

MINUTES

Ordinary Council Meeting

21 November 2023

Mayor and Councillors

Here within are the Minutes of the Ordinary Council Meeting of the City of South Perth Council held Tuesday 21 November 2023 in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth.



MIKE BRADFORD
CHIEF EXECUTIVE OFFICER

24 November 2023

Acknowledgement of Country

Kaartdjinin Nidja Nyungar Whadjuk Boodjar Koora Nidja Djining Noonakoort kaartdijin wangkiny, maam, gnarnk and boordier Nidja Whadjuk kura kura.

We acknowledge and pay our respects to the traditional custodians of this land, the Whadjuk people of the Noongar nation and their Elders past and present.

Our Guiding Values



Disclaimer

The City of South Perth disclaims any liability for any loss arising from any person or body relying on any statement, discussion, recommendation or decision made during this meeting.

Where an application for an approval, a licence or the like is discussed or determined during this meeting, the City warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the City.

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Ordinary Council Meeting - Minutes

Minutes of the Ordinary Council Meeting held in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth at 6:00pm on Tuesday 21 November 2023.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 6.01pm.

2. DISCLAIMER

The Presiding Member read aloud the City's Disclaimer.

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil.

4. ATTENDANCE

Mayor Greg Milner (Presiding Member)

Councillors

Como Ward

Como Ward

Manning Ward

Manning Ward

Moresby Ward

Moresby Ward

Mill Point Ward

Mill Point Ward

Councillor Glenn Cridland

Councillor Bronwyn Waugh

Councillor Blake D'Souza

Councillor André Brender-A-Brandis

Councillor Jennifer Nevard

Councillor Hayley Prendiville

Councillor Mary Choy

Councillor Nic Coveney

Officers

Chief Executive Officer

Director Corporate Services

Director Development and Community Services

Director Infrastructure Services

Manager Development Services

Manager Governance

Manager Finance

Governance Coordinator

Governance Officer

Mr Mike Bradford

Mr Garry Adams

Ms Donna Shaw

Ms Anita Amprimo

Ms Fiona Mullen

Ms Toni Fry

Mr Abrie Lacock

Mr Morgan Hindle

Ms Jane Robinson

Gallery

Nil.

4.1 APOLOGIES

Nil.

4.2 APPROVED LEAVE OF ABSENCE

Nil.

5. DECLARATIONS OF INTEREST

- Mayor Greg Milner – Impartiality Interest in Item 10.1.1 as ‘I know many of the nominees.’
- Councillor Jennifer Nevard – Impartiality Interest in Item 10.1.1 as ‘some of the participants are known to me.’
- Councillor Mary Choy – Impartiality Interest in Item 10.1.1 as ‘some of the nominees are known to me.’

6. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

6.2 PUBLIC QUESTION TIME: 21 NOVEMBER 2023

The Presiding Member opened Public Question Time at 6.03pm.

There being no questions, the Presiding Member closed Public Question Time at 6.03pm.

7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS

7.1 MINUTES

7.1.1 Ordinary Council Meeting Held: 31 October 2023

Officer Recommendation AND COUNCIL DECISION

1123/188

Moved: Councillor Nic Coveney

Seconded: Councillor Blake D'Souza

That the Minutes of the Ordinary Council Meeting held 31 October 2023 be taken as read and confirmed as a true and correct record.

CARRIED (9/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Mary Choy, Nic Coveney, Glenn Cridland, Blake D'Souza, Jennifer Nevard, Hayley Prendiville and Bronwyn Waugh.

Against: Nil.

7.2 CONCEPT BRIEFINGS

7.2.1 Concept Briefings and Workshops

Officers of the City/Consultants and invited third party guests provided Council with an overview of the following matter at Concept Briefings and Workshops:

Date	Subject	Attendees
30 October 2023	Office of the CEO Induction (for New Elected Members)	Councillors Nic Coveney, Hayley Prendiville, and Bronwyn Waugh.
30 October 2023	Corporate Services Induction (for New Elected Members)	Councillors Nic Coveney, Hayley Prendiville, and Bronwyn Waugh.
7 November 2023	Waste Briefing	Mayor Greg Milner and Councillors André Brender-A-Brandis, Mary Choy, Blake D'Souza, Jennifer Nevard, Hayley Prendiville, Bronwyn Waugh.
7 November 2023	Development WA Briefing	Mayor Greg Milner and Councillors André Brender-A-Brandis, Mary Choy, Blake D'Souza, Jennifer Nevard, Hayley Prendiville, Bronwyn Waugh.
14 November 2023	Development and Community Services Induction (for New Elected Members)	Councillors Nic Coveney, Hayley Prendiville, Bronwyn Waugh.

Attachments

Nil.

7.2.2 Council Agenda Briefing - 14 November 2023

Officers of the City presented background information and answered questions on Items to be considered at the November Ordinary Council Meeting at the Council Agenda Briefing held 14 November 2023

Attachments

7.2.2 (a): Briefing Notes

Officer Recommendation AND COUNCIL DECISION

1123/189

Moved: Councillor Nic Coveney

Seconded: Councillor André Brender-A-Brandis

That Council notes the following Council Briefings/Workshops were held:

- 7.2.1 Concept Briefings and Workshops
- 7.2.2 Council Agenda Briefing - 14 November 2023

CARRIED (9/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Mary Choy, Nic Coveney, Glenn Cridland, Blake D'Souza, Jennifer Nevard, Hayley Prendiville and Bronwyn Waugh.

Against: Nil.

8. PRESENTATIONS

8.1 PETITIONS

Nil.

8.2 PRESENTATIONS

Nil.

8.3 DEPUTATIONS

No Deputations were heard at the Council Agenda Briefing held 14 November 2023.

9. METHOD OF DEALING WITH AGENDA BUSINESS

The Presiding Member advised that with the exception of the items identified to be withdrawn for discussion that the remaining reports, including the Officer Recommendations, will be adopted by exception resolution (i.e. all together) as per Clause 5.5 Exception Resolution of the Standing Orders Local Law 2007.

The Presiding Member advised that Item 10.4.6 Appointment of Deputy Delegate to the Western Australian Local Government Association South-East Metropolitan Zone was a new report.

The Chief Executive Officer confirmed all the report items were discussed at the Council Agenda Briefing held 14 November 2023 with the exception of Item 10.4.6 Appointment of Deputy Delegate to the Western Australian Local Government Association South-East Metropolitan Zone.

ITEMS WITHDRAWN FOR DISCUSSION

- 10.3.1 Tender 9/2023 Provision of Weed Control in Roads and Pathways Services
- 10.4.3 Metro Inner-South Joint Development Assessment Panel
- 10.4.4 Local Emergency Management Committee For Canning / South Perth – Delegates
- 10.4.5 City of South Perth Public Health Reference Group
- 10.4.6 Appointment of Deputy Delegate to the Western Australian Local Government Association South-East Metropolitan Zone

The Presiding Member called for a motion to move the balance of reports by Exception Resolution.

COUNCIL DECISION

1123/190

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Nic Coveney

10.1.1 City of South Perth - 2024 Auspire Community Citizen of the Year Awards - Nominations Assessment and Recommendations

10.3.2 Draft Local Planning Policy - Child Care Premises (Final Adoption)

10.3.3 Draft Local Planning Policy - Advertising Signage (Final Adoption)

10.3.4 Response to Notice of Motion - Waste Plan

10.4.1 Listing of Payments October 2023

10.4.2 Monthly Financial Statements October 2023

CARRIED (9/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Mary Choy, Nic Coveney, Glenn Cridland, Blake D'Souza, Jennifer Nevard, Hayley Prendiville and Bronwyn Waugh.

Against: Nil.

10. REPORTS

Mayor Greg Milner and Councillors Mary Choy and Jennifer Nevard declared an Impartiality Interest in Item 10.1.1

10.1 STRATEGIC DIRECTION 1: COMMUNITY

10.1.1 City of South Perth - 2024 Auspire Community Citizen of the Year Awards - Nominations Assessment and Recommendations

File Ref: D-23-54008
Author(s): Marie Walker, Community Development Officer
Reporting Officer(s): Donna Shaw, Director Development and Community Services

Summary

This report seeks Council's approval of the award recipients for the City of South Perth – 2024 Auspire Community Citizen of the Year Award.

