

Table of Powers of Attorney for TPRC (44644)

	Local Government Participant grantor	POA date	Power of attorney number	Named attorney	Joint and Several Y/N	Status at Landgate as at 30 July 2019 (Current or revoked)
1	Town of Cambridge	12 July 2012	M35075	John Anthony Arias	N	Current
	Town of Cambridge	13/09/13	M402567	(1)John Anthony Arias; (2)Wayne Patrick Burns; (3)Jason Richard Buckley; (4)Garry George Hunt; (5)Gary John Stevenson; (6) Stuart Jardine; (7)Athanasios Kyron; (8) John Giorgi; (9)Daniel John Sims	Y	Current
2	City of Vincent	12 July 2012	M35079	John Anthony Arias	N	Current
	City of Vincent	13/09/13	M402568	(1)John Anthony Arias; (2)Wayne Patrick Burns; (3)Jason Richard Buckley; (4)Garry George Hunt; (5)Gary John	Y	Current

				Stevenson; (6) Stuart Jardine; (7) Athanasios Kyron; (8) John Giorgi; (9) Daniel John Sims		
3	City of Wanneroo	12 July 2012	M35069	John Anthony Arias	N	Current
	City of Wanneroo	09/09/13	M402570	(1) John Anthony Arias; (2) Wayne Patrick Burns; (3) Jason Richard Buckley; (4) Garry George Hunt; (5) Gary John Stevenson; (6) Stuart Jardine; (7) Athanasios Kyron; (8) John Giorgi; (9) Daniel John Sims	Y	Current
4	City of Joondalup	31 July 2012	M35057	John Anthony Arias	N	Current
	City of Joondalup	13/09/13	M402571	(1) John Anthony Arias; (2) Wayne Patrick Burns; (3) Jason Richard Buckley; (4) Garry George Hunt; (5) Gary John Stevenson; (6) Stuart Jardine; (7) Athanasios Kyron; (8) John	Y	Current

				Giorgi; (9)Daniel John Sims		
5	City of Stirling	7 August 2012	M35068	John Anthony Arias	N	Current
	City of Stirling	13/09/13	M402572	(1)John Anthony Arias; (2)Wayne Patrick Burns; (3)Jason Richard Buckley; (4)Garry George Hunt; (5)Gary John Stevenson; (6) Stuart Jardine; (7)Athanasios Kyron; (8) John Giorgi; (9)Daniel John Sims	Y	Current
6	Town of Victoria Park	25 July 2012	M35062	John Anthony Arias	N	Current
	Town of Victoria Park	13/09/13	M402573	(1)John Anthony Arias; (2)Wayne Patrick Burns; (3)Jason Richard Buckley; (4)Garry George Hunt; (5)Gary John Stevenson; (6) Stuart Jardine; (7)Athanasios Kyron; (8) John Giorgi; (9)Daniel John Sims	Y	Current
7	City of Perth	7 August 2012	M35081	John Anthony Arias	N	Current

	City of Perth	13/09/13	M402569	1)John Anthony Arias; (2)Wayne Patrick Burns; (3)Jason Richard Buckley; (4)Garry George Hunt; (5)Gary John Stevenson; (6) Stuart Jardine; (7)Athanasios Kyron; (8) John Giorgi; (9)Daniel John Sims	Y	Current
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FORM APPROVED
NO. B2891

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893 AS AMENDED

BLANK INSTRUMENT FORM**POWER OF ATTORNEY**

(Note 1)

BY THIS POWER OF ATTORNEY created this day of 2019
CITY OF JOONDALUP of Boas Avenue, Joondalup, Western Australia.

RECITALS:

A. The City of Joondalup (**City**) is registered as the proprietor of an estate in fee simple as to 2/12 undivided shares in land being:

- (a) Lot 9001 on Deposited Plan 73462 and being the whole of the land comprised in Certificate of Title Volume 2790 Folio 174;
- (b) Lot 9510 on Deposited Plan 73462 and being the whole of the land comprised in Certificate of Title Volume 2790 Folio 175; and
- (c) Lot 9511 on Deposited Plan 73462 and being the whole of the land comprised in Certificate of Title Volume 2790 Folio 176,

and, where the context so requires, includes any part or parts of the above described land.

