

DOCUMENTS EXECUTED BY AFFIXING THE COMMON SEAL  
FOR THE PERIOD 23 January to 20 February 2018

LEASE AGREEMENT

<b>Document:</b>	Lease Agreement.
<b>Parties:</b>	<b>City of Joondalup and Community Vision (Inc.)</b>
<b>Description:</b>	Lease agreement between the City of Joondalup and Community Vision (Inc.).
<b>Date:</b>	20 December 2017.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<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>
<b>Strategic Community Plan:</b>	
<b>Key Theme:</b>	Community Wellbeing.
<b>Objective:</b>	Quality Facilities.
<b>Policy:</b>	City Policy – Asset Management.
<b>Risk Management Considerations:</b>	Not applicable
<b>Financial/Budget Implications:</b>	Community Vision is responsible for 100% of the cost for all cleaning and refuse collections at the premises along with utilities such as power, water, water rates and ESL levies.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	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.
<b>Consultation:</b>	In October 2017, the Chief Executive Officer approved a memo for the development of a short-term lease agreement between the City of Joondalup and Community Vision (Inc.) for the property known as 11 Moolanda Boulevard, Kingsley.  The short-term lease has been approved and signed by Community Vision (Inc.).

**WITHDRAWAL OF CAVEAT**

<b>Document:</b>	Withdrawal of Caveat.
<b>Parties:</b>	<b>City of Joondalup and Natalie Simone Basso Brusa.</b>
<b>Description:</b>	<p>A Withdrawal of caveat is required to enable the registration of a Mortgage. The caveat will be replaced following the registration of a Mortgage.</p> <p>The City's Caveat is supported by the terms of a Deed dated 27 October 2010. A replacement Deed will be prepared by McLeods and forwarded for execution in due course. The Deed ensures permanent internal access through Lot 6 for Lot 7 is maintained.</p>
<b>Date:</b>	12 January 2018.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<p><i>Planning and Development Act 2005</i></p> <p><i>Strata Titles Act 1985</i></p> <p><i>Land Administration Act 1997</i></p>
<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 permanent internal access through Lot 6 for Lot 7 is maintained. This will reduce the risk that future purchasers of the property will not be informed of the requirement for permanent internal access through Lot 6 to Lot 7.
<b>Financial/Budget Implications:</b>	Not applicable.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Not applicable.
<b>Consultation:</b>	Not applicable.

**RESTRICTIVE COVENANT – LOT 1001 (14) CAMBERWARRA DRIVE, CRAIGIE**

<b>Document:</b>	Restrictive Covenant.
<b>Parties:</b>	<b>City of Joondalup.</b>
<b>Description:</b>	The restrictive covenant is related to a condition in the contract of sale to ensure the use of the land remains as being for aged care.
<b>Date:</b>	22 January 2017.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>Sections 3.58 and 3.59 of the Local Government Act 1995 deal with disposal of local government land, in addition to the Local Government (Functions and General) Regulations 1996.</i>
<b>Strategic Community Plan:</b> <b>Key Theme:</b> <b>Objective:</b>	Community Wellbeing. Quality facilities.
<b>Policy:</b>	Not applicable.
<b>Risk Management Considerations:</b>	Strict compliance with the requirements of the relevant sections of the <i>Local Government Act 1995</i> and associated Regulations is necessary, which are designed to ensure openness and accountability in the disposal process.
<b>Financial/Budget Implications:</b>	An amount of \$990,000 plus GST under the margin scheme.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Council considered that due to the ageing demographics of the community, facilitating the development of units for people over age 55 by disposing of land for this use provides an opportunity for residents to “age in place”.
<b>Consultation:</b>	Amendment No. 80 to rezone of Lot 1001 (14) Camberwarra Drive, Craigie was advertised for 42 days.  On 1 October 2017, the City received an updated market valuation of Lot 1001 from a licensed valuer.

**NEW LICENCE AGREEMENT**

<b>Document:</b>	Licence Agreement.
<b>Parties:</b>	<b>City of Joondalup and James Colin Drummond.</b>
<b>Description:</b>	To enter into a Licence Agreement between the City of Joondalup and James Colin Drummond, Mildenhall, 49 Beddi Road, Duncraig.
<b>Date:</b>	24 January 2018.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>Sections 3.58 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>
<b>Strategic Community Plan:</b>	
<b>Key Theme:</b>	Community Wellbeing.
<b>Objective:</b>	Quality facilities.
<b>Policy:</b>	City Policy – Asset Management.
<b>Risk Management Considerations:</b>	Not applicable.
<b>Financial/Budget Implications:</b>	Not applicable.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	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 the 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>	<p>Mr Drummond approached the City's Asset Management team regarding a rental space within a City owned building suitable for use as a private art studio. A vacant space at Mildenhall was identified. The Manager Asset Management agreed on principle to a licence agreement over 16.6m<sup>2</sup> area. The Licence is consistent with licence agreements currently held with the City and is consistent with the conditions outlined in the Property Management Framework. The Art Studio has been identified as a potential Commercial Organisation and therefore the calculation of the rent fee is based on current market rates of \$75 per square metre as identified for commercial property in the Wangara / Joondalup area. In addition to rent, Mr Drummond will take out and maintain Public Liability Insurance and be responsible for a pro rata contribution towards utility services, scheduled maintenance and levies as used or provided by Mildenhall. Mr Drummond will be responsible for cleaning the licensed area.</p> <p>The Minister for Lands granted approval to the licence: HPRM Ref EIN18/221 dated 8 January 2018.</p>

	<p>The licence Agreement has been agreed and signed by Mr Drummond. The Duncraig Senior Citizens occupying the majority area of the Mildenhall facility under licence have been advised of the City's intention to licence the area.</p>
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**DEED OF COVENANT AND ASSUMPTION**

<b>Document:</b>	New Deed to ensure Buyer performs the obligations of Owner / Seller under prior Deed.
<b>Parties:</b>	<b>City of Joondalup and Van Gough PL and Lupara PL.</b>
<b>Description:</b>	To enable the sale and transfer of the land while ensuring the obligations of the Owner/Seller under the Prior Deed are assumed by the Buyer with respect to development of the land.
<b>Date:</b>	24 January 2018.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	
<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>	Not applicable.
<b>Financial/Budget Implications:</b>	Not applicable.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Not applicable.
<b>Consultation:</b>	Planning Services has been consulted.

