

DOCUMENTS EXECUTED BY AFFIXING THE COMMON SEAL  
FOR THE PERIOD 7 FEBRUARY 2017 TO 23 FEBRUARY 2017

DEED OF RATIFICATION AND VARIATION OF LEASE.

<b>Document:</b>	Deed of Variation.
<b>Parties:</b>	<b>City of Joondalup and Excite Developments Pty Ltd and Wanneroo Joondalup State Emergency Service (Inc).</b>
<b>Description:</b>	Deed of Ratification and Variation of Lease for part of Unit 1, 8 Tesla Link, Wangara between City of Joondalup (Lessee), Excite Developments Pty Ltd (Lessor) and Wanneroo Joondalup State Emergency Service (Inc) (WJSES) (Sub-Lessee) for one year commencing 1 January 2017 with the option to terminate by giving two months notice at any time after 30 April 2017.
<b>Date:</b>	7 February 2017.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	Not applicable.
<b>Strategic Community Plan:</b>	
<b>Key Theme:</b>	Community Wellbeing.
<b>Objective:</b>	Quality facilities.
<b>Policy:</b>	<i>City Policy – Asset Management.</i>
<b>Risk Management Considerations:</b>	Not applicable.
<b>Financial/Budget Implications:</b>	<p>The finances required for the extension to the WJSES Depot and the costs associated with the relocation of WJSES at the temporary depot will be fully reimbursed under the <i>Local Government Grants Scheme</i> (LGGS).</p> <p>The City of Joondalup (Lessee) is responsible for rent at \$52,500.00 per annum, plus outgoings, plus GST, payable by instalments of \$4,375.00 per month, in advance on the first day of each month. All related costs will be recouped through the LGGS process. The net operating costs on the City will be nil.</p> <p>Site works are due for completion by 31 March 2017. The WJSES is responsible for the fit-out of the new facility and the relocation of the unit at the completion of the site works. It is anticipated that the lease will be terminated by 30 June 2017.</p>
<b>Regional Significance:</b>	The WJSES provides the emergency response to the northern suburbs in the event of storm, flooding, land search and other duties (within the scope and capability) as requested by emergency services.
<b>Sustainability Implications:</b>	Not applicable.

<b>Consultation:</b>	<p>The Wanneroo – Joondalup SES lease a City of Joondalup building at 21 Winton Road, Joondalup used as their administrative, logistical and operational base. Building extensions are in progress to extend the facility, funded under the LGGS.</p> <p>The extensions are required given that the current premises had passed their functional viability.</p> <p>At its meeting held on 16 February 2016 (CJ020-02/16 refers), Council awarded contract 037/15 for the extension to the WJSES facility to CPD Group Pty Ltd for the sum of \$778,867. Works commenced in February 2016. The City subsequently became aware that administrators were appointed to CPD Group Pty Ltd on 11 May 2016 and later they were placed in liquidation. At its meeting held on 18 October 2016 (CJ170-10/16 refers), Council accepted the tender submitted by McCorkell Constructions (WA) Pty Ltd for the completion of the extension to WJSES facility as specified in Tender 031/16 for the fixed lump sum of \$715,850 (GST exclusive) for completion of the works within six months from the date of possession of site, which occurred on 14 November 2017.</p>
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**DEED OF VARIATION OF CONSTITUTION AGREEMENT.**

<b>Document:</b>	Deed of Variation of Constitution Agreement.
<b>Parties:</b>	<b>Cities of Joondalup, Perth, Stirling, Vincent and Wanneroo and Towns of Cambridge and Victoria Park.</b>
<b>Description:</b>	Deed of Variation – Constitution Agreement of the Mindarie Regional Council (MRC).
<b>Date:</b>	14 February 2017.
<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> <b>Key Theme:</b> <b>Objective:</b>	The Natural Environment. Environmental resilience.
<b>Policy:</b>	Not applicable.
<b>Risk Management Considerations:</b>	Not supporting the amendments to the Constitution Agreement (CA) 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 MRC 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 MRC and the role it undertakes have significant relevance and impact to the region. It allows the 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>	<u>Environmental</u> The proposal will support the City in achieving its targets to increase waste diversion rates through early investigation of projects such as waste to energy.
<b>Consultation:</b>	The MRC's SWG, which is represented by each member Council, has been consulted regarding the proposed amendments to the CA. The principal Legal Officer has review the Deed of Variation.