(**Lots**)

- B. The Lots previously formed part of Lot 9504 being the whole of the land comprised in certificate of title Volume 2230 Folio 333 (**Lot 9504**).
- C. The City together with the Town of Cambridge, City of Perth, City of Vincent, City of Stirling, Town of Victoria Park and the City of Wanneroo (**local government participants**) agreed subject to the approval of the Minister for Local Government to establish a regional local government known as the Tamala Park Regional Council (**TPRC**) pursuant to section 3.61 of the *Local Government Act 1995* for the purpose of effecting the rezoning, subdivision, development, marketing and sale of that portion of Lot 9504 as is shown on the sketch annexed hereto as **Annexure "A" (Land)**.
- C. In accordance with section 3.61(2) of the *Local Government Act 1995* the City and the local government participants entered into an agreement to establish the TPRC and to set out the various matters as prescribed by section 3.64 of the *Local Government Act 1995* (**Establishment Agreement**), which agreement was signed by all of the parties to that document and approved by the Minister for Local Government on 24 January 2006.
- D. Pursuant to clause 4 of the Establishment Agreement the TPRC is permitted to undertake the rezoning, subdivision, development, marketing and sale of the Land in accordance with the objectives set out under the Establishment Agreement.

- E. The City wishes to enter into this power of attorney for the purpose of enabling the TPRC to carry out the marketing and sale of the Land on behalf of the City and to enable the TPRC to carry out and satisfy the obligations of the City in disposing of the Land or any part thereof under section 3.58(3) of the *Local Government Act 1995* and to do all such things and matters as are more particularly set out in the Schedule to this Power of Attorney to effect the transfer of any lots created from the subdivision of the Land.

Appointment of Attorney

1. *Appointment of Attorney*

- (a) By this deed the City APPOINTS the persons specified in Schedule 1 (**Attorney**) to be its attorney and in its name to exercise the powers granted by this Power of Attorney.
- (b) The City empowers the Attorney acting jointly and severally to do the things specified in Schedule 2.

2. *Powers of Attorney*

The City grants to the Attorney the power to sell and deal with any part or parts of the Land which comprises or will comprise a lot or a strata lot under or by virtue of the *Transfer of Land Act 1893* and the *Strata Titles Act 1985* (**Acts**) of which the City is the proprietor under the Acts and for that purpose:

- (a) to undertake the matters specified in the Schedule 2 to this Power of Attorney;
- (b) to execute a document specified in the Schedule 2 to this Power of Attorney (**Document**); and
- (c) do all things necessary or expedient to give effect to a Document including, but not limited to, completing any blanks and making any amendments, alterations and additions which may be considered necessary by the Attorney.

3. *Extent of Powers*

Each power granted under this Power of Attorney includes the powers:

- (a) to execute that power:
 - (i) wholly or in part;
 - (ii) in any manner; and
 - (iii) on terms and subject to conditions approved by the Attorney;
- (b) to do, execute and perform all things necessary or desirable in connection with that power;
- (c) to exercise that power and to do, execute and perform anything in connection with that power; and
- (d) to vary, alter or annul anything done by the Attorney in connection with that power.

4. To market and sell the Land or any part thereof

The City grants the Attorney the right to do all such acts matters and things and to sign and execute all documents necessary to effect the marketing and sale of the Land or any part thereof and furthermore to accept and sign any contracts of sale for the Land or any part thereof subject to compliance with the provisions of section 3.58(3) of the *Local Government Act 1995*.

5. To carry out all actions necessary to satisfy section 3.58(3) of the Local Government Act 1995

The City grants the Attorney the power to do all such acts matters and things and to carry out the obligations of the City under section 3.58(3) of the *Local Government Act 1995* to enable the disposal of the Land or any part thereof from the City to a buyer(s) and for that purpose its attorney shall be permitted to:

- (a) advertise any proposed disposition of the Land or any part thereof in accordance with section 3.58(3) of the *Local Government Act 1995*;
- (b) consider any submissions made in response to the advertising of the proposed disposition and following consideration of those submissions make a decision as to whether to proceed with that disposal in accordance with the requirements of section 3.58(3)(b) of the *Local Government Act 1995*; and
- (c) following a decision being made by its attorney to dispose of the Land or any part thereof in accordance with section 3.58(3) of the *Local Government Act 1995*, sign any contract for the sale of the Land or any part thereof on behalf of the City and provide a copy of any signed contract to any buyer(s) and/or agent of any buyer(s).