Officer Recommendation AND COUNCIL DECISION

1123/191

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Nic Coveney

That Council approves the award recipients for the City of South Perth - Auspire Community Citizen of the Year Awards for 2024, as shown in **Confidential Attachment (a)** in the following categories:

1. Community Citizen of the Year Award – Adult Category
2. Community Citizen of the Year Award - Youth Category
3. Community Citizen of the Year Award – Seniors Category
4. Active Citizenship Award - Group or Event Category

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Mary Choy, Nic Coveney, Glenn Cridland, Blake D'Souza, Jennifer Nevard, Hayley Prendiville and Bronwyn Waugh.

Against: Nil.

Background

The Community Citizen of the Year Awards is a state-wide initiative run by Auspire (Australia Day Council of WA). Each local government authority is responsible for promoting the Award and selecting winners for its area.

The Awards recognise individuals and organisations within the City of South Perth who are making a notable contribution to community life and active participation in projects.

There are four categories for nominations:

1. Community Citizen of the Year (Adult Category) – to acknowledge adults who have delivered outstanding service to the community.
2. Citizen of the Year Award (Youth Category) – to acknowledge young people under 25 years of age who have delivered outstanding service to the community.
3. Citizen of the Year Award (Seniors Category) – to acknowledge people aged 65 years and older who have delivered outstanding service to the community.
4. Active Citizenship (Group or Event Category) – to acknowledge groups doing outstanding work, or for an outstanding event held in the local community during the past year.

Presentation of the Awards will be made at the City's Australia Day community event on 26 January 2024. The winner of each category is recognised with a framed certificate and all other eligible nominees receive a certificate of appreciation from the City of South Perth.

Nominations were assessed by a panel comprising the City's Manager Community, Culture and Recreation; Community Development Coordinator; and Community Development Officer against the following selection criteria:

Selection criteria for nominees for the **individual** award categories:

1. Significant contribution to the local community;
2. Demonstrated leadership on a community issue resulting in the enhancement of community life;
3. Significant initiative which has brought about positive change and added value to community life; and
4. Inspiring qualities as a role model for the community.

Selection criteria for nominees for the **group / event** award category:

1. Group/ event that creates community engagement;
2. Group/event that creates initiatives for new employment; and
3. Created significant initiative that has brought about positive change.

Comment

This year a total of 16 nominations were submitted comprising:

- 5 x nominations for the Community Citizen of the Year – Adult category
- 3 x nominations for the Community Citizen of the Year – Youth category
- 5 x nominations for the Community Citizen of the Year – Seniors category
- 3 x nominations for the Active Citizenship - Group or Event category.

A summary of the nominations, City's assessment scores and recommendations is attached as **Confidential Attachment (a)**.

All nominations were considered to be of high quality, demonstrating the different ways that individuals and groups make significant contributions in the local community; enhancing active citizenship opportunities for others; and being positive role models in the City of South Perth.

Consultation

The City commenced promotion of the Citizen of the Year Awards program in August 2023, with posters displayed in key venues around the City, including Libraries, the Civic Centre and George Burnett Leisure Centre. Communication was sent to community groups, sporting clubs, schools and volunteer organisations listed in the City’s Community Information Directory. The Awards program was also advertised in the Peninsula Snapshot, City of South Perth website and through a state-wide campaign by Auspire. Nominations closed on 31 October 2023.

Policy and Legislative Implications

This report relates to Policy P104 Community Awards, whereby the City recognises the important contribution that local individuals make to society.

Financial Implications

Funds are allocated in the City’s 2023/24 Operating Budget for costs associated with the Community Citizen of the Year Award Program.

Key Risks and Considerations

Risk Event Outcome	<p>Reputational Damage</p> <p>Deals with adverse impact upon the professional reputation and integrity of the City and its representatives whether those persons be appointed or elected to represent the City. The outcome can range from a letter of complaint through to a sustained and co-ordinated representation against the City and or sustained adverse comment in the media.</p>
Risk rating	Low
Mitigation and actions	The City could potentially face adverse reputational impacts if it does not acknowledge local citizenship each year. The City’s Community Citizen of the Year Awards is an effective risk management mitigation strategy as it provides a suitable method of acknowledging the contributions made by local individuals and community groups

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Community
Aspiration:	Our diverse community is inclusive, safe, connected and engaged
Outcome:	1.1 Culture and community
Strategy:	1.1.4 Encourage volunteering that benefits our community

Attachments

10.1.1 (a):	City of South Perth Community Citizen of the Year Awards 2024 - Assessment and Recommendations (<i>Confidential</i>)
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10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)

10.3.1 Tender 9/2023 Provision of Weed Control in Roads and Pathways Services

File Reference: D-23-54009
Author(s): Jan Augustin, Manager Engineering Services
Reporting Officer(s): Anita Amprimo, Director Infrastructure Services

Summary

This report considers submissions received from the advertising of Tender 9/2023 for the Provision of Weed Control Services in Roads and Pathways.

This report will outline the assessment process used during evaluation of the tenders received and recommend approval of the tender that provides the best value for money and level of service to the City.

Officer Recommendation AND COUNCIL DECISION

1123/192

Moved: Councillor Nic Coveney
Seconded: Councillor Glenn Cridland

That Council:

1. Accepts the tender submitted by Environmental Industries Pty Ltd for the Provision of Weed Control in Roads and Pathways Services in accordance with Tender 09/2023 for the period of supply of three years with the option to extend for two additional one-year periods by sole direction of the principal;
2. Accepts the tender price included in **Confidential Attachment (a)**; and
3. Authorises the Chief Executive Officer to execute the contract with Environmental Industries Pty Ltd.

CARRIED (9/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Mary Choy, Nic Coveney, Glenn Cridland, Blake D'Souza, Jennifer Nevard, Hayley Prendiville and Bronwyn Waugh.

Against: Nil.

Background

A Request for Tender 9/2023 for the Provision of Weed Control in Roads and Pathways Services was advertised in The West Australian on 26 August 2023 and on the WALGA Preferred Supplier Portal on 23 August 2023 and closed at 2:00pm on 12 September 2023.

Tenders were invited on a fixed-price basis for the first year followed by standard rise and fall provisions for the remainder of the contract.

The contract is for the period of three years. The contract period does allow the option to extend the contract for an additional period of two further one-year periods exercisable at the sole discretion of the principal.

Comment

At the close of the tender advertising period three submissions had been received and these are tabled below:

TABLE A – Tender Submissions

Tender Submission
Environmental Industries Pty Ltd
LD Total
Supa Pest and Weed Control

The Tenders were reviewed by an Evaluation Panel and assessed according to the qualitative criteria detailed in the RFT, as per Table B below.

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Demonstrated experience	20%
2. Skills and experience of key personnel	20%
3. Resources	20%
4. A demonstrated understanding of the required tasks	40%
Total	100%

Based on the assessment of all submissions received for Tender 9/2023 for the Provision of Weed Control in Roads and Pathways Services, it is recommended that the tender submission from Environmental Industries be accepted by Council.

More detailed information about the assessment process can be found in the Recommendation Report – **Confidential Attachment (a)**.

Consultation

Public tenders were invited in accordance with the *Local Government Act 1995* (the Act).

Policy and Legislative Implications

Section 3.57 of the *Local Government Act 1995* - tenders for providing goods or services:

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders.*

Regulation 11 of the Local Government (Functions and General) Regulations 1996 - when tenders have to be publicly invited:

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless sub regulation (2) states otherwise.*
- (2) *Tenders do not have to be publicly invited according to the requirements of this Division if –*
 - (b) *the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program.*

The following Council Policies also apply:

- Policy P605 - Purchasing and Invoice Approval
- Policy P607 -Tenders and Expressions of Interest

Financial Implications

The full cost of the annual works is included in the 2023/24 budget. The supply costs for the subsequent years will be sought in the future City operational budgets for the life of the contract.

