

# Action Register

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Applied Filters

**Meeting Types:** Ordinary Council Meeting, Special Council Meeting

**Generated By:** Felicity Higham

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Meeting Date	Document	Item No.	Item	Status	Action Required	Due Date	Completed (Overdue)
					<p>a. the tenant shall incorporate a museum space inside the Edward Millen Rotunda building reflecting on the history of the buildings and local area, to be open and accessible to the public free of entry charges;</p> <p>b. the tenant shall set aside space inside the buildings suitable for use by not for profit community groups, to be available at least 2 days per week including once on a weekend at no charge;</p> <p>c. save where required for security purposes, the tenant shall ensure that the majority of the grounds within the leased premises remain open to the public during business hours on weekdays, evenings and weekends;</p> <p>d. the tenant shall permit members of the public who have not booked use of function spaces within the leased premises to take photos for such events as weddings or the like, within the public areas of the leased premises at no charge;</p> <p>e. the tenant shall set aside space for community groups to use at no charge within the farmers' market area and other parts of the grounds within the leased premises to host stands or small events and performances.</p> <p>4. Accepts that a licensed valuer has provided a valuation report assessing the fair market rental of the property and the draft ground lease agreement has been sighted by the proponent.</p> <p>5. Pursuant to Section 5.42 of the <i>Local Government Act 1995</i>, delegates to the Chief Executive Officer, the following duties/powers in relation to 15 (Lot 9000) Hill View Terrace, East Victoria Park.</p> <p>a. Authority to make and give any determination required by the Lease on behalf of the Lessor, approval, direction or order in relation to the Property.</p> <p>b. Undertake any further minor commercial negotiations, if required to progress the development and commercial offer presented to the Town of Victoria Park by Blackoak Capital Ventures for TVP/20/13.</p> <p>c. Monitor compliance with, and enforce as necessary, the provisions of the Ground Lease and all matters relating to the Ground Lease.</p> <p>d. In exercising this delegation of authority, the Chief Executive Officer shall not make a determination if the Chief Executive</p>		

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					<p>Officer believes the matter for decision is a material change to the terms and conditions of the Ground Lease.</p> <p>e. If the Chief Executive Officer declines to give a determination (for reasons set out in part 4(d)), the Chief Executive Officer must report the matter to the Council for decision.</p> <p>6. Requests the Chief Executive Officer to bring a report back to Council following the public submission period required under Section 3.58 of the <i>Local Government Act 1995</i> seeking Council approval to execute all necessary documents on behalf of the Town of Victoria Park in relation to ground lease a portion of 15 (Lot 9000) Hill View Terrace, East Victoria Park.</p> <p style="text-align: right;"><b>Carried (9 - 0)</b></p> <p><b>For:</b> Mayor Karen Vernon, Cr Claire Anderson, Cr Vicki Potter, Cr Ronhhda Potter, Cr Brian Oliver, Cr Luana Lisandro, Cr Wilfred Hendriks, Cr Bronwyn Ife and Cr Jesvin Karimi</p> <p><b>Against:</b> Nil</p>		
21/09/2021	Ordinary Council Meeting - 21 September 2021	11.2	Resolutions from the 2021 Annual Meeting of Electors	Work in progress	<p><b>COUNCIL RESOLUTION (219/2021):</b></p> <p><b>Moved:</b> Cr Ronhhda Potter      <b>Seconded:</b> Mayor Karen Vernon</p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Receives the 13 resolutions carried at the Annual Meeting of Electors held on 28 July 2021.</li> <li>2. Endorses the following actions in response to the resolutions; subject to the following amendments: <ol style="list-style-type: none"> <li>a) Amend Resolution 7 to include: <ol style="list-style-type: none"> <li>4. Request the CEO to provide a report to the November 2021 detailing considerations, engagement options and costing to implement and install game/event day parking restrictions to the surrounding street network prior to or as close to the commencement of the 2022 football season as detailed in the Lathlain Park Management Plan (July 2017).</li> <li>5. The Chief Executive Officer seek the consent of the key stakeholders to commence the 5 year review of the Lathlain Park Management Plan by no later than 31 October 2021, being a time frame less than 5 years since adoption of the Plan in July 2017, and to report the outcome of the review to Council by no</li> </ol> </li> </ol> </li> </ol>	30/06/2023	