6. To do other necessary acts

The Attorney agrees to do every other thing which may be deemed necessary, proper or expedient for fully and effectually marketing and selling the Land or any part thereof and to ensure that the City satisfies its obligations under section 3.58(3) of the *Local Government Act 1995* prior to disposing of the Land or any part thereof.

7. Reliance on Appointment

Any person, including the Registrar of Titles of Western Australia, dealing with the Attorney under this Power of Attorney is:

- (a) entitled to rely on execution of any document by that person as conclusive evidence that:
 - (i) this Power of Attorney has come into effect;
 - (ii) this Power of Attorney has not been revoked; and
 - (iii) that the power being exercised or being purported to be exercised is properly exercised and that the circumstances have arisen to authorise the exercise of that power; and
- (b) not required to make any inquiries in respect of any of the above matters.

8. ***Declaration of validity***

The City declares that all and each of the assurances and acts, contracts, matters and things which shall be given, made, executed or done by its attorney for the above-mentioned purposes shall be as good, valid and effectual to all intents and purposes as if the same had been signed, sealed, delivered, given or made or done by the City.

9. ***Ratification***

The City undertakes to ratify all that the Attorney lawfully does or causes to be done under this Power of Attorney.

10. ***Indemnity***

The City indemnifies the Attorney in respect of any loss arising from any act done under this Power of Attorney.

11. ***Revocation***

This Power of Attorney will remain in full force until the earlier of:

- (a) the date on which the whole of the Land is subdivided and all subdivided lots created from the subdivision of the Land have been transferred to a third party; or
- (b) the date on which notice of revocation of this Power of Attorney is received by the Attorney.

12. ***Interpretation***

In this Power of Attorney, unless the context otherwise requires:

- (a) headings, underlines and numbering do not affect the interpretation or construction of this Power of Attorney;
- (b) words importing the singular include the plural and vice versa;
- (c) words importing a gender include any gender;
- (d) an expression importing a natural person includes any company, partnership, joint venture, association, corporation or other body corporate;
- (e) a reference to any statute, regulation, proclamation or local law includes all statutes, regulations, proclamations or local law varying, consolidating or replacing them, and a reference to a statute includes all regulations, proclamations and local laws issued under that statute; and
- (f) the Schedule and Annexures (if any) form part of this Power of Attorney.

Schedule 1 - Attorney

The employees of the:

- (a) Tamala Park Regional Council;
- (b) Town of Cambridge;
- (c) City of Joondalup;
- (d) City of Perth;
- (e) City of Stirling;
- (f) Town of Victoria Park;
- (g) City of Wanneroo; and
- (h) City of Vincent,

who from time to time occupy a position which includes the words "chief executive officer" or "acting chief executive officer" within the titled position.

Schedule 2 - Relevant Matters and Documents

(1) Any:

- (a) contract of sale (which includes without limitation the decision to sell, the selling price and the terms and conditions of sale);
- (b) transfer of land;
- (c) easement;
- (d) deed of surrender of easement;
- (e) application for surrender or extinguishment of easement;
- (f) caveat;
- (g) withdrawal of caveat;
- (h) application for new Certificates of Title for any subdivision of land;
- (i) application for subdivision;
- (j) deed of restrictive covenant;
- (k) surrender of restrictive covenant;
- (l) section 70A Notification;
- (m) section 165 Notification; and
- (n) deed of novation, deed of covenant or other deed

in respect of the Land or lots which are comprised of the Land.

(2) Any other document:

- (a) dealing with the development or subdivision of the Land, including documents required by all relevant authorities, including without limitation the local government, Western Power, Telstra, AlintaGas and Water Corporation; and
- (b) in connection with the sale, transfer, subdivision or development,

of the Land or any part of the Land or lots which are comprised of the Land.

(3) Any other document dealing with the management and allocation of proceeds of sale of the Land or lots which are comprised of the Land in accordance with the terms and conditions of the Establishment Agreement of the Tamala Park Regional Council, including without limitation the opening of accounts and depositing of monies in such accounts, and the withdrawal of such monies and the signing, acceptance or endorsement of all cheques in connection with the sale, transfer, subdivision or development of the Land or lots which are comprised of the Land.