Key Risks and Considerations

Risk Event Outcome	Environmental Damage Includes any detrimental impact upon the natural environment within the City. This includes pollutant spillages and leakages, failure to maintain or enhance the natural environment within the City or its connections with its natural or municipal neighbours.
Risk rating	Medium
Mitigation and actions	Undertake a program of regular inspections of roads and pathways verges to ensure optimal application of herbicides.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable, liveable, diverse and welcoming neighbourhoods that respect and value the natural and built environment
Outcome:	3.3 Enhanced environment and open spaces
Strategy:	3.3.3 Improve the amenity value and sustainable uses of our streetscapes, public open spaces and foreshores

Attachments

10.3.1 (a):	RFT 09/2023 - Provision of Weed Control in Roads and Pathways Services - Recommendation Report (<i>Confidential</i>)
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10.3.2 Draft Local Planning Policy - Child Care Premises (Final Adoption)

File Ref: D-23-54010
Author(s): Samantha Taylor, Senior Strategic Planner
Reporting Officer(s): Donna Shaw, Director Development and Community Services

Summary

The purpose of this report is for Council to consider adopting draft amended Local Planning Policy - Child Care Premises following advertising.

Officer Recommendation AND COUNCIL DECISION

1123/193

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Nic Coveney

That Council, pursuant to Schedule 2, Part 2, Clause 4 (3) of the Planning and Development (Local Planning Schemes) Regulations 2015 adopts draft amended Local Planning Policy - Child Care Premises as contained within **Attachment (b)**.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Mary Choy, Nic Coveney, Glenn Cridland, Blake D'Souza, Jennifer Nevard, Hayley Prendiville and Bronwyn Waugh.

Against: Nil.

Background

At its meeting held 26 September 2023, Council resolved to advertise amendments to Local Planning Policy - Child Care Premises (draft Policy).

Comment

As a result of submissions received during the consultation period, it is recommended that the following amendments are made to the draft Policy:

- Providing for outdoor play areas to be located near adjoining noise sensitive premises such as dwellings and residential aged care facilities where a report by a suitably qualified acoustic consultant has been prepared in support of the proposal.
- Clarification that front fencing shall be visually permeable above a height of 1.2m from natural ground level, to optimise passive surveillance of the street, subject to alternative considerations such as noise mitigation and security.

The existing Local Planning Policy P307 - Family Day Care and Child Day Care Centres is contained as **Attachment (a)**. The draft Policy is contained as **Attachment (b)**, incorporating the above modifications.

The modifications to the draft Policy provide further guidance for applicants and assist in discretionary decision making. As such, it is recommended that Council adopts the draft Policy as amended.

Consultation

Following Council's resolution on the matter, the draft Policy was advertised for public comment in the following manner:

- On the City's Your Say South Perth website for a period of 28 days, from 9 October 2023 to 6 November 2023;
- In the City's eNewsletter 'Peninsula Snapshot' on 1 November 2023; and
- Copies of the draft Policy and hard copy feedback forms were made available at the City's Civic Centre, South Perth Library and Manning Library.

At the close of public consultation period, 10 submissions were received on the draft Policy, providing support and/or comment. A schedule of submissions for the draft Policy is contained at **Attachment (c)**.

Policy and Legislative Implications

After the expiry of the period within which submissions may be made, the local government must –

“(a) review the proposed policy in the light of any submissions made; and

(b) resolve to –

- (i). proceed with the policy without modification; or*
- (ii). proceed with the policy with modification; or*
- (iii). not to proceed with the policy.”*

If the local government resolves to proceed with the Policy, the local government must publish notice of the Policy in accordance with clause 87 of the Regulations.

Financial Implications

Nil.

Key Risks and Considerations

Risk Event Outcome	<p>Legislative Breach</p> <p>Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.</p>
Risk rating	Low
Mitigation and actions	If the local government resolves to proceed with the amended policy, the local government must publish notice of the policy in accordance with clause 87 of the Regulations.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council’s [Strategic Community Plan 2021-2031](#):

Strategic Direction: Environment (Built and Natural)
 Aspiration: Sustainable, liveable, diverse and welcoming neighbourhoods that respect and value the natural and built environment
 Outcome: 3.2 Sustainable built form
 Strategy: 3.2.1 Develop and implement a sustainable local planning framework to meet current and future community needs

Attachments

- 10.3.2 (a):** Policy P307 Family Day Care and Child Care Centres (current)
- 10.3.2 (b):** Draft Local Planning Policy - Child Care Premises (Final Adoption)
- 10.3.2 (c):** Draft Local Planning Policy - Child Care Premises - Schedule of Submissions

10.3.3 Draft Local Planning Policy - Advertising Signage (Final Adoption)

File Ref: D-23-54012
Author(s): Samantha Taylor, Senior Strategic Planner
Reporting Officer(s): Donna Shaw, Director Development and Community Services

Summary

The purpose of this report is for Council to consider adopting draft amended Local Planning Policy - Advertising Signage following advertising.

Officer Recommendation AND COUNCIL DECISION

1123/194

Moved: Councillor André Brender-A-Brandis
Seconded: Councillor Nic Coveney

That Council, pursuant to Schedule 2, Part 2, Clause 4 (3) of the Planning and Development (Local Planning Schemes) Regulations 2015 adopts draft amended Local Planning Policy - Advertising Signage as contained within **Attachment (b)**.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Mary Choy, Nic Coveney, Glenn Cridland, Blake D'Souza, Jennifer Nevard, Hayley Prendiville and Bronwyn Waugh.

Against: Nil.

Background

At its meeting held 26 September 2023, Council resolved to advertise draft Local Planning Policy - Advertising Signage (draft Policy).

Comment

As a result of submissions received during the consultation period, and a recent State Administrative Tribunal decision to not support third party content within a large format digital sign (Major Holding Pty Ltd and Presiding Member of the Metro Inner South Joint Development Assessment Panel - [2023] WASAT 97), it is recommended that the following amendments are made to the draft Policy:

- Clarification that advertising signage shall, where possible, be integrated into the design of the building;
- Expanding the general requirements such that advertising signage shall only advertise services and products available on the premises;
- Include a new provision to ensure incidental elements such as supporting structures are concealed to the satisfaction of the City;
- Clarification that illuminated and digital signage shall not adversely detract from the amenity of the locality and not be located on sites zoned residential;

10.3.3 Draft Local Planning Policy - Advertising Signage (Final Adoption)

- Clarification that illuminated and digital signage larger than 3m² on Canning Highway shall orientate toward the highway itself;
- Clarification that roof signs do not include sky sign, and including a new sign type and associated criteria for sky signs (i.e. signs painted on the roof of a building);
- Amended definition for ground based portable signs to remove whether it is temporary or permanent, as well as requiring they be secured; and
- Modifications to tethered signage, ensuring the associated image depicts a compliant scenario.

The existing Local Planning Policy P308 - Signs is contained as **Attachment (a)**. The draft Policy is contained as **Attachment (b)**, incorporating the above modifications.

Modifications to the draft Policy will provide clarification for applicants and assist in discretionary decision making. As such, it is recommended that Council adopts the draft Policy as amended.

Consultation

Following Council's resolution on the matter, the draft Policy was advertised for public comment in the following manner:

- On the City's Your Say South Perth website for a period of 28 days, from 9 October to 6 November 2023;
- In the City's eNewsletter 'Peninsula Snapshot' on 1st November 2023; and
- Copies of the draft Policies and hard copy feedback forms were made available at the City's Civic Centre, South Perth Library and Manning Library.

At the close of public consultation period, nine submissions were received on the draft Policy, providing support and/or comment. A schedule of the submissions for the draft Policy is contained at **Attachment (c)**.

Policy and Legislative Implications

After the expiry of the period within which submissions may be made, the local government must —

“(a) review the proposed policy in the light of any submissions made; and

(b) resolve to —

(i) proceed with the policy without modification; or

(ii) proceed with the policy with modification; or

(iii) not to proceed with the policy.”

