reduces the available space at the beach and narrows the available width of ocean below Surf Club requirements to run surf events.</li> </ul>
<b>Financial/Budget Implications:</b>	\$910,000 for initial capital costs and maintenance of the enclosure for three years.
<b>Regional Significance:</b>	This will create the only beach enclosure for swimming in the northern suburbs. One enclosure is currently available at Coogee Beach, south of Perth.
<b>Sustainability Implications:</b>	<p>The structure is constructed within the ocean environment and to be retained and maintained in place for a period of approximately 10-15 years, or for its natural economic life. The lease is proposed for 15 years.</p> <p>Consideration given to removal or replacement of the structure is expected to be formally reviewed in approximately 10 years. Continuous monitoring, reporting and material tests carried out over the life of the structure are to be used to assess the future capacity of the structure and guide recommendations to retain or replace the structure. Initial weekly maintenance inspections are contracted for the first three years post installation. Monthly reporting of condition and issues is contracted for the first three years.</p>

	Exposure to wind, tide, wave and swell the structure is designed as a flexible structure but will be subject to occasional large storm events and will require continual monitoring and management over its life.
<b>Consultation:</b>	Consultation was had with Sorrento Surf Life Saving Club, Surf Life Saving WA, Department of Transport - Hillarys Boat Harbour, Department of Transport – Marine Safety and Navigation.

**DEED OF RENEWAL AND VARIATION OF LEASE**

<b>Document:</b>	Deed of Renewal and Variation of Lease Agreement.
<b>Parties:</b>	<b>City of Joondalup and Telstra Corporation Limited.</b>
<b>Description:</b>	Deed of Renewal and Variation of Lease for Lot 503 on deposited plan 62965 Warwick Regional Open Space 1/64L Lloyd Drive, Warwick commencing 1 January 2017 for five years with two further terms of five years.
<b>Date:</b>	1 November 2016.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>Land Administration Act 1997.</i>  In accordance with section 18 of the <i>Land Administration Act 1997</i> consent will be sought from the Minister for Lands prior to execution of the documents.
<b>Strategic Community Plan:</b> <b>Key Theme:</b> <b>Objective:</b>	Urban Quality Environment.  Quality built outcomes.
<b>Policy:</b>	<i>Asset Management Policy.</i>
<b>Risk Management Considerations:</b>	Not applicable.
<b>Financial/Budget Implications:</b>	The City will receive \$19,144.22 annually with an annual 5% increase effective on every succeeding year of the five year term.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	The PMF aims to support equitable access and the efficient and effective management of City owner 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.
<b>Consultation:</b>	Not applicable.  The term is the exercise of the first five year option term by the lessee.

## SECTION 70A NOTIFICATION

<b>Document:</b>	Section 70A Notification.
<b>Parties:</b>	<b>City of Joondalup and Thomas John Heels and Dianne Lesley Heels.</b>
<b>Description:</b>	Notification under Section 70A for Lot 5 (8) Dugdale Street, Warwick alerting current and future owners that access is to be provided to 78 car parking bays within the strata parcel of which Lot 5 forms part for the use of clients and customers of Warwick Cinema.
<b>Date:</b>	1 November 2016.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>Transfer of Land Act 1893.</i>
<b>Strategic Community Plan:</b>	Quality Urban Environment.
<b>Key Theme:</b>	Quality built outcomes.
<b>Objective:</b>	
<b>Policy:</b>	Not applicable.
<b>Risk Management Considerations:</b>	<p>The purpose of the Section 70A notification is to notify current and future owners of the access and parking arrangements for the parking bays. This will reduce the risk that future purchasers of the property will not be informed of the access and parking requirements.</p> <p>The existing caveat will be permanently removed and a replacement deed will not be entered into. However, McLeods consider that a Section 70A notification to be suitable in lieu of a replacement caveat and deed in this instance.</p>
<b>Financial/Budget Implications:</b>	Not applicable as the Section 70A notification was prepared at the cost of the applicant.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Not applicable.
<b>Consultation:</b>	Not applicable.

## SECTION 70A NOTIFICATION

<b>Document:</b>	Section 70A Notification.
<b>Parties:</b>	<b>City of Joondalup and Urban WA Real Estate Pty Ltd and Crosspoint Holdings Pty Ltd.</b>
<b>Description:</b>	Notification under section 70A for Lot 86 (74) Trailwood Drive, Woodvale to notify current and future landowners that the site is located within a transport corridor and may be affected by transport noise.
<b>Date:</b>	1 November 2016.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>Transfer of Land Act 1893.</i>
<b>Strategic Community Plan:</b>	Quality Urban Environment.
<b>Key Theme:</b>	Quality built outcomes.
<b>Objective:</b>	
<b>Policy:</b>	<i>SPP 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning.</i>
<b>Risk Management Considerations:</b>	The purpose of the Section 70A is to alert future landowners that the site is located within the vicinity of a transport corridor.
<b>Financial/Budget Implications:</b>	The applicant subdivision clearance application fees to cover all costs associated with the application.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Not applicable.
<b>Consultation:</b>	Not applicable.

