



TOWN OF
VICTORIA PARK



Special Council Meeting Agenda – 1 September 2025



WE'RE OPEN
VIC PARK

Please be advised that a **Special Council Meeting** will be held at **5:30 PM** on **Monday 1 September 2025** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

Mr Carl Askew – Chief Executive Officer
28 August 2025

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1 Declaration of opening

Acknowledgement of the traditional owners

Ngany djerapiny Wadjak – Noongar boodja-k yaakiny, nidja bilya bardook.

I am honoured to be standing on Whadjuk - Nyungar country on the banks of the Swan River.

Ngany kaaditj Noongar moort kenya kaadak nidja Wadjak Noongar boodja. Ngany kaaditj nidja Noongar birdiya – koora, ye-ye, boorda, baalapiny moorditj Noongar kaadijtin, moort, wer boodja ye-ye.

I acknowledge the traditional custodians of this land and respect past, present and emerging leaders, their continuing cultural heritage, beliefs and relationship with the land, which continues to be important today.

Ngany youngka baalapiny Noongar birdiya wer moort nidja boodja.

I thank them for the contribution made to life in the Town of Victoria Park and to this region.

2 Announcements from the Presiding Member

2.1 Recording and live streaming of proceedings

In accordance with regulation 14I of the Local Government (Administration) Regulations 1996, this meeting is being audio and video recorded and live streamed on the Town's website.

Under clause 39(1) of *the Meeting Procedure Local Law 2019* I do not give permission for any other person to record the proceedings of this meeting. By being present at this meeting, members of the public consent to the possibility that their image and voice may be live streamed to public. Recordings are also made available on the Town's website following the meeting.

2.2 Public question time and public statement time

As this is a Special Council Meeting, any public questions or statements must relate to the business of the agenda.

There are guidelines that need to be adhered to in our Council meetings and during question and statement time people speaking are not to personalise any questions, or statements about Elected Members, or staff or use any possible defamatory remarks.

In accordance with clause 40 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, a person addressing the Council shall extend due courtesy and respect to the Council and the processes under which it operates and shall comply with any direction by the presiding member.

A person present at or observing a meeting shall not create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.

When the presiding member speaks during public question time or public statement time any person then speaking, is to immediately stop and every person present is to preserve strict silence so that the presiding member may be heard without interruption.

2.3 No adverse reflection

In accordance with clause 56 of the *Town of Victoria Park Meeting Procedures Local Law 2019*, both Elected Members and the public when speaking are not to reflect adversely on the character or actions of Elected Members or employees.

2.4 Town of Victoria Park Meeting Procedures Local Law 2019

All meetings of the Council, committees and the electors are to be conducted in accordance with the Act, the Regulations and the *Town of Victoria Park Meeting Procedures Local Law 2019*.

3 Attendance

Mayor

Mayor Karen Vernon

Banksia Ward

Cr Claire Anderson
Cr Peter Devereux
Cr Peter Melrosa
Cr Lindsay Miles

Jarrah Ward

Cr Sky Croeser
Cr Jesse Hamer
Deputy Mayor Bronwyn Ife
Cr Daniel Minson

Chief Executive Officer

Mr Carl Askew

Chief Operations Officer

Ms Alison Luobikis

Chief Financial Officer

Mr Duncan Olde

Chief Community Planner

Mr David Doy

Manager Governance and Strategy

Ms Bernadine Tucker

Meeting Secretary

Ms Felicity Higham

Public Liaison

Ms Tomoko Kidahashi

3.1 Apologies

3.2 Approved leave of absence

4 Declarations of interest

4.1 Declarations of financial interest

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees can continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

4.2 Declarations of proximity interest

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are to declare an interest in a matter if the matter concerns: a) a proposed change to a planning scheme affecting land that adjoins the person's land; b) a proposed change to the zoning or use of land that adjoins the person's land; or c) a proposed development (as defined in section 5.63(5)) of land that adjoins the persons' land.

Land, the proposed land adjoins a person's land if: a) the proposal land, not being a thoroughfare, has a common boundary with the person's land; b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land. A person's land is a reference to any land owned by the person or in which the person has any estate or interest.

4.3 Declarations of interest affecting impartiality

Elected members (in accordance with Regulation 11 of the Local Government [Rules of Conduct] Regulations 2007) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member/employee is also encouraged to disclose the nature of the interest.