If the local government resolves to proceed with the Policy, the local government must publish notice of the Policy in accordance with clause 87 of the Regulations.

Financial Implications

Nil.

Key Risks and Considerations

Risk Event Outcome	Legislative Breach Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.
Risk rating	Low
Mitigation and actions	If the local government resolves to proceed with the amended policy, the local government must publish notice of the policy in accordance with clause 87 of the Regulations.

Strategic Implications

This matter relates to the following Strategic Direction identified within Council's [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable, liveable, diverse and welcoming neighbourhoods that respect and value the natural and built environment
Outcome:	3.2 Sustainable built form
Strategy:	3.2.1 Develop and implement a sustainable local planning framework to meet current and future community needs

Attachments

- 10.3.3 (a):** Local Planning Policy P308 - Signs (current)
- 10.3.3 (b):** Draft Local Planning Policy - Advertising Signage
- 10.3.3 (c):** Draft Local Planning Policy - Advertising Signage - Schedule of Submissions

10.3.4 Response to Notice of Motion - Waste Plan

File Ref: D-23-54013
Author(s): Anita Amprimo, Director Infrastructure Services
Reporting Officer(s): Anita Amprimo, Director Infrastructure Services

Summary

This report provides information in response to the Notice of Motion passed at the Ordinary Council Meeting held 25 October 2022, titled 'Waste Plan Update'. This report follows a workshop held with Council on 7 November 2023.

Officer Recommendation AND COUNCIL DECISION

1123/195

Moved: Councillor André Brender-A-Brandis
Seconded: Councillor Nic Coveney

That Council accepts the information provided in this report as the response to the Notice of Motion – Waste Plan Update passed by Council at its meeting held 25 October 2022.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Mary Choy, Nic Coveney, Glenn Cridland, Blake D'Souza, Jennifer Nevard, Hayley Prendiville and Bronwyn Waugh.

Against: Nil.

Background

At its meeting held 25 October 2022, Council supported a Notice of Motion presented by former Councillor Carl Celedin requesting the City hold a workshop and present a report to Council on the following:

- *An update on discussions with the State Government and its objective to achieve separate Food Organics / Green Organics waste collection and processing;*
- *A status report on the Rivers Regional Council (RRC) proposed transition to become a Regional Subsidiary;*
- *An update in relation to completion and commissioning of the Avertas Waste to Energy Facility and any implications for the City's future waste disposal obligations;*
- *Any pertinent reports that have been prepared for the Rivers Regional Council and the administration's assessment of these reports.*

A workshop was held 7 November 2023 with Elected Members in response to the Notice of Motion.

Comment

Discussions with the State Government

City Officers met with representatives from the Department of Water and Environmental Regulation in March 2023 to discuss the City's Waste Plan and alignment to the State Waste Strategy. The Department has currently assessed the City's Waste Plan as being inconsistent with the State Waste Strategy due to there being no specific plan to implement a three-bin Food Organics/Garden Organics kerbside collection by 2025.

The City provided background on the current status of waste management and the contractual commitments that influence future services that can be provided. Specifically, the implications of the committed tonnage contracted to be delivered to the Avertas Waste to Energy facility when it becomes operational. The introduction of a three-bin system would result in the City not being able to provide the contracted tonnage, the potential for significant penalties and the possibility of being in breach of contract. The City affirmed a commitment to continue to explore the options for alignment with the State Waste Strategy.

The City also noted its intention to implement a number of other initiatives that supplement the State Waste Strategy such as Containers for Change (CDS) and alternatives to the current Bulk Verge Collection that promotes higher recovery such as a re-use shop in conjunction with other services.

The City currently provides a two bin kerbside collection for recyclables and general waste. The options for a three-bin collection system have also been explored and provision to transition is contained within the existing collection contract which expires in 2030. There are several uncertainties with estimating the potential costs for introduction of a three-bin system such as the cost of processing FOGO, the actual diversion rate and the levels of contamination. Below are indicative cost implications for the introduction of a three-bin collection system.

Collection System	Total Cost per annum	Roll out cost	Total Waste Charge (approx.)	Increase per charge (approx.)
Existing 2-bin	\$3.5 million	N/A	\$375	N/A
3-bin Garden Organics	\$4.5 million	\$0.8 million	\$420	\$45
3-bin FOGO	\$5.2 million	\$2.2 million	\$465	\$90

Status of transition of Rivers Regional Council to Rivers Regional Subsidiary

A report was presented to the Ordinary Council Meeting held 28 February 2023 where the officer recommendation to approve the updated Charter of the Regional Subsidiary was passed by Council. All Member Councils had previously endorsed the wind-up of Rivers Regional Council (RRC) with a transition to the Rivers Regional Subsidiary (RRS) and approved the original Charter. Following review by the Minister, the Charter required amendment and all Member Councils have now endorsed the revised Charter and the transition to the RRS is now anticipated for completion in quarter two of 2024.

Update on Completion of Avertas Waste to Energy Facility

A report was presented to the Ordinary Council Meeting held 27 June 2023 that approved contract amendments including updating the date for Practical Completion for the Waste to Energy plant to December 2024. The Principal (RRC) did not have the option under the contract to terminate at this time but was able to negotiate a number of concessions in exchange for an amendment to the Practical Completion date. The City remains contractually obligated to deliver waste to the plant when it becomes operational which is expected to be in late 2024.

Administration’s Assessment of Reports Prepared for the Rivers Regional Council

Reports prepared for the Rivers Regional Council are provided to the City’s nominated Elected Representatives and the City’s administration. The administration has no adverse comments relating to any of these reports.

Consultation

Nil.

Policy and Legislative Implications

The City’s obligations to submit and report on a Waste Plan are established under the *Waste Avoidance and Resource Recovery Act 2007*.

The City of South Perth Health Local Law 2002 and the City of South Perth Waste Local Law 2007 are also relevant to the provision of waste services.

Financial Implications

There are no direct financial implications associated with this report however the report contains an outline of the financial implications of implementing a three-bin Food Organics/Garden Organics collection system.

Key Risks and Considerations

Risk Event Outcome	Not Applicable
Risk rating	Not Applicable
Mitigation and actions	Not Applicable

Strategic Implications

This matter relates to the following Strategic Direction identified within Council’s [Strategic Community Plan 2021-2031](#):

- Strategic Direction: Environment (Built and Natural)
- Aspiration: Sustainable, liveable, diverse and welcoming neighbourhoods that respect and value the natural and built environment
- Outcome: 3.4 Resource management and climate change
- Strategy: 3.4.1 Actively manage and promote sustainable water, waste, land and energy practices

Attachments

Nil.

10.4 STRATEGIC DIRECTION 4: LEADERSHIP

10.4.1 Listing of Payments October 2023

File Ref: D-23-54014
Author(s): Abrie Lacock, Manager Finance
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

This report presents to Council a list of accounts paid under delegated authority between 1 October 2023 to 31 October 2023 for information. It also includes purchase card transactions between 1 September 2023 to 30 September 2023 in line with new legislative requirements. The City made the following payments:

EFT Payments to Creditors	(408)	\$4,834,357.21
Cheque Payment to Creditors	(2)	\$512.20
Total Monthly Payments to Creditors	(410)	\$4,834,869.41
EFT Payments to Non-Creditors	(82)	\$803,954.93
Cheque Payments to Non-Creditors	(24)	\$19,284.00
Total EFT & Cheque Payments	(516)	\$5,658,108.34
Credit Card Payments	(16)	\$19,250.07
Fleet Card Payments	(53)	\$4,621.21
Total Payments	(585)	\$5,681,979.62

Officer Recommendation AND COUNCIL DECISION

1123/196

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Nic Coveney

That Council receives the Listing of Payments for the month of October 2023 as detailed in **Attachment (a)**.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Mary Choy, Nic Coveney, Glenn Cridland, Blake D'Souza, Jennifer Nevard, Hayley Prendiville and Bronwyn Waugh.

Against: Nil.

