

# ATTACHMENTS

## Ordinary Council Meeting

25 March 2025

**Part 2 – 10.4.3, 10.4.4, 10.5.7, 10.5.8, 10.5.9.**

# ATTACHMENTS TO AGENDA ITEMS

Ordinary Council Meeting - 25 March 2025

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# MINUTES.

## Electors' General Meeting

4 February 2025

### Notice of Meeting

Mayor and Councillors

Here within are the Minutes of the Electors' General Meeting of the City of South Perth Council held Tuesday 4 February 2025 in the Council Chamber, corner Sandgate Street and South Terrace, South Perth.



MIKE BRADFORD  
CHIEF EXECUTIVE OFFICER

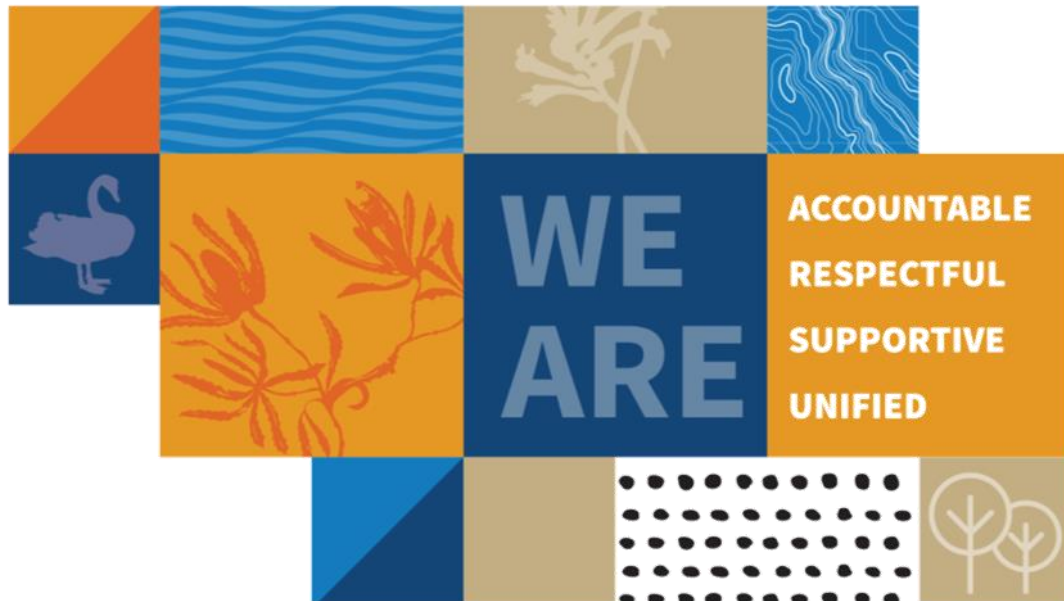
12 March 2025

## 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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## Electors' General Meeting – Agenda

In accordance with Section 5.27 of the *Local Government Act 1995* and the Local Government (Administration) Regulations 1996, the Order of Business will be as follows:

### 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 6.01pm and welcomed everyone in attendance. The Chair formally acknowledged and welcomed the State Member of Parliament, Mr Geoff Baker MLA.

### 2. DISCLAIMER

The Presiding Member read aloud the City's Disclaimer.

### 3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

The Presiding Member outlined the format of the Electors' General Meeting.

### 4. ATTENDANCE

Mayor Greg Milner (Presiding Member)

#### Councillors

Como Ward	Councillor Glenn Cridland
Manning Ward	Councillor Blake D'Souza
Manning Ward	Councillor André Brender-A-Brandis
Moresby Ward	Councillor Jennifer Nevard
Moresby Ward	Councillor Hayley Prendiville

#### Officers

Chief Executive Officer (CEO)	Mr Mike Bradford
Director Corporate Services (DCS)	Mr Garry Adams
Director Development and Community Services (DDCS)	Ms Donna Shaw
Director Infrastructure Services (DIS)	Ms Anita Amprimo
Manager Finance (MF)	Mr Abrie Lacock (Retired at 7.00pm)
Manager Customer, Communications and Engagement	Ms Danielle Cattalini
A/ Manager Governance	Mr Morgan Hindle
A/ Governance Coordinator	Ms Christine Lovett
Governance Officer	Ms Jane Robinson

#### Guests

Mr Geoff Baker MLA (Retired at 6.38pm)

#### Gallery

There were approximately 33 members of the public present.

#### 4.1 APOLOGIES

- Councillor Nic Coveney
- Councillor Mary Choy

#### 4.2 APPROVED LEAVE OF ABSENCE

- Councillor Bronwyn Waugh for the period 28 January 2025 to 10 March 2025, inclusive.

### 5. CITY OF SOUTH PERTH PRESENTATION OF THE 2023/24 YEAR

The Presiding Member read aloud the following:

*“Good evening. Tonight, we are here to present the 2023/24 Annual Report, Annual Financial Statements and Auditors Report to you, the Electors.*

*The 2023/24 financial year has been one of significant progress for the City, as we continue to implement our community’s vision of a City of active places and beautiful spaces. I am pleased to report that the City’s financial position remains strong and continues to improve. It’s exciting to witness the advancements being made in various areas as we work towards making our City an ever-better place to live, work and play, all the while safeguarding sustainable financial management to secure our future.*

*The 2023/24 Annual Report, which was endorsed by Council last year, provides a comprehensive overview of the year’s progress, the challenges faced, and the achievements delivered. The report details the broad range of services, community programs, cultural events, infrastructure works and major projects that the City delivered across the year.*

*The City’s financial health continues to strengthen over the past financial year. The City has calculated, on the same basis as set by the State Government in previous years, a Financial Health Indicator of 87 out of 100 for 2023/24. Which was well above the financial benchmark score of 70 set by the Department of Local Government.*

*The 2023/24 financial year also saw the City generate its second consecutive operating surplus. This improved financial management means that we can deliver more for our community. To put that into context, in the previous 2022/23 financial year, the City reported four consecutive operating losses from the 2010/11 financial year through to the 2013/14 financial year. There was a single operating surplus in the 2014/15 financial year, followed by another seven consecutive operating losses from the 2015/16 financial year through to the 2021/22 financial year. Coming back to consecutive operating surpluses is really a big deal.*

*The City has added \$11.1m to its financial reserves since the 2019/20 financial year (Including \$9.4m during the last financial year). This is making responsible provision for the replacement and renewal of long-term community assets when they reach their end of useful life. I cannot emphasize enough the significance of this financial turnaround or how important this is for the City’s future. This Council, sitting around the table today, won’t necessarily see the benefit of this work, but future Councils certainly will, and more importantly, our future community certainly will.*

*All of this has been achieved without a single rates increase in excess of inflation over the last six financial years. In fact, we have given 7% back to our ratepayers in real terms over the same period.*



*The last financial year marked a significant milestone for Collier Park Village. After more than 30 years of operation, the City transferred Collier Park Village to not-for-profit aged care provider, Amana Living with the approval and the support of village residents.*

*The City recognised that the continued operation of retirement villages has increasingly become a specialised sector and one that did not form part of the City's core business. Amana Living has the expertise and experience to cater for the evolving needs and expectations of retirees and they are equipped to provide the high-quality amenity and accommodation that the village residents deserve. We are grateful for the support of the Village residents, Amana Living and the State Government in reaching a successful outcome.*

*The City has also heard our community's call for enhanced transport options and has continued working towards a more connected and accessible place to live, work and play. 2023/24 saw the completion of the new Canning Bridge to Curtin University Bike Link. This Bike Link provides safe and convenient alternatives to driving with upgraded shared paths and a pocket park –which is ideal for those who walk, wheel or ride each day.*

*Another significant milestone included the approval of the Local Planning Scheme No.7, which will chart the course towards a more connected and accessible City. The major five-year project marks a crucial step towards meeting our growing housing demands over the next two decades.*

*The City has continued to represent our community by consistently advocating for increased State and Federal Government funding for much-needed improvements for our recreational facilities and spaces. In 2023/24, we secured \$5.5m to upgrade changerooms and sports lighting at local reserves.*

*We have also secured a further \$500,000 for the Hurlingham Living Steam project, which is a transformative conservation initiative that will turn the existing Hurlingham Drain into a biodiverse planted stream, which in turn will enrich our local environment.*

*Our crime prevention efforts were also ramped up in 2023/24 with the introduction of a state-of-the-art mobile CCTV trailer. Deployed in partnership with Kensington Police, the proactive measure targets crime 'hotspots' in the community in real time.*

*We also successfully advocated for a 40km/hr speed limit to curb 'hooning' around the South Perth Foreshore, ensuring that this very popular and much-treasured spot remains family friendly.*

*These are just some of the City's achievements in the proceeding financial year. I would very much like to thank the City CEO Mike Bradford and the City of South Perth's administration for their tireless efforts in working towards our shared vision of a City of active places and beautiful spaces. It is an honour and a privilege to serve as your Council. We very much look forward to working with our entire community to continue to deliver great outcomes for this wonderful City."*

## 6. PRESENTATION OF THE ANNUAL REPORT, ANNUAL FINANCIAL STATEMENTS AND AUDITORS REPORT OF THE YEAR ENDED 30 JUNE 2024

The Presiding Member called for any questions relating to the Annual Report, Annual Financial Statements and Auditor's Report for the year ended 30 June 2024.

The following questions were asked by Mr Roger Reynolds of Manning at the Electors' General Meeting held 4 February 2025.

**Mr Roger Reynolds:** I have one quick question and it is probably contained in here but I was not going through to find it. What was the headcount at the previous financial year and the headcount of the previous financial year?

**Mayor Greg Milner:** In terms of the total population?

**Mr Roger Reynolds:** The headcount for the staff - the employees, full time total equivalent.

**Mr Garry Adams (DCS):** We normally report on it on an FTE-basis in the Annual Report and I just have to find the section. From memory, it was around 232. I might have to get back with the exact number. Do you want the actual headcount?

**Mr Roger Reynolds:** Yes, I was just looking what the headcount was the previous year, and the headcount?

**Mr Garry Adams (DCS):** I know that it hasn't increased by a lot, maybe you know, one or two in it. But I will get back to you with the exact number.

**Mr Roger Reynolds:** That's fine, I was just curious. I have some other general questions, but I will come back to those after.

**Mayor Greg Milner:** Of course, Mr Reynolds.

### **Additional information:**

**Mr Garry Adams (DCS):** The headcount for City employees as at 30 June 2023 was 248 compared to the headcount as at 30 June 2024 which was 253 (a rise of 5). This is a different measure than the Full Time Equivalent method which takes into account the hours worked by each employee and converts to the full time equivalent number.

The Presiding Member called for any further questions relating to the Annual Report, Annual Financial Statements and Auditor's Report for the year ended 30 June 2024.

There being no further questions, the Presiding Member called for a mover and seconder to receive the 2023/24 Annual Report, Annual Financial Statements and Auditor's Report for the year ended 30 June 2024.

### **DECISION**

**Moved:** Ms Cecilia Brooke of South Perth.

**Seconded:** Mr Warwick Boardman of Salter Point.

That the 2023/24 City of South Perth Annual Report, the 2023/24 Annual Financial Statements and the 2023/24 Auditor's Report, be RECEIVED.

**The Motion was put and declared CARRIED.**

*Councillor Hayley Prendiville left the meeting at 7.22pm and returned at 7.24pm during consideration of Item 7.*

*Councillor Blake D'Souza left the meeting at 7.36pm and returned at 7.38pm during consideration of Item 7.*

## **7. GENERAL BUSINESS**

The Presiding Member advised that five written submissions were received prior to the meeting, and submissions received in advance were invited to the microphone first.

**The following questions were asked by Ms Alexandra Jones of Como at the Electors' General Meeting held 4 February 2025.**

**Ms Alexandra Jones:** My questions relate to the motions that I will be proposing and the relevant statements. In light of the City's Public Health Plan and the lawful Role of Councillors to represent community interests as well as the power of Local Governments to enact Public Health Local Laws. My questions relate to protection of community health and prevention of the known and suspected causes of harm.

Will Mayor Milner and Councillors acknowledge and record in Council Minutes the Town of Port Hedland Motion that was sent to Councillors in Australia, bringing to their attention evidence of harmful synthetic DNA contamination in Australian vials of experimental COVID-19 vaccines, as detailed in the letter from P.J O'Brien and Associates to Hon. Russell Broadbent and to our Prime Minister?

**Ms Donna Shaw (DDCS):** On 8 November 2024, the City received correspondence related to the resolution made by the Town of Port Hedland at its Special Council Meeting on the 11 October 2024 related to COVID-19 vaccines, including the letter from the Hon. Russell Broadbent to the Prime Minister. This response will be provided in the minutes tonight.

**Mayor Greg Milner:** For what it is worth, Ms Jones, I appreciate that this question was directed to the Elected Members, just so that everyone knows that the minutes and any decisions made tonight will be included in the agenda for consideration at the Ordinary Council Meeting to be held on Tuesday 25 March.

Would you like to proceed with your second question?

**Ms Alexandra Jones:** Will Councillors exercise their lawful role to represent community concerns and prevent further vaccine injury by supporting an independent Inquiry to be undertaken by experts in the Gene Technology Technical Advisory Committee, and enact a local law if required to immediately suspend COVID-19 experimental vaccines and other known or suspected biopharmaceutical poisons?



**Ms Donna Shaw (DDCS):** The City does not have the ability to determine if the risks of taking the vaccines are greater than the risk of refraining, particularly as this suspension would impact the entire population of Australia.

The onus is on the relevant health organisations such as the Department of Health and Aged Care, the Therapeutic Goods Administration, and the National Health and Medical Research Council to ascertain if these concerns are valid. These organisations have the medical and research capabilities and the official authority to carry out such an investigation.

For these reasons, the City would not recommend that Council make a local law in relation to this matter. It is important to note that when a local law is made by a Council, it is submitted to Parliament. If the local law is determined to be inappropriate, Parliament can disallow it, meaning that the local law would cease to have effect.

**Ms Alexandra Jones:** Thank you.

**Mayor Greg Milner:** Would you like to ask your third question?

**Ms Alexandra Jones:** Will Mayor Milner and Councillors also acknowledge and action my emails regarding the need to ban unacceptable spraying on our public land of unmonitored environmentally polluting and toxic agricultural poisons, including Glyphosate-based products, containing the world's most commonly used cancer-causing and endocrine-disrupting systemic poison that is listed by the International Agency for Research on Cancer as a Class 2 A Probably carcinogen?

**Ms Anita Amprimo (DIS):** The City has received multiple items of correspondence from Ms Jones relating to pesticides and herbicides over a period of years and has responded accordingly. The City uses products that are approved for use in Australia by the Australian Pesticides and Veterinary Medicines Authority, via the approving body.

**Mayor Greg Milner:** Thank you, Ms Jones for the questions. I understand that you have submitted a motion that you would like to move tonight and thank you for submitting that in advance in writing. It does make it much easier for our officers.

I'll get you to read out the text of your motion, which I think is on the second page of the material that you have forwarded to us. If you would like to read that out and then we will see if someone would like to second your motion.

**Ms Alexandra Jones:** May I ask a question please?

**Mayor Greg Milner:** Of course.

**Ms Alexandra Jones:** I have a statement prior to the motion, would I be able to read that statement?

**Mayor Greg Milner:** Up to a limit of three minutes, but yes I will allow that.

**The following motion and statement were read out by Ms Alexandra Jones of Como at the Electors' General Meeting held 4 February 2025.**

**Ms Alexandra Jones:** Three minutes - that should do me.

This statement is in support of the proposed motion.

That Councillors, in accordance with the Role of Councillors (*Local Government Act (LG Act)* section 2.10), the Legislative Power of Local Governments (LG Act section 3.5,4B) and the City of South Perth Public Health Plan 2020-2025, take Action to Prevent a Known Risk of Serious Injury and Suspend COVID-19 Vaccines pending an Independent Inquiry or Royal Commission into the Evidence of Harmful Synthetic DNA-contamination in Australian vials.

By way of background: On the 23 October 2024, Town of Port Hedland Councillor Camilo Blanco (in his personal capacity) sent all Councils in Australia the Letter outlined in the Motion that informed them of the DNA contamination in Australian vials and Hon. Russell Broadbent's letters to the Prime Minister. Councillor Camilo Blanco sent a further follow up Letter on 14 November 2024, again to all 537 Councils and their Councillors throughout Australia. This information included a video presented by Councillor Dr. Julie Sladden of West Tamar in Tasmania. As a resident and ratepayer of the City of South Perth whose many family members and friends have been vaccinated due to the WA McGowan Government's Roll Up for WA campaign and workplace vaccine mandates.

I am deeply concerned about the Federal and State Governments' censorship of the public debate over unprecedented vaccine injuries and the long-term implications of the experimental COVID-19 vaccines that are now scientifically proven to be contaminated with fragments of synthetic DNA. In the knowledge that millions of Australians were not informed of the risks to their health when they were injected with experimental mRNA COVID-19 vaccines that were neither safe nor effective. It would now be unreasonable, unethical and potentially medical negligence to inject anyone in our community with COVID-19 vaccines. I urge Councillors and the Community of South Perth to support the following motion.

**Mayor Greg Milner:**

Thank you, and would you like to read your motion now and then I will see about a seconder?

**Motion**

**Moved:** Ms Alexandra Jones of Como.

**Seconded:** Ms Dianne Cudby of South Perth.

1. That Councillors, in accordance with the Role of Councillors (LG Act s.2.10), the Legislative Power of Local Governments (LG Act s.3.5,4B) and the City of South Perth Public Health Plan 2020-2025, take Action to prevent a known risk of serious injury and suspend COVID-19 vaccines pending an independent inquiry or Royal Commission into the evidence of harmful synthetic DNA-contamination in Australian vials, and
2. That Councillors and the Mayor acknowledge receipt of the Port Hedland Motion and scientific evidence informing them of DNA contamination in Australian vials of mRNA COVID-19 vaccines and all letters from Hon Russell Broadbent and Councillor Camilo Blanco; and
3. That Councillors and the Mayor represent concerned electors, residents and ratepayers including myself by supporting the Port Hedland Motion and taking action to suspend administration of these harmful experimental vaccines within the City of South Perth jurisdiction in accordance with the Public Health Plan 2020-2025 and the *Local Government Act 1995* sections 2.10 and 3.5 (4B); and
4. That Councillors introduce a local law in accordance with section 3.5 (4B) *Local Government Act 1995*, to restore ethical medical standards including:
  - a. Trust in the doctor-patient relationship and Public Health authorities by preventing an ongoing risk of harm to the community from the State Government's Pandemic Response that promoted and mandated experimental COVID-19 vaccines that have caused unprecedented vaccine injuries (including death) as revealed in numerous credible scientific sources, official data and the Forest of the Fallen Memorials.
  - b. Children's and parental rights to protection from harm, bodily autonomy and informed consent to any medical intervention.
  - c. Freedom from medical coercion, medical mandates, false and misleading claims of product safety and efficacy, including the enforcement of children or adults with offers of free drinks, choc bomb ice creams or other forms of enforcement for the purpose of facilitating a potentially harmful medical intervention as occurred under the Roll Up for WA campaign and the promotion of COVID-19 vaccines for children at Perth Zoo in the City of South Perth.

**The Motion was put and declared LOST.**



**The following motions and statement were read out by Ms Cecilia Brooke of South Perth at the Electors' General Meeting held 4 February 2025.**

**Ms Cecilia Brooke:**

Mr Mayor and Councillors, our association believes it is appropriate on the tenth anniversary of the defeat of the Barnett Government's attempt to amalgamate several metropolitan local governments, to outline some history surrounding this period as our City was one of the targets of this move.

On Friday 7 February 2025, it is ten years since the vote was taken by the residents of the City of South Perth and the Town of Victoria Park, the Town of East Fremantle (The City of Fremantle did not vote) and the City of Kwinana and the City of Cockburn – all came back with a resounding no to the proposals.

In March 2014, the City of South Perth Council held a special residents meeting to discuss the forthcoming amalgamation proposals. At the end of the meeting during question time I put my hand up and said 'the only way Colin Barnett was going to take any notice was to have a meeting on the steps of Parliament House.' Several weeks later, former Mayor Doherty rang me asking if I was the person who suggested the rally. I said 'yes' and she asked me to contact Mr Malcolm Mummery, while he was not a resident of the City, he had an active involvement in the anti-amalgamation initiative.

Malcolm invited me to his place for a coffee and suggested that I form a resident's association in South Perth. Mr Mummery and others including, Mr Ian Kerr and the late Professor Colin Latchem supported me throughout the formation of the association for which I was and still am extremely grateful. A rally was organised and 2,000 people attended with the then Minister for Local Government, Mr Tony Simpson also attended. While initially, the intention was for widespread amalgamations, in the end it came down to the three Councils, as I said earlier. The first task in setting up the association was in drafting and printing a short flyer to hand out to the public, announcing a meeting with the purpose of setting up a residents' group. A small number of people attended our first meeting and from there it was voted on to have a formal meeting to officially form the association to fight to save the City of South Perth from the amalgamation with the Town of Victoria Park. This meeting was held 26 June 2014, and the City of South Perth Residents Association, as we know it today was formed. At the meeting, a committee with formed with me being elected Chairperson, Mr Robin Mulder (Secretary), and Mr Ali Salvandi (Treasurer) and a handful of committee members. Following on, a meeting at the Como Bowling Club was organised for the public with Mr John McGrath and Councillor Glenn Cridland taking questions from the floor. A total of 3,000 flyers were printed and delivered to let the community know of the meeting. The meeting was well attended.

A motion was passed from the floor to draft up a Petition to send to the Government requesting that they abandon their plans for the amalgamation of any Councils. In just two weeks we had 2,000 signatures and in August 2014, our then-Local Member John McGrath tabled the Petition in Parliament on behalf of the community.