5 Public question time

6 Public statement time

7 Presentations

7.1 Petitions

7.2 Presentations

7.3 Deputations

8 Method of dealing with agenda business

9 Chief Operations Officer reports

9.1 Lathlain Park Grandstand Redevelopment - Parameters for Ground Lease Negotiations

Location	Lathlain
Reporting officer	Manager Property Development and Leasing
Responsible officer	Chief Operations Officer
Voting requirement	Simple majority
Attachments	<ol style="list-style-type: none">1. CONFIDENTIAL REDACTED - Correspondence dated 10 June 2025 addressed to Town by Minister R Saffioti [9.1.1 - 5 pages]2. CONFIDENTIAL REDACTED - Letter from Town's CEO to Minister R Saffioti 24.6.2025 [9.1.2 - 2 pages]3. CONFIDENTIAL REDACTED - Annexure to Letter from Town's CEO to Minister R Saffioti 24.6.2025 - requests for clarifications [9.1.3 - 11 pages]4. CONFIDENTIAL REDACTED - Letter to Town from Minister R Saffioti 15.08.2025 [9.1.4 - 10 pages]5. CONFIDENTIAL REDACTED - Concept Forum - Draft heads of Terms [9.1.5 - 3 pages]6. CONFIDENTIAL REDACTED - Decision Letter - Applicant [9.1.6 - 7 pages]7. CONFIDENTIAL REDACTED - Development Plans dated 08 November 2023 - Part 1 - pages 1 - 7 [9.1.7 - 7 pages]8. CONFIDENTIAL REDACTED - Development Plans dated 08 November 2023 - Part 2 - pages 8 - 19 [9.1.8 - 12 pages]9. CONFIDENTIAL REDACTED - Legal advice from Town's lawyers [9.1.9 - 5 pages]

Summary

To seek authority for the Chief Executive Officer to negotiate the terms of a ground lease to the State Government for the purposes of delivery of the proposed redevelopment of the Grandstand and to set parameters for the negotiations.

Recommendation

That Council:

1. Notes the correspondence dated 15 August 2025 received by the Town from the Minister for Sport and Recreation, Honourable Rita Saffioti (MLA);
2. Sets as requirements the draft heads of terms contained in Attachment 5 for the terms of a ground lease to the State Government for the purposes of delivery of the proposed redevelopment of the Grandstand.
3. Authorises the Chief Executive Officer to negotiate with the State Government within the parameters of 2. above the terms of the proposed ground lease on a non-binding basis.

4. Requests the Chief Executive Officer to bring a report back to Council by December 2025 on the outcome of negotiations with the State Government.

Background

1. A letter dated 26 March 2025 was received by the Town from the Minister for Sport and Recreation, Honourable Rita Saffioti (MLA) (the Minister), regarding a potential transfer of the project development site to the State to enable engagement with Perth Football Club to deliver the Project.
2. As noted in a report to Council on 15 April 2025, the letter:-
 - a. did not contain a detailed explanation of the process that would need to be legally administered, how it intends to transfer the development site to State Government to deliver the project nor any potential financial implications on the Town;
 - b. included advice that the Town will shortly be provided with a contract for the transfer of the Site, conditional on subdivision of the Site from Lot 1 and that work on the proposed subdivision will commence immediately.
3. On Friday 28 March 2025, the CEO met with Director General, Department of Local Government, Sport and Cultural Industries in relation to this matter, with the meeting discussing possible conditions for the State to deliver the redevelopment project. Advice of this meeting was shared with Elected Members, including the commitment from the Director General to forward to the Town a Terms Sheet that could form the basis of future negotiations and discussion.
4. At the Ordinary Council meeting held on 15 April 2025, Council resolved as follows by Council resolution 80/2025:-

That Council:

- 1. Notes the letter dated 26 March 2025 received from the Minister for Sport and Recreation, Honourable Rita Saffioti (MLA), regarding a potential transfer of the project development site to the State to enable engagement with Perth Football Club to deliver the Project.*
- 2. Authorises the Chief Executive Officer to discuss with the State Government the terms of any proposal received from the State Government in relation to options for the delivery and completion of the Lathlain Precinct Redevelopment Zone 1 project.*
- 3. Requests the Chief Executive Officer to:*
 - (a) hold a workshop to update Elected Members on the progress of any discussions in accordance with point 2 above;*
 - (b) bring a report back to Council within 3 months of holding such an Elected Member workshop on the status of discussions with the State Government.*
5. The minutes of the Ordinary Council meeting provided a set of reasons for the Council's resolution. Of these reasons, the following extracts are highlighted:-

Given the history of the project and the significant investment of time and resources by the Town to date, it would be appropriate for the CEO to update Elected Members through a workshop about the progress of discussions with the State Government, and the development of the Town's position, before Council authorises the CEO to engage in negotiations. Following such a workshop, the Town may recommend that Council should authorise the CEO to undertake negotiations with the State Government, and on what terms.