Background

Council has delegated to the Chief Executive Officer (CEO) the exercise of power to make payments from its Municipal and Trust Funds. In accordance with regulation 13(1) of the Local Government (Financial Management) Regulations 1996, a list of accounts paid by the CEO is to be prepared each month and presented to Council at the next Ordinary Meeting of the Council after the list is prepared. The Local Government (Financial Management) Regulations 1996 have been amended. Regulation 13A have been inserted requiring payments made with purchase cards to be included in the list of accounts paid.

Comment

The payment listing for October 2023 is included in **Attachment (a)**.

The attached report includes a “Description” for each payment. The City’s officers have used best endeavours to redact (in black) information of a private or confidential nature.

The report records payments are classified as:

- Creditor Payments

These include payments by both cheque and EFT to regular suppliers with whom the City transacts business. The reference numbers represent a batch number of each payment.

- Non-Creditor Payments

These are one-off payments that include both cheque and EFT that are made to individuals/suppliers who are not listed as regular suppliers. The reference numbers represent a batch number of each payment.

- Purchase Cards

Purchase card payments are included in the listing of payments as required by the amended Regulations. The amended Regulations requires the City to prepare a list of the payments made with each card and to present it to Council. Due to the time lag between receiving the statements and the successful acquittal of transactions in the City’s system this listing will always be for the month preceding the month for which creditor and non-creditor payments are being reported.

Details of payments made by direct credit to employee bank accounts, in accordance with contracts of employment, are not provided in this report for privacy reasons. The payments of bank fees, such as merchant service fees which are directly debited from the City’s bank account in accordance with the agreed fee schedules under the contract for provision of banking services, are also not provided in this report.

Consultation

Nil.

Policy and Legislative Implications

Regulations 12, 13(1) and 13A of the Local Government (Financial Management) Regulations 1996. Policy P602 Authority to Make Payments from the Municipal and Trust Funds.

Financial Implications

The payment of authorised amounts is within existing budget provisions.

Key Risks and Considerations

Risk Event Outcome	<p>Legislative Breach</p> <p>Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation</p>
Risk rating	Low
Mitigation and actions	Monthly Financial reporting timelines exceeding statutory requirements

Strategic Implications

This matter relates to the following Strategic Direction identified within Council’s [Strategic Community Plan 2021-2031](#):

Strategic Direction: Leadership
 Aspiration: A visionary and influential local government that is receptive and proactive in meeting the needs of our community
 Outcome: 4.3 Good governance
 Strategy: 4.3.1 Foster effective governance with honesty and integrity and quality decision making to deliver community priorities

Attachments

10.4.1 (a): Listing of Payments October 2023

10.4.2 Monthly Financial Statements October 2023

File Ref: D-23-54016
Author(s): Abrie Lacock, Manager Finance
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

The monthly Financial Statements are provided within **Attachments (a)–(i)**, with high level analysis contained in the comments of this report.

Officer Recommendation AND COUNCIL DECISION

1123/197

Moved: Councillor André Brender-A-Brandis
Seconded: Councillor Nic Coveney

That Council notes the Financial Statements and report for the month ended 31 October 2023.

CARRIED BY EXCEPTION RESOLUTION (9/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Mary Choy, Nic Coveney, Glenn Cridland, Blake D'Souza, Jennifer Nevard, Hayley Prendiville and Bronwyn Waugh.

Against: Nil.

Background

Regulations 34(1) of the Local Government (Financial Management) Regulations 1996, requires each local government to present a Statement of Financial Activity reporting on income and expenditure as set out in the annual budget. Regulation 34(3) specifies that the nature or type classification must be used. In addition, regulation 34(5) requires a local government to adopt a percentage or value to report on material variances between budgeted and actual results. In addition to the above Regulation 35 requires a local government to present a Statement of Financial Position. The 2023/24 budget adopted by Council on 27 June 2023, determined the material variance amounts of \$10,000 or 10% for the financial year. The Financial Management Reports contains an Original and Revised Budget column for comparative purposes.

Comment

The Statement of Financial Position and the Statement of Financial Activity is required to be produced monthly in accordance the Local Government (Financial Management) Regulations 1996. The Statement of Financial Activity is a financial report is unique to local government drawing information from other reports to include Operating Revenue and Expenditure, Capital Income and Expenditure as well as transfers to reserves and loan funding.

Ongoing supply shortages an effect of COVID-19 and the war in Ukraine are responsible for stubborn inflation worldwide including Australia. The September 2022 to September 2023 Perth CPI of 5.8% and national CPI of 5.4% are still considerably higher than the Reserve Bank of Australia (RBA) target rates of between 2% and 3%.

To curb the high inflation the RBA have been raising interest rates since June 2022 increasing the cash rate target from 0.10% to 4.35%. At its November meeting the RBA increased the cash rate target by 25 basis points, breaking the trend of the four preceding meetings where the RBA decided to leave the cash rate target unchanged.

The RBA made the following statement at its Board meeting of 7 November 2023: "Inflation in Australia has passed its peak but is still too high and is proving more persistent than expected a few months ago. The latest reading on CPI inflation indicates that while goods price inflation has eased further, the prices of many services are continuing to rise briskly. While the central forecast is for CPI inflation to continue to decline, progress looks to be slower than earlier expected. CPI inflation is now expected to be around 3½ per cent by the end of 2024 and at the top of the target range of 2 to 3 per cent by the end of 2025. The Board judged an increase in interest rates was warranted today to be more assured that inflation would return to target in a reasonable timeframe."

In framing the Annual Budget 2023/24, the City considered the continued economic uncertainty. The City continues to prudently manage its finances through this challenging time whilst remaining conscious of the need to provide quality services to our community.

Actual income from operating activities for October year-to-date (YTD) is \$58.29m in comparison to budget of \$57.30m, favourable to budget by \$0.99m or 1.72%. Actual expenditure from operating activities for October is \$22.96m in comparison to the budget of \$23.47m, favourable to budget by \$0.51m or 2.18%. The October Net Operating Position of \$35.33m is \$1.50m favourable in comparison to budget.

Capital Revenue is lower than budget by \$0.46m, \$0.17m compared to budget of \$0.63m, revenue recognition is dependent on capital project completion. Actual Capital Expenditure YTD is \$1.94m in comparison to budget the budget of \$3.77m lower than budget by \$1.84m or 49%. A variance analysis is provided within **Attachment (e)** titled Significant Variance Analysis.

Cash and Cash Equivalents which amounted \$89.98m, \$6.10m more than the prior year comparative, mainly the result of rates falling due slightly earlier. Consistent with previous monthly reports, the Cash and Cash Equivalents balance is contained within the Statement of Financial Position. In addition, further detail is included in a non-statutory report (All Council Funds).

Interest rates are still creeping higher albeit at a slower pace than the preceding 12 months, with banks offering average interest rates of 4.85% for investments under 12 months. The City holds a portion of its funds in financial institutions that do not invest in fossil fuels. Investment in this market segment is contingent upon all the other investment criteria of Policy P603 Investment of Surplus Funds being met. At the end of October 2023, the City held 35.99% of its investments in institutions that do not provide fossil fuel lending. The Summary of Cash Investments illustrates the percentage invested in each of the non-fossil fuel institutions and the short-term credit rating provided by Standard & Poors for each of the institutions.

Consultation

Nil.

Policy and Legislative Implications

This report is in accordance with the requirements of the Section 6.4 of the *Local Government Act 1995* and regulations 34 and 35 of the Local Government (Financial Management) Regulations 1996.

Financial Implications

The preparation of the monthly financial reports occurs from the resources provided in the annual budget.

