

DOCUMENTS EXECUTED BY AFFIXING THE COMMON SEAL
FOR THE PERIOD 18 JUNE TO 20 JULY 2021

Document:	SECTION 70A NOTIFICATION.
Parties:	City of Joondalup and JMB Coastal Pty Ltd.
Description:	Notification under Section 70A for Lots 531 & 532 (16 & 18) Myaree Way, Duncraig to notify current and future owners that the store areas designed in the garage are to remain for storage uses and not to be used for vehicle parking.
Date:	18 June 2021
Signed/Sealed:	Signed and Sealed.
Legislation:	<i>Transfer of Land Act 1893.</i>
Strategic Community Plan: Key Theme: Objective:	Quality Urban Environment. Quality built outcomes – For the City’s commercial and residential areas to be filled with quality buildings and appealing streetscapes.
Policy:	State Planning Policy 5.4 Road and Rail Noise.
Risk Management Considerations:	The purpose of the Section 70A is to alert future landowners that the store areas designed in the garage are to remain for storage uses and not to be used for vehicle parking.
Financial/Budget Implications:	All costs associated with the lodgement of the Section 70A notification are at the expense of the applicant.
Regional Significance:	Not applicable.
Sustainability Implications:	Not applicable.
Consultation:	Not applicable.

Document:	SECTION 70A NOTIFICATION.
Parties:	City of Joondalup and JMB Coastal Pty Ltd.
Description:	Notification under Section 70A for Lots 531 & 532 (16 & 18) Myaree Way, Duncraig to notify current and future owners that the subject site is located within a transport corridor and may be affected by transport noise.
Date:	18 June 2021.
Signed/Sealed:	Signed and Sealed.
Legislation:	<i>Transfer of Land Act 1893.</i>
Strategic Community Plan: Key Theme: Objective:	Quality Urban Environment. Quality built outcomes – For the City’s commercial and residential areas to be filled with quality buildings and appealing streetscapes.
Policy:	State Planning Policy 5.4 Road and Rail Noise.
Risk Management Considerations:	The purpose of the Section 70A is to alert future landowners that the site is located within the vicinity of a transport corridor.
Financial/Budget	All costs associated with the lodgement of the Section 70A

Implications:	notification are at the expense of the applicant.
Regional Significance:	Not applicable.
Sustainability Implications:	Not applicable.
Consultation:	Not applicable.

Document:	SECTION 70A NOTIFICATION.
Parties:	City of Joondalup and JMB Coastal Pty Ltd
Description:	Notification under Section 70A for Lots 531 & 532 (16 & 18) Myaree Way, Duncraig to notify current and future landowners that the occupant of the dwelling shall be an aged or dependant person or the surviving spouse of that person.
Date:	18 June 2021
Signed/Sealed:	Signed and Sealed.
Legislation:	<i>Transfer of Land Act 1893.</i>
Strategic Community Plan:	Quality Urban Environment.
Key Theme:	Quality built outcomes – For the City’s commercial and residential areas to be filled with quality buildings and appealing streetscapes.
Objective:	
Policy:	SPP 7.3 Residential Design Codes – Volume 1 (as amended)
Risk Management Considerations:	The purpose of the Section 70A is to alert future landowners that the occupant of the dwelling shall be an aged or dependant person or the surviving spouse of that person.
Financial/Budget Implications:	All costs associated with the lodgement of the Section 70A notification are at the expense of the applicant.
Regional Significance:	Not applicable.
Sustainability Implications:	Not applicable.
Consultation:	Not applicable.

Document:	SECTION 70A NOTIFICATION.
Parties:	City of Joondalup and JMB Coastal Pty Ltd
Description:	Notification under Section 70A for Lot 168 (1) Waitara Crescent, Greenwood, to advise in accordance with condition 11 of development approval DA20/1492, a notification on title is required to advise current and future owners that the subject site is located within a transport corridor and may be affected by transport noise.
Date:	18 June 2021.
Signed/Sealed:	Signed and Sealed.
Legislation:	<i>Transfer of Land Act 1893.</i>
Strategic Community Plan:	Quality Urban Environment.
Key Theme:	Quality built outcomes – For the City’s commercial and residential areas to be filled with quality buildings and appealing streetscapes.
Objective:	
Policy:	State Planning Policy 5.4 Road and Rail Noise.

Risk Management Considerations:	The purpose of the Section 70A is to alert future landowners that the site is located within the vicinity of a transport corridor.
Financial/Budget Implications:	All costs associated with the lodgement of the Section 70A notification are at the expense of the applicant.
Regional Significance:	Not applicable.
Sustainability Implications:	Not applicable.
Consultation:	Not applicable.