Bringing a status report back to Council will ensure we continue to maintain transparency and accountability over the Town's actions in relation to this project.

6. Further to this Council resolution, the Chief Executive Officer obtained from the Minister correspondence dated 10 June 2025 addressed to the Town (Attachment 1). Part of this correspondence was not expressed to be confidential and provided advice that the State seeks the Town's agreement to lease the Project development site and the existing PFC building adjacent, together with any necessary rights of access, to the State, with an intent expressed that such a lease will enable the State to engage directly with the PFC to deliver the Project, for the benefit of the PFC and the broader community.
7. The Minister's correspondence was discussed at an elected member workshop on 16 June 2025. Further to this, the Town's Chief Executive Officer wrote to the Minister on 24 June 2025 seeking clarifications on the Minister's correspondence (Attachments 2 and 3). The clarifications sought by the Town included the following two themes:-
 - a. To structure a transaction to provide for this part of the Lathlain precinct to be regenerated and properly managed in the interests of the complex needs of multiple stakeholders (including the surrounding residential community) over the long term;
 - b. Achievement of a. through good governance (eg compliance with relevant and applicable requirements of the *Local Government Act 1995*, transparency and financial prudence).
8. The Chief Executive Officer has been following up on the Minister's office for a response to the Town's letter dated 24 June 2025. The response was received from the Minister's office on 15 August 2025 (Attachment 4).
9. The Minister's response dated 15 August 2025 was discussed with elected members at a Concept Forum on 26 August 2025.

Discussion

10. The Town has acted promptly at all times throughout the events described above.
11. Policy 310 Leasing and Licensing (Policy 310) provides a framework for key lease terms and applies to all leases granted by the Town.
12. Policy 310 states that decisions regarding leasing will have regard to the following principles:
 - a. *Supporting local groups;*
 - b. *Social Return, including Social Impact Investment Process: Peppercorn Leases;*
 - c. *Sustainability;*
 - d. *Commercial Value;*
 - e. *Equity;*
 - f. *Exclusive or shared use;*
 - g. *Financial Return;*
 - h. *Land Asset Optimisation Strategy;*
 - i. *Transparency as to leasing and licensing terms.*
13. The nature of the proposed substantial investment into a new Grandstand facility is such that a long lease is likely to be necessary.
14. Policy 310 includes the following 'Additional guidelines for Long Leases':-

A Long Lease will not be considered unless Council is satisfied that exceptional circumstances justify such tenure to be granted. Exceptional circumstances may include significant income to the Town, significant capital investment into the Facility by a Lessee or significant community benefit.
15. The Town has in recent years entered into the following two significant long lease transactions:-

- a. 2014 - Lease of approx 6.5 Hectares of the Lathlain Precinct to Indian Pacific Ltd T/A West Coast Eagles
 - b. 2023 - Agreement for Lease providing for redevelopment and lease of approx 1.3675 Hectares of Elizabeth Baillie House and grounds to Blackoak.
16. Each of the above two long lease transactions has been tailored to specific circumstances. In both cases, significant capital of a fairly similar (or greater) order to the cost of redevelopment of the Grandstand has been invested by the tenants into redevelopment of the leased property. The long lease transactions are reflective of the Town retaining a wide range of reasonable, necessary and prudent leasing controls over the long term activities of the tenants, for example:-
- a. Defining the permitted use under the lease, with the Town retaining landlord controls designed to facilitate regeneration and proper management of the properties in the interests of the complex needs of multiple stakeholders (including the surrounding residential communities) over the long term;
 - b. Transparency as to leasing terms, with significant public and statutory consultations undertaken;
 - c. The Town's financial prudence with regard to any obligations on the part of the Town as landlord;
 - d. Extensive responsibilities of the tenants to repair, maintain and renew the buildings on the leased property over the long term;
 - e. The Town retaining landlord controls over consents and approvals over the long term duration of the leases.
 - f. Make good responsibilities of the tenants on termination of the leases.
17. Further to the Concept Forum on 26 August 2025, the document in Attachment 5 was developed to summarise the proposed requirements of elected members, which are presented for consideration and, if applicable, endorsement by Council.
18. The proposed requirements in Attachment 5 are broadly consistent with the Town as landlord seeking to facilitate this redevelopment on terms which have due and proper regard to the Council's long standing Policy 310 requirements as well as the long lease transactions referred to above, including landlord leasing controls over the long term activities of the proposed Tenant and similar to the Town's landlord leasing controls referred to in paragraph 16(a)-(f).
19. In this instance, the Town as landlord is willing to consider granting a long lease for many decades at a rent of \$1 per annum to facilitate a redevelopment of a facility and without charging rates. Such terms are generous compared to the tenants' obligations in the above two recent long leases granted by the Town.