Key Risks and Considerations

Risk Event Outcome	Legislative Breach Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation
Risk rating	Low
Mitigation and actions	Monthly Financial reporting timelines exceeding statutory requirements

Strategic Implications

This matter relates to the following Strategic Direction identified within Council’s [Strategic Community Plan 2021-2031](#):

Strategic Direction:	Leadership
Aspiration:	A local government that is receptive and proactive in meeting the needs of our community
Outcome:	4.3 Good governance
Strategy:	4.3.1 Foster effective governance with honesty and integrity and quality decision making to deliver community priorities

Attachments

- 10.4.2 (a): Statement of Financial Position
- 10.4.2 (b): Statement of Change in Equity
- 10.4.2 (c): Statement of Financial Activity
- 10.4.2 (d): Operating Revenue and Expenditure
- 10.4.2 (e): Significant Variance Analysis
- 10.4.2 (f): Capital Revenue and Expenditure
- 10.4.2 (g): Statement of Council Funds
- 10.4.2 (h): Summary of Cash Investments
- 10.4.2 (i): Statement of Major Debtor Categories

10.4.3 Metro Inner-South Joint Development Assessment Panel

File Ref: D-23-54018
Author(s): Morgan Hindle, Governance Coordinator
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

This report seeks the appointment of Councillors to the Metro Inner-South Joint Development Assessment Panel for the period 26 January 2024 to 26 January 2026.

COUNCIL DECISION

1123/198

Moved: Mayor Greg Milner

Seconded: Councillor Blake D'Souza

1. That Council nominates Councillor Glenn Cridland as a member of the Metro Inner-South Joint Development Assessment Panel for the period 26 January 2024 to 26 January 2026.
2. That Council nominates Councillor Bronwyn Waugh as a member of the Metro Inner-South Joint Development Assessment Panel for the period 26 January 2024 to 26 January 2026.
3. That the Minister for Planning be advised of the nomination of the City of South Perth's Joint Development Assessment Panel members for the period 26 January 2024 to 26 January 2026.

CARRIED (9/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Mary Choy, Nic Coveney, Glenn Cridland, Blake D'Souza, Jennifer Nevard, Hayley Prendiville and Bronwyn Waugh.

Against: Nil.

Officer Recommendation

1. That Council nominates Councillor _____ as a member of the Metro Inner-South Joint Development Assessment Panel for the period 26 January 2024 to 26 January 2026.
2. That Council nominates Councillor _____ as a member of the Metro Inner-South Joint Development Assessment Panel for the period 26 January 2024 to 26 January 2026.
3. That Council nominates Councillor _____ and Councillor _____ as alternate members of the Metro Inner-South Joint Development Assessment Panel for the period 26 January 2024 to 26 January 2026.

4. That the Minister for Planning be advised of the nomination of the City of South Perth's Joint Development Assessment Panel member and alternate members for the period 26 January 2024 to 26 January 2026.

Background

Development Assessment Panels were introduced into the Western Australian planning system in July 2011 and are decision-making panels that are intended to enhance the planning expertise in decision-making by improving the balance between technical advice and local knowledge.

The City of South Perth is part of the Metro Inner-South Joint Development Assessment Panel (JDAP). JDAP members will be required when a JDAP meeting is held and will sit on the JDAP with three specialist members, with one of the specialist members being the presiding member.

Councillor Glenn Cridland is the City's only member with a term expiring 26 January 2024.

Prior to this expiry date, the local government is required to nominate four members for appointment by the Minister for Planning.

In accordance with Regulation 30 of the Planning and Development (Development Assessment Panels) Regulations 2011, all JDAP members must attend and satisfactorily complete training provided by the Department **before** performing the functions of a JDAP member. The Department will arrange training for new members after 27 January 2024.

The schedule of fees as per the Planning and Development (Development Assessment Panels) Regulations 2011 are as follows:

Schedule 2 — Fees for DAP Members
(Regulation 30, 31)

Item	Member fee	
1.	Fee for presiding member per meeting to determine development applications	\$700
2.	Fee for any other member per meeting to determine development applications	\$425
3.	Fee per meeting for presiding member to determine applications to amend or cancel determination	\$200
4.	Fee per meeting for any other member to determine applications to amend or cancel determination	\$100
5.	Fee for presiding member attending proceeding in State Administrative Tribunal	\$700
6.	Fee for any other member attending proceeding in State Administrative Tribunal	\$425
7.	Fee for training for DAP members	\$400
8.	Fee for re-training for DAP members	\$200
9.	Fee for presiding member to determine dispute as to compliance with notice	\$200

Effective of 1 February 2017

Note: Only one member fee item applies per member for each meeting.

Example:

If a DAP meeting is scheduled to determine a Form 1 development application and a Form 2 application to amend or cancel a determination, the following DAP member fees apply if both applications are being considered by the same local authority:

- Presiding Member - \$700
- Specialist Members - \$425
- Local Government Members - \$425

The following DAP member fees apply if different local authorities are considering the Form 1 and Form 2 applications:

- Presiding Member - \$700
- Specialist Members - \$425
- Local Government Members considering the Form 1 application - \$425
- Local Government Members considering the Form 2 application - \$100

Attachments

Nil.

10.4.4 Local Emergency Management Committee For Canning / South Perth - Delegates

File Ref: D-23-54019
Author(s): Morgan Hindle, Governance Coordinator
Patrick Quigley, Manager Community, Culture and Recreation
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

This report seeks the appointment of two Councillor Delegates to the Local Emergency Management Committee for Canning / South Perth for the period 21 November 2023 to 18 October 2025.

COUNCIL DECISION

1123/199

Moved: Mayor Greg Milner
Seconded: Councillor Glenn Cridland

1. That in accordance with the provisions of the *Emergency Management Act 2005*, Section 38 Council appoints Mayor Greg Milner as the City's Delegate to the Local Emergency Management Committee for Canning / South Perth for the period 21 November 2023 to 18 October 2025.

CARRIED (9/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Mary Choy, Nic Coveney, Glenn Cridland, Blake D'Souza, Jennifer Nevard, Hayley Prendiville and Bronwyn Waugh.

Against: Nil.

Officer Recommendation

1. That in accordance with the provisions of the *Emergency Management Act 2005*, Section 38 Council appoints Councillor _____ as the City's Delegate to the Local Emergency Management Committee for Canning / South Perth for the period 21 November 2023 to 18 October 2025.
2. That in accordance with the provisions of the *Emergency Management Act 2005*, Section 38 Council appoints Councillor _____ as the City's Deputy Delegate to the Local Emergency Management Committee for Canning / South Perth for the period 21 November 2023 to 18 October 2025.

Background

Under section 38 of the *Emergency Management Act 2005*, a local government is required to establish a Local Emergency Management Committee (LEMC) for the local government's district. However, local governments may also unite for the purposes of emergency management and establish a LEMC for their combined districts.

10.4.4 Local Emergency Management Committee For Canning / South Perth - Delegates

The City of Canning and City of South Perth share the management of the LEMC for its districts, which is co-chaired by two local government delegates and includes representation from organisations and agencies that play a key role in emergency management, namely: Police, Fire & Emergency Services, Department of Communities, State Emergency Services and others.

Comment

The LEMC meets quarterly generally on the first Tuesday of the months of February, May, August and November. The meeting locations are rotated between the City of Canning and City of South Perth offices.

No additional fees or allowances are paid to LEMC representatives.

Elected Member attendance at the LEMC meetings will be recorded quarterly on a public register.

More information about the LEMC is outlined in the Terms of Reference, which is shown as **Attachment (a)**.

Attachments

10.4.4 (a): Terms of Reference

10.4.5 City of South Perth Public Health Reference Group

File Ref: D-23-54020
Author(s): Morgan Hindle, Governance Coordinator
Patrick Quigley, Manager Community, Culture and Recreation
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

This report seeks the appointment of a Councillor to the City of South Perth Public Health Reference Group for the period 21 November 2023 to 18 October 2025.

Officer Recommendation AND COUNCIL DECISION

1123/200

Moved: Mayor Greg Milner
Seconded: Councillor Hayley Prendiville

That Council appoints Councillor Jennifer Nevard to the City of South Perth Public Health Reference Group for the period 21 November 2023 to 18 October 2025.

CARRIED (9/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Mary Choy, Nic Coveney, Glenn Cridland, Blake D'Souza, Jennifer Nevard, Hayley Prendiville and Bronwyn Waugh.

Against: Nil.

Background

The City established its Public Health Reference Group in 2021 to provide advice on local public health matters.