Document:	LEASE
Parties:	City of Joondalup and Optus Mobile Pty Ltd
Description:	Lease Agreement for Optus Mobile Pty Ltd over land at 19 Winton Road, Joondalup described as Reserve 46877, Lot 14609 on Diagram 89192, being the whole of the land contained in Crown Land Title Volume LR 3129 Folio 235 for 10 years commencing 1 December 2021 with no further options.
Date:	6 July 2021
Signed/Sealed:	Signed and Sealed.
Legislation:	<i>Sections 3.58 and 3.59 of the Local Government Act 1995, together with the Local Government (Functions and General) Regulations 1996 determine how a local government may dispose of property.</i>
Strategic Community Plan: Key Theme: Objective:	Community Wellbeing Quality Facilities
Policy:	City Policy – Asset Management.
Risk Management Considerations:	Not applicable.
Financial/Budget Implications:	Annual Rent \$25,000.00 (plus GST) Fixed annual increase of 3%
Regional Significance:	Not applicable.
Sustainability Implications:	The PMF 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:	<p>At its Ordinary Meeting held in June 2018 Council approved a development application for the construction of a telecommunications facility located at 19 Winton Road, Joondalup. (CJ089-06/18 and DA17/0579 refers)</p> <p>Following its approval, the City's Property Team negotiated the development of a lease between both parties over the site at 19 Winton Road, Joondalup.</p> <p>Lease negotiations lapsed multiple times due to the following:</p> <ul style="list-style-type: none"> • Confirmation from the Department of Planning Lands and Heritage that the City would be the Lessor

	<ul style="list-style-type: none"> • Arranging a market rental valuation from McGee's property consultant to determine the rent payable • Finalising and negotiating the commercial terms with Optus Mobile Pty Ltd • A change in Optus Mobile's legal representation, resulting in the content of the lease being renegotiated 3 times. <p>The final lease has now been agreed by both parties and aligns with the Property Management Framework.</p> <p>The City has concluded the requirements of section 3.58 of the Local Government Act 1995 of which no submissions were received.</p> <p>Note: approved development applications are current for a period of 2 years from date of approval, however, due to COVID-19 and subsequent legislation changes directed in April 2020, all DA's approved within the past two years automatically received an extension for a further 2 years, therefore the status of DA17/0579 is still current.</p>
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Document:	DEED OF LICENCE
Parties:	City of Joondalup and Department of Education
Description:	Deed of Licence for Car Park, Footpath and Playground Equipment, Beldon Primary School relating to a position of Reserve 34236, Lot 9523 on DP 11393 Vol 3154 Folio 298 for 21 years commencing on the date of execution of the licence.
Date:	6 July 2021
Signed/Sealed:	Signed and Sealed.
Legislation:	<i>Sections 3.58 and 3.59 of the Local Government Act 1995, together with the Local Government (Functions and General) Regulations 1996 determine how a local government may dispose of property.</i>
Strategic Community Plan: Key Theme: Objective:	Community Wellbeing Quality Facilities
Policy:	City Policy - Asset Management
Risk Management Considerations:	The Licence Agreement mitigates any risk associated with insurance and public liability by both parties.
Financial/Budget Implications:	<p>The construction of the parking bays along Nautical Grove is co funded as follows:</p> <ul style="list-style-type: none"> • 90K from the Department of Education WA • 30K from the City of Joondalup <p>Project PFP2079 was approved at the Special Meeting of the Council on the 30 June 2020 – JSC07-06/20 refers.</p> <p>The City will be responsible for all cost associated to the maintenance of the car parking bays and the play space infrastructure.</p>

