

St Andrews Development

STRATEGIC CO-OPERATION AGREEMENT

Contents

1. Parties to the Agreement

Names the parties to the Agreement.

2. Preamble

Current land use; zoning status; Memorandum of Understanding

3. Objectives of the Agreement

The objectives of the parties in making the Agreement.

4. Establishing a Vision for Project

Sets agreed parameters for a feasibility study.

5. Strategic Projects

Defines the series of strategic projects to be facilitated by the Agreement

6. Framework for Action by Parties

Prescribes the commitments of each of the parties.

7. Arrangements for Implementation of Agreement

Administrative arrangements for the implementation of the Agreement

8. Endorsement

Signing page

1. Parties to Agreement

1.1 The parties to this agreement are:-

The State of Western Australia
Ministry of the Premier and Cabinet
15th Floor 197 St Georges Terrace
PERTH WA 6000

Tokyu Corporation
5-6 Nanpeidai-Cho, Shibuya
TOKYO 150, JAPAN

Western Australian Planning Commission
469 Wellington Street
PERTH WA 6000

City of Wanneroo
Boas Avenue
JOONDALUP WA 6027

Yanchep Sun City Pty Ltd
Level 9 QV1 Building
250 St Georges Terrace
PERTH WA 6000

2. Preamble

- 2.1 Tokyu Corporation of Tokyo is the owner of some 5,000 ha of land in the St Andrews area in the City of Wanneroo. The holding extends for 12 km along the Indian Ocean between Yanchep and the northern extremity of the Perth Metropolitan Area, and inland to the Yanchep National Park. It includes the three existing settlements of Yanchep, Two Rocks and St Andrews. Plan One to this Agreement identifies the subject land.
- 2.2 The landholdings within the area of the North West Corridor Structure Plan of 1992. The Tokyu Corporation has co-operated with agencies of the State of Western Australia to establish a long-term structure plan for the holding which was finalised in 1993.
- 2.3 In 1996 the Western Australian Planning Commission amended the Metropolitan Region Scheme to give statutory effect to the land use proposals of the Yanchep Structure Plan. That amendment allowed the Corporation to bring its property boundaries into conformity with future zonings and reservations and facilitated subsequent land acquisitions by the Western Australian Planning Commission and the Western Australian Land Authority. Plan One also shows the relevant section of the Scheme.
- 2.4 The City of Wanneroo is presently processing Amendment No.787 to the City of Wanneroo Town Planning Scheme No. 1 which amends the zoning designations assigned to the land by that scheme to accord with those of the Metropolitan Region Scheme.
- 2.5 In 1995 Tokyu Corporation, Yanchep Sun City, the Western Australian Planning Commission, and the Western Australian Land Authority entered into a Memorandum of Understanding containing a program of actions necessary to facilitate long term planning objectives for the St Andrews area. The program of actions included the transfer free of cost for certain public purposes, the acquisitions referred to earlier, and the construction of a portion of Marmion Avenue and a link road between Two Rocks and Wanneroo Road. That program is now largely complete.
- 2.6 The parties now wish to make arrangements for co-operation during the stage of feasibility study. This document is in principle an agreement describing joint initiatives and co-operation between all parties, and foreshadows future detailed agreements which will specify arrangements relating to the implementation of feasible jointly agreed initiatives.
- 2.7 Any business activity, investment, or undertaking described in section 5 of this Agreement will be subject to a successful feasibility study, conducive market conditions and business requirements at that time.

3. Objectives of Agreement

- 3.1 The State of Western Australia, the Western Australian Planning Commission and the City of Wanneroo, recognising that there are considerable benefits to be gained through co-operation with a single landowner in the provision of a significant supply of urban land, are desirous of ensuring that: -
- (a) the development of the landholding proceeds in order to maintain a balanced supply of land for residential, recreational, commercial and community purposes in the North West Corridor of the Perth Metropolitan Region;
 - (b) the development is undertaken in an orderly manner which is consistent with the adopted Yanchep Structure Plan, the zoning provisions of the Metropolitan Region Scheme, Amendments No's 787 and 837 to the City of Wanneroo Town Planning Scheme No. 1, and proposed Town Planning Scheme No. 2; and
 - (c) the development is designed and implemented in accordance with sound town planning principles of urban design and sustainability.
- 3.2 Tokyu Corporation and Yanchep Sun City Pty Ltd are desirous of: -
- (a) initiating a series of feasibility studies relating to the physical development of its land;
 - (b) after feasibility, establishing with government the requirements for and timely provision of public transport, road and utility infrastructure services to the development; and
 - (c) obtaining the support and commitment of both levels of government to support development if and when required.
- 3.3 The parties all recognise that the achievement of those objectives requires a programme of co-ordinated actions, commitments and resource allocations by all the parties to the development. Accordingly, they have entered into this agreement in order to provide a shared vision for St Andrews, an agreed series of strategic projects described in part 5 as a first stage of development and a framework for the action by each of the parties.
- 3.4 This agreement is to be referred to as the

St Andrews Strategic Co-operation Agreement.