Meeting Date	Document	Item No.	Item	Status	Action Required	Due Date	Completed (Overdue)				
					<p>later than February 2022.</p> <p>b) Amend point 2 of Resolution 11 to read:  2. Endorses the Chief Executive Officer to arrange a meeting after 16 October 2021 with the community members who brought this motion, to determine the details of a Citizens Assembly and seek to understand how this assembly would operate (e.g. roles, outcomes sought) relative to the implementation of the endorsed Climate Emergency Plan, and report back to Elected Members the merits of otherwise of the Town holding a Citizens Assembly.</p> <p>c) Amend Resolution 12 to include an additional point to read:  2. Requests the Chief Executive Officer to arrange for an Item to be included at the February 2021 Concept Forum on the Principles Of Water Sensitive Urban Design how these principles have been used in the Town and some examples of further opportunities</p> <table border="1"> <thead> <tr> <th>Electors' Resolution</th> <th>Council Action</th> </tr> </thead> <tbody> <tr> <td> <p><b>Resolution 1</b></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Prioritises its review of whether a person should be able to park a vehicle on a verge in the Town of Victoria Park, recognizing that parking on verges inhibits its ability to achieve its Urban Forest Strategy outcomes and canopy targets.</li> <li>2. As a result of point 1, Council reviews residential parking permits to readily allow residents to street park in areas with parking restrictions to stop them parking on their verges.</li> <li>3. Investigates the prospect of allowing residents access to street parking permits in timed and paid</li> </ol> </td> <td> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Requests the Chief Executive Officer to proceed with the scheduled Concept Forum item in September 2021, to discuss verge parking across the Town.</li> <li>2. Considers parking management holistically, as part of consideration of the new Transport Strategy and Parking Management Plan.</li> </ol> </td> </tr> </tbody> </table>	Electors' Resolution	Council Action	<p><b>Resolution 1</b></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Prioritises its review of whether a person should be able to park a vehicle on a verge in the Town of Victoria Park, recognizing that parking on verges inhibits its ability to achieve its Urban Forest Strategy outcomes and canopy targets.</li> <li>2. As a result of point 1, Council reviews residential parking permits to readily allow residents to street park in areas with parking restrictions to stop them parking on their verges.</li> <li>3. Investigates the prospect of allowing residents access to street parking permits in timed and paid</li> </ol>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Requests the Chief Executive Officer to proceed with the scheduled Concept Forum item in September 2021, to discuss verge parking across the Town.</li> <li>2. Considers parking management holistically, as part of consideration of the new Transport Strategy and Parking Management Plan.</li> </ol>		
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					<p>parking zones within the Raphael Park area.</p> <p>4. The Town of Victoria Park conduct community consultation within the Raphael Park area in reference to reviewing street parking restrictions.</p>		
					<p><b>Resolution 2</b></p> <p>That the Town:</p> <p>1. Investigate the management of the JA Lee Reserve including and specifically its continued designation as a dog exercise area as stated on the Town's website.</p> <p>2. Replace and improve the existing on-site signage, and include additional signs on Streatley and Midgely Street frontages, in this 2021-2022 financial year.</p>	That Council notes that the installation of replacement/additional signage is anticipated to be completed by 31 October 2021.	
					<p><b>Resolution 3</b></p> <p>That Council proceed with the Edward Millen House project with Blackoak as proposed on the Town's website.</p>	That Council notes the elector's resolution.	
					<p><b>Resolution 4</b></p> <p>That the vote for motion number 1 on 22 July 2021 from the Special Meeting of Electors be set aside as it is unrepresentative due to the late hour preventing a</p>	That Council notes the elector's resolution however, no further action can be taken.	

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					<p>representative attendance of electors.</p> <p><b>Resolution 5</b> That the Town provide a cost benefit analysis of the current road sweeper arrangement with the City of South Perth, in view of the phasing out the contract.</p> <p><b>Resolution 6</b> That the Town seriously consider imposing a levy on builders when they put an application in to build a building in the Town for the remuneration to be paid to the Town for the damage they do to Town infrastructure whilst the building is going on, and for the Town to inspect construction sites during construction periodically.</p> <p><b>Resolution 7</b> That Council: 1. Implements game and event day parking restrictions in the surrounding street network in Lathlain prior to or as close to the commencement of the 2022 football season to mitigate impact on amenity. The surrounding street network is that identified in the Lathlain Park Management Plan.</p>		
					That Council notes the cost/benefit analysis provided in this report.		
					That Council approves the Chief Executive Officer to investigate administrative compliance improvement opportunities such as the potential realignment of certain positions within the organisational structure and report back on findings to the February 2022 Ordinary Council Meeting.		
					That Council: 1. Notes the elector's resolution when considering the draft Parking Management Plan, which includes the following proposed actions: a. Review the parking demands on event days to		