Regional Significance:	Not applicable
Sustainability Implications:	The PMF 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:	<p><u>Playground Equipment</u></p> <p>Following a request received from the Beldon Residents Association to install shade sails over the play equipment located within Beldon Park it was noted that the City's playspace infrastructure was located on Reserve 34236 (Lot 9523) which is Crown Land under the care and control of the DOE. As the location of the playspace is on land which is not owned or managed by the City it posed a potential insurance and public liability risk for both parties.</p> <p>Therefore, to address the risk the City considered several options including relocation of the playspace on to City managed land as well as engaging with the DoE with a view to amending the current Management Orders or entering into a licence agreement with the DoE over the playspace – OUT20/1598 refers.</p> <p>In May 2020 the City received confirmation from DoE that their preferred approach to remedy any potential insurance and public liability risks was to enter into a licence agreement with the City, with the City being the Licensee, EIN20/8554 refers.</p> <p><u>Capital Works – Car Parking</u></p> <p>In October 2019, the Department of Education approved \$90K from their Capital Works programming for the construction of car bays within the road reserve along Nautical Drive, Beldon.</p> <p>The purpose of the project is to address safety issues for the students of Beldon Primary School. To assist with the project the City proposed a contribution of an additional \$30K, however, City funding was not available within 2019-20 and therefore was listed within the annual Capital Works budget for 2020-21 and subsequently approved within the minutes of the Special Meeting of Council on the 30 June 2020 – JSC07-06/20 refers.</p> <p>The City commenced construction of the car parking bays on 14 June 2021 which is expected to be completed by 30 June 2021.</p> <p>As the car parking bays along the road reserve of Nautical Grove also encroach into Lot 9523, it was agreed by both parties that the licence would incorporate the car parking bays and the playspace infrastructure.</p> <p>The attached licence agreement has been developed by the State Solicitors Office Perth, has been agreed by both parties and executed by the Department of Education.</p>

Document:	SECTION 70A NOTIFICATION.
Parties:	City of Joondalup and Denise Raelene Heffernan
Description:	Notification under Section 70A for Lot 227 (18) Faversham Way, Heathridge (new Lots 1 & 2) to advise current and future owners that the subject site is located within a transport corridor and may be affected by transport noise.
Date:	13 July 2021
Signed/Sealed:	Signed and Sealed.
Legislation:	<i>Transfer of Land Act 1893.</i>
Strategic Community Plan:	Quality Urban Environment.
Key Theme:	Quality built outcomes – For the City’s commercial and residential areas to be filled with quality buildings and appealing streetscapes.
Objective:	
Policy:	State Planning Policy 5.4 Road and Rail Noise.
Risk Management Considerations:	The purpose of the Section 70A is to alert future landowners that the site is located within the vicinity of a transport corridor.
Financial/Budget Implications:	All costs associated with the lodgement of the Section 70A notification are at the expense of the applicant.
Regional Significance:	Not applicable.
Sustainability Implications:	Not applicable.
Consultation:	Not applicable.

Document:	SECTION 70A NOTIFICATION.
Parties:	City of Joondalup and Jason Charles Pellow
Description:	Notification under Section 70A for Lot 448 (8) Evans Place, Padbury to advise current and future owners that the subject site is located within a transport corridor and may be affected by transport noise.
Date:	13 July 2021
Signed/Sealed:	Signed and Sealed.
Legislation:	<i>Transfer of Land Act 1893.</i>
Strategic Community Plan:	Quality Urban Environment.
Key Theme:	Quality built outcomes – For the City’s commercial and residential areas to be filled with quality buildings and appealing streetscapes.
Objective:	
Policy:	State Planning Policy 5.4 Road and Rail Noise.
Risk Management Considerations:	The purpose of the Section 70A is to alert future landowners that the site is located within the vicinity of a transport corridor.
Financial/Budget Implications:	All costs associated with the lodgement of the Section 70A notification are at the expense of the applicant.
Regional Significance:	Not applicable.
Sustainability Implications:	Not applicable.
Consultation:	Not applicable.

Document:	SUBLEASE
Parties:	City of Joondalup and Sandgate (WA) Pty Ltd
Description:	Crown Land sublease at Pinnaroo Point – Lot 501 on deposited Plan 417135 (20 John Wilkie Turn, Hillarys) for eight years and eight months commencing 1 November 2021, with a right to renew for a further two terms of 10 years followed by a further term of 12 years.
Date:	13 July 2021
Signed/Sealed:	Signed and Sealed.
Legislation:	<i>Sections 3.58 and 3.59 of the Local Government Act 1995, together with the Local Government (Functions and General) Regulations 1996 determine how a local government may dispose of property.</i>
Strategic Community Plan:	Economic Prosperity, Vibrancy and Growth
Key Theme:	Destination City
Objective:	
Policy:	Not applicable
Risk Management Considerations:	<p>There is a risk that key milestones in the Sublease and the Headlease will not be met if there are significant delays to progressing the project:</p> <ul style="list-style-type: none"> • The Sublease is subject to and conditional upon Sandgate receiving a: <ul style="list-style-type: none"> ○ Liquor Licence (the terms and conditions of which being acceptable to Sandgate, acting reasonably) within 8 months from the date this lease is fully signed; ○ Development Approval (the terms and condition of which being acceptable to Sandgate, acting reasonably) within 6 months from the date this lease is fully signed, and; ○ Building Permit within 6 months from the commencement date of the lease (The commencement date for the lease is 1 November 2021). • If the Liquor Licence and Development Approval are not received by Sandgate by the timelines outlined above, then either the City or Sandgate may by notice terminate the lease. • Sandgate is required to substantially commence construction (structural works to the ground floor level / foundations) on site within 8 months after the commencement date. • Practical completion for the development works is to be achieved by Sandgate by 30 June 2023. • The Head Lease also required development works to be completed by 30 June 2023.
Financial/Budget Implications:	The City will receive an annual rent, payable by Sandgate, of \$40,000 plus GST (commencing upon Sandgate receiving practical completion for the development). Rates, services, land tax, and outgoings will also be payable by Sandgate.