It replaces the 1998 Interim Co-operation Agreement.

4. Shared Vision for Project

- 4.1 The parties agree that the feasibility of developing the St Andrews landholding generally will be based on the following potential outcomes: -
- (a) around 55,000 serviced residential lots with a population of some 148,000;
 - (b) 50,000 to 60,000 jobs, with the first 1000 over the next five years;
 - (c) a regional strategic commercial centre; and
 - (d) approximately 1,600ha of Regional Open Space on land already ceded for this use along the Indian Ocean foreshore and in extensions to the Yanchep National Park.
- 4.2 The parties agree that should feasibility confirm that development of the land should proceed it will be undertaken in a manner which: -
- (a) is environmentally, socially and economically sustainable;
 - (b) recognises and uses world best practice in urban design wherever possible;
 - (c) accords with relevant State and Local Government policies; and
 - (d) places a high priority on the encouragement of public transport use.

5. Strategic Projects

5.1 The Parties commit to the undertaking of the following projects: -

(a) Retrofit of Two Rocks Town Centre

Yanchep Sun City Pty Ltd will seek to enter into an agreement with a third party developer to undertake a retrofit of the town centre at Two Rocks.

(b) Continue Redevelopment of Two Rocks Marina

Yanchep Sun City Pty Ltd holds the lease on the Two Rocks Marina and has made improvements to the Marina including dredging, navigation lights, provision of a heavy boat lift, upgrading of boat lifting and the introduction of marine servicing facilities. The Company will continue to upgrade facilities as necessary and appropriate.

(c) Employment Generation through the IDEA Project Feasibility Study

The St Andrews IDEA (Innovation, Development, Employment, Applications) Project has been under way since December 1998. The objectives of the Project are to: -

- 👉 Develop a framework and strategy to create a favourable environment to attract preferred industries to locate their businesses within the boundaries of an identified area of the property in an enterprise zone, science city or the like;
- 👉 Make an assessment of the possibility of sufficient, suitable potential employers;
- 👉 Provide employment opportunities through the creation of 1000 positions between 2003 and 2008 subject to demand and ultimately 50,000 to 60,000 positions by 2030; and
- 👉 Address the financial viability of the implementation of such a proposal.

(d) Commencement of Residential Development

A feasibility study to assess the possibility of Lots 301, 302, 303 and 304 being developed to provide a supply of residential lots. It is likely that the study will commence in the general timeframe commencing 1 January 2002.

(e) Preparation of Access Study

A study of access requirements for the St Andrews development in order to establish a timetable and implementation arrangements with the relevant agencies and landowners which will seek to: -

- ☞ Ensure the provision of timely access to the St Andrews land which will be appropriate for a major development project of an urban and economic development nature; and
- ☞ Be a comprehensive strategy which will address major regional roads, the extension of the Mitchell Freeway, and the Northern Suburbs Railway.

6. Framework for Action by Parties

6.1 The State of Western Australia and the Western Australian Planning Commission, as appropriate, will: -

(a) Provide continued support to the IDEA Project in terms of: -

👍 Ensuring that officer representation on the IDEA Precinct Committee is at a level commensurate with the significance of the Project in order to provide the necessary resources at executive levels with responsibility for the co-ordination and advancement of the Project across all areas of Government;

👍 Ensuring resources for the Project during the 1999/2000 financial year and each subsequent year until completion of full feasibility subject to the successful outcome of the first IDEA workshop planned for 1999;

👍 Giving administrative support for the project by providing for meetings of the IDEA Precinct Committee at the offices of the Minister for Planning, a postal address, telephone, and other administrative facilities;

👍 Identifying the project as a joint initiative with Tokyu Corporation through the use of the Company Logo and the State Crest on project stationery for use as appropriate;

👍 Encouraging wide participation in the 1999 Workshop by the private sector from within Australia and overseas, representatives of Government at local, State and Federal levels, and by tertiary institutions;

👍 Ensuring a relevant level of involvement with relevant government agencies; and

👍 Facilitating communication with and participation of tertiary institutions and the private sector.