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					<p>2. Identifies the parking restrictions according to time, days, and months, by means of clear and regular interval signage in the streets; replacing faded signs as a priority.</p> <p>3. Ensures the parking restrictions enable the safe passage of vehicles and pedestrians and allows for emergency access with consideration that one side of each street prohibits parking on game and event days as required.</p> <p>4. Considers issuing resident parking permits similar to those implemented in Burswood Peninsula in December 2020.</p> <p>5. Provides an implementation update on points 1, 2 and 4 through appropriate Town mechanisms such as the Ordinary Council Meeting on a regular basis, such as bi-monthly.</p> <p>gather information to allow more efficient parking management for future events</p> <p>b. Use this information to educate visitors of the available and preferred parking locations</p> <p>c. Encourage the West Coast Eagles management to provide incentives for catching the train to attend events</p> <p>d. Improve the streetscape from Victoria Park Station to Lathlain Park to encourage the use of other forms of transport which reduces</p> <p>e.</p> <p>f. parking capacity requirements.</p> <p>2. Notes that a review</p>		



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					<div style="background-color: #e0e0e0; width: 100%; height: 100%; display: flex; align-items: center; justify-content: center;"> <div style="width: 60%;"></div> <div style="width: 40%; padding-left: 10px;"> <p>of signage in the Lathlain Park area and broadly across the Town is ongoing. Replacement of faded/damaged signs is a priority and will continue to occur.</p> <p>3. Requests the Chief Executive Officer to conduct a review (post major event with 4,500-6,500 patrons in attendance) of those roads impacted by events at Lathlain Oval and investigate those streets which will require parking to be reduced, on the basis of traffic safety, to one side only dependent on road width/occupancy levels and a risk assessment.</p> <p>4. Request the CEO to provide a report to the November 2021 detailing considerations, engagement options and costing to implement and install game/event day</p> </div> </div>		

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					<p>parking restrictions to the surrounding street network prior to or as close to the commencement of the 2022 football season as detailed in the Lathlain Park Management Plan (July 2017).</p> <p>5. The Chief Executive Officer seek the consent of the key stakeholders to commence the 5 year review of the Lathlain Park Management Plan by no later than 31 October 2021, being a time frame less than 5 years since adoption of the Plan in July 2017, and to report the outcome of the review to Council by no later than February 2022.</p>		
					<p><b>Resolution 8</b></p> <p>That Council:</p> <p>1. Includes the streets surrounding the Lathlain side of the Victoria Park train station within section '4.6 Victoria Park Station Parking</p>		

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					<p>Plan' in the final Town of Victoria Parking Management Plan to ensure there is ongoing parking management, including parking controls, to mitigate impact on amenity.</p> <ol style="list-style-type: none"> <li>2. Investigates and determines parking controls around the streets surround the Lathlain side of the Victoria Park train station to manage Optus Stadium events at a minimum in line with those controls implemented in the Burswood Peninsula by the end of 2022.</li> <li>3. Mitigates impact on amenity and investigates and determines parking controls in the streets surrounding the Lathlain side of the Victoria Park train station which is at least equitable to the current restrictions in place on the surrounding streets of the Victoria Park side of the Victoria Park train station by the end of 2022.</li> </ol>		
					<p><b>Resolution 9</b></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Retains sumps within the Town for the purpose of drainage.</li> <li>2. Investigates adding additional Town sumps to the Public Open Space Strategy.</li> </ol>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Endorses the Chief Executive Officer to retain existing drainage basins for the purpose of managing stormwater.</li> </ol>	

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					<p>3. Does not include sumps in the Land Asset Optimisation Strategy.</p> <p>2. Notes that a future review of the Public Open Space Strategy will investigate the potential to add drainage basins into the Town's and 'Green Basins and Micro Parks' program.</p> <p>3. Notes the review of the Land Asset Optimisation Strategy will be undertaken as part of the Corporate Business Plan deliverables for FY 22. As part of the process drainage basins will be included for review as they are freehold land.</p>		
					<p><b>Resolution 10</b></p> <p>That Council requests the CEO to report back to the Council by December 2021:</p> <p>1. On a policy or plan on the viability of affordable and social housing for developers.</p> <p>2. On a policy or plan on sustainable housing for developers.</p>	<p>The Council notes the actions within the draft Local Planning Strategy and intended preparation of a draft local planning policy relating to environmentally sustainable design.</p>	