By now, it became apparent that money was needed to run the campaign, and a letter went out to every household within the City on 23 December 2014 requesting donations. The response was amazing: some people donated \$1,000 or more, others \$5 to \$10. Amazingly, we raised just over \$11,000 which enabled a widespread advertising campaign. The vote was originally to be held on the 31 January 2015. I was advised to write to Minister Simpson, because this was in the school holidays and the date was changed to the 7 February 2015.

We had banners and corflutes designed by the former Councillor Colin Cala with skits from the TV show South Park, as we were to be the City of South Park and over a period of three weeks, we also advertised in the Southern Gazette. The City of South Perth's contribution was by way of banners around the City urging people to vote, as the Council had resolved to take an impartial position - was still very much appreciated.

A total of 27,000 flyers (all printed from separate donations) were distributed to homes, etc across the City and were handed out at shopping centres. Despite the summer heat our wonderful volunteers achieved the impossible over one week and all were delivered.

The voting outcome was amazing: there were 50.83% returned ballots with 77.6% voting no. An incredible result, given 30% of the voters in South Perth were living in rental accommodation and many owners living overseas. East Fremantle and Kwinana ran campaigns, but Victoria Park and Cockburn chose to not run any.

**Mayor Greg Milner:**

Ms Brooke, I am so sorry, but that is time. I do need to be fair to everyone. Would you like to proceed to your first motion? If so, I would ask you to read out the text of it and then I will see about a seconder.

**Ms Cecilia Brooke:**

The background: It is very heartening to see government grants flowing to the City of South Perth for work along Sir James Mitchell Park Foreshore. Particularly, the recent \$2,107,048 Government Funding for a major riverbank restoration project.

However, the former CEO, Mr Geoff Glass, made the comment during the time the Westralian Centre was being considered by Council that the flagpole area of the foreshore was looking tired, however nothing was done following the decision to not progress with this project. Several years later, the Council of the day came to the same conclusion and a proposed scheme to upgrade the area was prepared but faltered due to the cost associated with the proposal. It is the view of the City of South Perth Residents' Association Incorporated that this issue needs to be re-visited by Council, and an appropriate budget allocated. The flagpole area is still looking tired and unimposing for such a significant site and the centre point for the Australia Day Celebrations and Australia Day Citizenship Ceremony.

**Decision**

**Moved:** Ms Cecilia Brooke of South Perth.

**Seconded:** Mr Roger Reynolds of Manning.

1. The City of South Perth makes a budget adjustment at the next Budget Review to engage appropriate consultants to provide a design that enhances and respects the significance of the South Perth Flagpole area within reasonable budget parameters.
2. Once approved, in principle by Council, the scheme is advertised for public comment for an appropriate period and then returned to Council for final endorsement with any modifications that have come through feedback from the public consultation.

**The Motion was put and declared CARRIED.**

**Mayor Greg Milner:** Ms Brooke, if you would like to read the background to your second motion and then the motion itself? We will follow the same process.

**Ms Cecilia Brooke:** Thank you.

My second motion is, the background: For many years prior to the life of this Council, there was an informal practice in place at the December Ordinary Council Meeting that allowed a member of the public at the completion of business to wish all Elected Members and City officers compliments of the season and to thank them for their good services to the residents of the City.

I have regularly attended Council Meetings for more than 10 years in the capacity of the foundation chair of the COSPRA. For eight years I was allowed to provide such a message, but strangely for the past two years have not been granted permission to do so. I was told by a former Director of the City that it was genuinely appreciated as it was not a common practice in other Local Governments.

Another common practice was to invite members of the Gallery to join Elected Members after the meeting for some refreshments in the Reception Room in the spirit of the season and an opportunity for members of the public to mingle and speak informally with Councillors and senior staff members. Sadly, this practice has also fallen away over the years.

**Decision**

**Moved:** Ms Cecilia Brooke of South Perth.

**Seconded:** Ms Alexandra Jones of Como.

1. At the December Ordinary Council Meeting and at the completion of Council business, that any resident of the City who provides their name and address or organisation that they are representing shall be allowed to wish all Elected Members and City officers compliments of the season and to thank them for their good service to the residents of the City.
2. Also, that following the completion of Council Business that members of the Gallery be invited to join Elected Members for refreshments in the Reception Room in the spirit of the season.

**The Motion was put and declared CARRIED.**



The following questions were asked by Ms Veronica McPhail of Kensington at the Electors' General Meeting held 4 February 2025.

**Ms Veronica McPhail:** The Black Swan Habitat has its origins in the year 2000 'Bring back the Swan' report which had the objective to increase the numbers of black swans in the Swan/Canning River system and in particular to the Perth Waters. The Black Swan Habitat or Djirda Miya was completed in September 2021, yet in 2023 the survival rate for Black Swans Cygnets in the area was only one from 33 and in 2024 (last season) the survival rate was a mere two from 32. At the moment today, it is just two. In my opinion these are high mortality rates by any measurement. Hence my 3 questions are:

A City media release 19 September 2023 states that Djirda Miya has been a success. Noting the cygnet high mortality rate over recent years, how can the City make such statements and indeed what is the City monitoring to make such a claim of success?

**Ms Anita Amprimo (DIS):** The noted number of nests and resulting cygnets supports the City's position that the project has been a success. The City does not have any evidence that would support the suggested survival or death rates in the juvenile swans.

**Ms Veronica McPhail:** The City has released a media statement regarding the Riverbank restoration project near Coode Street. Can the City confirm or otherwise that an objective of the restoration will be to increase the environment for the Black Swan Cygnets in order to improve their survival rate and how and when will the City detail to the community how this will be achieved?

**Ms Anita Amprimo (DIS):** The City has received grant funding through the Urban Rivers and Catchments Program. The overall objective of this program is to improve the ecological health of waterways in urban, outer urban/peri-urban and regional centres. The project seeks to restore significant habitat for both terrestrial and aquatic fauna including the vulnerable Fairy Tern, locally threatened Rakali and Western Australia's iconic Black Swan. It is also anticipated that the habitat creation will be of benefit to other native species.

The City is currently working with DBCA, who are also contributing funds to the project, and other specialist consultants to develop the design. Further details of the project will be made available as the design is developed.

**Ms Veronica McPhail:** Does the City or State Government perform any specific monitoring of wildlife prior to and post any City project such as the riverbank restoration and Hurlingham Living Stream to understand if indeed wildlife is being improved?



**Ms Anita Amprimo (DIS):** The City does not undertake any formal monitoring of wildlife, but staff make observations on activity within parks and reserves. When designing habitat restoration projects, the City consults with relevant government agencies and experts within the field, to inform the design in a way that will maximise habitat creation balanced with the aspirations of the broader stakeholders.

**Mayor Greg Milner:** Thank you, Ms Amprimo and thank you, Ms McPhail for your questions.

**Ms Veronica McPhail:** Can I move a motion now?

**Mayor Greg Milner:** I will give priority to those who have submitted their motions in advance, but I will come back to you and invite you to move a motion.

**The following statement and motion were asked by Ms Bronwyn David of South Perth at the Electors' General Meeting held 4 February 2025.**

**Ms Bronwyn David:** Thank you, Mr Mayor. Good evening, Councillors, good evening members of City staff. Here we are again. I have a motion, and I am not sure that the motion will be displayed while I am speaking.

My motion is that the City of South Perth reconsiders the adoption of the Model Tree Retention Policy developed by the Western Australian Local Government Association.

I am not sure that it is possible right now, but I would like to slightly amend the motion by adding 'as amended by this Council' to the end of it. We are aware that the last time you considered the Model Tree Retention Policy, Councillor Brender-A-Brandis significantly amended it so is that appropriate that I amend the motion right now?

Just add the words 'as amended by this Council' at the end of it, thank you very much.

Did anyone feel the heat today? What if I was to say that there is a way to feel cooler, improve our mental and physical health, promote community connection, and increase the value of our homes – trees. The answer is trees, and given that their importance to the liveability of the City of South Perth, why wouldn't you want to have as many as possible?

In response to the increasing recognition of the value of trees to our lives, the Western Australian Local Government Association has drafted a Model Tree Retention Policy, to enable Councils to protect the trees on private land. Private land, after all, makes up about two-thirds of the land area in the City of South Perth and that means that it's the place where the most trees are being lost. In fact, it is the only place where trees are being lost. The City, understanding the value of trees intensely plants and nurtures trees in its own domain, such as parks and verges. The Model Tree Retention Policy proposes that private land owners need a Development Application (DA) before they can cut down or prune to within an inch of its life, a healthy thriving suitable tree. This is to protect those large trees which are an asset to the community. In the same way that before you would do something on your land that will affect your neighbours, such as running a business, or building a second story - you have to have a DA. This is because we empower our City and Councillors to protect the amenity of our neighbourhoods. Now we need you to protect the 'amenity-tree' too.

The last time that the Tree Retention Policy came before this Council, it was amended to make it easier to implement, but then at the last minute, Council decided not to vote on the policy. So, it hasn't been defeated at Council. The same night that it was not voted on in South Perth, a similar policy was passed in the City of Nedlands. Since then, the Councils in Bassendean, Peppermint Grove, and Cambridge have adopted the Model Tree Retention Policy. Nedlands is considering extending the scope of the policy that they adopted.

Bassendean will consider a version of the policy in March, Victoria Park has just closed its consultation on the policy, Fremantle is presently surveying their residents about the model policy, Claremont is tonight considering proceeding to consultation with residents, Mosman Park and Cockburn Councils have commenced scheme amendments to enable them to consider the policy. Melville City Council has committed to considering the policy this year. After all, similar rules to those proposed by the policy exist in most East Coast Australian States and are easily understood, well-accepted, worked within and not surprisingly – Brisbane, Sydney and Melbourne have a much greater tree canopy cover than Perth has. I would hope that our Council understand the natural beauty of our local government area (surrounded by water and wildlife).

**Mayor Greg Milner:** I'm so sorry, Ms David but that is time. I do have to be fair to everyone.

**Ms Bronwyn David:** I've got 12 more words.

To keep our City green and cool, valued, and valuable.

**Mayor Greg Milner:** Thank you. If you would like to read your motion, which is now on the screen there, then I will see about a seconder.

**Ms Bronwyn David:** That the City of South Perth reconsiders the adoption of the Model Tree Retention Policy developed by the Western Australian Local Government Association, as amended by this Council.

**Mayor Greg Milner:** The motion has been moved by Ms David, I'll now see if there is a seconder.

If you could please stand and state your name and address?

Thank you very much. So, the motion has been moved and seconded – I am about to call the vote. For all those people who are electors of the district and would like to support this motion, please raise your hands and keep them raised.

Councillor Brender-A-Brandis, are you trying to ask a question?

**Cr Brender-A-Brandis:** I think that the motion might need to be amended slightly. The amendment didn't actually occur with Council but to be clear, it was the proposed amendments that I made to the Local Planning Policy for Tree Retention.

**Mayor Greg Milner:** Yes, I had the same thought, Councillor Brender-A-Brandis, but I am pretty sure that the Council understands what Ms David is trying to say.

Yes. So I have counted all those in favour. All those opposed? please raise your hands. That motion was carried, thank you.

**DECISION**

**Moved:** Ms Bronwyn David of South Perth.

**Seconded:** Ms Heidi Schmidt of South Perth.

That the City of South Perth reconsiders the adoption of the Model Tree Retention Policy developed by the Western Australian Local Government Association, as amended by this Council.

**The Motion was put and declared CARRIED.**

**The following questions were asked by Ms Hazel Murray of Como at the Electors' General Meeting held 4 February 2025.**

- Ms Hazel Murray:** Thank you for taking my questions, my agenda tonight is about Manning Road and the abysmal state of Manning Road and associated verges for the last two years - weeds out of control and dead vegetation. My first question is: the Salter Point Action Group, The Manning Community Association and concerned rate payers have all consistently made approaches to representatives of the City of South Perth regarding the neglected state of Manning Road and associated verges. Sadly, these complaints appear to have fallen on deaf ears, and as rate payers this is totally unacceptable. Are there plans in place to address these valid complaints?
- Ms Anita Amprimo (DIS):** The maintenance of this area is managed by a contractor and the City is working to rectify the performance issues with the quality of the work. In addition to liaising with the contractor, the City will organise for contract staff to remove dead material and old tree stakes from Manning Road.
- Ms Hazel Murray:** My second question is: Manning Road is an embarrassment, mulching of the area would be a vast improvement, would this be possible?
- Ms Anita Amprimo (DIS):** Yes, following previous requests the City is obtaining quotes to install air blown mulch on the central median island of Manning Road between Ley Street and Central Avenue. Once that has been received, it will be included in the 2025/26 Budget considerations for Council's information.
- Ms Hazel Murray:** For the last two years I personally have been in regular contact with representatives of the City of South Perth regarding the ongoing problems of Manning Road, the worst of it being between Ley and Elderfield Streets. My question is in 2025 and onwards when will a reliable and regular maintenance program be put in place to address this serious issue?
- Ms Anita Amprimo (DIS):** I haven't been able to locate those requests in our requests system but I would refer you to my previous two answers, because I believe that they address your concerns.
- Ms Hazel Murray:** Thank you for taking my questions.
- Mayor Greg Milner:** Now those were the motions, questions and statements that we were given prior notice of.  
Ms McPhail would you like to come back to the microphone?



The following statement and motion were read out by Ms Veronica McPhail of Kensington at the Electors' General Meeting held 4 February 2025.

**Ms Veronica McPhail:** Wildlife Advocacy South Perth was formed out of public frustration over the Council's perceived lack of action in protecting local wildlife, particularly along the South Perth Foreshore. The community expects stronger leadership, transparency and proactive measures to safeguard the area's natural environment. I move a motion that:

- 1. Council addresses the threat of dogs-off-lead in areas deemed to be wildlife sensitive habitats by providing clear unambiguous dogs-on-lead signage and for Council to enforce this by increasing ranger presence in these areas.*
- 2. For the benefit of our children and our future community, Council prioritises in their operating and capital budgets the support and protection of all wildlife within the City by increasing and improving their habitats to ensure a sustainable cohabitation with the community.*

**Mayor Greg Milner:** Thank you, Ms McPhail, now I appreciate that was a fair bit for people to retain at short notice. Have you got that written down somewhere?

Governance, is there any chance we might be able to grab the written motion from Ms McPhail, so we can type it up on the screen? While we are waiting for that, I might ask if anyone else was intending to move a motion this evening and they've got it, and they are intending to move it. Perhaps, if you can indicate to the City staff (Ms Cattalini on the side there). We will do our best to get those written up and put up on the screens. So that people can look at what is being moved before they are being asked to vote on it.

Ms McPhail, you can stay there for the time being, we're just typing up your motion, so that people can see it on the screen. Once that's available and people have had an opportunity to read it for themselves, I will then ask for a seconder and then I will put your motion to the vote.

While that is happening, Ms Jones, you have raised your hands a couple of times. Did you have a question? Or wish to make a statement or motion?

**Ms Alexandra Jones:** Yes, I do. I actually presented it along with my first one. I have two statements and two motions. The first one has been rejected, but I would like to make a statement and read out my second motion.

**Mayor Greg Milner:** Alright, I will allow that. Has the City been given prior written notice of the second motion?

**Ms Alexandra Jones:** Yes.

**Mayor Greg Milner:** Okay, after we have dealt with Ms McPhail's motion, I will invite you back to the microphone, and we will deal with that then.

I suppose that to fill in the time while that is being typed up - the lady in the second row in the blue and white dress in the corner there. I am so sorry I don't know your name, did you have a question that you would like to ask in the meantime?

**Mayor Greg Milner:** Councillors are here to listen tonight. I think Ms Amprimo might have answered that question? Would you like to ask a question now while we are waiting, I will give you that opportunity.

*Note: A member of the Public Gallery asked for clarification on a previously answered question in relation to monitoring wildlife which cannot be heard on the audio recording.*

**Mayor Greg Milner:** Was that the second question that was asked previously?  
Alright, Ms Amprimo, do you know the question that is being referred to there and the answer?

**Ms Anita Amprimo (DIS):** I believe it was question three. I'm not quite sure what doesn't make sense about it but I will repeat my answer and if clarification is required then I am sure that someone can ask.  
The City does not undertake any formal monitoring of wildlife, but staff make observations on activity within parks and reserves. When designing habitat restoration projects, the City consults with relevant government agencies and experts within the field, to inform the design in a way that will maximise habitat creation balanced with the broader aspirations of stakeholders.

**Mayor Greg Milner:** I will allow further public statements, public questions and for that matter motions – but under the circumstances we might get through what Ms McPhail has put up, then Ms Jones, then I will throw it open to the floor for more questions, statements or motions.  
Ms McPhail, can you confirm that is the motion that you'd like to move?

**Ms Veronica McPhail:** I can't really read it, but yes. I'm taking that if you have copied it that it should be the same, yeah.

**Mayor Greg Milner:** Yes, hopefully it has captured the gist of it.  
So, Ms McPhail has moved the motion on the screen before us. Would anyone that is an eligible elector of the district like to second this motion?  
I think the lady in the black top in the third row, could you please stand and state your name and address?  
Thank you very much. I will give everyone another 30 seconds just so everyone has had the chance to read the motion and then I will call the vote on this motion.  
Mr Boardman?

**Mr Warwick Boardman:** Can we have it provided it into two parts and vote on it separately?

**Mayor Greg Milner:** I will allow it, are you happy with that Ms McPhail, that each part gets voted on separately?

**Ms Veronica McPhail:** Yes.

**Mayor Greg Milner:** Okay then, I assume that everyone's had time to read it now, so I'll put section (a) to the vote now. This is only section (a), we will then have a subsequent vote on section (b).

**DECISION**

**Moved:** Ms Veronica McPhail of Kensington.

**Seconded:** Ms Bridget Herbert of Como.

For the benefit of our children and our future community, Council prioritises in their operating and capital budgets the support and protection of all wildlife within the City by increasing and improving their habitats to ensure a sustainable cohabitation with the community.

**The Motion was put and declared CARRIED.**

**DECISION**

**Moved:** Ms Veronica McPhail of Kensington.

**Seconded:** Ms Bridget Herbert of Como.

Council addresses the threat of dogs-off-lead in areas deemed to be wildlife sensitive habitats by providing clear unambiguous dogs-on-lead signage and for Council to enforce this by increasing ranger presence in these areas.

**The Motion was put and declared CARRIED.**



**The following motion and statement were read out by Ms Alexandra Jones of Como at the Electors' General Meeting held 4 February 2025.**

**Ms Alexandra Jones:** That Councillors, in accordance with the role of Councillors (*Local Government Act* (LG ACT) section 2.10) and the legislative power of local governments (LG Act section 3.5 4B) enact a local law for the Protection of Community Health and Well-being, Mature Urban Trees, Air Quality, Surface Water, Ground Water and Soil Fungal Communities from applications of Glyphosate weed killer and other Unmonitored Pollution from Herbicides and Pesticides that are routinely released into our public open spaces under operational practices. Over many years, I have joined numerous community efforts to protect public trees from senseless removal under local government tree replacement policies, and the lack of protection for trees on development sites, including tree decline and death associated with lawful, as well as unlawful herbicide applications. The City as well as other local governments has a focus on the protection of trees on private land however, by showing strong leadership in the protection of our public trees, there would be many benefits to the whole community, particularly to children who do not have access to private gardens.

I note that my correspondence with the Council and the City officers regarding the routine herbicide applications has largely been ignored. The City to my knowledge continues to apply a variety of agricultural poisons for the control of weeds and has yet again called for tenders to apply herbicides and pesticides on our public land. Most people are aware that the world's most widely used herbicide is a listed Class 2A Probable Carcinogen and is the subject of numerous class actions both in Australia and abroad involving sufferers of Non-Hodgkins Lymphoma. Not only is this herbicide harmful to humans, it is a chelator according to plant pathologist Don Huber, preventing nutrient uptake by trees, leading to disease and ultimately death of off target vegetation. Many areas of heavily sprayed bushland show signs of herbicide damaged trees, and independent laboratory sample testing of foliage has confirmed the presence of Glyphosate or its metabolite AMPA. Scientific studies show an overall negative effect of Glyphosate on soil fungal communities, and the shikimate pathway that is adversely affected by Glyphosate is also present in non-target organisms such as bacteria, fungi and algae.

**Mayor Greg Milner:** Thank you for that, so we've got the motion up on the screen. You are moving that motion?

**Ms Alexandra Jones:** Could I read the motion now please?

**Mayor Greg Milner:** Yes, I was about to invite you to.

**Ms Alexandra Jones:**

1. That Councillors, in accordance with the role of Councillors (*Local Government Act* (LG Act) section 2.10) and the legislative power of local governments (LG Act section 3.5 4B) enact a local law for the Protection of Community Health and Well-being, Mature Urban Trees, Air Quality, Surface Water, Ground Water and Soil Fungal Communities from applications of Glyphosate weed killer and other unmonitored pollution from herbicides and pesticides that are routinely released into our public open spaces under operational practices, and
2. That the City explores alternatives to toxic agricultural chemicals for the management of public land and ceases the spraying of footpaths, verges, children's parks and sports fields with toxic agricultural chemicals, including Glyphosate-based products for the control of grasses or weeds;
3. That residents and ratepayers also be advised not to apply agricultural poisons on public verges, including weed and feed type fertilizers that contain selective poisons such as MCPA;
4. That public trees, green ground cover and soil microbes be protected from routine applications of herbicides such as Glyphosate that prevents nutrient uptake by plants and promotes plant diseases and susceptibility of trees to attack from bugs and borers including Polyphagous shot-hole borer;
5. That Mayor Milner and Councillors acknowledge scientific research into the adverse effect of Glyphosate on soil fungal communities and Glyphosate's apparent role in promoting the spread of Fusarium Fungus that is harmful to trees having a symbiotic relationship with the reportedly widespread Polyphagous shot-hole borer, resulting in the controversial State Government directive to pre-emptively destroy many hundreds of our most healthy and beautiful shade-bearing trees.

**Mayor Greg Milner:**

Thank you, Ms Jones.