## LICENCE

<b>Document:</b>	Licence Agreement.
<b>Parties:</b>	<b>City of Joondalup and the Returned and Services League of Australia WA Branch Incorporated.</b>
<b>Description:</b>	Licence Agreement between for the Joyce Donnelly Room and adjoining store room at Heathridge Leisure Centre for five years commencing 1 January 2017.
<b>Date:</b>	1 November 2016.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	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. In accordance with section 18 of the <i>Land Administration Act 1997</i> 'in principle' agreement will be sought from the Minister for Lands prior to execution of the documents.
<b>Strategic Community Plan:</b>	Community Wellbeing.
<b>Key Theme:</b>	Quality facilities.
<b>Objective:</b>	
<b>Policy:</b>	<i>Asset Management Policy.</i>
<b>Risk Management Considerations:</b>	Not applicable.
<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 VARIATION OF CONSTITUTION AGREEMENT

<b>Document:</b>	Deed of Variation – Constitution of Variation.
<b>Parties:</b>	<b>City of Joondalup, Town of Cambridge, City of Perth, City of Stirling, Town of Victoria, City of Vincent and City of Wanneroo.</b>
<b>Description:</b>	Deed of Variation to the Constitution Agreement of the Mindarie Regional Council.
<b>Date:</b>	1 November 2016.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>Local Government Act 1995.</i> <i>Local Government (Administration) Regulations 1996.</i>
<b>Strategic Community Plan:</b>	The Natural Environment.
<b>Key Theme:</b>	Environment resilience.
<b>Objective:</b>	
<b>Policy:</b>	Not applicable.
<b>Risk Management Considerations:</b>	Not supporting the amendments to the constitution agreement will severely impact the City's ability to achieve the waste diversion targets as set by the Waste Authority.
<b>Financial/Budget Implications:</b>	There are no financial implications directly associated with the endorsement of these amendments at this time given the need for a unanimous decision by all Mindarie Regional Council member Councils prior to involvement in any future applicable project/processing option. Any financial implication would be reviewed and subject to endorsement of any particular project proposals at that time.
<b>Regional Significance:</b>	The Mindarie Regional Council and the role it undertakes has significant relevance and impact to the region. It allows member councils to get value for money through the combined waste management services. The modifications proposed will assist in ensuring the longevity of this arrangement.
<b>Sustainability Implications:</b>	The proposal will support the City in achieving our targets to increase waste diversion rates through early investigation of projects such as waste to energy.
<b>Consultation:</b>	The Mindarie Regional Council SWG which is represented by each member Council has been consulted regarding the proposed amendments to the constitution agreement.

## SECTION 70A NOTIFICATION

<b>Document:</b>	Section 70A Notification.
<b>Parties:</b>	<b>City of Joondalup and Elizabeth Marion Angwin.</b>
<b>Description:</b>	Notification under section 70A for Lot 100 (50A) Broadbeach Boulevard, Hillarys to notify current and future owners that the site is located within a bushfire prone area.
<b>Date:</b>	15 November 2016.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>Transfer of Land Act 1893.</i>
<b>Strategic Community Plan:</b>	Quality Urban Environment.
<b>Key Theme:</b>	Quality built outcomes.
<b>Objective:</b>	
<b>Policy:</b>	State Planning Policy 3.7 <i>Planning in Bushfire Prone Areas.</i>
<b>Risk Management Considerations:</b>	The purpose of the section 70A is to alert future landowners that the site is located within a Bushfire Prone Area.
<b>Financial/Budget Implications:</b>	The applicant paid fees of \$2,214 (development application fee) to cover all costs associated with the application.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Not applicable.
<b>Consultation:</b>	Not applicable.

## SECTION 70A NOTIFICATION

<b>Document:</b>	Section 70A Notification.
<b>Parties:</b>	<b>City of Joondalup and Elizabeth Marion Angwin.</b>
<b>Description:</b>	Notification under section 70A for Lot 100 (50B) Broadbeach Boulevard, Hillarys to notify current and future owners that the site is located within a bushfire prone area.
<b>Date:</b>	15 November 2016.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>Transfer of Land Act 1893.</i>
<b>Strategic Community Plan:</b>	Quality Urban Environment.
<b>Key Theme:</b>	Quality built outcomes.
<b>Objective:</b>	
<b>Policy:</b>	State Planning Policy 3.7 <i>Planning in Bushfire Prone Areas.</i>
<b>Risk Management Considerations:</b>	The purpose of the section 70A is to alert future landowners that the site is located within a Bushfire Prone Area.
<b>Financial/Budget Implications:</b>	The applicant paid fees of \$2,214 (development application fee) to cover all costs associated with the application.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Not applicable.
<b>Consultation:</b>	Not applicable.

## SECTION 70A NOTIFICATION

<b>Document:</b>	Section 70A Notification.
<b>Parties:</b>	<b>City of Joondalup and Kevin John &amp; Susan Foster.</b>
<b>Description:</b>	Notification under section 70A for Lot 217 (44) Beachside Drive, Burns Beach to notify current and future owners that the site is located within a bushfire prone area.
<b>Date:</b>	15 November 2016.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>Transfer of Land Act 1893.</i>
<b>Strategic Community Plan:</b>	Quality Urban Environment.
<b>Key Theme:</b>	Quality built outcomes.
<b>Objective:</b>	
<b>Policy:</b>	State Planning Policy 3.7 – <i>Planning in Bushfire Prone Areas.</i>
<b>Risk Management Considerations:</b>	The purpose of the Section 70A is to alert future landowners that the site is located in a Bushfire Prone Area.
<b>Financial/Budget Implications:</b>	The applicant paid fees of \$3,595.01 (development application fee) to cover all costs associated with the application.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Not applicable.
<b>Consultation:</b>	Not applicable.