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					<p><b>Resolution 11</b></p> <p>That Council convene a citizens climate assembly along the lines of those held in Lamberth/Brixton and a national assembly, both held in the United Kingdom; within the next 12 months, preferably before 31 December 2021.</p> <p>That Council:</p> <ol style="list-style-type: none"> <li>Notes that the administration will continue to implement the endorsed Climate Emergency Plan.</li> <li>Endorses the Chief Executive Officer to arrange a meeting after 16 October 2021 with the community members who brought this motion, to determine the details of a Citizens Assembly and seek to understand how this assembly would operate (e.g. roles, outcomes sought) relative to the implementation of the endorsed Climate Emergency Plan, and report back to Elected Members the merits or otherwise of the Town holding a Citizens Assembly.</li> </ol> <p><b>Resolution 12</b></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>Adopt a water sensitive urban</li> </ol> <p>The Council</p> <ol style="list-style-type: none"> <li>Notes the action within the draft Local Planning Strategy to prepare a</li> </ol>		





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					<p>community uses and meeting spaces as per the guidance in the draft Social Infrastructure Strategy.</p> <ul style="list-style-type: none"> <li>b. Option 2: McCallum and Taylor Reserve including consideration of: <ul style="list-style-type: none"> <li>i. Synthetic turf, supporting grass fields, club and change rooms, provision for spectators and necessary storage space.</li> <li>ii. The potential for co-locating other sporting clubs, community uses and meeting spaces.</li> <li>iii. The impact on and necessary amendment process to the currently approved Taylor Park and McCallum Park Concept Plan.</li> </ul> </li> <li>c. Option 3: Perth Hockey Stadium at Curtin University including consideration and a request for involvement in the ongoing Perth Hockey Stadium masterplan process.</li> </ul> <p>2. With respect to Options 1 and 2 above to also include the following considerations within the Business Case scope:</p> <ul style="list-style-type: none"> <li>a. The views of the immediate local community</li> <li>b. Detailed spatial investigations including field alignments, number of fields (with consideration of VPXHC requirements and preferences outlined above), spatial implications for co-location, clubrooms and other ancillary facilities.</li> <li>c. Club management scenarios and potential design implications.</li> <li>d. Impact on the surrounding area.</li> <li>e. Environment considerations such as tree impact/opportunities; acid sulphate soils, impact of lighting, noise, etc.</li> <li>f. Geotechnical considerations</li> <li>g. Transport and access considerations.</li> <li>h. Services investigations.</li> <li>i. Cost analysis (immediate and running costs).</li> <li>j. Land tenure constraints/considerations.</li> <li>k. Town planning constraints/considerations</li> <li>l. Any other relevant considerations that emerge.</li> </ul>		













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					<ul style="list-style-type: none"> <li>a. Albany Highway; and</li> <li>b. Key local activity centres such as Etwell St, Archer St, Oats St, Gallipoli St, and Burswood Rd;</li> </ul> <ul style="list-style-type: none"> <li>2. a Tree Canopy uplighting project for: <ul style="list-style-type: none"> <li>a. the gum trees in GO Edwards Park</li> <li>b. Duncan Street (from Kitchener Street to Shepperton Street)</li> <li>c. Jarrah Road (between Kent Street and Hillview Terrace).</li> </ul> </li> <li>3. a Park tree decorative lighting project for key locations;</li> <li>4. Installation projection lighting projects for Town buildings and/or public open spaces.</li> </ul> <p style="text-align: right;"><b>Carried (7 - 0)</b></p> <p><b>For:</b> Mayor Karen Vernon, Deputy Mayor Claire Anderson, Cr Peter Devereux, Cr Jesvin Karimi, Cr Jesse Hamer, Cr Wilfred Hendriks and Cr Bronwyn Ife</p> <p><b>Against:</b> Nil</p>		
13/12/2022	Ordinary Council Meeting - 13 December 2022	17.2	Mayor Karen Vernon - Carlisle Traffic Management Review	Report to be provided at later date	<p><b>COUNCIL RESOLUTION (282/2022):</b></p> <p><b>Moved:</b> Mayor Karen Vernon      <b>Seconded:</b> Deputy Mayor Claire Anderson</p> <p>That Council requests the Chief Executive Officer to:</p> <ul style="list-style-type: none"> <li>1. conduct a review of traffic management in Carlisle within the streets bounded by Roberts Rd, Orrong Road, Briggs St and Rutland Avenue, including but not limited to: <ul style="list-style-type: none"> <li>(a) the relevant traffic accident data within this area;</li> <li>(b) the speed limits and any proposals to reduce speed;</li> <li>(c) the extent of existing traffic interventions and calming treatments and their effectiveness;</li> <li>(d) whether further traffic interventions and calming treatments are required on streets and intersections including Star/Lion, Bishopsgate/Lion and Planet/Mercury;</li> <li>(e) if further traffic interventions and calming treatments are required, the locations, types, indicative costs and timing of implementation of such further interventions and calming treatments, and how these could be part of next years plans</li> </ul> </li> </ul>	31/07/2023	