Is there anyone who is an eligible elector who would like to second that?

#### DECISION

**Moved:** Ms Alexandra Jones of Como.

**Seconded:** Ms Dianne Cudby of South Perth.

1. That Councillors, in accordance with the role of Councillors (*Local Government Act* (LG Act) section 2.10) and the legislative power of local governments (LG Act section 3.5 4B) enact a local law for the Protection of Community Health and Well-being, Mature Urban Trees, Air Quality, Surface Water, Ground Water and Soil Fungal Communities from applications of Glyphosate weed killer and other unmonitored pollution from herbicides and pesticides that are routinely released into our public open spaces under operational practices, and
2. That the City explores alternatives to toxic agricultural chemicals for the management of public land and ceases the spraying of footpaths, verges, children's parks and sports fields with toxic agricultural chemicals, including Glyphosate-based products for the control of grasses or weeds;
3. That residents and ratepayers also be advised not to apply agricultural poisons on public verges, including weed and feed type fertilizers that contain selective poisons such as MCPA;
4. That public trees, green ground cover and soil microbes be protected from routine applications of herbicides such as Glyphosate that prevents nutrient uptake by plants and promotes plant diseases and susceptibility of trees to attack from bugs and borers including the Polyphagous shot-hole borer;
5. That Mayor Milner and Councillors acknowledge scientific research into the adverse effect of Glyphosate on soil fungal communities and Glyphosate's apparent role in promoting the spread of Fusarium Fungus that is harmful to trees having a symbiotic relationship with the reportedly widespread Polyphagous shot-hole borer, resulting in the controversial State Government directive to pre-emptively destroy many hundreds of our most healthy and beautiful shade-bearing trees.

**The Motion was put and declared CARRIED.**

**The following motion was read out by Ms Heidi Schmidt of South Perth at the Electors' General Meeting held 4 February 2025.**

**Ms Heidi Schmidt:** Is it going to be up there? Because I don't have my note now.

**Mayor Greg Milner:** Have we typed it out and can we return the note to Ms Schmidt?

Alright, if you would like to give a short preamble or statement in favour, no more than three minutes. Again, I have to be fair to everyone, then I will ask you to read the motion.

**Ms Heidi Schmidt:** I was compelled to quickly write this motion and put it to the meeting by hearing about the swans yet again. We have seen on Facebook, the beautiful photos that the Wildlife Advocates take and post of the swans and other birds – and there are only two left.

From 30-something that were born on our beautiful swan habitat, and it is crushing. I have also wondered - when I have had issues that I have needed a Ranger for, that we only have four Rangers for seven suburbs with all this waterfront? It seems a bit strange to me. So, my motion is that: That Council seriously consider budgeting for an additional full FTE Ranger in the 2025/26 Budget, with the focus of this position being wildlife protection.

**Mayor Greg Milner:** Alright, thank you, Ms Schmidt. That's the motion that you've moved?

If there is anyone in the gallery who is an eligible elector who would like to second that motion?

**DECISION**

**Moved:** Ms Heidi Schmidt of South Perth.

**Seconded:** Ms Bronwyn David of South Perth.

That Council seriously consider budgeting for an additional full FTE Ranger in the 2025/26 Budget, with the focus of this position being wildlife protection.

**The Motion was put and declared CARRIED.**



**The following questions were asked by Ms Sue Gillieatt of Salter Point at the Electors' General Meeting held 4 February 2025.**

- Ms Sue Gillieatt:** I was just seeking clarification from Ms Amprimo about the third answer to the question on the Manning median strip. Which was when might we expect in 2025? That's at least what I understood to be the question. When might we expect action on the median strip on Manning Road in 2025?
- Ms Anita Amprimo (DIS):** My answer to the second question was that a sum would be included in the draft budget for Council's consideration, so depending on what Council decide would be what action we might take.
- Ms Sue Gillieatt:** So there is no plan in place right now? We are waiting on the next Budget? Is that right?
- Ms Anita Amprimo (DIS):** For the improvements, yes. Question number two was around mulching.
- Ms Sue Gillieatt:** Yes, it was question number three, that I was speaking to – the performance of the contractor. Is that?
- Ms Anita Amprimo (DIS):** Yes, question one. I addressed. I said that we are working with the contractor to improve their performance, but we are also getting additional contract resources to make some improvements.
- Ms Sue Gillieatt:** Okay, thank you.
- Ms Anita Amprimo (DIS):** Yes, in terms of the improvements in mulching, that would be dependent on the Budget.
- Ms Sue Gillieatt:** Yes, the Budget. So, we're not sure when things are going to improve, but hopefully?
- Ms Anita Amprimo (DIS):** We're currently working with the contractor to improve that, so we would hope to see some improvement fairly shortly. We are also procuring additional resources to do that. So, we should see that work happening soon.
- Ms Sue Gillieatt:** Thank you.
- Mayor Greg Milner:** One thing I might add to that, just for context and so people understand Ms Amprimo's answer a little bit more fully. The City of South Perth is currently carrying out in this financial year, the single largest Capital Works Budget that I think that we have ever passed. Available resources is one thing, but it is also the availability of contractors and City staff to perform various works. Good questions, I really appreciate that, but yes, we are doing a lot at the moment. There are multiple constraints on what we can do and when.
- But with that, is there anyone else? Ms Jones – did you have another statement, or motion or questions you would like?
- Ms Alexandra Jones:** A question, if I may?
- Mayor Greg Milner:** If you would like to come to the microphone, and we look forward to your question.

The following question was asked by Ms Alexandra Jones of Como at the Electors' General Meeting held 4 February 2025.

**Ms Alexandra Jones:** Would there be more wood chipping of areas? My concern is that I have observed, where there are wood chips, there seems to be ongoing application of herbicides for the control of weeds. So how does the Council deal with those areas – when weeds come through and is there any evidence that the Council has that those areas are not hotter and drier having a negative impact on our suburbs?

**Ms Anita Amprimo (DIS):** Weed removal does vary depending on the location and the context throughout the entire City. In terms of the temperature, probably one of the hottest treatments is bare sand. Temperatures do vary, depending on the treatment. For example, brick is not as hot as bare sand. Ideally, you would have lowline vegetation, but the cost of maintaining that on a road (particularly some of the larger roads –like Manning Road) is very significant because there's extensive traffic management costs involved. I wouldn't recommend that as a good use of rate payer money. I think that the funds can be spent better elsewhere.

**Mayor Greg Milner:** Thank you, Ms Amprimo, and thank you, Ms Jones for your question.

**Ms Alexandra Jones:** I didn't quite understand the difference in the response, between not having green on the verges. My question was about wood chip. Are the verges hotter when they are covered with wood chip? Because grass, even if it is not attractive, is green and retains some moisture. I am just wondering, does the Council have any evidence that the increased wood chipping in the City isn't making the City hotter and also increasing the applications of herbicides to control the weeds?

**Mayor Greg Milner:** Thank you for the question - Ms Amprimo? I would forgive you if you wanted to take that one on notice.

**Ms Anita Amprimo (DIS):** Thank you, Mr Mayor.  
Grass, unless it is maintained to sports turf standards, in Summer, becomes dry and is very hot. The amount of water that we require to maintain - it is like passive recreation of verges to sports turf standard - is not something that we have the allocation for. So, the dry grass that you experience during Summer is incredibly hot.

So, in terms of whether or not we'll be better off putting brick there (from a heating point of view), than having grass on verges. Obviously, there are other issues with having bricks there, but in terms of the heat that they produce. Grass unless it is maintained to an active turf standard is very hot during the Summer.

**Ms Alexandra Jones:** Thank you, I wasn't suggesting bricks or anything like that, just ordinary grass, even if not turf standard.

**Mayor Greg Milner:** I think that Ms Amprimo has the gist of what you are saying, thank you for your question.

**The following questions were asked by Ms Mary Wolfla of Como at the Electors' General Meeting held 4 February 2025.**

- Ms Mary Wolfla:** I just have two questions, one is regarding McDougall Park. I sent in a request around this time last year about the suspicion of foxes in the area. I got a message back saying that they were going to trap for foxes, and I was just wondering if anything came to that, because we do have neighbours who have gotten video footage of fox in the area?
- Mayor Greg Milner:** Thank you for the question. Ms Amprimo, is that one I should send in your direction?
- Ms Anita Amprimo (DIS):** Thank you, Mr Mayor.  
We do have an ongoing program that looks at non-native pest animals. We are quite happy to take any reported sightings and look into them.
- Ms Mary Wolfla:** Okay, I might then resubmit it because there is a suspected fox in the area. My other question is also about the swans and the rangers – if it would be possible for them to keep some statistical data themselves, especially since the City put so much money into building a habitat. That information might be very good for the City to have for future grants and applications from different organisations from the State Government and the Federal Government.
- Mayor Greg Milner:** Thank you for the question. Mr Bradford?
- Mr Mike Bradford (CEO):** Thank you for the question, I will answer the question. I might just go back to the foxes one. We actually do have a contractor that we use to target foxes, and we react to sightings. Now I am not sure about Neil McDougall Park specifically, but down around Salter Point is an area that we have in the past. We get a report after a period of activity, and we typically find one or two a year.
- Ms Mary Wolfla:** That's exactly what I wanted to know.
- Mr Mike Bradford (CEO):** We will respond to sightings where we can. With regards to collection of data, it is not our role to collect data around wildlife, as Director Amprimo said. We make observations and we anecdotally collect that. Certainly, the discussions that I have had with DBCA – DBCA doesn't collect data directly on swans, either. They really rely on not-for-profit groups that do the data collection.  
Because, as I understand it, swans are not an endangered species. So DBCA's focus is on species that are subject to a higher threat. I'd be encouraging local groups to work together on data collection, as what happens across the metropolitan area.
- Ms Mary Wolfla:** Alright, that is wonderful to know, can I just say one thing back about that? I live next to Neil McDougall Park, I have also noticed a lot our native birds, many young species not surviving to adulthood in the past two seasons. So, there is clearly something happening there, maybe that is something that the wildlife group could get together and start collecting some data for the use of the City.

- Mayor Greg Milner:** Thank you, Ms Wolfla for your questions and your points. Thank you, Mr Bradford, did you want to say anything?
- Mr Mike Bradford (CEO):** I just wanted to add that the DBCA also observes that wildlife fatalities across the metropolitan area. They will respond to any particular outbreak or anything like that. The City has actually made a number of changes over the years, like we have amended our Cats Local Law, we have attempted to trap cats in certain areas, and our Dogs Local Law. We have actually made a number of changes.
- Mayor Greg Milner:** Thank you, Ms Wolfla and thank you, Mr Bradford.



**The following questions were asked by Ms Veronica McPhail of Kensington at the Electors' General Meeting held 4 February 2025.**

**Ms Veronica McPhail:** Mr Bradford, you have just mentioned Wildlife Groups, who may or may not collect data. As you are probably aware, Wildlife Advocacy South Perth (which has been going now for about 18 months, longer than that, actually) has collected data, which the City of South Perth doesn't seem to be anything interested in. I have done it every single day, with the help from other photographers. Not only do we have the data, we have photographic evidence. We've got the help from all the people that are part of Wildlife Advocacy South Perth that have supported us. Citizen science is what it is – they have been crucial to joining the dots to finding out what has been happening.

**Mayor Greg Milner:** Ms McPhail, I might give Mr Bradford the opportunity to answer your question first.

**Ms Veronica McPhail:** Okay.

**Mr Mike Bradford (CEO):** I appreciate the work of your group, and the information that you may collect, I haven't seen it. I have seen a reference to it on Facebook – that is the only place that I have seen it. My observation of our wildlife groups is a coordinated, rigorous collection of data that can feed to outcomes. We all know that birds, swans, and other wildlife swim and fly – so point data collections around one area is useful but not necessarily informative about what is happening to the population.

Certainly, the DBCA advice is that the population of swans is steadily increasing across the Perth metropolitan area.

**Ms Veronica McPhail:** I hear what you are saying but I have actually photographed – I have watched them being born on Djirda Miya and I have watched them sail off over to Elizabeth Quay, because they can't get onto the lakes – there are too many there.

What Djirda Miya is actually doing, yes - it creates a lot of nests. They are coming to nest on the island, but once they come off that island, they can't go onto the lakes because there are too many there. We have created something that sounds good, and yes, it is bringing the swans there to nest – but then we can't support them. We don't have the area to support them. Can I just say one more thing?

- Mayor Greg Milner:** I might cut in there.
- Ms Veronica McPhail:** Just one more thing that is really important and involves the City of South Perth?
- Mayor Greg Milner:** Please do keep it brief, because I saw other hands go up.
- Ms Veronica McPhail:** Okay. In 2024, this last breeding season, where we now have two from 33. When the swans had their cygnets and they come off Djirda Miya – they walk onto the land and they come onto the three lakes but this season, for some reason, the City of South Perth decided to do major works around Lake Tondut. It was fenced off, so no swans could go there. Three lakes was not enough, but this season there was only two lakes! They had even less places to go. Is it any wonder we are losing these birds, these cygnets? So I say to you what are we bringing the black swans back to? What are we bringing them back to? Their peril.
- Mayor Greg Milner:** Thank you, Ms McPhail. I appreciate your thoughts and feedback.
- Ms Veronica McPhail:** It is what it is.
- Mayor Greg Milner:** Ms Amprimo, do you wish to respond to any of that?
- Ms Anita Amprimo (DIS):** Yes, thank you, Mr Mayor.
- Firstly, on the works around Lake Tondut – they are essential works to maintain the irrigation system in St James Mitchell Park and we have no option around the time of the year that we conduct that work. We have to do it when the irrigation system is switched off, otherwise we will lose all of the vegetation on that park. So, whilst I appreciate that the smaller of the lakes on the park was fenced off in part, there was other ways that they could access the lake. There is no option as to when we could do that work; because there is no option as to when we could do that work it has to be done during the time of year when the irrigation system is turned off. The alternative is that we would not have an irrigation system there - because it was well beyond the functioning life of the irrigation system.
- I would also like to comment on the fact that not all of the swans that have hatched out in the area can be maintained in the area. The purpose of that is to provide a safe breeding ground. If swans then leave and go to other areas on the Swan and Canning Rivers, then I think that is a success story. We are still contributing to increasing the swan numbers in the vicinity.
- The fact that they don't happen to stay immediately in the surrounding area of Djirda Miya – the fact is that there are too many birds there for them all to be accommodated. I think that is a good problem to have. We have done significant amount of work, and we have secured significant external funding to continue developing habitat on the South Perth Foreshore.
- Mayor Greg Milner:** Thank you, Ms Amprimo and thank you, Ms McPhail.
- I did see a couple of hands go up previously, Mr Reynolds, if you would like to come to the microphone? Please, if you could state your name and address and let us know if you would like to ask a question, make a statement, or move a motion?

**The following questions were asked by Mr Roger Reynolds of Manning at the Electors' General Meeting held 4 February 2025.**

**Mr Roger Reynolds:** I have two questions. The first is: do we have a start and finishing date for the Kensington Underground Power Project that is going on? The reason that this is important is because we have discussed trees tonight, the overhead power damages trees and we need to do that as a matter of urgency.

**Mayor Greg Milner:** Yes indeed, thank you for the question. Ms Amprimo?

**Ms Anita Amprimo (DIS):** Thank you, Mr Mayor. I can confirm that the update in, I think it was around 18 December that is on the City's website is the current information that we have from our liaising with Western Power. We are still aiming to have the information prepared for Council's consideration during the 2025/26 Budget deliberations.

**Mayor Greg Milner:** I suppose that I will just add to that because not everyone in the gallery will necessarily know all about what is happening with underground power. All of the Council's motions, I should say (at least during my time as Mayor) have been very positive of rolling out underground power across the City of South Perth district. But of course, it is a State Underground Power Program and we're very much dependent on Western Power for time frames when it comes to infrastructure and getting the project done. I completely respect the question, and I think that everyone is keen to see it happen.

**Mr Roger Reynolds:** Well, I was going to say the bottom line is that we don't have a start and finishing date for it at the moment.

**Mayor Greg Milner:** Yes. Ms Amprimo?

**Ms Anita Amprimo (DIS):** The estimated start date is in quarter three of 2025 calendar year, that is the best estimate that we have from Western Power at this point in time.

**Mayor Greg Milner:** Thank you, Ms Amprimo, and your second question, Mr Reynolds?

**Mr Roger Reynolds:** My second question was: does the Council have any involvement in the Polyphagous shot-hole borer issue (that's a problem that's around at the moment)? If the Council doesn't and if it is a State Government issue? Is the Council working closely with the State Government to make sure that it doesn't get out of hand here and we don't start losing trees in South Perth?

**Mayor Greg Milner:** Ms Amprimo, should I send that your way?

**Ms Anita Amprimo (DIS):** Thank you, Mr Mayor. We currently work with DPIRD who are the government agency that are responsible for the response on any infestation that is on City owned or controlled land. We are not privy to any activity that happens on private land.

**Mr Roger Reynolds:** Sorry, could I just ask one more? Do we have an issue with the shot-hole borer in South Perth?

**Ms Anita Amprimo (DIS):** We have a number of reported cases on City land, and we do put out notices around those when they occur.

**The following questions were asked by Mr Mike Banning of South Perth at the Electors' General Meeting held 4 February 2025.**

**Mr Mike Banning:** I have a question. The Council has addressed the hooning that we've had in the problem area there on the Peninsula, however, we are having excessive vehicle noise that is continuing. It seems like it is an attraction for a certain group of people to hoon around the area and I'm wondering whether or not the Council is doing anything – in addition to the speedbumps?

**Mr Mike Bradford (CEO):** Thank you for the question, I am pretty familiar with the issue and what we have done. The issue of noise from vehicles is not covered by the Noise Regulations or for the Police to act on, unless there's a very specific circumstance. So, the noise from vehicles is actually a bit of an issue across the metropolitan area, I appreciate where you live, but it is an issue across the metropolitan area. The City has done absolutely what it can (within its powers) around the traffic calming measures, that now, I think we have just about finished in the Mill Point Road area, closing of the Millers Pool Car Park, the reduction in the speed limit across the entire Mill Point area. Whilst a reduction in a speed limit, might not sound like it doesn't do much, but what it does do is in the event that someone exceeds the speed, by I think about 30km/hr, and they are caught by the Police that puts them into having their vehicle seized territory. So those measures will add up to a reduction. I appreciate that there still might be issues. In regard to noise and hooning, I would encourage you to report it to the Police. I appreciate that becomes frustrating to do that, but the Police base their resourcing on reports they receive and then take action accordingly. We will continue to do what we can do but there are limits in our powers on what we can do.

**Mr Mike Banning:** I understand that, however, the City can go to the Police and put pressure on them to attend to this. All it would take is an officer down there on a Friday, or even a Thursday night to ticket a few of those people and it wouldn't happen.

**Mr Mike Bradford (CEO):** You might find this hard to believe, but I think the Police are more inclined to listen to you who lives there, than someone from the City. We work closely with the Police and report them, and I appreciate that it's frustrating but if you have hooning or noise report it to the Police. If it's dangerous then go down the path of requiring immediate Police assistance. The Police, of course, prioritise their efforts and we have on occasion managed to get them to apply resources to the area. We do make contact with them; we do pressure them - but I actually think that your words to the Police are more powerful than ours.

**Mayor Greg Milner:** Thank you, Mr Bradford and thank you, Mr Banning.  
Ms Ord, I think I saw your hand go up before. Would you like to ask a question, make a statement or move a motion?



**The following motion and statement were read out by Ms Joanne Ord of Como at the Electors' General Meeting held 4 February 2025.**

**Ms Joanne Ord:** So today, I just happened to do a random search on the City's website because I am a lover of black cockatoos and I've just noticed the last few seasons the way that they've been frequenting EJ Reserve, which I live very close to has, become a lot more prolific. You know that they are in the Cape Lilacs by the barbeques, they are in the gums behind the City offices, they are even next door to me in a neighbour's lovely tree. They create a ruckus but they are just lovely birds and we know that they are all threatened. In fact, I think that the latest stats were, that they will be gone in 20 years if we don't do something for them. I'm also a regular visitor to Collier Reserve which we know is adjacent to one of the largest roost sites in the metro area. I think we should all be quite proud of that, and as a City and a community do our utmost to support them. I just did a random search on the City's website today and put in 'cockatoo' and I couldn't find a single resource on the City's website that promotes these birds. There was just one article about updating of some inaccurate information that was provided, in terms of macadamia and that was corrected by Murdoch University in a previous Your Say magazine article. That was all I could find. I guess that my motion is that if we could have something on the City's website in the appropriate location, whether it be wildlife or something like that, that really addresses like a Black Cockatoo factsheet and why it is important for us to do our bit here in this locality: a list of their food sources, what trees they like, what can the community do to plant, provide information and measures that the community can implement to support their plight, and perhaps hold information sessions with BirdLife for the community to learn more, maybe even consider a water trough at EJ Oval, given that they are there in huge numbers (and Galahs and other birds as well), and perhaps even reissue the article that was corrected by Murdoch Uni, just to keep that updated information at the forefront of the community's mind. So that is my motion, and I hope that the community and the Council will support it, and the City can do something to implement that on their website to really inform the community of these birds and the help that they need.

**Mayor Greg Milner:** Thank you, Ms Ord. I suppose just for the purposes of putting it up on the screen, so everyone can have a look at it before they vote. Is there any particular form that you would like to instill your motion into?

**Ms Joanne Ord:** Sorry?

**Mayor Greg Milner:** Any particular form, such as, you know, the City of South Perth add a resources/fact sheet to the City of South Perth website about Cockatoos?