**WITHDRAWAL OF CAVEAT**

<b>Document:</b>	Withdrawal of Caveat to enable sale and transfer of Land.
<b>Parties:</b>	<b>City of Joondalup and Van Gough PL and Lupara PL.</b>
<b>Description:</b>	To enable the sale and transfer of the land while ensuring the obligations of the Owner/Seller under the Prior Deed are assumed by the Buyer with respect to development of the land.
<b>Date:</b>	24 January 2018.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	
<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>	Not applicable.
<b>Financial/Budget Implications:</b>	Not applicable.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Not applicable.
<b>Consultation:</b>	Planning Services has been consulted.

**REPLACEMENT CAVEAT**

<b>Document:</b>	Replacement Caveat to secure the City's interest under new Deed.
<b>Parties:</b>	<b>City of Joondalup and Van Gough PL and Lupara PL.</b>
<b>Description:</b>	To enable the sale and transfer of the land while ensuring the obligations of the Owner/Seller under the Prior Deed are assumed by the Buyer with respect to development of the land.
<b>Date:</b>	24 January 2018.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	
<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>	Not applicable.
<b>Financial/Budget Implications:</b>	Not applicable.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Not applicable.
<b>Consultation:</b>	Planning Services has been consulted.



**TRANSFER OF LAND – Lot 1001 (14) CAMBERWARRA DRIVE, CRAIGIE**

<b>Document:</b>	Transfer of Land.
<b>Parties:</b>	<b>City of Joondalup and Bermen Property 3 Pty Ltd.</b>
<b>Description:</b>	To effect the sale of the subject property.
<b>Date:</b>	22 January 2018.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	Sections 3.58 and 3.59 of the <i>Local Government Act 1995</i> deal with disposal of local government land, in addition to the <i>Local Government (Functions and General) Regulations 1996</i> .
<b>Strategic Community Plan:</b>	
<b>Key Theme:</b>	Community Wellbeing.
<b>Objective:</b>	Quality facilities.
<b>Policy:</b>	<i>Asset Management Policy</i> . To ensure that the organisation undertakes a structured and coordinated approach to asset management that will promote sustainable infrastructure for the City of Joondalup.
<b>Risk Management Considerations:</b>	Strict compliance with the requirements of the relevant sections of the <i>Local Government Act 1995</i> and associated Regulations is necessary, which are designed to ensure openness and accountability in the disposal process.
<b>Financial/Budget Implications:</b>	An amount of \$990,000 plus GST under the margin scheme.
<b>Regional Significance:</b>	Not applicable.
<b>Sustainability Implications:</b>	Council considered that due to the ageing demographics of the community, facilitating the development of units for people over age 55 by disposing of land for this use provides an opportunity for residents to “age in place”.
<b>Consultation:</b>	Amendment No. 80 to rezone of Lot 1001 (14) Camberwarra Drive, Craigie was advertised for 42 days.  On 1 October 2017, the City received an updated market valuation of Lot 1001 from a licensed valuer.

**WITHDRAWAL OF CAVEAT**

<b>Document:</b>	Withdrawal of Caveat.
<b>Parties:</b>	<b>City of Joondalup and Wanneroo Basketball Association.</b>
<b>Description:</b>	<p>The Withdrawal of Caveat is required to enable the sale of the land by Landcorp.</p> <p>The premises is owned by the Western Australian Land Authority (LandCorp) and is leased by the City of Joondalup. The Wanneroo Basketball Association sub lease the premises from the City, the head lease and sub lease expire on 30 April 2018.</p> <p>Lancorp have requested that the City and the Basketball Association sign the withdrawal of caveat in preparation for the sale of land once the lease expires.</p>
<b>Date:</b>	6 February 2018.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>Planning and Development Act 2005</i> <i>Strata Titles Act 1985</i> <i>Land Administration Act 1997</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>	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.

## EXTENSION OF LEASE

<b>Document:</b>	Extension of Lease.
<b>Parties:</b>	<b>City of Joondalup and Silver Chain Group Limited.</b>
<b>Description:</b>	To enter into an Extension of Lease between the City of Joondalup and Silver Chain Group Limited.
<b>Date:</b>	7 February 2018.
<b>Signed/Sealed:</b>	Signed and Sealed.
<b>Legislation:</b>	<i>Sections 3.58 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>
<b>Strategic Community Plan:</b>	
<b>Key Theme:</b>	Community Wellbeing.
<b>Objective:</b>	Quality facilities.
<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>	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 the 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>	<p>Silver Chain Group Limited has exercised the first two (2) year option to extend the lease agreement commencing 1 January 2018 and expiring on 31 December 2019. The terms and conditions of the current lease will remain and continue in effect.</p> <p>Note: The site at 11 Moolanda Boulevard also accommodates Community Vision Inc. The current short-term lease arrangement between the City and Community vision terminates on 31 December 2018, and will be negotiated on a year by year basis thereafter.</p>