**WASTE LOCAL LAW 2017.**

<b>Document:</b>	<i>Waste Local Law 2017.</i>
<b>Parties:</b>	<b>City of Joondalup and Department of Environment Regulation.</b>
<b>Description:</b>	<i>Waste Local Law 2017</i> to provide for the regulation, control and management of waste services, including the use and control of receptacles for the deposit and collection of waste undertaken by or on behalf of the local government within the district.
<b>Date:</b>	23 February 2017.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>Local Government Act 1995.</i> <i>Waste Avoidance and Resource Recovery Act 2007.</i>
<b>Strategic Community Plan:</b> <b>Key Theme:</b> <b>Objective:</b>	Governance and Leadership. Corporate capacity.
<b>Policy:</b>	Not applicable.
<b>Risk Management Considerations:</b>	Should the City not progress the creation of the local law in a timely manner, the local law may be recommended for disallowance by the Joint Standing Committee on Delegated Legislation
<b>Financial/Budget Implications:</b>	The cost associated with making of this local law is approximately \$1,500.00, being public advertising costs to publish the local law in the <i>Government Gazette</i> and newspapers.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	The local law is cognisant of the City's <i>Waste Management Plan 2016-2021</i> which aims to ensure the City meets key targets in relation to minimisation of waste and improving resource recovery and recycling outcomes.
<b>Consultation:</b>	<p>The development of local laws requires statutory advertising of the proposal and consultation with the public throughout the local law-making process. This was undertaken and included:</p> <ul style="list-style-type: none"> <li>• 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"> <li>• Advertising in <i>The West Australian</i> newspaper.</li> <li>• Advertising in a newspaper circulating throughout the district.</li> <li>• Displaying public notices at the City of Joondalup Administration Centre, public libraries and Customer Services Centres.</li> <li>• Advertising on the City's Website.</li> </ul> </li> <li>• Providing a copy of the notice and a copy of the proposed local law to the Minister for Local Government and the Minister for Environment.</li> </ul>

**EXTENSION OF LEASE.**

<b>Document:</b>	Extension of Lease.
<b>Parties:</b>	<b>City of Joondalup and Optus Mobile Pty Ltd.</b>
<b>Description:</b>	Deed of renewal to exercise option between City of Joondalup and Optus Mobile Pty Ltd at 90 Boas Avenue, Joondalup commencing 1 September 2016 for 10 years, with an option term of 10 years.
<b>Date:</b>	23 February 2017.
<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.
<b>Strategic Community Plan:</b> <b>Key Theme:</b> <b>Objective:</b>	Community Wellbeing.
<b>Policy:</b>	<i>City Policy – Asset Management.</i>
<b>Risk Management Considerations:</b>	Not applicable.
<b>Financial/Budget Implications:</b>	The rent is set at \$27,691.21 plus GST for the first year of the further term and thereafter increased by 5% on each anniversary of the commencement date.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	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.
<b>Consultation:</b>	The term is to renew the option for a further 10 year term by the lessee.

**DEED OF AGREEMENT.**

<b>Document:</b>	Deed of Agreement.
<b>Parties:</b>	<b>City of Joondalup and Goodstart Early Learning Ltd.</b>
<b>Description:</b>	Deed of Agreement between City of Joondalup and Goodstart Early Learning Ltd related to parking and access at Lot 101 (77) Marina Boulevard, Ocean Reef to ensure reciprocal access and parking is maintained between 81 and 77 Marina Boulevard, Ocean Reef.
<b>Date:</b>	23 February 2017.
<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>	Quality Urban Environment.
<b>Objective:</b>	Quality built outcomes.
<b>Policy:</b>	Not applicable.
<b>Risk Management Considerations:</b>	The purpose of the Deed is to ensure reciprocal access and parking is maintained between 81 and 77 Marina Boulevard, Ocean Reef. This will reduce the risk that future purchasers of the property will not be informed of the access and parking requirements.
<b>Financial/Budget Implications:</b>	The applicant, Goodstart Early Learning Ltd, is responsible for all costs associated with the preparation and lodgement of the Deed.
<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 Slade Cruden.</b>
<b>Description:</b>	Notification under Section 70A for Lot 514 (4) Marsden Way, Padbury advising current and future owners that the site is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected by transport noise.
<b>Date:</b>	23 February 2017.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>Transfer of Land Act 1893.</i>
<b>Strategic Community Plan:</b> <b>Key Theme:</b> <b>Objective:</b>	Quality Urban Environment.
<b>Policy:</b>	SPP5.4 – Road and rail transport noise and freight considerations in Land Use planning.
<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 has paid subdivision clearance application fees to cover all costs associated with the application. The applicant is responsible for all costs involved with the lodging of the notification with Landgate.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Not applicable.
<b>Consultation:</b>	Not applicable.