THE COMMON SEAL of the CITY OF)
JOONDALUP was hereunto affixed by)
authority of a resolution of the Council)
in the presence of:)

X

MAYOR

λ

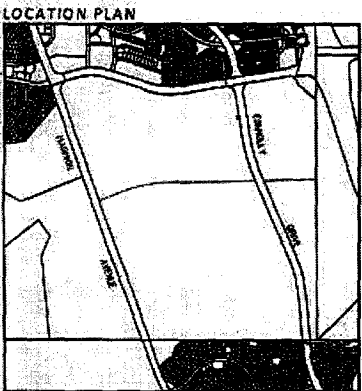
(Print Full Name)

X

CHIEF EXECUTIVE OFFICER

x

(Print Full Name)



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INSTRUCTIONS

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3. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
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NOTES

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2. A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult Person. The address and occupation of the witness must be stated.

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CLAREMONT WA 6010

PHONE No. 9383 3133

FAX No 9383 4935

REFERENCE No. FG:MF:44644 (Joondalup)

ISSUING BOX No. 346K

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2. _____	Nos.
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4. _____	
5. _____	
6. _____	Receiving Clerk

Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.

EXAMINED

FORM APPROVED
NO. B2891

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893 AS AMENDED

BLANK INSTRUMENT FORM

REVOCATION OF POWER OF ATTORNEY

(Note 1)

THIS DEED OF REVOCATION made on _____ day of _____ 2019 by
CITY OF JOONDALUP of Boas Avenue, Joondalup, Western Australia.

1. The City of Joondalup (**City**) is the donor of a Power of Attorney dated 31 July 2012 and registered at Landgate Registration Number M35057 (**Registered Power of Attorney**) wherein it appointed JOHN ANTHONY ARIAS, Chief Executive Officer, Tamala Park Regional Council as its attorney and in the City's name to exercise the powers granted by the Registered Power of Attorney.
2. The City, by this Deed, hereby revokes the powers described above and appointed in the Registered Power of Attorney.

THE COMMON SEAL of the CITY OF)
JOONDALUP was hereunto affixed by)
authority of a resolution of the Council)
in the presence of:)

X

MAYOR

X

(Print Full Name)

X

CHIEF EXECUTIVE OFFICER

X

(Print Full Name)

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REVOCATION OF POWER OF ATTORNEY

(Note 1)

THIS DEED OF REVOCATION made on _____ day of _____ 2019 by
CITY OF JOONDALUP of Boas Avenue, Joondalup, Western Australia.

1. The City of Joondalup (City) is the donor of a Power of Attorney dated 13 September 2013 and registered at Landgate Registration Number M402571 (**Registered Power of Attorney**) wherein it appointed the following persons, jointly and severally, as its attorney:

- (a) JOHN ANTHONY ARIAS, Chief Executive Officer, Tamala Park Regional Council;
- (b) WAYNE PATRICK BURNS, Senior Project Officer, Tamala Park Regional Council;
- (c) JASON RICHARD BUCKLEY, Chief Executive Officer, Town of Cambridge;
- (d) GARRY GEORGE HUNT, Chief Executive Officer, City of Joondalup;
- (e) GARY JOHN STEVENSON, Chief Executive Officer, City of Perth;
- (f) STUART JARDINE, Chief Executive Officer, City of Stirling;
- (g) ATHANASIOS KYRON, Chief Executive Officer, Town of Victoria Park;
- (h) JOHN GIORGI, Chief Executive Officer, City of Vincent; and
- (i) DANIEL JOHN SIMMS, Chief Executive Officer, City of Wanneroo,

and in the City's name to exercise the powers granted by the Registered Power of Attorney.

2. The City, by this Deed, hereby revokes the powers described above and appointed in the Registered Power of Attorney.

THE COMMON SEAL of the CITY OF)
JOONDALUP was hereunto affixed by)
authority of a resolution of the Council)
in the presence of:)

X

MAYOR

X

(Print Full Name)

X

CHIEF EXECUTIVE OFFICER

X

(Print Full Name)

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