Relevant documents

[Policy 310 – Leasing and Licensing](#)

WAPC decision letter - Development Approval for WAPC 32-50045-9 Lot 1 (No. 42) Bishopsgate Street, Lathlain and development plans (Attachments 6, 7 & 8).

Legal and policy compliance

[Section 3.59 of the Local Government Act 1995](#)

Legal advice has been obtained from the Town's lawyers and is contained in Attachment 9.

Financial implications

Current budget impact	Some funds exist within the annual budget to progress this recommendation by way of legal expenses and operating budgets. Should extensive legal or other advices become necessary, further funds may be needed at mid-year budget review.
Future budget impact	No future budget impact at this stage.

Risk management consideration

Risk impact category	Risk event description	Risk rating	Risk appetite	Risk Mitigation
Financial	Financial impacts and liabilities of financial and other obligations sought from the Town by the State Government as part of the proposed transaction.	High	Low	TREAT risk by rejecting substantial or uncapped financial obligations Adopting an internal program with a focus area on high-risk financial processes and activities.
Environmental	Not applicable		Medium	
Health and safety	Existing Grandstand facility is 50 years old and requires repair/maintenance work. Further immediate works such as mold treatment for the affected ceiling, electrical safety improvements and tripping hazards.	High	Low	TREAT RISK – undertake further repair and maintenance of high risk building works within available budget.
Data, Information Technology and Cyber	Handover of intellectual property to the State Government may require permissions from external consultants	High	Medium	TREAT RISK – legal advice to be sought on existing contract clauses
Assets	Critical asset components such as concrete structures continued to deteriorate requiring expensive ongoing structural assessments, structural repairs and maintenance tasks on the existing building.	High	Medium	TREAT RISK – Continue to fund high risk repair or maintenance activities including ongoing monitoring/investigations and repairs to compromised structural members, This is dependent on understanding government timelines and the need to continue the existing building's operations

Compliance Breach	New design or substantial changes to the Grandstand Architectural Drawings will require further DA amendments	Medium	Low	TRANSFER RISK – Development Approval conditions to be outlined to the State Government
Reputation	Lack of Transparency as to proposed transaction terms. Long term reputational impact on stakeholders within a complex precinct, including surrounding residential community, if transaction terms are perceived as not protecting interests of stakeholders. Transaction terms that do not align with Policy 310 and other recent long lease transactions.	High	Low	TREAT RISK – Advocate through negotiation process with State Government for these risks to be addressed in the terms of the transaction and for progression of the transaction in a transparent manner.
Service delivery interruption	Not applicable.		Medium	

Engagement

Internal engagement	
Stakeholder	Comments
Elected Members	Concept Forum
Chief Community Planner	No objection to a ground lease anticipating that the redeveloped grandstand will be consistent with the DA approval already granted, or if amended will go through a proper planning process.
Chief Finance Officer	The Chief Finance Officer has been consulted and has no comments to add to this public report.
Manager Assets Environment and Waste	Supportive of the recommendations.

External engagement	
Stakeholder	State Government

Period of engagement	March 2025 - Ongoing
Level of engagement	Inform and clarifications
Methods of engagement	In person meeting and correspondence
Advertising	Nil

Strategic alignment

Civic Leadership	
Community Priority	Intended public value outcome or impact
CL3 - Accountability and good governance.	<p>Seek for the proposed redevelopment transaction to be progressed on a basis that is:</p> <ol style="list-style-type: none"> 1. Transparent; 2. Consistent with 'Policy 310 Leasing and Licensing' as well as previous Council resolutions; 3. On terms that protect all stakeholders including the surrounding residential community and their expectations.

Further consideration

10 Motion of which previous notice has been given

11 Public question time

12 Public statement time

13 Meeting closed to the public

13.1 Matters for which the meeting may be closed

13.2 Public reading of resolutions which may be made public

14 Closure