	<p>The Crown Land Head Lease commenced on 1 July 2020. Rent payments on the head lease will be waived for 15 years to acknowledge the cost of the City servicing the land (currently estimated at approximately \$613,000). After 15 years the City is required to commence payment of a discounted annual rent based on the Unimproved Market Rent (UMR) of \$40,000 (determined by the Minister in consultation with the Valuer General) for the remaining term of the lease. The discounted annual rent is \$10,000, being 25% of the UMR.</p> <p>An amount of \$613,000 is listed in the Capital Works Program to cover the costs of providing services to the lease area. It is proposed that the services will not be installed to the site until Sandgate has received approvals and commenced construction.</p>
Regional Significance:	It is envisioned that the proposal will provide significant resident / visitor / tourist benefits by enhancing the City's existing natural assets and amenities.
Sustainability Implications:	<p>The project philosophy and parameters (CJ103-06/10 refers) outlines the intent of Council in progressing the project and addresses the following sustainability implications:</p> <ul style="list-style-type: none"> • Project Vision • Land Use and Built Form • Environmental Strategy • Liaison Protocol • Fiscal Responsibility and Commerciality • Governance
Consultation:	<p>In accordance with section 3.58(3) of the Local Government Act 1995 a Public Notice of the proposed disposition of the Subject Land, under the terms of the sublease, was advertised for the comment for two weeks, commencing 17 September 2020. Eleven submissions were received, all objecting to the proposal. The submissions were considered by Council at its meeting held on 17 November 2020 (CJ166-11/20 refers).</p> <p>Further consultation is likely to occur during the Development Application process.</p>

Document:	SECTION 70A NOTIFICATION.
Parties:	City of Joondalup and Mohan Reddy Banda, Shilpa Nimma
Description:	Notification under Section 70A for Lot 287 (328) Warwick Road, Warwick to advise current and future owners that the subject site is located within a transport corridor and may be affected by transport noise.
Date:	20 July 2021.
Signed/Sealed:	Signed and Sealed.
Legislation:	<i>Transfer of Land Act 1893.</i>

Strategic Community Plan:	Quality Urban Environment.
Key Theme:	Quality built outcomes – For the City’s commercial and residential areas to be filled with quality buildings and appealing streetscapes.
Objective:	
Policy:	State Planning Policy 5.4 Road and Rail Noise.
Risk Management Considerations:	The purpose of the Section 70A is to alert future landowners that the site is located within the vicinity of a transport corridor.
Financial/Budget Implications:	All costs associated with the lodgement of the Section 70A notification are at the expense of the applicant.
Regional Significance:	Not applicable.
Sustainability Implications:	Not applicable.
Consultation:	Not applicable.

Document:	SECTION 70A NOTIFICATION.
Parties:	City of Joondalup and Nicole Elizabeth Cummins.
Description:	Notification under Section 70A for Lots 2 (3A) Barridale Rive, Kingsley to advise in accordance with condition 6 of conditional subdivision approval SU106-21, a notification on title is required to advise current and future owners that the subject site is located within a transport corridor and may be affected by transport noise.
Date:	20 July 2021.
Signed/Sealed:	Signed and Sealed.
Legislation:	<i>Transfer of Land Act 1893.</i>
Strategic Community Plan:	Quality Urban Environment.
Key Theme:	Quality built outcomes – For the City’s commercial and residential areas to be filled with quality buildings and appealing streetscapes.
Objective:	
Policy:	State Planning Policy 5.4 Road and Rail Noise.
Risk Management Considerations:	The purpose of the Section 70A is to alert future landowners that the site is located within the vicinity of a transport corridor.
Financial/Budget Implications:	All costs associated with the lodgement of the Section 70A notification are at the expense of the applicant.
Regional Significance:	Not applicable.
Sustainability Implications:	Not applicable.
Consultation:	Not applicable.