(b) Assist in zoning and development approvals by: -

👍 Using its best endeavours to secure such approvals, whilst recognising that these are subject to normal statutory processes including public consultation and the outcome can not be guaranteed.

(c) Ensure that the appropriate staff and resources are made available to progress the matters dealt with by this Agreement should feasibility studies confirm the viability of the proposals and a decision to implement the projects is made.

(d) Encourage relevant government instrumentalities and education institutions to

participate as required to ensure the priority and advancement of the project.

6.2 **Tokyu Corporation and Yanchep Sun City Pty Ltd**, as appropriate, will: -

(a) Provide continued support for the IDEA Project in terms of: -

- 👉 Funding the feasibility cost of the project up to the first IDEA Workshop;
- 👉 Control over the technical design, architecture, and maintenance of the Project website, whilst agreeing that all communication, amendments and additions to the website require the mutual written consent of the co-chairmen of the St Andrews Implementation Group established under part 7.2 of this Agreement;
- 👉 Ensure adequate resources for the Project are budgeted for in the 1999/2000 financial year and each subsequent year until completion of full feasibility, subject to the successful outcome of the first workshop;
- 👉 Identifying the project as a joint initiative with the State of Western Australia through the use of the Company Logo and the State Crest on project stationery for use as appropriate;
- 👉 Identifying land which has been justified by feasibility studies for the Precinct.

6.3 The **City of Wanneroo** will:-

(a) Provide support to the IDEA Project in terms of :-

- 👉 Ensuring that officer representation on the IDEA Precinct Committee is at a level commensurate with the significance of the Project and provide the necessary resources at executive levels with responsibility for the co-ordination and advancement of the Project across all areas of Council activity;

(b) Assist in zoning and development approvals by:-

- 👉 Using its best endeavours to expedite the approval of structure plans and amendments to its Town Planning Scheme within St Andrews, whilst recognising that these are subject to normal statutory processes including public consultation and the outcome can not be guaranteed.
- 👉 Use its best endeavours to expedite the determination of development applications and building permits within St Andrews if and when required.

- (c) Ensure that the appropriate staff and resources are made available to progress the matters dealt with by this Agreement should feasibility studies confirm the viability of the proposals and a decision to implement the projects is made.

7. Arrangements for Implementation of Agreement

- 7.1 The Parties agree to establish a joint implementation group to meet on a regular basis to co-ordinate the implementation of this Agreement with representation from each of the parties.
- 7.2 The functions of the St Andrews Implementation Group are :-
- (a) To prepare a timetable for the implementation of the Specific Projects described in section 5 of this Agreement whilst accepting that some of these projects are long-term and may continue beyond the time of operation of the Agreement;
 - (b) To monitor progress and compliance with Specific Projects described in section 5 of this Agreement and the commitments made by the parties and described in section 6;
 - (c) To provide a forum for the resolution of any conflicts that may arise during the implementation of the Agreement; and
 - (d) To make arrangements for consultation and liaison with other agencies and departments not represented on the Group when necessary to ensure compliance with the terms of the Agreement.
- 7.3 The Parties recognise that the implementation of this agreement is subject to the normal statutory processes, the outcome of which can not be guaranteed. They will, however, use their best endeavours to expedite any zoning amendments, development approvals, administration, management and resources to ensure progress of the identified projects, should feasibility studies confirm the viability of the projects and decisions to implement are made.
- 7.4 Should feasibility be established, this Agreement shall remain in force for a period of twenty years following the date that it has been endorsed by all parties, but is to be subject to review every five years from that date.
- 7.5 The Agreement contemplates that Tokyu may have future successors or find it necessary to enter into arrangements with third parties in order to progress the Project.
- 7.6 The Agreement reflects the intentions of all the parties but does not confer legally enforceable rights and obligations

8. Endorsement

Signed:

Date:

Richard Court MLA, Premier, on behalf of the State of Western Australia.

Signed:

Date:

Shinobu Shimizu, on behalf of Tokyu Corporation.

Signed:

Date:

Simon Holthouse, Chairman, on behalf of Western Australian Planning Commission

Signed:

Date:

Campbell Ansell, Chairman of Commissioners, on behalf of the City of Wanneroo

Signed:

Date:

Akihito Ikeda, Managing Director, on behalf of Yanchep Sun City Pty Ltd