**Ms Joanne Ord:** If someone would like to decode my scribble, they're welcome to.

**Mayor Greg Milner:** It's your motion, I will give you the opportunity.

- Ms Joanne Ord:** It's really that the City provides relevant information, I just find it somewhat disturbing that, for instance, the City of Armadale has this lovely plant list on there for Black Cockatoos, and other Cities have that as well. Yet, we are the ones with this really important roost location, and flocks of these visiting birds as they migrate every year. I just think that we could do more, as well, on our website to inform the community.
- Mayor Greg Milner:** Alright, Governance - have we got the gist of that?  
Members of the Gallery - has everyone got the gist of that?
- Ms Joanne Ord:** Sorry to spring it on you.
- Mayor Greg Milner:** Alright, we have got something up. I will give everyone 30 seconds to read that, it's pretty short and succinct.
- Ms Joanne Ord:** Can you add, you know, the planting list, so if people want? Food sources?
- Mayor Greg Milner:** Can we accommodate that, Governance?
- Ms Joanne Ord:** Birdlife workshops and the watering station at EJ, I know that they are expensive, maybe there is a cheaper option you can investigate.
- Mayor Greg Milner:** A short motion is a good motion, but I know that we have been installing bird watering troughs in other projects, Godwin Sump was the most recent one, wasn't it? Yes.  
  
Alright, Ms Ord has moved that motion that's on the screen in front of us. is there anyone in the gallery, who is... I think Ms Brooke's hand went up first there.

#### DECISION

**Moved:** Ms Joanne Ord of Como.  
**Seconded:** Ms Cecilia Brooke of South Perth.

That the City of South Perth website is updated with a Black Cockatoos fact sheet (including food life sources) and reissue the article on the website.

**The Motion was put and declared CARRIED.**

#### Additional Information provided by Ms Joanne Ord:

Website to include in an appropriate location:

- Black Cockatoos factsheet;
- List of food sources/tree habitat;
- Provide information/measures that the community can implement to support the Black Cockatoos plight;
- Hold information sessions with Birdlife regarding the Black Cockatoos;
- Consider a water trough at Ernest Johnson Reserve;
- Reissue an article on Black Cockatoos in Your Say to keep the Black Cockatoos relevant in the community awareness;
- Nursery giveaway signage for Black Cockatoo plants.

**The following questions were asked by Ms Christine Throssell of Kensington at the Electors' General Meeting held 4 February 2025.**

**Ms Christine Throssell:** I would just like to know is there actually a policy about kerbside pavement, because there is one in our street – the bricks were there one day and they were just there on the verge the next day laid. I am quite concerned about it really, I wouldn't like to dob anyone in, but I just wondered if there is a policy? They are already down so they don't do anything about them.

**Mayor Greg Milner:** Just to clarify, are you talking about, I think I heard you say bricks on the side of the road?

**Ms Christine Throssell:** Yes, sorry they have laid the bricks. They have laid brick paving on the verge.

**Mayor Greg Milner:** I see. Is that Ms Amprimo?

**Ms Anita Amprimo (DIS):** Yes. The short answer is we do have a policy on it, if you are concerned about a verge treatment, then please submit a request through our Requests System and we will look into it.

**Ms Christine Throssell:** I have actually talked to someone about it, and I don't want to dob anyone in, but I just wondered why? I didn't think that was allowed. I think once it's down there's not much you can do about it.

**Mayor Greg Milner:** I may have have misunderstood, so I'm just going to ask for a little bit of clarification. Are you talking about the Council's verge treatment (that has been performed by the Council) or are you talking about something that has been done by a private landowner?

**Ms Christine Throssell:** The resident of a house.

**Mayor Greg Milner:** Probably the best suggestion I can give you, and I suppose it applies to most things in the City. On our website, if you go to our home page you will find on the right-hand side, there's a series of options in blue boxes. The first of which is 'Make a Request'. If you were to put your request in there, you will be given a tracking number, which you'll then be able to pop in at your convenience in the future to see where your request is at. We anticipate that you would get a response from the City – unless it is a complex matter – usually within 10 business days.

**Ms Christine Throssell:** I have done this, I'm very pleased with the Council. I have put in two or three requests, because on the corner of our street is the Gwentyfred Road Reserve and I think that the two or three requests I've made there have been responded to very quickly. Other people in the street have said just talk to Christine, she will fix it. So I am very pleased with that, but I think when I rang the Council at the time, I spoke with somebody when the bricks were already laid. I am presuming that there's not a lot that you can do but I just wonder, well, if it happens in the future - what will I do?

**Mayor Greg Milner:** Well, Ms Amprimo, should I send that to you?

**Ms Anita Amprimo (DIS):** If it is an unauthorised treatment on the verge then, even though they are already laid, we can require the property owner to remove them.



**The following motion and statement were read out by Ms Alexandra Jones of Como at the Electors' General Meeting held 4 February 2025.**

**Ms Alexandra Jones:** Just a brief motion that I have just thought about, regarding the Polyphagous shot-hole borer and the removal of trees.

I would like to propose a motion: that the City engages two independent arboriculture consultants before the removal of any mature public tree for the alleged presence or pre-emptive.

**Mayor Greg Milner:** I might just jump in here and ask a question, because I'm not sure that we are the ones that actually do remove it. I think it might be the State Government, but Ms Amprimo, can you clarify that?

**Ms Anita Amprimo (DIS):** When it is identified, we are requested to either approve that DPIRD remove it at their cost or confirm that we will remove it at the City's cost. We do not remove it at the City's cost because I do not believe that is an effective use of ratepayer money. We also do discuss with them what options are available, but ultimately, they do have the power to remove a tree, if that is what they wish to do.

**Ms Alexandra Jones:** I suppose that it goes back to what I was saying before that the local governments do have some legislative powers to take action on these sorts of things and do have local laws for the protection of trees. I have been quite devastated at the removal of some of our most beautiful, green large trees under the directions of DPIRD. My understanding is that it is controversial within local governments, and I think also with WALGA. So, I feel that it is only right that the community looks at this and engages independent arboriculture consultants.

I go back a long way with South Perth, many years ago I know there was controversy over the removal of the Cape Lilacs, and I think that about 500 (or more) were removed. Only later, we found out that they were actually quite popular with the Red-Tailed Cockatoos. Sometimes we do things as a knee-jerk reaction and then we look back with hindsight and realise that we shouldn't have done that. So that is why I would like to put a motion: that the City engages independent arboriculture advice prior to going along with the directive to remove beautiful large trees, because some of them have been very green, beautiful and healthy. So, I really question why they were removed, other than that they were exotic.

**Mayor Greg Milner:** I might interject here, Ms Jones, I certainly have the gist of what you are saying. I think what Ms Amprimo is saying is that we don't remove the trees, it is the State Government that does. We do not have the ability to countermand the State Government. I think, subject to what Mr Bradford is about to say, I think that your motion might be futile, you're very welcome to move it, and if it is passed it will be considered at the March Ordinary Council Meeting. Subject to what Ms Amprimo and Mr Bradford are about to say, it might be futile and unnecessary. Have I got that wrong, Mr Bradford?

It is your right to move the motion.



- Ms Alexandra Jones:** I understand what is happening at the State level; however, I really would like to push the power of the local governments to protect our amenity, our wildlife and our trees. If we do that, we set an example and we counteract that kind of knee-jerk reaction that we are seeing at the moment, where there is very little evidence.
- Mayor Greg Milner:** If you would like to state the motion, then I will see about a seconder.
- Ms Alexandra Jones:** Right, thank you.
- Simply put, 'that Council engages two independent arboriculture consultants prior to agreeing to the removal of its' public trees for the alleged presence of the Polyphagous shot-hole borer.
- Mayor Greg Milner:** Alright, I will give Governance a moment to get that up on the screen for everyone.
- Perhaps if you could read it one more time slowly, just giving people a chance to catch up?
- Ms Alexandra Jones:** I'll read it, okay.
- Mayor Greg Milner:** Slowly, please.
- Ms Alexandra Jones:** 'That the City engages two independent arboriculture consultants prior to agreeing to the removal of any large public tree due to the alleged presence of the Polyphagous shot-hole borer.'
- Mayor Greg Milner:** Thank you very much.
- Ms Jones has moved that motion, if there's anyone in the gallery, who is an eligible elector, who would like to second that motion now is your chance?
- Yes, if you could please stand and state your name and address?
- Thank you, Ms Cudby.
- The motion has now been moved and seconded. I am about to put it to the vote, all those in the gallery who would like to support this motion (as long as you are an eligible elector in the district) if you could please raise your hands and keep them raised?
- All those opposed – please raise your hands and keep them raised?
- That motion has been defeated.

**Motion**

**Moved:** Ms Alexandra Jones of Como.

**Seconded:** Ms Dianne Cudby of South Perth.

That Council engages two independent arboriculture consultants prior to agreeing to the removal of its' public trees for the alleged presence of the Polyphagous shot-hole borer.

**The Motion was put and declared LOST.**

**Mayor Greg Milner:**

Thank, Ms Jones.

Is there anyone else who has any questions, or would like to make a statement, or would like to move a motion at this time?

That's a no.

## **8. CLOSURE**

The Presiding Member thanked everyone for their attendance and closed the meeting at 7.56pm.



# TERMS OF REFERENCE

## CEO Selection Committee

Responsible Director/s	Chief Executive Officer
Responsible Business Unit/s	People and Performance
Quorum	4

### 1. Establishment

The CEO Selection Committee is a panel established as a committee of council under s 5.8 of the *Local Government Act 1995*

### 2. Objective

The objectives of the committee is to:

- Act as an advisory Committee to Council for the duration of the CEO recruitment process.

### 3. Areas of Responsibility

The areas of responsibility of the committee/panel are:

- To coordinate the recruitment process in an appropriately confidential manner, with the assistance at least one independent person and the assistance of a recruitment consultant, to attract and select an appropriate candidate.
- With the assistance of the independent person and recruitment consultant, is to coordinate the preparation of an application package, position description, recommended remuneration package, advertising, searching for applicants, short listing, development of interview process, conducting interviews, screening, assessing, conducting referee checks, writing reports and contract preparation; and
- To make a recommendation to Council on the preferred candidate and remuneration package to be offered.

## 4. Membership

The committee/panel shall consist of:

- The Mayor
- Up to 8 Councillors; and
- At least one independent person.

## 5. Committee operations

- The general affairs of the committee shall be administered in accordance with the Local Government Act 1995 and Local Government Administration Regulations 1996.
- The Committee’s recommendations must be adopted by Council before implementation.

## 6. Meetings

The Committee shall convene as required to undertake its responsibilities related to the selection and appointment of the Chief Executive Officer for the City of South Perth.

## 7. Minutes

The Governance business unit will be responsible for keeping minutes of all business transacted at each meeting.

The minutes will be uploaded to the Councillor HUB and recommendations contained within the minutes will be presented to the next Meeting of Council for decision.

Office Use Only				
Council Adoption:	Date		Item Number	



## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC370 Approve or Refuse Granting of a Building Permit

<b>Responsible Business Unit/s</b>	Development Services
<b>Responsible Officer</b>	Manager Development Services, Coordinator Building Services
<b>Affected Business Unit/s</b>	Development Services

<b>Head of Power:</b>	<i>Building Act 2011</i>
<b>Express Power to Delegate:</b>	Section 127(1) and 127(3)
<b>Delegation No.:</b>	DC370
<b>Delegation Title:</b>	Approve or Refuse Grant of a Building Permit
<b>Legislative Reference of Power:</b>	<i>Building Act 2011</i> Section 18, 20, 22, 23 and 27 Building Regulations 2012 Regulation 23, 24 and 26
<b>Power or Duty being Delegated:</b>	The authority to grant or refuse to grant building permits
<b>Conditions of Delegation:</b>	<ul style="list-style-type: none"> <li>• Keep a register in the approved form of all building permits granted by the local government.</li> <li>• Make the register available for inspection by members of the public during normal office hours.</li> <li>• Keep in the manner and for the prescribed period such of the prescribed documents that comprise, accompany, are provided for in, are issued as a result of, or otherwise relate to the building or incidental structure.</li> <li>• Give the Building Commissioner prescribed information for inclusion in the annual report submitted under the <i>Financial Management Act 2006</i> Part 5 by the accountable authority, as defined in section 3 of that Act, of the Department as defined in the <i>Building Services (Complaint Resolution and Administration) Act 2011</i> section 3.</li> <li>• A delegation of a special permit authority's powers or duties may be only to:             <ul style="list-style-type: none"> <li>○ An employee of the special permit authority (s127(2)); or</li> <li>○ a person employed by the local government under s5.36 of the <i>Local Government Act 1995</i>.</li> </ul> </li> <li>• Allow interested persons to inspect a building record.</li> </ul>
<b>Delegated To</b>	Chief Executive Officer Director Development and Community Services Manager Development Services Coordinator Building Services Assistant Building Surveyor

Delegation Number:	DC370	Relevant Management Practice:	N/A
Council Adoption:	27/11/2012	Relevant Policy:	N/A
Reviewed/Modified:	03/10, 02/11, 03/12, 07/12, 11/12, 03/13, 07/13, 03/14, 03/15, 03/16, 06/17, 03/19, 08/21, 03/22, 03/23, 06/24	Relevant Delegation:	N/A

## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC373

### Approve or refuse an Extension of the Duration for Occupancy Permits or Building Approval Certificates

Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services, Coordinator Building Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Building Act 2011</i>
Express Power to Delegate:	Section 127 (1)
Delegation No.:	DC373
Delegation Title:	Approve or refuse an Extension of the Duration for Occupancy Permits or Building Approval Certificates
Legislative Reference of Power:	<i>Building Act 2011</i> Section 65(4) Building Regulations 2012 Regulation 40
Power or Duty being Delegated:	The authority to grant, modify or refuse to grant occupancy permits or building approval certificates.
Conditions of Delegation:	<ul style="list-style-type: none"> <li>• Keep a register in the approved form of all occupancy permits and building approval certificates made by the Local Authority.</li> <li>• Make the register available for inspection by members of the public during normal office hours.</li> <li>• Keep in the manner and for the prescribed period such of the prescribed documents that comprise, accompany, are provided for in, are issued as a result of, or otherwise relate to the building or incidental structure.</li> <li>• Give the Building Commissioner prescribed information for inclusion in the annual report submitted under the <i>Financial Management Act 2006</i> Part 5 by the accountable authority, as defined in section 3 of that Act, of the Department as defined in the <i>Building Services (Complaint Resolution and Administration) Act 2011</i> section 3.</li> <li>• A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> <li>○ An employee of the special permit authority (s127(2)); or</li> <li>○ a person employed by the local government under s5.36 of the <i>Local Government Act 1995</i>.</li> </ul> </li> <li>• Allow interested persons to inspect a building record.</li> </ul>
Delegated To	Chief Executive Officer Director Development and Community Services Manager Development Services Coordinator Building Services Assistant Building Surveyor

Delegation Number:	DC373	Relevant Management Practice:	N/A
Council Adoption:	26/03/2008	Relevant Policy:	N/A
Reviewed/Modified:	03/10, 02/11, 03/12, 03/13, 07/13, 03/14, 03/15, 03/16, 06/17, 03/19, 08/21, 03/22, 03/23, 06/24	Relevant Delegation:	N/A



## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC374

#### Appoint Authorised Officers for the purposes of the *Building Act 2011*

<b>Responsible Business Unit/s</b>	Development Services
<b>Responsible Officer</b>	Manager Development Services, Coordinator Building Services
<b>Affected Business Unit/s</b>	Development Services

<b>Head of Power:</b>	<i>Local Government Act 1995</i> <i>Building Act 2011</i>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995</i> Section 5.42 1(b) <i>Building Act 2011</i> – Section 127 (1) and (3)
<b>Delegation No.:</b>	DC374
<b>Delegation Title:</b>	Appoint Authorised Officers for the purposes of the Building Act 2011
<b>Legislative Reference of Power:</b>	<i>Building Act 2011</i> Section 96(3) and 99(3) Building Regulations 2012 – 70(1) and (2)
<b>Power or Duty being Delegated:</b>	The authority to grant, modify or refuse to grant occupancy permits or building approval certificates.
<b>Conditions of Delegation:</b>	<ol style="list-style-type: none"> <li>1) Each person designated as an authorised person must have an identity card.</li> <li>2) Delegations exercised are to be recorded in the City's record management system.</li> </ol>
<b>Delegated To</b>	Chief Executive Officer

Delegation Number: DC374

Council Adoption: 26/03/2008

Reviewed/Modified: 03/10, 02/11, 03/12, 03/13, 07/13, 03/14, 03/15, 03/16, 06/17, 03/19, 08/21, 03/22, 03/23, 06/24

Relevant Management Practice: N/A

Relevant Policy: N/A

Relevant Delegation: N/A



## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC376 Infringement Notices under the Building Regulations 2012

<b>Responsible Business Unit/s</b>	Development Services
<b>Responsible Officer</b>	Director Development Services
<b>Affected Business Unit/s</b>	Development Services

<b>Head of Power:</b>	<i>Local Government Act 1995</i>
<b>Express Power to Delegate:</b>	Section 5.42
<b>Delegation No.:</b>	DC376
<b>Delegation Title:</b>	Infringement Notices under the Building Regulations 2012
<b>Legislative Reference of Power:</b>	<i>Local Government Act 1995</i> – Section 9.10, 9.16, 9.19 and 9.20 Building Regulations 2012 – Regulation 70 (1) and (2)
<b>Power or Duty being Delegated:</b>	The authority to appoint 'authorised officers' for the purposes of issuing <i>Building Act 2011</i> infringement notices in accordance with Regulation 70(2) of the Building Regulations 2012 and section 6 (b) of the <i>Criminal Procedures Act 2004</i> . The authority to extend the time to pay or withdraw infringement notices.
<b>Conditions of Delegation:</b>	Not Applicable
<b>Delegated To</b>	Chief Executive Officer Director Development and Community Services Manager Development Services

Delegation Number: DC376

Relevant Management Practice: N/A

Council Adoption: 15/10/2019

Relevant Policy: N/A

Reviewed/Modified: 08/21, 03/22, 03/23, 06/24

Relevant Delegation: N/A



## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC377 Referrals and Issuing Certificates

<b>Responsible Business Unit/s</b>	<b>Chief Executive Officer, Development Services</b>
<b>Responsible Officer</b>	<b>Chief Executive Officer, Director Development and Community Services</b>
<b>Affected Business Unit/s</b>	<b>Development Services</b>

<b>Head of Power:</b>	<i>Building Act 2011</i>
<b>Express Power to Delegate:</b>	Section 127(1) & (3)
<b>Delegation No.:</b>	DC377
<b>Delegation Title:</b>	Referrals and Issuing Certificates
<b>Legislative Reference of Power:</b>	Section 145A
<b>Power or Duty being Delegated:</b>	Authority to refer uncertified applications under s 17(1) to a building surveyor who is not employed by the local government.
<b>Conditions of Delegation:</b>	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> <li>○ An employee of the special permit authority (s127(2)); or</li> <li>○ a person employed by the local government under s5.36 of the <i>Local Government Act 1995</i>.</li> </ul>
<b>Delegated To</b>	Chief Executive Officer Director Development and Community Services Manager Development Services Coordinator Building Services Assistant Building Surveyor

Delegation Number: DC377  
Council Adoption: 25/6/24  
Reviewed/Modified:

Relevant Management Practice: N/A  
Relevant Policy: N/A  
Relevant Delegation: N/A



## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC378 Inspection and Copies of Building Records

<b>Responsible Business Unit/s</b>	<b>Chief Executive Officer, Development Services</b>
<b>Responsible Officer</b>	<b>Chief Executive Officer, Director Development and Community Services</b>
<b>Affected Business Unit/s</b>	<b>Development Services</b>

<b>Head of Power:</b>	<i>Building Act 2011</i>
<b>Express Power to Delegate:</b>	Section 127(1) & (3)
<b>Delegation No.:</b>	DC378
<b>Delegation Title:</b>	Inspection and Copies of Building Records
<b>Legislative Reference of Power:</b>	Section 131 (2)
<b>Power or Duty being Delegated:</b>	Authority to determine an application from an interested person to inspect and copy a building record.
<b>Conditions of Delegation:</b>	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> <li>○ An employee of the special permit authority (s127(2)); or</li> <li>○ a person employed by the local government under s5.36 of the <i>Local Government Act 1995</i>.</li> </ul>
<b>Delegated To</b>	Chief Executive Officer Director Development and Community Services Manager Development Services Coordinator Building Services Assistant Building Surveyor

Delegation Number: DC378  
Council Adoption: 25/06/24  
Reviewed/Modified:

Relevant Management Practice: N/A  
Relevant Policy: N/A  
Relevant Delegation: N/A



## Strategic Direction Leadership

### Delegation from Council DC607 Tenders /E-Quotes/Common Use Agreements

<b>Responsible Business Unit/s</b>	All business units
<b>Responsible Officer</b>	Chief Executive Officer
<b>Affected Business Unit/s</b>	All business units

<b>Head of Power:</b>	<i>Local Government Act 1995</i>
<b>Express Power to Delegate:</b>	Section 5.42
<b>Delegation No.:</b>	DC607
<b>Delegation Title:</b>	Tenders /E-Quotes/Common Use Agreements
<b>Legislative Reference of Power:</b>	Section 3.57 <i>Local Government Act 1995</i> and Local Government (Functions and General) Regulations 1996 r. 11, r.13, r.14, r.18, r.20, r.21A
<b>Power or Duty being Delegated:</b>	<ul style="list-style-type: none"> <li>a) Authority to call tenders [F&amp;G r.11(1)].</li> <li>b) Authority to determine not to call a public tender as required under r11(1), if an exemption exists under r11(2). [F&amp;G r.11(2)].</li> <li>c) Authority to invite tenders although not required to do so [F&amp;G r.13].</li> <li>d) Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&amp;G r.14(2a)].</li> <li>e) Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&amp;G r.14(4)(a)].</li> <li>f) Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&amp;G r.14(5)].</li> <li>g) Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&amp;G r.18(4)].</li> <li>h) Authority to accept tenders, only within the \$value detailed as a condition on this Delegation, or reject tenders as per the conditions on this Delegation and in accordance with the requirements of the Functions and General Regulations [F&amp;G r.18(2) and (4)].</li> <li>i) Authority to determine that a variation proposed is minor in context of the total goods or services sought through the invitation to tender and to then</li> </ul>