Meeting Date	Document	Item No.	Item	Status	Action Required	Due Date	Completed (Overdue)
					<p>appropriate planning mechanism to use if the Town seeks to retain character dwellings.</p> <p>(iii) A policy is the appropriate planning mechanism to use if the Town is seeking a certain character appearance.</p> <p>(iv) The development approval provisions for the proposed Special Control Area are inconsistent with the provisions of the Regulations in relation to exemptions from development approval.</p> <p>(b) The community feedback received.</p> <p>3. Notes the submissions received in respect to draft amendments to Local Planning Policy 32 'Exemptions from Development Approval' and draft new Local Planning Policy 'Character Retention Guidelines' as contained in the Schedule of Submissions at Attachment 1, in accordance with subclause 4(3)(a) of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>4. Resolves not to proceed with draft amendments to Local Planning Policy 32 'Exemptions from Development Approval' in accordance with subclause 4(3)(b) of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, on the basis that due to part 2 above the amended policy provisions are no longer required.</p> <p>5. Request the Chief Executive Officer to present future reports to Council by no later than the June 2023 Ordinary Council Meeting which further consider:</p> <p>(a) Modifying draft Local Planning Policy 'Character Retention Guidelines;</p> <p>(b) Investigating the designation of heritage areas, in accordance with clause 9 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>(c) Investigating the development of incentives and development bonuses to encourage the retention and maintenance of character dwellings.</p>		



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					<p style="text-align: right;"><b>Carried (7 - 0)</b></p> <p><b>For:</b> Mayor Karen Vernon, Deputy Mayor Claire Anderson, Cr Peter Devereux, Cr Jesvin Karimi, Cr Jesse Hamer, Cr Vicki Potter and Cr Wilfred Hendriks</p> <p><b>Against:</b> Nil</p>		
21/02/2023	Ordinary Council Meeting - 21 February 2023	13.1	Briggs St & Harris St Compact Roundabout	Work in progress	<p><b>COUNCIL RESOLUTION (19/2023):</b></p> <p><b>Moved:</b> Mayor Karen Vernon                      <b>Seconded:</b> Cr Luana Lisandro</p> <p>That Council requests the Chief Executive Officer to allocate \$40,000 from the mid-year budget review for the construction of a compact roundabout at the intersection of Briggs Street and Harris Street, subject to a surplus of funds being identified and priority against other projects.</p> <p style="text-align: right;"><b>Carried (8 - 0)</b></p> <p><b>For:</b> Mayor Karen Vernon, Deputy Mayor Claire Anderson, Cr Luana Lisandro, Cr Peter Devereux, Cr Jesvin Karimi, Cr Jesse Hamer, Cr Vicki Potter and Cr Wilfred Hendriks</p> <p><b>Against:</b> Nil</p>	27/06/2023	
21/02/2023	Ordinary Council Meeting - 21 February 2023	13.2	Petition - Burswood South Lighting	Not yet started	<p><b>COUNCIL RESOLUTION (20/2023):</b></p> <p><b>Moved:</b> Cr Vicki Potter                                      <b>Seconded:</b> Cr Jesse Hamer</p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Notes the interim findings from Council officers regarding the petition from residents to initiate a trial to upgrade footpath lighting in Clydesdale Street and Duncan Street as tabled at the September 2022 Ordinary Council Meeting (OCM).</li> <li>2. Requests the Chief Executive Officer to instigate a review of the issues identified in the petition (including a trip hazard and street lighting audit, review of footpath lighting levels, and an examination of any proposed actions that may be required, including budget implications).</li> <li>3. Reallocate minor works funding to Clydesdale Street in the current 2022/2023 financial year of approximately \$10,500 from the Town's Street Lighting Budget to upgrade existing luminaires to a higher wattage output.</li> </ol>	30/06/2023	