Comment

The purpose of the Public Health Reference Group (PHRG) is to:

1. Provide advice to the City on implementation of the City's Public Health Plan and other public health matters as requested by the City.
2. Explore current and emerging public health issues, including analysis of public health information and data.
3. Develop relationships and promote collaboration between the City, primary health networks, Curtin University and health care professionals and providers.
4. Provide guidance on public health initiatives to support implementation of the City's Public Health Plan and to optimise the health and wellbeing of the local community.

10.4.5 City of South Perth Public Health Reference Group

One of the key functions of the PHRG is to oversee the City's Public Health Plan 2020-2025, which provides an opportunity to make positive change in preventative health for residents.

Strategically, there are opportunities to influence public health planning across areas of healthy nutrition, increasing opportunities for physical activity, and limiting harm caused by smoking and alcohol. Working with priority groups of seniors, children and disadvantaged populations could be a focus, as well as looking at the emerging area of positive mental health and wellbeing. Decisions on where the preventative health direction within the City should be, are guided by the PHRG using the Public Health Plan.

On a program level, the PHRG will be working within the suburb of Karawara to carry out an audit of public open space and local movement network, and incorporating this review with service providers in the area. The Healthy Active by Design principles, developed by the Heart Foundation of Australia, will be used to ensure that we reach best practice standards and amend environment and infrastructure accordingly. Improving accessibility, as well as activating spaces, will lead to better inclusion and stronger connection to local community.

The PHRG will meet quarterly on the third Monday of the month in February, May, August and November from 12.30pm – 2.30pm.

One Elected Member representative is sought for the PHRG. No additional fees or allowances are paid to PHRG representatives.

Elected Member attendance at the City's PHRG meetings will be recorded quarterly on a public register.

More information about the PHRG is outlined in the Terms of Reference, which is shown as **Attachment (a)**.

Attachments

10.4.5 (a): Terms of Reference

10.4.6 Appointment of Deputy Delegate to the Western Australian Local Government Association South-East Metropolitan Zone

File Ref: D-23-54222
Author(s): Morgan Hindle, Governance Coordinator
Reporting Officer(s): Garry Adams, Director Corporate Services

Summary

This report seeks the appointment of the Chief Executive Officer as the Deputy Delegate to the Western Australian Local Government Association South-East Metropolitan Zone for the period 21 November 2023 to 18 October 2025.

COUNCIL DECISION

1123/201

Moved: Mayor Greg Milner
Seconded: Councillor Blake D'Souza

That Council appoints Councillor Jennifer Nevard as the Deputy Delegate to the Western Australian Local Government Association South-East Metropolitan Zone for the period 21 November 2023 to 18 October 2025.

CARRIED (9/0).

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Mary Choy, Nic Coveney, Glenn Cridland, Blake D'Souza, Jennifer Nevard, Hayley Prendiville and Bronwyn Waugh.

Against: Nil

Officer Recommendation

That Council appoints the Chief Executive Officer as the Deputy Delegate to the Western Australian Local Government Association South-East Metropolitan Zone for the period 21 November 2023 to 18 October 2025.

Background

At its Meeting held 31 October 2023, Council appointed Councillor Bronwyn Waugh as the City's Delegate to the Western Australian Local Government Association South-East Metropolitan Zone. A second delegate and a deputy delegate were not appointed.

Comment

The Western Australian Local Government Association (WALGA) is the single association for Local Governments in WA, representing the political and strategic interests of Local Government at State and Federal levels. The WALGA South-East Metropolitan Zone Committee provides input to the West Australian Local Government Association State Council on issues relating to Local Government affecting members of the Local Government Association.

10.4.6 Appointment of Deputy Delegate to the Western Australian Local Government Association South-East Metropolitan Zone

The WALGA South-East Metropolitan Zone is comprised of representatives of the following Local Governments:

- City of Armadale
- City of Canning
- City of Gosnells
- City of South Perth
- Town of Victoria Park

The City of South Perth is entitled to two votes at WALGA South East Metropolitan Zone meetings. To ensure that the City is appropriately represented, it is recommended that the Chief Executive Officer be appointed as the Deputy Delegate.

Attachments

Nil.

11. APPLICATIONS FOR LEAVE OF ABSENCE

- Mayor Greg Milner for the period 22 November 2023 to 3 December 2023 inclusive.
- Councillor Glenn Cridland for the period 11 December 2023 to 30 January 2024 inclusive.

The Presiding Member called for a Motion to approve the Leave of Absence applications.

COUNCIL DECISION

1123/202

Moved: Councillor Nic Coveney

Seconded: Councillor Blake D'Souza

That Council approve the Leave of Absence applications received from

- Mayor Greg Milner for the period 22 November 2023 to 3 December 2023 inclusive.
- Councillor Glenn Cridland for the period 11 December 2023 to 30 January 2024 inclusive.

CARRIED (9/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Mary Choy, Nic Coveney, Glenn Cridland, Blake D'Souza, Jennifer Nevard, Hayley Prendiville and Bronwyn Waugh.

Against: Nil.

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

13. QUESTIONS FROM MEMBERS

13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE

Responses to questions from members taken on notice at the October 2023 Ordinary Council Meeting can be found in the **Appendix** of these Minutes.

13.2 QUESTIONS FROM MEMBERS

- Councillor Glenn Cridland
- Councillor Mary Choy
- Councillor Jennifer Nevard

The questions and responses can be found in the **Appendix** of these Minutes.

14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Nil.

15. MEETING CLOSED TO THE PUBLIC

Nil.

16. CLOSURE

The Presiding Member thanked everyone for their attendance and closed the meeting at 6.38pm.

APPENDIX

13.1 QUESTIONS FROM MEMBERS taken on notice OCM 31 October 2023

Councillor Mary Choy	Response provided by: Toni Fry – Manager Governance
<i>Preamble: Newly elected members were welcomed to the Council last week and retired Councillor Ken Manolas was granted the opportunity to say a few words at his last council meeting last month.</i>	
1. I was wondering if anyone would like to say a few words for any former Councillors that aren't here this evening or didn't get a chance to say a few words when they left?	Outgoing Elected Members were acknowledged by the Mayor at the Ordinary Council Meeting held 26 September 2023. The City also acknowledges and thanks all former Elected Members for their contributions.

13.2 QUESTIONS FROM MEMBERS OCM 21 November 2023

<p>Councillor Glenn Cridland</p>	<p>Response to question 1 provided by: Anita Amprimo – Director Infrastructure Services and Mike Bradford – Chief Executive Officer</p> <p>Response to question 2 and 3 provided by: Donna Shaw – Director Development and Community Services</p>
<p><i>Preamble: Some time ago, maybe three meetings ago, I asked if we had any update from the Commonwealth Government as to whether or not they were going to allow us to keep any of the \$20m that we received for women’s sports facilities and a pool.</i></p>	
<p>1. Is the City able to update the Council? Or do we expect an answer at some stage soon? Or should we just be quiet and not poke the beast?</p>	<p><i>Director Infrastructure Services Anita Amprimo:</i> We are in contact with the Office of Sport around the progress on reviewing that variation request. They have told us that it is still under consideration, and we are hopeful that we might have a response before the end of the year.</p> <p><i>CEO Mike Bradford:</i> I might just add a bit more. So, we wrote to the Commonwealth on the 10th of August outlining how we wanted the money redirected as our preference and we put forward two options. The first option was for funding to be directed towards the building of indoor sports courts at George Burnett, along with associated facilities. The second option was an upgrade or provision of gender neutral changerooms at various sporting facilities throughout the City. Both of those options were consistent with the criteria for the original grant and our preference was for four courts or courts at George Burnett. We also wrote to the State Government on the 31st of August advising them that we had written to the Commonwealth seeking that change and seeking that whilst we didn’t ask the State Government for any funding to contribute to either of those projects, we asked for support and advocacy in supporting our request for the change and we would welcome any contribution the State Government might</p>

	have made. So that just adds a little bit more detail to what we've done.
<i>Preamble: I recall in November 2021, when we considered and approved a pump track for George Burnett, that there was reference to a George Burnett Master Plan.</i>	
2. Are we reviewing that Master Plan to include that new facility, indoor courts, etc? Will the George Burnett Leisure Recreation Master Plan, whatever it's called, be made available to Councillors and/or the public at some stage?	The City is in the process of reviewing its Community Recreation and Facilities Plan more broadly and as part of that we would be considering George Burnett and the outcome of the federal funding in that respect. If there is a requirement to modify the Master Plan in light of the potential provision of indoor courts, then we would bring that back to Council for further consideration.
3. Will the George Burnett Master Plan be made available to Councillors and the public?	I see no reason why it can't be made public, so we can provide that to you.