	<p>enter into minor variations with the successful tenderer before entering into a contract [F&amp;G r.20(1) and (3)].</p> <p>j) Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&amp;G r.18(4a)].</p> <p>k) Authority to decline any tender [F&amp;G r.18(5)].</p> <p>l) If the chosen tenderer is unable or unwilling to form a contract OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, authority to choose the next most advantageous tender to accept [F&amp;G r.20(2)]</p> <p>m) Authority to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into OR the successful tenderer agrees to terminate the contract [F&amp;G r.18(6) &amp; (7)]</p>
<p><b>Conditions of Delegation:</b></p>	<p>The authority to accept:</p> <p>a) All tenders to a maximum value of \$500,000 (exclusive of GST); and</p> <p>b) Undertake purchases of goods and services which are, or expected to be up to the value of up to \$700,000 (exclusive of GST) where the supply of products or services is procured through the Western Australian Local Government Association (WALGA), State or Commonwealth Governments or any of its agencies that provide preferred supplier contracts or arrangements.</p> <p>Acceptance of tender is conditional upon the Chief Executive Officer being satisfied that -</p> <p>a) The tender process has been conducted in accordance with the Act, Regulations, the City's Policies and Management Practices;</p> <p>b) The specifications set out in the tender match the specifications of the Request for Tender;</p> <p>c) The tender represents the best overall value for the City; and</p> <p>d) The tender is within budget.</p> <p>The delegate is authorised to not accept any tender received, having previously exercised the delegation to invite public tenders;</p> <p>a) If in the opinion of the delegate the number of tenders received is insufficient as to provide for a reasonable assessment of the merits of the tenders received.</p> <p>b) If the delegate decides that it would be disadvantageous to the Local Government to accept any tender.</p> <p>c) If on assessment of the tenders received the contract value would exceed the budget provision for the invited service.</p>

Delegation Number: DC607

Relevant Management Practice: M607 Tenders and Expressions of Interest

Council Adoption: 27/03/07

Relevant Policy: P607 Tenders and Expressions of Interest

Reviewed/Modified: 09/08, 03/10, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 03/17, 04/18, 03/19, 08/21, 03/22, 03/23, 06/24

Relevant Delegation: DM607 Acceptance of Tenders

	<p>d) If in the opinion of the delegate no person is capable of satisfactorily supplying the requested goods or services</p> <p>The delegate must ensure that:</p> <p>a) The tender process has been carried out in accordance with the Act, the Regulations and the City’s Policies and Management Practices.</p> <p>b) The tenders register records that no Tender was accepted.</p>
<b>Delegated To</b>	Chief Executive Officer

Delegation Number: DC607

Relevant Management Practice: M607 Tenders and Expressions of Interest

Council Adoption: 27/03/07

Relevant Policy: P607 Tenders and Expressions of Interest

Reviewed/Modified: 09/08, 03/10, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 03/17, 04/18, 03/19, 08/21, 03/22, 03/23, 06/24

Relevant Delegation: DM607 Acceptance of Tenders

## Strategic Direction Leadership

### Delegation from Council DC609 Leases

<b>Responsible Business Unit/s</b>	All business units
<b>Responsible Officer</b>	Chief Executive Officer
<b>Affected Business Unit/s</b>	All business units

<b>Head of Power:</b>	<i>Local Government Act 1995</i>
<b>Express Power to Delegate:</b>	Section 5.42
<b>Delegation No.:</b>	DC609
<b>Delegation Title:</b>	Leases
<b>Legislative Reference of Power:</b>	Section 3.58 (3)
<b>Power or Duty being Delegated:</b>	Authority is given to the CEO to enter into agreements to lease property that the City owns or that it controls under a management order which confers the power to lease.
<b>Conditions of Delegation:</b>	<p>The CEO may exercise this power in relation to a lease subject to:</p> <ul style="list-style-type: none"> <li>a) Meeting the requirements of section 3.58 of the <i>Local Government Act 1995</i>;</li> <li>b) Meeting the requirements of the <i>Commercial Tenancy (Retail Shops) Agreements Act 1985</i> where applicable;</li> <li>c) Obtaining Minister for Lands consent pursuant to section 18 of the <i>Land Administration Act 1997</i>, should the property be subject to a management order where applicable;</li> <li>d) Leases being for a maximum term of five years with a five year option for: Not for Profit Sporting Organisations, Not for Profit Organisations, Community Associations, Government Bodies, Committees and Associations, and educational institutions; and</li> <li>e) Renewal of an existing commercial lease being for a maximum term of five years.</li> </ul> <p>Note: All new commercial leases will be brought to Council for consideration.</p>
<b>Delegated To</b>	Chief Executive Officer

Delegation Number: DC609

Relevant Management Practice: M609 Leases and Licences

Council Adoption: 03/05

Relevant Policy: P609 Leases and Licences

Reviewed/Modified: 06/06, 09/08, 03/10, 02/11, 06/12, 03/13, 03/14, 03/15, 06/16, 03/17, 03/18, 03/19, 03/20, 08/21, 03/22, 03/23, 06/24

Relevant Delegation: DM609 Leases and Licences



## Strategic Direction Leadership

### Delegation from Council DC612 Disposal of Surplus Property

Responsible Business Unit/s	Financial Services
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All Business Units

<b>Head of Power:</b>	<i>Local Government Act 1995</i>
<b>Express Power to Delegate:</b>	Section 5.42
<b>Delegation No.:</b>	DC612
<b>Delegation Title:</b>	Disposal of Surplus Property
<b>Legislative Reference of Power:</b>	Section 3.58 (2) & (3), Regulation 30 the <i>Local Government (Functions &amp; General)</i>
<b>Power or Duty being Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to dispose of property to: <ol style="list-style-type: none"> <li>(a) to the highest bidder at public auction [s.3.58(2)(a)].</li> <li>(b) to the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tenders [s.3.58(2)(b)]</li> </ol> </li> <li>2. Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].</li> </ol>
<b>Conditions of Delegation:</b>	<ol style="list-style-type: none"> <li>1. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required.</li> <li>2. For the purposes of the of leases in accordance with Policy P609 and DC609.</li> <li>3. Exempt Dispositions (as prescribed by Functions and General Regulation 30) are to be undertaken to ensure that the best value return is achieved. Where the property is determined as having a nil market value, then the disposal must ensure environmentally responsible disposal.</li> <li>4. For the purposes of s5.43(d) disposal of property identified in 1 and 2 above is limited to a maximum value of \$350,000.</li> </ol>
<b>Delegated To</b>	Chief Executive Officer

Delegation Number: DC612

Relevant Management Practice: N/A

Council Adoption: 27/03/07

Relevant Policy:

Reviewed/Modified: 09/08, 03/10, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 03/17, 06/18, 03/19, 08/21, 03/22, 03/23, 06/24

Relevant Delegation: DM612 Disposal of Surplus Property



## Strategic Direction Leadership

### Delegation from Council DC617 Granting Discounts, Concessions, Fee Waiver and Debt Write Off

Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC617
Delegation Title:	Grant Discounts, Concessions, Fee Waiver and Debt Write-Off
Legislative Reference of Power or Duty being Delegated:	Section 6.12(1)(b)(c) Section 6.12 (3)
Power or Duty being Delegated:	<ol style="list-style-type: none"> <li>1. Grant concessions in relation to fees, levies or charges by the Council for the use of its facilities and services.</li> <li>2. To write-off any single amount of money owing to the City less than \$2,000 (GST exclusive) subject to conditions as stipulated.</li> <li>3. To write-off any amount of money previously specifically identified and provided for in the Provision for Doubtful Debts subject to conditions as stipulated</li> </ol>
Conditions of Delegation:	<p><u>Write-off any single amount of money owing to the City less than \$2,000 (GST exclusive) where:</u></p> <ol style="list-style-type: none"> <li>a) The amount is too small to warrant collection;</li> <li>b) It is considered that the cost of collection is likely to be disproportionate to the amount which is owed: and</li> <li>c) The amount has not been previously identified and provided for in the Provision for Doubtful Debts.</li> <li>d) A record of any amounts written-off under this delegation is required to be kept and made available for external audit purposes.</li> </ol> <p><u>Write-off any amount of money previously specifically identified and provided for in the Provision for Doubtful Debts where:</u></p> <ol style="list-style-type: none"> <li>a) The amount is found to be uncollectable; and</li> <li>b) Compliance with applicable Australian Accounting Standards or other professional pronouncements require the debt to be removed from the City's accounts.</li> <li>c) A record of any amounts written-off under this delegation is required to be kept and made available for external audit purposes.</li> </ol>
Delegated To	Chief Executive Officer



Delegation Number:	DC617	Relevant Management Practice:	N/A
Council Adoption:	25/06/24	Relevant Policy:	N/A
Reviewed/Modified:		Relevant Delegation:	N/A

## Strategic Direction *Leadership*

### Delegation from Council DC642 Appointment of Acting CEO

<b>Responsible Business Unit/s</b>	<b>Chief Executive Officer</b>
<b>Responsible Officer</b>	<b>Chief Executive Officer</b>
<b>Affected Business Unit/s</b>	<b>All business units</b>

<b>Head of Power:</b>	<i>Local Government Act 1995</i>
<b>Express Power to Delegate:</b>	Section 5.42
<b>Delegation No.:</b>	DC642
<b>Delegation Title:</b>	Appointment of Acting CEO
<b>Legislative Reference of Power:</b>	S5.39(1a) (a)
<b>Power or Duty being Delegated:</b>	Authority to appoint a City Director as Acting CEO when the CEO is absent on annual leave.
<b>Conditions of Delegation:</b>	Nil.
<b>Delegated To</b>	Chief Executive Officer

<b>Delegation Number:</b>	DC642	<b>Relevant Management Practice:</b>	N/A
<b>Council Adoption:</b>	26/03/08	<b>Relevant Policy:</b>	N/A
<b>Reviewed/Modified:</b>	03/10, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 03/17, 03/18, 03/19, 08/21, 03/22, 03/23, 06/24	<b>Relevant Delegation:</b>	N/A



## Strategic Direction Leadership

### Delegation from Council DC664 Dogs – Local Government Functions

Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	Governance and Ranger Services

Head of Power:	<i>Dog Act 1976</i>
Express Power to Delegate:	Section 10AA
Delegation No.:	DC664
Delegation Title:	Dogs – Local Government Functions
Legislative Reference of Power	Section 10AA
Power or Duty being Delegated:	The authority to form any power or duty of the 'local government' under the <i>Dog Act 1976</i> .
Conditions of Delegation:	Not applicable
Delegated To	Chief Executive Officer

Delegation Number:	DC664	Relevant Management Practice:	N/A
Council Adoption:	26/03/2019	Relevant Policy:	N/A
Reviewed/Modified:	08/21, 03/22, 03/23, 06/24	Relevant Delegation:	N/A



## Strategic Direction *Leadership*

### Delegation from Council DC665 Cats – Local Government Functions

Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	Governance and Ranger Services

Head of Power:	<i>Cat Act 2011</i>
Express Power to Delegate:	Section 44
Delegation No.:	DC665
Delegation Title:	Cats – Local Government Functions
Legislative Reference of Power:	Section 44
Power or Duty being Delegated:	The authority to form any power or duty of the 'local government' under the <i>Cat Act 2011</i> .
Conditions of Delegation:	Not applicable
Delegated To	Chief Executive Officer

Delegation Number:	DC665	Relevant Management Practice:	N/A
Council Adoption:	26/03/2019	Relevant Policy:	N/A
Reviewed/Modified:	08/21, 03/22, 03/23, 06/24	Relevant Delegation:	N/A



## Strategic Direction Leadership

### Delegation from Council DC677 *Bush Fires Act 1954 – Local Government Functions*

Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All business units

Head of Power:	<i>Bush Fires Act 1954</i>
Express Power to Delegate:	Section 48
Delegation No.:	DC677
Delegation Title:	<i>Bush Fires Act 1954 – Local Government Functions</i>
Legislative Reference of Power:	Section 38 (1)
Power or Duty being Delegated:	The authority to form any power or duty of the 'local government' under the <i>Bush Fires Act 1954</i> .  The authority to appoint persons to be Bush Fire Control Officers for the purposes of the <i>Bush Fires Act 1954</i> .
Conditions of Delegation:	Not applicable
Delegated To	Chief Executive Officer

Delegation Number:	DC677	Relevant Management Practice:	N/A
Council Adoption:	26/03/2019	Relevant Policy:	N/A
Reviewed/Modified:	08/21, 03/22, 03/23, 06/24	Relevant Delegation:	N/A





## Strategic Direction *Leadership*

### Delegation from Council DC679 Administer the City's Local Laws

<b>Responsible Business Unit/s</b>	<b>Chief Executive Officer</b>
<b>Responsible Officer</b>	<b>Chief Executive Officer</b>
<b>Affected Business Unit/s</b>	<b>All business units</b>

<b>Head of Power:</b>	<i>Local Government Act 1995</i>
<b>Express Power to Delegate:</b>	Section 5.42
<b>Delegation No.:</b>	DC679
<b>Delegation Title:</b>	Administer the City's Local Laws
<b>Legislative Reference of Power:</b>	Section 3.18 (1)
<b>Power or Duty being Delegated:</b>	The authority to administer the City's local laws and to do all other things that are necessary or convenient to be done for or in connection with performing the functions of the City.
<b>Conditions of Delegation:</b>	Not Applicable
<b>Delegated To</b>	Chief Executive Officer

Delegation Number:	DC679	Relevant Management Practice:	N/A
Council Adoption:	26/03/08	Relevant Policy:	N/A
Reviewed/Modified:	03/10, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 03/17, 03/18, 03/19, 08/21, 03/22, 03/23, 06/24	Relevant Delegation:	N/A



## Strategic Direction *Leadership*

### Delegation from Council DC684 Sealed Documents

<b>Responsible Business Unit/s</b>	<b>Chief Executive Officer</b>
<b>Responsible Officer</b>	<b>Chief Executive Officer</b>
<b>Affected Business Unit/s</b>	<b>All business units</b>

<b>Head of Power:</b>	<i>Local Government Act 1995</i>
<b>Express Power to Delegate:</b>	Section 5.42
<b>Delegation No.:</b>	DC684
<b>Delegation Title:</b>	Sealed Documents
<b>Legislative Reference of Power:</b>	Sections 9.49A (2)
<b>Power or Duty being Delegated:</b>	Authorise the affixing of the Common Seal of the City to any document that needs the City's Common Seal to be legally effective.
<b>Conditions of Delegation:</b>	Not Applicable
<b>Delegated To</b>	Chief Executive Officer

Delegation Number: DC684

Council Adoption: 26/03/2019

Reviewed/Modified: 08/21, 03/22, 03/23, 06/24

Relevant Management Practice: N/A

Relevant Policy: N/A

Relevant Delegation: N/A



## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC692 Enforcement and Legal Proceedings – Illegal Development

Responsible Business Unit/s	Chief Executive Officer, Development Services
Responsible Officer	Chief Executive Officer, Director Development and Community Services
Affected Business Unit/s	Development Services

<b>Head of Power:</b>	<i>Local Government Act 1995</i>
<b>Express Power to Delegate:</b>	Section 5.42(1)(b)
<b>Delegation No.:</b>	DC692
<b>Delegation Title:</b>	Enforcement and Legal Proceedings – Illegal Development
<b>Legislative Reference of Power:</b>	<i>Planning and Development Act 2005</i> Section 214(2), (3) and (5)
<b>Power or Duty being Delegated:</b>	To issue a direction to a person contravening section 214 of the <i>Planning and Development Act 2005</i> .
<b>Conditions of Delegation:</b>	<ol style="list-style-type: none"> <li>(1) Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements.</li> <li>(2) Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> <li>a) to remove, pull down, take up or alter the development; and</li> <li>b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority.</li> </ol> </li> <li>(3) Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order.</li> </ol>
<b>Delegated To</b>	Officers occupying the following positions as determined by the delegation from Chief Executive Officer to Officers. <ul style="list-style-type: none"> <li>• Director Development and Community Services</li> <li>• Manager Development Services</li> </ul>

Delegation Number: DC692

Relevant Management Practice: N/A

Council Adoption: 26/03/24

Relevant Policy: N/A

Reviewed/Modified: 06/24

Relevant Delegation: N/A



## Strategic Direction Leadership

### Delegation from Council DC703 Minor Amendments to Delegations Register and Policies

<b>Responsible Business Unit/s</b>	Chief Executive Officer
<b>Responsible Officer</b>	Chief Executive Officer
<b>Affected Business Unit/s</b>	Governance
<b>Head of Power:</b>	<i>Local Government Act 1995</i>
<b>Express Power to Delegate:</b>	Section 5.42
<b>Delegation No.:</b>	DC703
<b>Delegation Title:</b>	Minor Amendments to Delegations Register and Policies
<b>Legislative Reference of Power:</b>	Section 5.42
<b>Power or Duty being Delegated:</b>	The delegate is authorised to make amendments to format, spelling, grammar, titling, responsible/affected business units/officers and minor errors within the text of Delegations and Policies that have already been endorsed by Council.
<b>Conditions of Delegation:</b>	Such changes must not alter the intent of the documents
<b>Delegated To</b>	Chief Executive Officer

Delegation Number: DC703  
Council Adoption: 13/12/2022  
Reviewed/Modified: 03/23, 06/24

Relevant Management Practice: N/A  
Relevant Policy: N/A  
Relevant Delegation: N/A





## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC371 Approve or Refuse Granting of a Demolition Permit

<b>Responsible Business Unit/s</b>	Development Services
<b>Responsible Officer</b>	Manager Development Services, Coordinator Building Services
<b>Affected Business Unit/s</b>	Development Services

<b>Head of Power:</b>	<i>Building Act 2011</i>
<b>Express Power to Delegate:</b>	Section 127 (1)
<b>Delegation No.:</b>	DC371
<b>Delegation Title:</b>	Approve or Refuse Granting of a Demolition Permit
<b>Legislative Reference of Power:</b>	<i>Building Act 2011</i> Section 18, 21, 22, 27(1) and 27(3) Building Regulations 2012 Regulation 23, 24 and 26
<b>Power or Duty being Delegated:</b>	The authority to grant or refuse to grant <a href="#">building-demolition</a> permits.
<b>Conditions of Delegation:</b>	<ul style="list-style-type: none"> <li>• Keep a register in the approved form of all demolition permits made by Local Authority.</li> <li>• Make the register available for inspection by members of the public during normal office hours.</li> <li>• Keep in the manner and for the prescribed period such of the prescribed documents that comprise, accompany, are provided for in, are issued as a result of, or otherwise relate to the building or incidental structure.</li> <li>• Give the Building Commissioner prescribed information for inclusion in the annual report submitted under the Financial Management Act 2006 Part 5 by the accountable authority, as defined in section 3 of that Act, of the Department as defined in the Building Services (Complaint Resolution and Administration) Act 2011 section 3.</li> <li>• Allow interested persons to inspect a building record.</li> <li>• A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> <li>○ An employee of the special permit authority (s127(2)); or</li> <li>○ a person employed by the local government under s5.36 of the <i>Local Government Act 1995</i>.</li> </ul> </li> </ul>
<b>Delegated To</b>	Chief Executive Officer Director Development and Community Services Manager Development Services Coordinator Building Services Assistant Building Surveyor

Delegation Number:	DC371	Relevant Management Practice:	N/A
Council Adoption:	27/11/2012	Relevant Policy:	N/A
Reviewed/Modified:	03/10, 02/11, 03/12, 07/12, 11/12, 03/13, 07/13, 03/14, 03/15, 03/16, 06/17, 03/19, 08/21, 03/22, 03/23, 06/24	Relevant Delegation:	N/A

## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC372 Grant, or Refuse to Grant Occupancy Permits or Building Approval Certificates

<b>Responsible Business Unit/s</b>	Development Services
<b>Responsible Officer</b>	Manager Development Services, Coordinator Building Services
<b>Affected Business Unit/s</b>	Development Services

<b>Head of Power:</b>	<i>Building Act 2011</i>
<b>Express Power to Delegate:</b>	Section 127 (1) and 127(3)
<b>Delegation No.:</b>	DC372
<b>Delegation Title:</b>	Grant, or Refuse to Grant Occupancy Permits or Building Approval Certificates
<b>Legislative Reference of Power:</b>	Section 55, 58, 62(1), 62(3)
<b>Power or Duty being Delegated:</b>	The authority to grant, modify or refuse to grant occupancy permits or building approval certificates.
<b>Conditions of Delegation:</b>	<ul style="list-style-type: none"> <li>• Keep a register in the approved form of all occupancy permits and building approval certificates made by the Local Authority.</li> <li>• Make the register available for inspection by members of the public during normal office hours.</li> <li>• Keep in the manner and for the prescribed period such of the prescribed documents that comprise, accompany, are provided for in, are issued as a result of, or otherwise relate to the building or incidental structure.</li> <li>• Give the Building Commissioner prescribed information for inclusion in the annual report submitted under the <i>Financial Management Act 2006</i>-Part 5 by the accountable authority, as defined in section 3 of that Act, of the Department as defined in the <i>Building Services (Complaint Resolution and Administration) Act 2011</i> section 3.</li> <li>• A delegation of a special permit authority's powers or duties may be only to:             <ul style="list-style-type: none"> <li>○ An employee of the special permit authority (s127(2)); or</li> <li>○ a person employed by the local government under s5.36 of the <i>Local Government Act 1995</i>.</li> </ul> </li> <li>• Allow interested persons to inspect a building record.</li> </ul>
<b>Delegated To</b>	Chief Executive Officer Director Development and Community Services Manager Development Services Coordinator Building Services Assistant Building Surveyor

Delegation Number:	DC372	Relevant Management Practice:	N/A
Council Adoption:	27/11/2012	Relevant Policy:	N/A
Reviewed/Modified:	03/10, 02/11, 03/12, 07/12, 11/12, 03/13, 07/13, 03/14, 03/15, 03/16, 06/17, 03/19, 08/21, 03/22, 03/23, 06/24	Relevant Delegation:	N/A