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					<ol style="list-style-type: none"> <li>3. Endorse ongoing display of the Town's Art Collection online via the Collections WA website;</li> <li>4. Do not support the development of a printed Art Collection Book;</li> <li>5. Endorse continuation of the Arts Season as currently facilitated by the Town; and</li> <li>6. Requests the Chief Executive Officer to investigate alternative options for an arts-based Award program other than those outlined in this report to Council consistent with strategic outcome 2.4 of the Town's Arts &amp; Culture Plan 2020, including options that could be incorporated into future Arts Seasons, and report back to Council by no later than December 2023.</li> </ol> <p style="text-align: right;"><b>Carried (8 - 0)</b></p> <p><b>For:</b> Mayor Karen Vernon, Deputy Mayor Claire Anderson, Cr Luana Lisandro, Cr Peter Devereux, Cr Jesvin Karimi, Cr Jesse Hamer, Cr Wilfred Hendriks and Cr Bronwyn Ife</p> <p><b>Against:</b> Nil</p>		
21/03/2023	Ordinary Council Meeting - 21 March 2023	13.3	Lathlain Park Redevelopment Project Zone 1 - PFC Lease Update	Not yet started	<p><b>COUNCIL RESOLUTION (47/2023):</b></p> <p><b>Moved:</b> Mayor Karen Vernon      <b>Seconded:</b> Deputy Mayor Claire Anderson</p> <p style="text-align: right;">Anderson</p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. That Council notes the progress update on the negotiation of draft key lease terms with Perth Football Club.</li> <li>2. Requests a further update be reported to Council as to progress with negotiation of draft key lease terms with Perth Football Club by June 2023.</li> </ol> <p style="text-align: right;"><b>Carried (8 - 0)</b></p> <p><b>For:</b> Mayor Karen Vernon, Deputy Mayor Claire Anderson, Cr Luana Lisandro, Cr Peter Devereux, Cr Jesvin Karimi, Cr Jesse Hamer, Cr Wilfred Hendriks and Cr Bronwyn Ife</p> <p><b>Against:</b> Nil</p>	30/06/2023	























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					<p>provide for an entitlement to any subsidised rental.</p> <p>(k) Permitted Use: Psychological counselling</p> <p>(l) Operating hours: The Lessee must keep the Premises open for business during the usual business hours generally applicable to a business comparable to the Lessee's business and hours are to be within planning and legislative parameters.</p> <p>(m) Insurance: The Tenant is responsible for \$20M Public Liability Insurance and workers compensation cover, with ability for the Lessor to review as reasonably required from time to time.</p> <p>(n) Signage: Prior written consent from the Lessor required. Tenant to provide a design concept and location map for consideration.</p> <p>(o) Special Conditions:            (i) Town of Victoria Park Redevelopment Clause; (ii) No guarantee is provided as to the availability of any operating subsidy or of continued availability of the premises after the end of the Term;            (iii) Tenant to pay legal costs associated with the lease.</p> <p>2. That the proposed lease to Onsite Psychology Pty Ltd be advertised and submissions be invited as required under Section 3.58 of the Local Government Act 1995 and any submissions received be reported to Council for consideration, prior to the proposed extension of lease being entered into.</p> <p>3. That subject to compliance with 2 above, the Chief Executive Officer be authorised to execute all documents necessary to give effect to the proposed lease.</p> <p style="text-align: right;"><b>Carried by exception resolution (8 - 0)</b></p> <p><b>For:</b> Mayor Karen Vernon, Deputy Mayor Claire Anderson, Cr Luana Lisandro, Cr Peter Devereux, Cr Jesvin Karimi, Cr Jesse Hamer, Cr Vicki Potter and Cr Wilfred Hendrik  <b>Against:</b> Nil</p>		
16/05/2023	Ordinary Council	13.2	Disposal of	Contract/agr	<b>COUNCIL RESOLUTION</b>	30/06/2023	

Meeting Date	Document	Item No.	Item	Status	Action Required	Due Date	Completed (Overdue)
	Meeting - 16 May 2023		Leisurelife suite areas by way of lease	Agreement under negotiation	<p><b>(104/2023):</b>  <b>Moved:</b> Deputy Mayor Claire Anderson  <b>Seconded:</b> Cr Vicki Potter  That Council</p> <p>1. Authorises the Chief Executive to negotiate with Perth Basketball Association for a lease for the Leisurelife Suite three (3) located at 248 Gloucester Street East Victoria, consistent with the following key terms:</p> <ol style="list-style-type: none"> <li>a) Land: Approximately 23sqm of Lot 1 on Diagram 7170 (248 Gloucester Street, East Victoria Park)</li> <li>b) Lessee: Perth Basketball Association</li> <li>c) Term: up to 5 years</li> <li>d) Further Term: Nil</li> <li>e) Fee: \$2,300 per annum plus GST</li> <li>f) Commencement Date: Upon execution of the agreement by both parties.</li> <li>g) Outgoings: The Tenant is responsible for all outgoings, which (in accordance with Policy 310 Leasing shall be all operating/running costs, including but not limited to: (i) Refuse collection; (ii) Emergency services levy; (iii) Water rates; (iv) Council rates; and (v) All utilities related to their use (e.g., electricity, gas, water, telecommunications.)</li> <li>h) The Lessee will be responsible for obtaining appropriate insurance (e.g. public liability insurance, contents insurance etc.);</li> <li>i) Maintenance: The Tenant is responsible for non-structural and preventative maintenance. The Landlord may in its absolute discretion undertake repair and maintenance (subject to availability of funds) in accordance with Asset Management Plans, and such other factors as may be considered by the Landlord to be reasonable and/or necessary.</li> <li>j) Permitted Use: Storage Space</li> <li>k) Operating hours: Proposed hours are in line with the Centre and lease requirements.</li> <li>l) Insurance: The Tenant is responsible for \$20M Public Liability Insurance and workers compensation cover. The Landlord is responsible for Building Insurance.</li> <li>m) Signage: With prior written consent from the Landlord.</li> </ol>		