Councillor Mary Choy

Response to question 1 and 2 provided by: Mike Bradford – Chief Executive Officer

Response to question 3 provided by: Fiona Mullen – Manager Development Services

Response to question 4, 5 and 6 provided by: Donna Shaw – Director Development and Community Services

1. With regards to the George Burnett Master Plan, is the Manning Markets provided for within that plan or is there any sort of changes on the horizon in regards to the Manning Markets, what is the status of that? How is the Manning Markets actually governed? Is it under a lease?

The Manning Markets operates under a licence. That current licence, I think, expires on the 30 of June 2024. I'm not sure whether they've got a further option to renew. In terms of the Master Plan, I don't think it necessarily contemplates anything specific for the markets. It's more about other facilities, so it assumes that the George Burnett could be used for other purposes. There's an update that went on the website today talking about a number of things occurring at George Burnett and it's useful for Council and Community to tie those together. They are of course at the old Manning Library, we now have a Dome Café that's proposed to be built there and that there is a development application with the Planning Commission for that. If that gets approved and it moves forward, then we would expect the Dome Café to be operating out of the old Manning Library site, sometime next year. We also have an upgraded bike track going across George Burnett, which is part of the Canning to Curtin Bike Link. We also have the pump track going in, so there's a number of projects that will enhance George Burnett. They are all planned for construction over the next 12 months. There will be some disruption to George Burnett Park over that time. We have been meeting with the operators of the market to identify what that disruption looks like and to minimize the impact of that disruption on their operations. I'd like to think that we're working positively towards ensuring that they can continue to

	operate. I have also indicated to the operators that we would consider renewals of their licence.
2. Is a criterium bike track part of that forward agenda? I know there was something discussed about it previously but not formally. I'm just wondering is that being raised again as a possibility or not?	So, in the update that went on the website today, it talked about the projects that are going ahead. A criterium track is not part of that and I understand that a criterium track is also not part of the George Burnett Master Plan. There had been some discussions from WestCycle over the last few years around the possibility of that, but that hasn't moved forward.
3. Just wondering what the state of the derelict property on the corner of Gwentyfred and Canning Highway is please. I know that residents have raised this as a concern before with, I believe, squatters and potential drug use happening in that location. I'm just wondering if there's been any sort of follow up since then?	Taken on notice.
<p><i>[Preamble]:</i></p> <p><i>With regards to the proposed Wesley Boatshed or Coode Street Boathouse as I've also seen it been called, I've just got a couple of questions in relation to that which were provided on notice prior to the meeting.</i></p>	
4. I'm just wondering firstly, how much extra land this proposed development will require to be excised from the Sir James Mitchell Park Reserve 34565 please?	So, the existing building occupies an area of approximately 450sqm ² . The additional floor area would be approximately 780sqm ² . So, the total footprint would be around 1230sqm ² . But the actual lease area itself, should the building be approved, would need to accommodate areas for servicing fixtures and various utilities. So, the actual portion to be excised as part of, or subject to the lease agreement area, would need to be considered in light of that.

<p>5. Now I understand under TPS 6, there is a mention of a building height on that Crown Land of seven metres but I think that's a bit of an anomaly, I believe. On the draft of LPS 7 there is no such maximum height on Crown Land. I just want to just confirm that for the public's sake, because I have been queried on that, you know why was it building height under the current TPS 6 application come in but it's no longer the case under the draft LPS 7 alongside that?</p>	<p>That's correct, it is an anomaly. It's based on the age of the existing TPS 6. So the existing scheme provides building height maps that are associated with the scheme maps which depicts them covering the entire district; however, the Town Planning Scheme itself only applies to zone land and not reserve land. The location of the boat shed is on reserved land under the Metropolitan Region Scheme. In terms of why the height restrictions weren't carried forward into draft LPS 7, the new draft scheme has been prepared in accordance with the Model Scheme provisions provided under the Planning Regulations and there's no provision for building heights to be included in those provisions.</p>
<p>6. Just in regards to the Black Swan Habitat, I'm just being queried as to why that didn't seem to be a particular feature as a consideration in the City's recommendation to the DBCA on this proposed development, given the conservation efforts the City and the State have gone into for bringing back the black swans and also looking after the other waterbirds in the area and the likelihood of increased activity that this proposed development may bring adjacent to the habitat.</p>	<p>So the City's response, in respect to the application is part of a statutory referral process. There are certain instruments that we're required to have regard to in shaping our response to that. One of them was the South Perth Foreshore Strategy and Management Plan, and for this particular location, it is within node two of the strategy which is recommended to be developed for food and beverage outlets and a range of different sporting related activities including rowing, water play, all abilities playground and alike. There are other areas within that strategy that have been designated for conservation and environmental purposes typically, around Lake Hurlingham and Lake Douglas. In terms of the recommendation that we've provided, it's in accordance with the various adopted strategies; however, I would suspect that the Department of Biodiversity, Conservation and Attractions would consider all of those requirements as part of their consideration and recommendation to the Minister for Environment on the proposal and if it was approved by the Minister, they would include conditions to ensure protection of the swans as part of future construction.</p>

<p>Councillor Jennifer Nevard</p>	<p>Response to questions 1 and 2 provided by: Donna Shaw – Director Development and Community Services</p> <p>Response to question 3 provided by: Mayor Greg Milner</p>
<p>1. My first question is in relation to IDinsight and I noticed it was promoting a more comprehensive local government area statistical package and I was just wondering if that was something the City of South Perth would be interested in considering for its use?</p>	<p>IDinsight provides a range of different data sources that typically inform local planning strategies. We prefer to use Census Data because that's required by the Department of Planning Lands and Heritage in consideration so we don't have a subscription to IDinsight.</p>
<p>2. This is in relation to 'Your Say' at the moment, the trial parklet proposal for 79 Angelo Street – Nextdoor Restaurant and Olsen Butchers. My observation of a very popular business in the City of Vincent is that the through passage of pedestrians, scooters and bike traffic becomes quite congested and I was wondering how the City might consider the transiting of scooters and bikes through the narrow passageway between the old facility and the new installation?</p>	<p>The proposal is located within the existing carparking bays only so there's no change to the area that's contained between the parking bay and the building frontage itself.</p> <p>The City is actually looking at reviewing our alfresco dining Policy to include considerations around sight lines and clearance width and the alike.</p>
<p><i>Preamble: This is actually a follow on from the earlier discussion about steaming of weeds.</i></p>	
<p>3. I Just wondered under the existing contract that we have for those sorts of activities, if money were allocated would there be any capacity for us to extend the use?</p>	<p>Councillor Nevard, I might just cut in there. We did have an item on the Agenda about this earlier. We can't really reopen debate on that item but do ask the question offline. You're very welcome to do that.</p>

DISCLAIMER

The City advises that comments recorded represent the views of the person making them and should not in any way be interpreted as representing the views of Council. The minutes are a confirmation as to the nature of comments made and provide no endorsement of such comments. Most importantly, the comments included as dot points are not purported to be a complete record of all comments made during the course of debate. Persons relying on the minutes are expressly advised that the summary of comments provided in those minutes do not reflect and should not be taken to reflect the view of the Council. The City makes no warranty as to the veracity or accuracy of the individual opinions expressed and recorded therein.

These Minutes were confirmed at the Ordinary Council Meeting held: Tuesday 12 December
2023

Signed _____

Presiding Member at the meeting at which the Minutes were confirmed