## Strategic Direction

### *Environment (Built and Natural)*

### Delegation from Council DC375 Issue or Revoke Building Orders

<b>Responsible Business Unit/s</b>	Development Services
<b>Responsible Officer</b>	Manager Development Services, Coordinator Building Services
<b>Affected Business Unit/s</b>	Development Services

<b>Head of Power:</b>	<i>Building Act 2011</i>
<b>Express Power to Delegate:</b>	Section 127(1)
<b>Delegation No.:</b>	DC375
<b>Delegation Title:</b>	Issue or Revoke Building Orders
<b>Legislative Reference of Power:</b>	Section 110 (1), 111(1), 117 (1), 117(2), 118(2),118(3) and 133(1).
<b>Power or Duty being Delegated:</b>	<p>The authority to issue or revoke building orders.</p> <p>Authority to give notice of a proposed building order and consider submissions received in response and determine actions.</p> <p>If there is non-compliance with a building order, authority to cause an authorised person to:</p> <ul style="list-style-type: none"> <li>(a) take any action specified in the order; or</li> <li>(b) commence or complete any work specified in the order; or</li> <li>(c) if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease.</li> </ul> <p>Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order.</p> <p>Authority to specify a way in which an outward facing side of a particular close/boundary wall must be finished off.</p> <p>Authority to initiate a prosecution for non-compliance with a building order.</p>
<b>Conditions of Delegation:</b>	<p>Keep a register in the approved form of all building orders issued by the Local Authority.</p> <p>A delegation of a special permit authority's powers or duties may be only to:</p> <ul style="list-style-type: none"> <li>o An employee of the special permit authority (s127(2)); or</li> <li>o a person employed by the local government under s5.36 of the <i>Local Government Act 1995</i>.</li> </ul>
<b>Delegated To</b>	<p>Chief Executive Officer                  Director Development and Community Services                  Manager Development Services                  Coordinator Building Services  <a href="#">Assistant Building Surveyor</a></p>



Delegation Number:	DC375	Relevant Management Practice:	N/A
Council Adoption:	26/03/2008	Relevant Policy:	N/A
Reviewed/Modified:	03/10, 02/11, 03/12, 03/13, 07/13, 03/14, 03/15, 03/16, 06/17, 03/19, 08/21, 03/22, 03/23, 06/24	Relevant Delegation:	N/A

## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC379

#### Private Pool Barrier – Alternative and Performance Solutions

<b>Responsible Business Unit/s</b>	<b>Chief Executive Officer, Development Services</b>
<b>Responsible Officer</b>	<b>Chief Executive Officer, Director Development and Community Services</b>
<b>Affected Business Unit/s</b>	<b>Development Services</b>

<b>Head of Power:</b>	<i>Building Act 2011</i>
<b>Express Power to Delegate:</b>	Section 127(1) and (3)
<b>Delegation No.:</b>	DC379
<b>Delegation Title:</b>	Private Pool Barrier – Alternative and Performance Solutions
<b>Legislative Reference of Power:</b>	Building Regulations 2012 Regulation 50A(4), 51(2), 51(3) and 51(5)
<b>Power or Duty being Delegated:</b>	<p>Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliance with AS 1926.1.</p> <p>Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner or occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability.</p> <p>Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement.</p> <p>Authority to use alternative requirements for a barrier to a pre-May 2016 private swimming pool.</p> <p>Authority to arrange for an authorised person to inspect.</p>
<b>Conditions of Delegation:</b>	<p>A delegation of a special permit authority's powers or duties may be only to:</p> <ul style="list-style-type: none"> <li>○ An employee of the special permit authority (s127(2)); or</li> <li>○ a person employed by the local government under s5.36 of the <i>Local Government Act 1995</i>.</li> </ul> <p>The proposed method of enclosure must not provide a lesser standard of protection than would otherwise have been provided through adherence to the provisions of Australian Standard 1926.1.</p>
<b>Delegated To</b>	<p>Coordinator Building Services Chief Executive Officer Director Development and Community Services Manager Development Services Assistant Building Surveyor Development Services Compliance Officer</p>

Delegation Number: DC379  
Council Adoption: 25/06/24  
Reviewed/Modified:

Relevant Management Practice: N/A  
Relevant Policy: N/A  
Relevant Delegation: N/A

## Strategic Direction *Leadership*

### Delegation from Council DC401 Graffiti Vandalism Act – Local Government Functions

Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	Governance and Ranger Services Waste, Fleet and Facilities

Head of Power:	<i>Graffiti Vandalism Act 2016</i>
Express Power to Delegate:	Section 16
Delegation No.:	DC401
Delegation Title:	Graffiti Vandalism Act – Local Government Functions
Legislative Reference of Power:	Section 16
Power or Duty being Delegated:	Perform any power or duty of the ‘local government’ under the <i>Graffiti Vandalism Act 2016</i> .
Conditions of Delegation:	Not Applicable
Delegated To	Chief Executive Officer

Delegation Number:	DC401	Relevant Management Practice:	N/A
Council Adoption:	26/03/2019	Relevant Policy:	N/A
Reviewed/Modified:	08/21, 03/22, 03/23, 06/24	Relevant Delegation:	N/A



## Strategic Direction *Leadership*

### Delegation from Council DC511

#### Partial Closure of a Thoroughfare ~~for Repair or Maintenance~~

Responsible Business Unit/s	Engineering Services
Responsible Officer	Manager Engineering Services
Affected Business Unit/s	Infrastructure Services
Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC511
Delegation Title:	Partial Closure of a Thoroughfare <del>for Repair or Maintenance</del>
Legislative Reference of Power:	Section 3.50, 3.50A and 3.51
Power or Duty being Delegated:	The authority to allow for the partial and temporary closure of a thoroughfare. <del>for the purpose of carrying out repairs or maintenance.</del>
Conditions of Delegation:	(a) The closure is unlikely to have a significant adverse impact on users of the thoroughfare; and (b) Written notice of the partial closure will be given to the occupier of any property who gains access to the property from that part of the thoroughfare which is to be closed.
Delegated To	Chief Executive Officer

Delegation Number: DC511

Relevant Management Practice: N/A

Council Adoption: 26/03/08

Relevant Policy: N/A

Reviewed/Modified: 03/10, 02/11, 03/13, 03/14, 03/15, 03/16, 11/16, 12/17, 03/19, 08/21, 03/22, 03/23, 06/24

Relevant Delegation: N/A





Strategic Direction  
Leadership

Delegation from Council DC602  
Authority to Make Payments from the Municipal and Trust Funds

Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All Business Units

Head of Power:	Local Government Act 1995
Express Power to Delegate:	Section 5.42
Delegation No.:	DC602
Delegation Title:	Authority to Make Payments from the Municipal and Trust Funds
Legislative Reference of Power:	Section 6.7.(2), 6.9(2),(3)(a),(4), and 6.10(d) of the <i>Local Government Act 1995</i> Regulation 12 (1)(a) of the Local Government (Financial Management) Regulations 1996
Power or Duty being Delegated:	The authority to make payments on behalf of the City from the Municipal Fund and the Trust Fund.
Conditions of Delegation:	<p>Before a payment is made, the following procedure must be followed:</p> <p><del>(a) Expenditure must be previously approved by Council and be included in the annual budget.</del></p> <p><del>(b)</del>(a) Regulation 5(1)(e), 11,12, 13 and 13A of the Local Government (Financial Management) Regulations 1996 must be complied with.</p> <p><del>(e)</del>(b) Monthly reporting to Council is to be in accordance with Regulation 13.</p> <p><del>(d)</del>(c) The CEO's authority to make payments is unlimited, subject to annual budget limitations.</p> <p><del>(e)</del>(d) This authority pertains to <u>all</u> payments for EFT <u>and cheque</u> transactions, including Creditors and Payroll, utility providers,</p> <p><del>(f)</del>(e) Investments and transfers between trust and municipal funds.</p> <p><del>(g)</del>(f) This authority includes the lodgement of Employees' Superannuation payments.</p> <p><del>(h)</del>(g) Expenditure due for payment must be accompanied by sufficient documentation as to allow the signatories to confirm correct procedures have been followed.</p>
Delegated To	Chief Executive Officer

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Delegation Number: DC602

Relevant Management Practice: N/A

Council Adoption: 27/03/07

Relevant Policy:

Reviewed/Modified: 09/08, 03/10, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 03/17, 06/18, 03/19, 08/21, 03/22, 03/23, 06/24

Relevant Delegation: DM602 Authority to make payments from the Municipal and Trust Funds



## Strategic Direction Leadership

### Delegation from Council DC603 Investment of Surplus Funds

Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	Financial Services

Head of Power:	Local Government Act 1995
Express Power to Delegate:	Section 5.42
Delegation No.:	DC603
Delegation Title:	Investment of Surplus Funds
Legislative Reference of Power:	Section 6.10 and 6.14 (1) Regulation 19 of the Local Government (Financial Management) Regulations 1996)
Power or Duty being Delegated:	<p>(a) The authority to invest money held in the Municipal Fund or the Trust Fund that is not for the time being required for any other purpose <u>(S 6.14 (1))</u>:-</p> <p>(b) <u>Authority to establish and document internal control procedures to be followed in the investment and management of investments (FM r.19)</u></p>
Conditions of Delegation:	<p>(a) the funds may be invested in any of the Australian Prudential Regulation Authority regulated and listed, Authorised Deposit-taking Institutions (ADIs) being corporations as authorised under the Banking Act 1959. ADIs include the following institutions:</p> <ul style="list-style-type: none"> <li>• Banks,</li> <li>• Building Societies, and</li> <li>• Credit Unions.</li> </ul> <p>(b) the funds may only be invested in those authorised financial instruments which are set out in Policy P603 - Investment of Surplus Funds.</p>
Delegated To	Chief Executive Officer

Delegation Number: DC603

Council Adoption: 27/03/07

Reviewed/Modified: 08, 03/10, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 06/18, 03/19, 08/21, 03/22, 03/23, 06/24

Relevant Management Practice: M603 Investment Procedures

Relevant Policy: P603 Investment of Surplus Funds

Relevant Delegation: N/A



## Strategic Direction Leadership

### Delegation from Council DC618 Commence a Prosecution for an Offence

Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All business units

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC618
Delegation Title:	Commence a Prosecution for an Offence
Legislative Reference of Power:	Sections 9.24 (1) (c) <u>and (2) (b)</u>
Power or Duty being Delegated:	<ol style="list-style-type: none"> <li>Authority to initiate prosecutions on behalf of the Local Government under the <i>Local Government Act 1995</i>, all Regulations made under the <i>Local Government Act 1995</i> and City of South Perth Local Laws made under the <i>Local Government Act 1995</i>.</li> <li>Authority to be registered on the eCourts Portal as persons authorised to commence prosecutions and lodge prosecution notices on behalf of the City.</li> </ol>
Conditions of Delegation:	Nil.
Delegated To	Chief Executive Officer

Delegation Number: DC618  
Council Adoption: 25/06/24  
Reviewed/Modified:

Relevant Management Practice: N/A  
Relevant Policy: N/A  
Relevant Delegation: N/A



## Strategic Direction Leadership

### Delegation from Council DC685 Inviting Expressions of Interest

Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	Chief Executive Officer

Head of Power:	Local Government Act 1995
Express Power to Delegate:	Section 5.42
Delegation No.:	DC685
Delegation Title:	<del>Inviting Tenders or</del> Expressions of Interest
Legislative Reference of Power:	Section 3.57 Local Government (Functions and General) Regulations 1996– Regulation 21, <del>22, and 23</del> <u>and 24</u>
Power or Duty being Delegated:	<ol style="list-style-type: none"> <li>1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&amp;G r.21].</li> <li>2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&amp;G r.23].</li> </ol>
Conditions of Delegation:	<p>Compliance with Regulations <u>21, 22, 23 and 24</u>.</p> <p>Compliance with City Policy P607.</p> <p>The tenders register records the required details regarding Expressions of Interest with reference to the Local Government (Functions and General) Regulations 1996, Regulation 17(2).</p>
Delegated To	Chief Executive Officer

Delegation Number: DC685

Council Adoption: 27/03/07

Reviewed/Modified: 09/08, 03/10, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 03/17, 03/18, 06/18, 03/19, 08/21, 03/22, 03/23, 06/24

Relevant Management Practice: M607 Tenders and Expressions of Interest

Relevant Policy: P607 Tenders and Expression of Interest

Relevant Delegation: DM685 Inviting Tenders & Expressions of Interest



## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC690 Local Planning Scheme No.7

Responsible Business Unit/s	Chief Executive Officer, Development Services
Responsible Officer	Chief Executive Officer, Director Development and Community Services
Affected Business Unit/s	Development Services

<b>Head of Power:</b>	Planning and Development (Local Planning Schemes) Regulations 2015
<b>Express Power to Delegate:</b>	Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 (Deemed Provisions) Cl 82 & 83
<b>Delegation No.:</b>	DC690
<b>Delegation Title:</b>	Local Planning Scheme No. 7
<b>Legislative Reference of Power:</b>	Planning and Development (Local Planning Schemes) Regulations 2015 - Clause 83(1)-(3)
<b>Power or Duty being Delegated:</b>	The exercise of any of the City's powers or the discharge of any of the City's duties under the Planning and Development (Local Planning Schemes) Regulations 2015, other than this power of delegation.
<b>Conditions of Delegation:</b>	The exercise of these powers and duties is subject to the conditions outlined in <b>Schedule 1</b> which is attached to this instrument of delegation.
<b>Delegated To</b>	Officers occupying the following positions as determined by the delegation from Chief Executive Officer to Officers. <ul style="list-style-type: none"> <li>• Director Development and Community Services</li> <li>• Manager Development Services</li> <li>• Coordinator Urban Planning</li> <li>• Senior Urban Planner</li> </ul>

Delegation Number: DC690  
Council Adoption: 26/03/24  
Reviewed/Modified: 06/24

Relevant Management Practice: N/A  
Relevant Policy: N/A  
Relevant Delegation: N/A





## SCHEDULE 1

### CONDITIONS OF DELEGATION

The exercise of power under delegation DC690 is subject to the following conditions:

#### 1. **Specific Uses**

This power of delegation does not extend to approving development applications relating to the following uses:

- (a) Child Care Premises.
- (b) New Residential Aged Care Facilities.
- (c) Residential Building.
- (d) Telecommunications Infrastructure that is not classified as a low-impact facility under the *Telecommunications Act 1997*.
- (e) ~~Holiday house and Holiday accommodation.~~
- (f) Non-residential 'A' uses within the Residential zone, where objections are received during advertising.
- (g) Use not listed.
- (h) Change to a Non-Conforming Use.

#### 2. **Major developments**

This power of delegation does not extend to approving development applications in the following categories:

- (a) Non-residential development which, in the opinion of the delegated officer, is likely to have a significant impact on the City;
- (b) Residential development ~~which is 9.0 metres or higher, or comprises comprising~~ 10 or more dwellings;
- (c) Development of the kind referred to in items (a) and (b) above, comprising a mixture of non-residential and residential components; and
- (d) Development not of the kind referred to in items (a) to (c) above, which, in the opinion of the delegated officer, is contentious and is the subject of significant community interest.

#### 3. **Developments involving the exercise of a discretionary power**

This power of delegation does not extend to approving development applications involving the exercise of a discretionary power in the following categories:

- (a) Applications which require an assessment of significant obstruction of views in accordance with the Salter Point escarpment Local Planning Policy.
- (b) Applications which, in the opinion of the delegated officer, represent a significant departure from the Scheme, or relevant State and Local Planning Policies.
- (c) Applications for Heritage Listed properties or within a Heritage Area except, in the opinion of the delegated officer, the proposal is minor in nature.
- (d) Applications on or involving City owned or managed land by a private entity which propose significant works or a change of land use; and
- (e) Applications for illuminated signage opposite (directly or diagonally) to or adjoining a residential zone.

#### 4. **Applications previously considered by Council**

This delegation does not extend to development applications previously determined by Council. All subsequent applications relating to the same proposal are to be presented to Council for determination unless in the opinion of a delegated officer, it is of a minor nature or satisfies the requirements of the planning framework.

#### 5. **Amenity Impact**

In considering any application for development approval, the delegated officer shall take into consideration the impact of the proposal on the general amenity of the area. If, in the opinion of the delegated officer, any significant doubt exists, the application shall be referred to Council for determination.

## Strategic Direction Leadership

### Delegation from Council DC678 Appointment of Authorised Officers

<b>Responsible Business Unit/s</b>	<b>Chief Executive Officer</b>
<b>Responsible Officer</b>	<b>Chief Executive Officer</b>
<b>Affected Business Unit/s</b>	<b>All business units</b>

<b>Head of Power:</b>	<i>Local Government Act 1995</i>
<b>Express Power to Delegate:</b>	Section 5.42
<b>Delegation No.:</b>	DC678
<b>Delegation Title:</b>	Appointment of Authorised Officers
<b>Legislative Reference of Power:</b>	Section 9.10
<b>Power or Duty being Delegated:</b>	Authority to appoint persons or classes of persons to be authorised for the purpose of performing particular functions.
<b>Conditions of Delegation:</b>	Not Applicable
<b>Delegated To</b>	Chief Executive Officer

Delegation Number: DC678

Relevant Management Practice: N/A

Council Adoption: 26/03/08

Relevant Policy: N/A

Reviewed/Modified: 03/10, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 03/17, 03/18, 03/19, 08/21, 03/22, 03/23, 06/24

Relevant Delegation: N/A



## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC704 *Food Act 2008 - Determine Compensation*

<b>Responsible Business Unit/s</b>	<b>Chief Executive Officer, Development Services</b>
<b>Responsible Officer</b>	<b>Chief Executive Officer, Director Development and Community Services</b>
<b>Affected Business Unit/s</b>	<b>Development Services</b>

<b>Head of Power:</b>	<i>Food Act 2008</i>
<b>Express Power to Delegate:</b>	Section 118 (2)(b), (3), (4)
<b>Delegation No.:</b>	DC704
<b>Delegation Title:</b>	<i>Food Act 2008 - Determine Compensation</i>
<b>Legislative Reference of Power:</b>	<i>Food Act 2008 - Sections 56 (2), and 70(2) and (3)</i>
<b>Power or Duty being Delegated:</b>	<ol style="list-style-type: none"> <li>1. The authority to determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s. 56(2)].</li> <li>2. The authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s. 70(2) and (3)].</li> </ol>
<b>Conditions of Delegation:</b>	<ol style="list-style-type: none"> <li>a. In accordance with s. 118(3)(b), this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time.</li> <li>b. Compensation under this delegation may only be determined upon documented losses up to a maximum of \$5,000. Compensation requests above this value are to be reported to Council.</li> </ol>
<b>Delegated To</b>	Chief Executive Officer Director Development and Community Services Manager Development Services  <i>Note: Food regulations 2009 do not provide for sub delegation.</i>

Delegation Number: DC704

Relevant Management Practice:

Council Adoption:

Relevant Policy:

Reviewed/Modified:

Relevant Delegation:



## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC705 Food Act 2008 - Debt Recovery and Prosecutions

<b>Responsible Business Unit/s</b>	<b>Chief Executive Officer, Development Services</b>
<b>Responsible Officer</b>	<b>Chief Executive Officer, Director Development and Community Services</b>
<b>Affected Business Unit/s</b>	<b>Development Services</b>

<b>Head of Power:</b>	<i>Food Act 2008</i>
<b>Express Power to Delegate:</b>	Section 118, 118(2)(b), 118(3),118(4)
<b>Delegation No.:</b>	DC705
<b>Delegation Title:</b>	<i>Food Act 2008 - Debt Recovery and Prosecutions</i>
<b>Legislative Reference of Power:</b>	<i>Food Act 2008</i> Sections 54, 125
<b>Power or Duty being Delegated:</b>	<ol style="list-style-type: none"> <li>1. The authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3)].</li> <li>2. The authority to institute proceedings for an offence under the Food Act 2008 [s 125].</li> </ol>
<b>Conditions of Delegation:</b>	<p>Exercise of the power under s.54 is confined to the Chief Executive Officer, Director Development and Community Services, and Manager Development Services.</p> <p>In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time.</p>
<b>Delegated To</b>	<p>Chief Executive Officer Director Development and Community Services Manager Development Services</p> <p><i>Note: Food regulations 2009 do not provide for sub delegation.</i></p>

Delegation Number: DC705

Relevant Management Practice:

Council Adoption:

Relevant Policy:

Reviewed/Modified:

Relevant Delegation:



## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC706 Food Business Registrations

<b>Responsible Business Unit/s</b>	<b>Chief Executive Officer, Development Services</b>
<b>Responsible Officer</b>	<b>Chief Executive Officer, Director Development and Community Services</b>
<b>Affected Business Unit/s</b>	<b>Development Services</b>

<b>Head of Power:</b>	<i>Food Act 2008</i>
<b>Express Power to Delegate:</b>	Section 118, 118(2)(b), 118(3),118(4)
<b>Delegation No.:</b>	DC706
<b>Delegation Title:</b>	Food Business Registration
<b>Legislative Reference of Power:</b>	<i>Food Act 2008</i> Sections 110(1), 110(5), 112
<b>Power or Duty being Delegated:</b>	<p>a. The authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s 110(1) and s 110(5)].</p> <p>b. The authority to vary the conditions or cancel the registration of a food business [s 112].</p>
<b>Conditions of Delegation:</b>	In accordance with s. 118(3)(b), this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time.
<b>Delegated To</b>	<p>Chief Executive Officer Director Development and Community Services Manager Development Services Coordinator Environmental Health</p> <p><i>Note: Food regulations 2009 do not provide for sub delegation.</i></p>

Delegation Number: DC706

Relevant Management Practice:

Council Adoption:

Relevant Policy:

Reviewed/Modified:

Relevant Delegation:





## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC707 Food Businesses List – Public access

<b>Responsible Business Unit/s</b>	<b>Chief Executive Officer, Development Services</b>
<b>Responsible Officer</b>	<b>Chief Executive Officer, Director Development and Community Services</b>
<b>Affected Business Unit/s</b>	<b>Development Services</b>

<b>Head of Power:</b>	<i>Food Act 2008</i>
<b>Express Power to Delegate:</b>	Section 118, 118(2)(b), 118(3),118(4)
<b>Delegation No.:</b>	DC707
<b>Delegation Title:</b>	Food Businesses List – Public Access
<b>Legislative Reference of Power:</b>	<i>Food Regulations 2009</i> Regulation 51
<b>Power or Duty being Delegated:</b>	The authority to decide to make a list of food businesses maintained under s 115(a) or s 115(b) publicly available [reg 51].
<b>Conditions of Delegation:</b>	In accordance with s 118(3)(b), this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time
<b>Delegated To</b>	Chief Executive Officer Director Development and Community Services Manager Development Services  <i>Note: Food regulations 2009 do not provide for sub delegation.</i>

Delegation Number: DC707

Relevant Management Practice:

Council Adoption:

Relevant Policy:

Reviewed/Modified:

Relevant Delegation:



## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC708 *Food Act 2008 - Prohibition Orders and Certificates of Clearance*

<b>Responsible Business Unit/s</b>	<b>Chief Executive Officer, Development Services</b>
<b>Responsible Officer</b>	<b>Chief Executive Officer, Director Development and Community Services</b>
<b>Affected Business Unit/s</b>	<b>Development Services</b>

<b>Head of Power:</b>	<i>Food Act 2008</i>
<b>Express Power to Delegate:</b>	Section 118, (2)(b), (3), (4)
<b>Delegation No.:</b>	DC708
<b>Delegation Title:</b>	Food Act 2008 - Prohibition Orders and Certificates of Clearance
<b>Legislative Reference of Power:</b>	<i>Food Act 2008</i> - Sections 65(1), 66, 67(4).
<b>Power or Duty being Delegated:</b>	<ol style="list-style-type: none"> <li>1. The authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the <i>Food Act 2008</i> [s. 65(1)].</li> <li>2. The authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s. 66].</li> <li>3. The authority to give written notice to the proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s. 67(4)].</li> </ol>
<b>Conditions of Delegation:</b>	In accordance with s 118(3)(b) this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time.
<b>Delegated To</b>	Chief Executive Officer Director Development and Community Services Manager Development Services  <i>Note: Food regulations 2009 do not provide for sub delegation.</i>

Delegation Number: DC708

Relevant Management Practice:

Council Adoption:

Relevant Policy:

Reviewed/Modified:

Relevant Delegation:



## Strategic Direction Leadership

### Delegation from Council DC709

#### Authorised Persons to Perform Specified Functions Under the *Local Government Act 1995* and *Local Government (Miscellaneous Provisions) Act 1960*

Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All business units

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC709
Delegation Title:	Authorised Persons to Perform Specified Functions Under <i>the Local Government Act 1995</i> and <i>Local Government (Miscellaneous Provisions) Act 1960</i>
Legislative Reference of Power:	<i>Local Government Act 1995</i> - Sections 3.24, 3.31(2), 3.39(1), 3.40A.  <i>Local Government (Miscellaneous Provisions) Act 1960</i> – Section 449.
Power or Duty being Delegated:	<ol style="list-style-type: none"> <li>1. Authority to authorise persons for the purposes of <i>Part 3, Division 3, Subdivision 2 – Certain provisions about land</i>- to exercise the Local Government’s powers under s.3.25 to 3.27 inclusive, to issue and administer notices requiring certain things to be one by owner or occupier of land [s.3.24].</li> <li>2. Authority to authorise persons to enter onto land, premises or thing, without consent of the owner / occupier, unless the owner / occupier objects [s.3.31(2)].</li> <li>3. Authority to authorise an employee to remove and impound any goods that are involved in a contravention that can lead to impounding [s.3.39(1)].</li> <li>4. Authority to authorise an employee to remove and impound a vehicle that has been determined as an abandoned vehicle wreck [s.3.40A(1)].</li> <li>5. Authority to appoint fit and proper persons as poundkeepers or rangers [Misc.Prov.s.449].</li> </ol>
Conditions of Delegation:	Not Applicable
Delegated To	Chief Executive Officer

Delegation Number: DC709

Relevant Management Practice: N/A

Council Adoption:

Relevant Policy: N/A

Reviewed/Modified:

Relevant Delegation: N/A



## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC710 Appoint Authorised Officers and Designated Officers - *Food Act 2008*

<b>Responsible Business Unit/s</b>	<b>Chief Executive Officer, Development Services</b>
<b>Responsible Officer</b>	<b>Chief Executive Officer, Director Development and Community Services</b>
<b>Affected Business Unit/s</b>	<b>Development Services</b>

<b>Head of Power:</b>	<i>Food Act 2008</i>
<b>Express Power to Delegate:</b>	Section 118 (2)(b), (3), (4)
<b>Delegation No.:</b>	DC710
<b>Delegation Title:</b>	<i>Food Act 2008</i> - Appoint Authorised Officers and Designated Officers
<b>Legislative Reference of Power:</b>	<i>Food Act 2008</i> Sections 122(1), 126 (6), (7) and (13).
<b>Power or Duty being Delegated:</b>	<ol style="list-style-type: none"> <li>1. The authority to appoint a person to be an 'authorised officer' for the purposes of the <i>Food Act 2008</i> [s.122(2)].</li> <li>2. The authority to appoint an 'authorised officer' appointed under s 122(2) of this Act or s 24(1) of the <i>Public Health Act 2016</i>, to be a Designated Officer for the purposes of issuing Infringement Notices under the <i>Food Act 2008</i> [s. 126(13)]</li> <li>3. The authority to appoint an 'authorised officer' to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s. 126(6)] and determining withdrawal of an infringement notice [s. 126(7)].</li> </ol> <p><i>Note: Food Regulations 2009 do not provide for sub delegation.</i></p>
<b>Conditions of Delegation:</b>	<ol style="list-style-type: none"> <li>1. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ol style="list-style-type: none"> <li>i. Appointment of Authorised Officers as Meat Inspectors</li> <li>ii. Appointment of Authorised Officers</li> <li>iii. Appointment of Authorised Officers – Designated Officers only</li> <li>iv. Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer</li> </ol> </li> </ol>
<b>Delegated To</b>	Chief Executive Officer

Delegation Number: DC710

Relevant Management Practice:

Council Adoption:

Relevant Policy:

Reviewed/Modified:

Relevant Delegation:



## Strategic Direction

*Environment (Built and Natural)*

### Delegation from Council DC711

### Appointment of Authorised Officers and Designated Officers under the Food Act 2008 – list of designated officers – issuing infringements under the Food Act 2008

<b>Responsible Business Unit/s</b>	<b>Chief Executive Officer, Development Services</b>
<b>Responsible Officer</b>	<b>Chief Executive Officer, Director Development and Community Services</b>
<b>Affected Business Unit/s</b>	<b>Development Services</b>

<b>Head of Power:</b>	<i>Food Act 2008</i>
<b>Express Power to Delegate:</b>	Section 126 (2)
<b>Delegation No.:</b>	DC711
<b>Delegation Title:</b>	<i>Food Act 2008</i> - Appoint Authorised Officers and Designated Officers
<b>Legislative Reference of Power:</b>	<i>Food Act 2008</i> Sections 126(2).
<b>Power or Duty being Delegated:</b>	1. The authority to appoint a person to be an 'authorised officer' for the purposes of the <i>Food Act 2008</i> [s.126(2)] Issuing infringement notices. .
<b>Conditions of Delegation:</b>	The Food Act requires a separation between officers who may be authorised to issue infringements from those who can withdraw an infringement or extend the period within which a modified penalty may be paid.
<b>Delegated To</b>	Manager Development Services, Environmental Health Coordinator, Senior Environmental Health Officer, Environmental Health Officer.

Delegation Number: DC711

Relevant Management Practice:

Council Adoption:

Relevant Policy:

Reviewed/Modified:

Relevant Delegation:





## Strategic Direction *Environment (Built and Natural)*

### Delegation from Council DC712

#### Appointment of Authorised Officers and Designated Officers under the Food Act 2008 – list of designated officers – administration of infringements under the Food Act 2008

<b>Responsible Business Unit/s</b>	<b>Chief Executive Officer, Development Services</b>
<b>Responsible Officer</b>	<b>Chief Executive Officer, Director Development and Community Services</b>
<b>Affected Business Unit/s</b>	<b>Development Services</b>

<b>Head of Power:</b>	<i>Food Act 2008</i>
<b>Express Power to Delegate:</b>	Section 126 (6) and (7)
<b>Delegation No.:</b>	DC712
<b>Delegation Title:</b>	<i>Food Act 2008 - Appoint Authorised Officers and Designated Officers</i>
<b>Legislative Reference of Power:</b>	<i>Food Act 2008</i> Sections 126(6) and (7).
<b>Power or Duty being Delegated:</b>	1. The authority to extend the time for payment of modified penalties and determine withdrawal of an infringement notice.
<b>Conditions of Delegation:</b>	<ul style="list-style-type: none"> <li>a. Prohibited by Section 126 (13) from also being a Designated Officer for the purpose of issuing infringements.</li> <li>b. The Food Act requires a separation between officers who may be authorised to issue infringements from those who can withdraw an infringement or extend the period within which a modified penalty may be paid.</li> </ul>
<b>Delegated To</b>	Director Development Services

Delegation Number: DC712

Relevant Management Practice:

Council Adoption:

Relevant Policy:

Reviewed/Modified:

Relevant Delegation:



## Strategic Direction *Environment (Built and Natural)*

### Policy P210 Street Verges ~~and~~ Vegetation

Responsible Business Unit/s	Parks and Environment
Responsible Officer	Manager Parks and Environment
Affected Business Unit/s	Engineering Services, Development Services

#### Policy Objectives

The City of South Perth is committed to the retention and development of green and leafy streetscapes. The objective of this Policy is to provide a consistent approach to the control and management of trees ~~and verge treatments~~ on land vested or managed by the City.

The City is committed to the retention and development of green and leafy streetscapes which include street verges. To achieve this, the City will promote the development and maintenance of treatments such as sustainable verge gardens and/or lawn; however, other treatments may also be approved in certain limited circumstances (refer to the Street Verge Landscape Guidelines).

#### Policy Scope

This Policy applies to:

- ~~trees located on land vested or managed by the City, including road reserves, parks and public spaces, and~~
- ~~Verge treatments within the road reserve.~~

This policy is relevant to landowners in the City of South Perth, where street verges are located adjacent to their properties.

For the purpose of this policy, a Street Verge is defined as:

*“the area of the road reservation land located between a road kerb and the boundary of an adjacent property.”*

#### Policy Statement

##### Verge Treatments

The City’s preference is for verge treatments to be predominantly planted with ~~sustainable native, low growing waterwise~~ verge gardens and/or lawn; however, other treatments, such as brick and concrete paving, may be approved in certain circumstances (refer to the Street Verge Landscape Guidelines).

The use of the verge for constructed or residential and visitor car parking bays associated with development applications within the Canning Bridge Activity Centre Plan area is not supported.

Residents may establish and maintain a verge garden and/or lawn on the street verge without prior permission from the City where the garden is consistent with the City's Street Verge Landscape Guidelines. The maximum vegetation height (excluding trees) is 0.7m.

Prior permission approval from the City is required for the installation of verge treatments such as brick and concrete paving. Synthetic turf is explicitly excluded-prohibited as a verge treatment. Unapproved treatments are liable to compliance and will result in the request for removal: a direction to remove the unauthorised verge treatment.

The City will not be responsible for public utility service providers reinstatement of verge gardens, lawn or paving affected by routine maintenance or construction projects.

The use of the verge for constructed or residential and visitor car parking bays associated with development applications within the Canning Bridge Activity Centre Plan area is not supported.

~~The City has established Street Verge Landscape Guidelines which provide detailed information about what is permitted on the street verge and the processes to follow for seeking approval for various treatments.~~

#### Street Trees

##### General

The following activities are prohibited without the prior written approval of the City:

- The killing or destruction of a street tree; and/or
- The removal of a street tree; and/or
- The severing of branches, limbs, stems or trunk of a street tree; and/or
- The ringbarking, topping or lopping of a street tree; and/or
- Any other substantial damage to a street tree.

##### Criteria for Street Removal

Removal of a street tree will only be considered where it can be demonstrated that the street tree is:

- Dead or Dying: The street tree is dead or dying with no potential to recover.
- Diseased: The street tree is diseased and unlikely to respond to treatment.
- Public Safety and/or Liability Risk: The street tree poses a significant, demonstrable risk to public safety or property, and the risk cannot be mitigated through pruning or other management strategies.
- Declared Noxious Weed: The street tree is a species declared as a noxious weed by the Department of Primary Industries and Regional Development or required to be removed under a Quarantine Area Notice.
- Value: The street tree has been assessed by the City to be of no ecological, amenity or community value.
- Strategy Removal: The street tree is being removed as part of a broader strategic plan to enhance the urban canopy or align with landscape design objectives.
- Development Compliance: The applicant has demonstrated compliance with the relevant design principles of the Residential Design Codes or planning framework and obtained development approval, where all other design options have been exhausted.

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Policy Number:	P210	Relevant Council Delegation:	N/A
Council Adoption:	25/03/08	Relevant Delegation:	N/A
Reviewed/Modified:	10/05, 03/08, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 11/16, 12/17, 03/19, 03/20, 09/22, 12/24	Relevant Management Practice:	N/A

It is noted that street trees may be removed by public authorities as part of works within the road reserve in accordance with the *Public Works Act 1902* or where authorised by another Act.

The City does not support relocation of street trees to accommodate development/ crossovers.

The City may require additional information in support of a request to remove a street tree, including but not limited to:

- A Quantitative Tree Risk Assessment and/or Arborist Report prepared by a suitably qualified consultant at the expense of the applicant.
- Development plans.
- Justification against the relevant design principles of the Residential Design Codes (where applicable).
- Photographic documentation.
- Other technical expert opinions as determined by the City.

#### *Street Tree Removal and Replacement and Maintenance Costs*

Where removal of a street tree has been approved by the City, the City may require payment of fees prior to removal of the street tree associated with removal, replacement and maintenance costs, including:

- Administration: Assessment of application and management of contractors.
- Tree Removal: Physical removal of tree, stump grinding and log disposal.
- Replacement: Cost of the new tree, contractors cost to install the tree and supporting infrastructure such as stakes, rubber ties, tree well and fertiliser.
- Maintenance: Weekly watering (September – May) for two (2) years, fertilising, re-staking, formative pruning and removal of supporting infrastructure at the end of the maintenance period. The frequency and start/ end of the maintenance period are subject to annual rainfall experienced in the City.
- Traffic Management: costs associated with traffic management and any required road closures where required.

#### *Amenity Valuations*

Where removal of a street tree has been approved by the City, the City will require payment of the amenity valuation fee of the tree prior to removal of the street tree in accordance with the Amenity Valuation of Trees and Woodlands (Helliwell) Method:

*TREE VALUE (\$) = TREE SIZE x LIFE EXPECTANCY x IMPORTANCE IN THE LANDSCAPE x PRESENCE OF OTHER TREES x RELATION TO SETTING x FORM x SPECIAL FACTORS x \$ ASSIGNED MONETARY VALUE PER POINT.*

This fee is in addition to the costs associated with Street Tree Removal and Replacement and Maintenance Costs.

The City shall establish and maintain a Reserve Account under the provisions of the *Local Government Act 1995*, Section 6.11 for money collected, with the reserve account being operated in accordance with the requirements of the Local Government (Financial Management) Regulations 1996. Money collected will be used for street tree and vegetation planting and maintenance throughout the district.

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Policy Number: P210  
Council Adoption: 25/03/08  
Reviewed/Modified: 10/05, 03/08, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 11/16, 12/17, 03/19, 03/20, 09/22, 12/24

Relevant Council Delegation: N/A  
Relevant Delegation: N/A  
Relevant Management Practice: N/A



### Legislation / Local Law Requirements

*Local Government Act 1995*

*Planning and Development Act 2005*

Public Places and Local Government Property Local Law 2011

### Other Relevant Policies / Key Documents

City of South Perth Strategic Community Plan 2021-2031

P206 Urban Forest

Urban Forest Strategy 2018-2023

City of South Perth Green Plan

Street Verge Landscape Guidelines

Road Reserve Access Bonds

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Policy Number: P210  
Council Adoption: 25/03/08  
Reviewed/Modified: 10/05, 03/08, 02/11, 03/12, 03/13, 03/14, 03/15,  
03/16, 11/16, 12/17, 03/19, 03/20, 09/22, 12/24

Relevant Council Delegation: N/A  
Relevant Delegation: N/A  
Relevant Management Practice: N/A



## Strategic Direction *Leadership*

### Policy P672 Agenda Briefings, Concept Forums and Workshops

<b>Responsible Business Unit/s</b>	<b>Governance</b>
<b>Responsible Officer</b>	<b>Manager Governance, Chief Executive Officer</b>
<b>Affected Business Unit/s</b>	<b>All business units</b>

#### Policy Objectives

There is a need for Council to meet and discuss matters relating to the strategic directions, operations and affairs of the City outside the formal council meeting framework prescribed by the *Local Government Act 1995* which sets out the formal procedures that apply to such meetings. Council may from time to time wish to conduct Agenda Briefings, Concept Forums or Workshops to which the provisions of the *Local Government Act 1995* do not apply.

This policy sets out the procedure which is intended to apply to the conduct of these informal (i.e. non-statutory) meetings of Council.

#### Policy Scope

This Policy applies to the Mayor, Councillors and all officers involved in Agenda Briefings, Concept Forums and Workshops.

#### Policy Statement

##### **Procedural Guidelines**

The following Procedural Guidelines shall apply to the conduct of Agenda Briefings, Concept Forums and Workshops.

##### **Calling Agenda Briefings, Concept Forums and Workshops**

The Mayor or Chief Executive Officer may call an Agenda Briefing, Concept Forum or Workshop.

##### **Presentations**

In consultation with the Mayor, the CEO may approve a request for a presentation to an Agenda Briefing, Concept Forum or Workshop on issues considered of special significance to the City.

##### **Agenda**

The CEO shall prepare an agenda for each Agenda Briefing, Concept Forum or Workshop.

### Notices of Motion

In the interests of transparency and accountability a notice of motion should be considered at an Agenda Briefing accompanied by a full officer's report. This will allow members of the public to make a deputation and allow Council Members the opportunity to ask questions and be fully informed.

In order for a notice of motion to be incorporated into the published Agenda for an Agenda Briefing, sufficient time is to be provided to allow the inclusion of an appropriately considered full officers report. The agenda for Council Agenda Briefings are published prior to 5pm six (6) days prior to the briefing.

While Council Agenda Briefings are not subject to City of South Perth Standing Orders Local Law 2007 (Standing Orders), the principles of Clause 5.3(2) of the Standing Orders will apply at Council Agenda Briefings. Therefore, notices of motion for Council Agenda Briefings should be submitted at least 7 nine (9) clear working days before the Agenda Briefing meeting at which the motion is moved/presented.

Council Members are encouraged to comply with this policy and submit their notices of motion at least nine (7-9) clear working days before an Agenda Briefing.

Any Notices of Motion not received in accordance with this policy will not appear on the Agenda Briefing agenda.

### Notice

The CEO shall give Council Members at least one week written notice of an Agenda Briefing, Concept Forum or Workshop unless the CEO in consultation with the Mayor agrees to provide a lesser period of notice in urgent or exceptional circumstances. Notice may be given to Council Members by phone or in writing.

Public notice of the dates on which Agenda Briefings are to be held shall be given by the CEO on the City's website.

### Presiding Person

The Mayor shall preside at Agenda Briefings, Concept Forums or Workshops. The Mayor may nominate another person to be the presiding person.

### Disclosure of Interests

Those provisions in the Code of Conduct dealing with Conflict of Interests shall apply to Agenda Briefings, Concept Forums and Workshops.

### Notes of Meetings

The CEO will cause notes to be kept of each Agenda Briefing, Concept Forum and Workshop. These notes will include the date, attendance and title of the subjects addressed. These notes will be included on the agenda of the next council meeting.

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Policy Number:	P672	Relevant Council Delegation:	N/A
Council Adoption:	28/03/06, 26/06/2012	Relevant Delegation:	N/A
Reviewed/Modified:	03/08, 02/11, 03/12, 06/12, 03/13, 03/14, 01/15, 03/16, 03/17, 03/18, 06/19, 06/23	Relevant Management Practice:	N/A

### **Decisions**

As these meetings are outside the statutory framework of the *Local Government Act 1995* and are not intended to replace ordinary council meetings, Council cannot make decisions at Agenda Briefings, Concept Forums or Workshops.

### **Voting Intentions**

Council Members must not indicate their voting intentions at an Agenda Briefing, Concept Forum or Workshop.

### **Agenda Briefings - General**

Agenda Briefings provide an opportunity for Council to be briefed on items that are on the agenda of the immediately following Ordinary Council Meeting. They provide information to Council on agenda items and provide the opportunity for questions to be asked of relevant officers.

### **Agenda Briefings - Procedure**

Council Members may ask questions of relevant officers concerning items on the agenda. Council Members must address their questions through the presiding person and must not express an opinion or enter into debate on an agenda item.

### **Agenda Briefings - Public Attendance and Deputations**

Agenda briefings are generally open to the public unless an item is one to which section 5.23 of the *Local Government Act 1995* may apply.

Deputations are permitted to be heard, only in relation to items on the Agenda for that Briefing. Deputations may be heard prior to the commencement of an item or at the commencement of an Agenda Briefing session. If an item is of interest to a significant portion of members of the public present, the presiding member may bring it forward for earlier discussion than otherwise listed on the agenda.