Meeting Date	Document	Item No.	Item	Status	Action Required	Due Date	Completed (Overdue)
					<ul style="list-style-type: none"> <li>n) Special Conditions:               <ul style="list-style-type: none"> <li>(i) Town of Victoria Park Redevelopment Clause</li> <li>(ii) No operating subsidy during the Term will apply to this Lease.</li> </ul> </li> <li>o) Terms to be set by the Towns lawyers and to incorporate such variations or amendments to key terms as are considered reasonable and necessary by the Chief Executive Officer.</li> </ul> <ol style="list-style-type: none"> <li>2. Approves an exemption to section 3.58 of the Local Government Act 1995 pursuant to Regulation 30 of the Local Government (Functions and General) Regulations 1996 for the disposal of the Leisurelife Suite 3 by way of lease, subject to negotiating an agreement acceptable to the Town.</li> <li>3. Authorises the Chief Executive Officer and, if required, the Mayor to execute all documents necessary to give effect to a lease between the Town of Victoria Park and the Perth Basketball Association for the Leisurelife Suite three (3) and apply the Town's Common Seal.</li> <li>4. Authorises the Chief Executive to negotiate with the Perth Basketball Association for a lease for the Leisurelife Suite Four (4) located at 248 Gloucester Street East Victoria consistent with the following key terms:               <ul style="list-style-type: none"> <li>a) Land: Approximately 56sqm of Lot 2 on Diagram 7170 (248 Gloucester Street East Victoria Park)</li> <li>b) Lessee: Perth Basketball Association</li> <li>c) Term: up to 5 years</li> <li>d) Further Term: Nil</li> <li>e) Fee: \$6,160 per annum plus any GST</li> <li>f) Commencement Date: Upon execution of the agreement by both parties.</li> <li>g) Outgoings: The Tenant is responsible for all outgoings which (in accordance with Policy 310 Leasing shall be all operating/running costs, including but not limited to: (i) Refuse collection; (ii) Emergency services levy; (iii) Water rates; (iv) Council rates; and (v) All utilities related to their use (e.g., electricity, gas, water, telecommunications.)</li> <li>h) The Lessee will be responsible for obtaining appropriate insurance (e.g. public liability insurance, contents insurance etc.);</li> </ul> </li> </ol>		

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					<ul style="list-style-type: none"> <li>i) Maintenance: The Tenant is responsible for non-structural and preventative maintenance. The Landlord may in its absolute discretion undertake repair and maintenance (subject to availability of funds) in accordance with Asset Management Plans, and such other factors as may be considered by the Landlord to be reasonable and/or necessary.</li> <li>j) Permitted Use: Office Space</li> <li>k) Operating hours: Proposed hours are in line with the Centre and lease requirements.</li> <li>l) Insurance: The Tenant is responsible for \$20M Public Liability Insurance and workers compensation cover. The Landlord is responsible for Building Insurance.</li> <li>m) Signage: With prior written consent from the Landlord.</li> <li>n) Special Conditions: <ul style="list-style-type: none"> <li>(i) Town of Victoria Park Redevelopment Clause</li> <li>(ii) No operating subsidy during the Term will apply to this Lease.</li> </ul> </li> <li>o) Terms to be set by the Towns lawyers and to incorporate such variations or amendments to key terms as are considered reasonable and necessary by the Chief Executive Officer.</li> </ul> <p>5. Approves an exemption to section 3.58 of the Local Government Act 1995 pursuant to Regulation 30 of the Local Government (Functions and General) Regulations 1996 for the disposal of the Leisurelife Suite four (4) by way of lease, subject to negotiating an agreement acceptable to the Town.</p> <p>6. Authorises the Chief Executive Officer and, if required, the Mayor to execute all documents necessary to give effect to a lease between the Town of Victoria Park and the Perth Basketball Association for the Leisurelife Suite Four (4) and apply the Town's Common Seal.</p> <p>7. Authorises the Chief Executive to negotiate with the Hope of God Perth Incorporated for a lease for the Leisurelife Suite six (6) located at 248 Gloucester Street East Victoria consistent with the following key terms:</p> <ul style="list-style-type: none"> <li>a) Land: Approximately 22qm of Lot 12 on Diagram 5825 (248 Gloucester Street East Victoria Park)</li> <li>b) Lessee: The Hope of God Perth</li> </ul>		

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					<ul style="list-style-type: none"> <li>c) Term: up to 5 years</li> <li>d) Further Term: Nil</li> <li>e) Fee: \$4,800 per annum gross</li> <li>f) Commencement Date: Upon execution of the agreement by both parties.</li> <li>g) Outgoings: The tenants' offer includes all outgoings and GST, noting that the room will be used for storage only and does not have any air conditioning or power.</li> <li>h) The Lessee will be responsible for obtaining appropriate insurance (e.g. public liability insurance, contents insurance etc.);</li> <li>i) Maintenance: The Tenant is responsible for non-structural and preventative maintenance. The Landlord may in its absolute discretion undertake repair and maintenance (subject to availability of funds) in accordance with Asset Management Plans, and such other factors as may be considered by the Landlord to be reasonable and/or necessary.</li> <li>j) Permitted Use: Storage</li> <li>k) Operating hours: Proposed hours are in line with the Centre and lease requirements.</li> <li>l) Insurance: The Tenant is responsible for \$20M Public Liability Insurance and workers compensation cover. The Landlord is responsible for Building Insurance.</li> <li>m) Signage: With prior written consent from the Landlord.</li> <li>n) Special Conditions: <ul style="list-style-type: none"> <li>(i) Town of Victoria Park Redevelopment Clause</li> <li>(ii) No operating subsidy will apply to this Lease.</li> </ul> </li> <li>o) Tenant break rights at the end of years 2, 3 and 4 as appropriate.</li> <li>p) Terms to be set by the Towns lawyers and to incorporate such variations or amendments to key terms as may be considered necessary and reasonable by the Mayor and Chief Executive Officer.</li> </ul> <p>8. Approves an exemption to section 3.58 of the Local Government Act 1995 pursuant to Regulation 30 of the Local Government (Functions and General) Regulations 1996 for the disposal of the Leisurelife Suite six (6) by way of lease, subject to negotiating an agreement acceptable to the Town.</p>		

Meeting Date	Document	Item No.	Item	Status	Action Required	Due Date	Completed (Overdue)
					<p>9. Authorises the Chief Executive Officer and, if required, the Mayor to execute all documents necessary to give effect to a lease between the Town of Victoria Park and the Hope of God Perth Incorporated for the Leisurelife Suite six (6) and apply the Town's Common Seal.</p> <p>10. Authorise the following delegations for the Chief Executive Officer for the Leisurelife Centre:-</p> <ul style="list-style-type: none"> <li>a) Authority subject to the conditions in (d), (e), (g) and (h) to carry out the disposal of surplus areas by way of a lease for a period of up to five years.</li> <li>b) Authority subject to the conditions in (f) and (g) to grant a licence of surplus areas of up to three years.</li> <li>c) Authority to exercise all of the powers and functions of the Town as landlord under lease or licence terms.</li> <li>d) Disposal of land and buildings must comply with the requirements of section 3.58 of the Local Government Act 1995, unless the disposal is an exempt disposition under the Local Government (Functions and General) Regulations 1996.</li> <li>e) Disposal of land and/or buildings by way of a lease must comply with the relevant and applicable provisions of Policy 310 Leasing adopted by the Council.</li> <li>f) A licence to occupy property must comply with the relevant and applicable provisions of Policy 310 Leasing.</li> <li>g) The negotiation and the setting of terms and conditions of the transaction must comply within the relevant and applicable provisions of Policy 310 Leasing, and as drafted by the Town's lawyers.</li> <li>h) Unless the Council makes a decision expressly providing for the contrary, any disposal of land and buildings must be for a price within 10% of an independent valuation obtained in accordance with section 3.58(4)(c), except in respect to a lease: to a benevolent body, in accordance with regulation 30(2)(b) of the Local Government (Functions and General) Regulations 1996 to a not for profit organisation for nominal consideration; and that is exempt from the requirements of section 3.58.</li> </ul> <p style="text-align: right;"><b>Carried (7 - 0)</b></p> <p><b>For:</b> Mayor Karen Vernon, Deputy Mayor Claire Anderson, Cr Luana</p>		