Any person or group who completes and submits, with at least 24 hours' notice, a 'Request for Deputation' application form (available on the City's website) may be received as a deputation at an Agenda Briefing session.

Deputations shall not exceed 10 minutes without the approval of the Presiding Member. Group deputations are encouraged (no more than five persons, where speaking to the same agenda item). The Presiding Member reserves the right to reduce the time for each deputation in the case where deputations are covering similar points.

Debate is not permitted during deputations.

Electronic presentations are required to be submitted to the City prior to 12.00pm on the day of the Council Agenda Briefing.

### **Concept Forums**

Concept Forums provide an opportunity for Council Members to discuss ideas, strategies and concepts for the development of the City or projects that are in the early planning stage and are some time away from being presented to Council for decision. They provide an opportunity for relevant officers or outside consultants to present information to Council on the concept or project. They allow Council Members to ask questions of relevant officers or consultants and enable Council to discuss aspects of the concept or project.

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Policy Number:	P672	Relevant Council Delegation:	N/A
Council Adoption:	28/03/06, 26/06/2012	Relevant Delegation:	N/A
Reviewed/Modified:	03/08, 02/11, 03/12, 06/12, 03/13, 03/14, 01/15, 03/16, 03/17, 03/18, 06/19, 06/23	Relevant Management Practice:	N/A

### **Procedure**

Council Members may ask questions of relevant officers or consultants and must address their questions and all discussion through the presiding person.

Council Members must limit their discussion about issues arising in the Concept Forum to brief statements on relevant matters and must not enter into debate.

### **Public Attendance**

Concept Forums are generally closed to the public.

### **Workshops**

Workshops provide an opportunity for Council to have input into the development of a concept. They allow Council to explore different options with relevant officers and to participate more fully in the development of a concept.

### **Procedure**

Council Members may ask questions of relevant officers and may address their questions through the presiding person or directly to the person concerned.

Council Members must not debate their voting intentions at a Workshop.

### **Public Attendance**

Workshops are generally closed to the public.

## **Legislation / Local Law Requirements**

City of South Perth Standing Orders Local Law 2007

*Local Government Act 1995*

## **Other Relevant Policies / Key Documents**

City of South Perth Code of Conduct

City of South Perth Strategic Plan 2021-2031

## Strategic Direction *Environment (Built and Natural)*

### Policy P210 Street Verges and Vegetation

<b>Responsible Business Unit/s</b>	<b>Parks and Environment</b>
<b>Responsible Officer</b>	<b>Manager Parks and Environment</b>
<b>Affected Business Unit/s</b>	<b>Engineering Services, Development Services</b>

#### Policy Objectives

The City of South Perth is committed to the retention and development of green and leafy streetscapes. The objective of this Policy is to provide a consistent approach to the control and management of trees and verge treatments on land vested or managed by the City.

#### Policy Scope

This Policy applies to:

- trees located on land vested or managed by the City, including road reserves, parks and public spaces, and
- Verge treatments within the road reserve .

#### Policy Statement

##### Verge Treatments

The City's preference is for verge treatments to be predominantly planted with native, low growing waterwise verge gardens and/or lawn.

Residents may establish and maintain a verge garden and/or lawn on the street verge without prior permission from the City where the garden is consistent with the City's Street Verge Landscape Guidelines. The maximum vegetation height (excluding trees) is 0.7m.

Prior approval from the City is required for the installation of verge treatments such as brick and concrete paving. Synthetic turf is explicitly prohibited as a verge treatment. Unapproved treatments are liable to compliance and will result in a direction to remove the unauthorised verge treatment.

The City will not be responsible for public utility service providers reinstatement of verge gardens, lawn or paving affected by routine maintenance or construction projects.

The use of the verge for constructed or residential and visitor car parking bays associated with development applications within the Canning Bridge Activity Centre Plan area is not supported.



## Street Trees

### *General*

*The following activities are prohibited without the prior written approval of the City:*

- The killing or destruction of a street tree; and/or
- The removal of a street tree; and/or
- The severing of branches, limbs, stems or trunk of a street tree; and/or
- The ringbarking, topping or lopping of a street tree; and/or
- Any other substantial damage to a street tree.

### *Criteria for Street Removal*

Removal of a street tree will only be considered where it can be demonstrated that the street tree is:

- **Dead or Dying:** The street tree is dead or dying with no potential to recover.
- **Diseased:** The street tree is diseased and unlikely to respond to treatment.
- **Public Safety and/or Liability Risk:** The street tree poses a significant, demonstrable risk to public safety or property, and the risk cannot be mitigated through pruning or other management strategies.
- **Declared Noxious Weed:** The street tree is a species declared as a noxious weed by the Department of Primary Industries and Regional Development or required to be removed under a Quarantine Area Notice.
- **Value:** The street tree has been assessed by the City to be of no ecological, amenity or community value.
- **Strategy Removal:** The street tree is being removed as part of a broader strategic plan to enhance the urban canopy or align with landscape design objectives.
- **Development Compliance:** The applicant has demonstrated compliance with the relevant design principles of the Residential Design Codes or planning framework and obtained development approval, where all other design options have been exhausted.

It is noted that street trees may be removed by public authorities as part of works within the road reserve in accordance with the *Public Works Act 1902* or where authorised by another Act.

The City does not support relocation of street trees to accommodate development/ crossovers.

The City may require additional information in support of a request to remove a street tree, including but not limited to:

- A Quantitative Tree Risk Assessment and/or Arborist Report prepared by a suitably qualified consultant at the expense of the applicant.
- Development plans.
- Justification against the relevant design principles of the Residential Design Codes (where applicable).
- Photographic documentation.
- Other technical expert opinions as determined by the City.

### *Street Tree Removal and Replacement and Maintenance Costs*

Where removal of a street tree has been approved by the City, the City may require payment of fees prior to removal of the street tree associated with removal, replacement and maintenance costs, including:

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Policy Number:	P210	Relevant Council Delegation:	N/A
Council Adoption:	25/03/08	Relevant Delegation:	N/A
Reviewed/Modified:	10/05, 03/08, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 11/16, 12/17, 03/19, 03/20, 09/22, 12/24	Relevant Management Practice:	N/A

- Administration: Assessment of application and management of contractors.
- Tree Removal: Physical removal of tree, stump grinding and log disposal.
- Replacement: Cost of the new tree, contractors cost to install the tree and supporting infrastructure such as stakes, rubber ties, tree well and fertiliser.
- Maintenance: Weekly watering (September – May) for two (2) years, fertilising, re-staking, formative pruning and removal of supporting infrastructure at the end of the maintenance period. The frequency and start/ end of the maintenance period are subject to annual rainfall experienced in the City.
- Traffic Management: costs associated with traffic management and any required road closures where required.

#### *Amenity Valuations*

Where removal of a street tree has been approved by the City, the City will require payment of the amenity valuation fee of the tree prior to removal of the street tree in accordance with the Amenity Valuation of Trees and Woodlands (Helliwell) Method:

*TREE VALUE (\$) = TREE SIZE x LIFE EXPECTANCY x IMPORTANCE IN THE LANDSCAPE x PRESENCE OF OTHER TREES x RELATION TO SETTING x FORM x SPECIAL FACTORS x \$ ASSIGNED MONETARY VALUE PER POINT.*

This fee is in addition to the costs associated with Street Tree Removal and Replacement and Maintenance Costs.

The City shall establish and maintain a Reserve Account under the provisions of the *Local Government Act 1995*, Section 6.11 for money collected, with the reserve account being operated in accordance with the requirements of the Local Government (Financial Management) Regulations 1996. Money collected will be used for street tree and vegetation planting and maintenance throughout the district.

### **Legislation / Local Law Requirements**

*Local Government Act 1995*

*Planning and Development Act 2005*

Public Places and Local Government Property Local Law 2011

### **Other Relevant Policies / Key Documents**

City of South Perth Strategic Community Plan 2021-2031

P206 Urban Forest

Urban Forest Strategy 2018-2023

City of South Perth Green Plan

Street Verge Landscape Guidelines

Road Reserve Access Bonds

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Policy Number:	P210	Relevant Council Delegation:	N/A
Council Adoption:	25/03/08	Relevant Delegation:	N/A
Reviewed/Modified:	10/05, 03/08, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 11/16, 12/17, 03/19, 03/20, 09/22, 12/24	Relevant Management Practice:	N/A

## Strategic Direction *Leadership*

### Policy P672 Agenda Briefings, Concept Forums and Workshops

<b>Responsible Business Unit/s</b>	<b>Governance</b>
<b>Responsible Officer</b>	<b>Manager Governance, Chief Executive Officer</b>
<b>Affected Business Unit/s</b>	<b>All business units</b>

#### Policy Objectives

There is a need for Council to meet and discuss matters relating to the strategic directions, operations and affairs of the City outside the formal council meeting framework prescribed by the *Local Government Act 1995* which sets out the formal procedures that apply to such meetings. Council may from time to time wish to conduct Agenda Briefings, Concept Forums or Workshops to which the provisions of the *Local Government Act 1995* do not apply.

This policy sets out the procedure which is intended to apply to the conduct of these informal (i.e. non-statutory) meetings of Council.

#### Policy Scope

This Policy applies to the Mayor, Councillors and all officers involved in Agenda Briefings, Concept Forums and Workshops.

#### Policy Statement

##### **Procedural Guidelines**

The following Procedural Guidelines shall apply to the conduct of Agenda Briefings, Concept Forums and Workshops.

##### **Calling Agenda Briefings, Concept Forums and Workshops**

The Mayor or Chief Executive Officer may call an Agenda Briefing, Concept Forum or Workshop.

##### **Presentations**

In consultation with the Mayor, the CEO may approve a request for a presentation to an Agenda Briefing, Concept Forum or Workshop on issues considered of special significance to the City.

##### **Agenda**

The CEO shall prepare an agenda for each Agenda Briefing, Concept Forum or Workshop.

**Notices of Motion**

In the interests of transparency and accountability a notice of motion should be considered at an Agenda Briefing accompanied by a full officer’s report. This will allow members of the public to make a deputation and allow Council Members the opportunity to ask questions and be fully informed.

In order for a notice of motion to be incorporated into the published Agenda for an Agenda Briefing, sufficient time is to be provided to allow the inclusion of an appropriately considered full officers report. The agenda for Council Agenda Briefings are published prior to 5pm six (6) days prior to the briefing. Therefore, notices of motion for Council Agenda Briefings should be submitted at least nine (9) clear working days before the Agenda Briefing at which the motion is presented.

Council Members are encouraged to comply with this policy and submit their notices of motion at least nine (9) clear working days before an Agenda Briefing. Any Notices of Motion not received in accordance with this policy will not appear on the Agenda Briefing agenda.

**Notice**

The CEO shall give Council Members at least one week written notice of an Agenda Briefing, Concept Forum or Workshop unless the CEO in consultation with the Mayor agrees to provide a lesser period of notice in urgent or exceptional circumstances. Notice may be given to Council Members by phone or in writing.

Public notice of the dates on which Agenda Briefings are to be held shall be given by the CEO on the City’s website.

**Presiding Person**

The Mayor shall preside at Agenda Briefings, Concept Forums or Workshops. The Mayor may nominate another person to be the presiding person.

**Disclosure of Interests**

Those provisions in the Code of Conduct dealing with Conflict of Interests shall apply to Agenda Briefings, Concept Forums and Workshops.

**Notes of Meetings**

The CEO will cause notes to be kept of each Agenda Briefing, Concept Forum and Workshop. These notes will include the date, attendance and title of the subjects addressed. These notes will be included on the agenda of the next council meeting.

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Policy Number:	P672	Relevant Council Delegation:	N/A
Council Adoption:	28/03/06, 26/06/2012	Relevant Delegation:	N/A
Reviewed/Modified:	03/08, 02/11,03/12, 06/12, 03/13, 03/14, 01/15, 03/16, 03/17, 03/18, 06/19, 06/23	Relevant Management Practice:	N/A



### **Decisions**

As these meetings are outside the statutory framework of the *Local Government Act 1995* and are not intended to replace ordinary council meetings, Council cannot make decisions at Agenda Briefings, Concept Forums or Workshops.

### **Voting Intentions**

Council Members must not indicate their voting intentions at an Agenda Briefing, Concept Forum or Workshop.

### **Agenda Briefings - General**

Agenda Briefings provide an opportunity for Council to be briefed on items that are on the agenda of the immediately following Ordinary Council Meeting. They provide information to Council on agenda items and provide the opportunity for questions to be asked of relevant officers.

### **Agenda Briefings - Procedure**

Council Members may ask questions of relevant officers concerning items on the agenda. Council Members must address their questions through the presiding person and must not express an opinion or enter into debate on an agenda item.

### **Agenda Briefings - Public Attendance and Deputations**

Agenda briefings are generally open to the public unless an item is one to which section 5.23 of the *Local Government Act 1995* may apply.

Deputations are permitted to be heard, only in relation to items on the Agenda for that Briefing. Deputations may be heard prior to the commencement of an item or at the commencement of an Agenda Briefing session. If an item is of interest to a significant portion of members of the public present, the presiding member may bring it forward for earlier discussion than otherwise listed on the agenda.

Any person or group who completes and submits, with at least 24 hours' notice, a 'Request for Deputation' application form (available on the City's website) may be received as a deputation at an Agenda Briefing session.

Deputations shall not exceed 10 minutes without the approval of the Presiding Member. Group deputations are encouraged (no more than five persons, where speaking to the same agenda item). The Presiding Member reserves the right to reduce the time for each deputation in the case where deputations are covering similar points.

Debate is not permitted during deputations.

Electronic presentations are required to be submitted to the City prior to 12.00pm on the day of the Council Agenda Briefing.

### **Concept Forums**

Concept Forums provide an opportunity for Council Members to discuss ideas, strategies and concepts for the development of the City or projects that are in the early planning stage and are some time away from being presented to Council for decision. They provide an opportunity for relevant officers or outside consultants to present information to Council on the concept or project. They allow Council Members to ask questions of relevant officers or consultants and enable Council to discuss aspects of the concept or project.

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Policy Number:	P672	Relevant Council Delegation:	N/A
Council Adoption:	28/03/06, 26/06/2012	Relevant Delegation:	N/A
Reviewed/Modified:	03/08, 02/11, 03/12, 06/12, 03/13, 03/14, 01/15, 03/16, 03/17, 03/18, 06/19, 06/23	Relevant Management Practice:	N/A



### **Procedure**

Council Members may ask questions of relevant officers or consultants and must address their questions and all discussion through the presiding person.

Council Members must limit their discussion about issues arising in the Concept Forum to brief statements on relevant matters and must not enter into debate.

### **Public Attendance**

Concept Forums are generally closed to the public.

### **Workshops**

Workshops provide an opportunity for Council to have input into the development of a concept. They allow Council to explore different options with relevant officers and to participate more fully in the development of a concept.

### **Procedure**

Council Members may ask questions of relevant officers and may address their questions through the presiding person or directly to the person concerned.

Council Members must not debate their voting intentions at a Workshop.

### **Public Attendance**

Workshops are generally closed to the public.

## **Legislation / Local Law Requirements**

City of South Perth Standing Orders Local Law 2007

*Local Government Act 1995*

## **Other Relevant Policies / Key Documents**

City of South Perth Code of Conduct

City of South Perth Strategic Plan 2021-2031

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return - South Perth



### South Perth – Compliance Audit Return

Commercial Enterprises by Local Governments				
No	Reference	Question	Response	Comments
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2024?	N/A	
2	s3.59(2)(b) F&G Regs 7,8A, 8, 10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2024?	Yes	Major land transaction plans prepared for Collier Park Village divestment and for Collier Park Golf Course development.
3	s3.59(2)(c) F&G Regs 7,8A, 8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2024?	N/A	
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2024?	Yes	State-wide public notice given for both Collier Park Village and Collier Park Golf Course.
5	s3.59(5)	During 2024, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	Yes	

Delegation of Power/Duty				
No	Reference	Question	Response	Comments
1	s5.16 (1)	Were all delegations to committees resolved by absolute majority?	N/A	
2	s5.16 (2)	Were all delegations to committees in writing?	N/A	
3	s5.17	Were all delegations to committees within the limits specified in section 5.17 of the Local Government Act 1995?	N/A	
4	s5.18	Were all delegations to committees recorded in a register of delegations?	N/A	
5	s5.18	Has council reviewed delegations to its committees in the 2023/2024 financial year?	N/A	

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6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Local Government Act 1995?	Yes	
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes	
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes	
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes	
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority?	Yes	
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes	
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2023/2024 financial year?	Yes	
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Local Government (Administration) Regulations 1996, regulation 19?	Yes	

Disclosure of Interest				
No	Reference	Question	Response	Comments
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69 of the Local Government Act 1995, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	No	At the Ordinary Council Meeting held 22 October 2024, Councillor [REDACTED] withdrew their proximity interest and participated in Item 10.5.1 - Policy Review and stated the following: 'I wish to withdraw my declaration because I consider the proximity is trivial and insignificant, because we are talking about the South Perth Foreshore.'
2	s5.68(2) & s5.69(5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by the Local Government (Administration) Regulations 1996 regulation 21A, recorded in the minutes of the relevant council or committee meeting?	N/A	
3	s5.73	Were disclosures under sections 5.65, 5.70 or 5.71A(3) of the Local Government Act 1995 recorded in the minutes of the meeting at which the disclosures were made?	Yes	

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return - South Perth



4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes	
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2024?	Yes	
6	s5.77	On receipt of a primary or annual return, did the CEO, or the Mayor/President, give written acknowledgment of having received the return?	Yes	
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76 of the Local Government Act 1995?	Yes	
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A of the Local Government Act 1995, in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28?	Yes	
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76 of the Local Government Act 1995, did the CEO remove from the register all returns relating to that person?	Yes	
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) of the Local Government Act 1995 been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes	
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B of the Local Government Act 1995, in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28A?	Yes	
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes	
13	s5.89A(6)	When people cease to be a person who is required to make a disclosure under section 5.87A or 5.87B of the Local Government Act 1995, did the CEO remove from the register all records relating to those people?	Yes	
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A(6) of the Local Government Act 1995 been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes	

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15	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	Yes	
16	s5.71A & s5.71B(5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under section 5.71A(1) of the Local Government Act 1995 relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A	
17	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under section 5.71B(6) of the Local Government Act 1995, recorded in the minutes of the council meeting at which the decision was considered?	N/A	
18	s5.104(1)	Did the local government prepare and adopt, by absolute majority, a code of conduct to be observed by council members, committee members candidates that incorporates the model code of conduct?	Yes	Code of Conduct was adopted 27 April 2021
19	s5.104(3) & (4)	Did the local government adopt additional requirements in addition to the model code of conduct? If yes, does it comply with section 5.104(3) and (4) of the Local Government Act 1995?	Yes	
20	s5.104(7)	Has the CEO published an up-to-date version of the code of conduct for council members, committee members and candidates on the local government's website?	Yes	
21	s5.51A(1) & (3)	Has the CEO prepared and implemented a code of conduct to be observed by employees of the local government? If yes, has the CEO published an up-to-date version of the code of conduct for employees on the local government's website?	Yes	

Disposal of Property				
No	Reference	Question	Response	Comments
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) of the Local Government Act 1995 (unless section 3.58(5) applies)?	Yes	



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2	s3.58(4)	Where the local government disposed of property under section 3.58(3) of the Local Government Act 1995, did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	Yes	
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Elections				
No	Reference	Question	Response	Comments
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate in accordance with regulations 30G(1) and 30G(2) of the Local Government (Elections) Regulations 1997?	N/A	
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years in accordance with regulation 30G(4) of the Local Government (Elections) Regulations 1997?	N/A	
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with regulation 30G(5) of the Local Government (Elections) Regulations 1997?	N/A	

Finance				
No	Reference	Question	Response	Comments
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Local Government Act 1995?	Yes	

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2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Local Government Act 1995, did it do so by absolute majority?	N/A	No delegation given.
3	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2024 received by the local government by 31 December 2024?	Yes	
4	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under section 7.9(1) of the Local Government Act 1995 required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	N/A	No matters were raised.
5	s7.12A(4)(a) & (4)(b)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters? Was a copy of the report given to the Minister within three months of the audit report being received by the local government?	N/A	No matters were raised.
6	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under section 7.12A(4)(b) of the Local Government Act 1995, did the CEO publish a copy of the report on the local government's official website?	N/A	
7	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June 2024 received by the local government within 30 days of completion of the audit?	Yes	

Local Government Employees				
No	Reference	Question	Response	Comments
1	s5.36(4) & s5.37(3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Local Government (Administration) Regulations 1996, regulation 18A?	N/A	There were no CEO/senior employee vacancies during period
2	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A	There were no CEO/senior employee vacancies during period
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4) of the Local Government Act 1995?	N/A	There were no CEO/senior employee vacancies during period

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4	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A	There were no employment or dismissals of senior employees during the period
5	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A	There were no employment or dismissals of senior employees during the period

Official Conduct				
No	Reference	Question	Response	Comments
1	s5.120	Has the local government designated an employee to be its complaints officer?	Yes	
2	s5.121(1) & (2)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a) of the Local Government Act 1995?	Yes	
3	S5.121(2)	Does the complaints register include all information required by section 5.121(2) of the Local Government Act 1995?	Yes	
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	Yes	

Tenders for Providing Goods and Services				
No	Reference	Question	Response	Comments
1	F&G Reg 11A(1) & (3)	Did the local government comply with its current purchasing policy, adopted under the Local Government (Functions and General) Regulations 1996, regulations 11A(1) and (3) in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes	
2	s3.57 F&G Reg 11	Subject to Local Government (Functions and General) Regulations 1996, regulation 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in regulation 11(1) of the Regulations?	Yes	

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3	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 of the Local Government Functions and General) Regulations 1996, required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with Regulation 14(3) and (4)?	Yes	
4	F&G Reg 12	Did the local government comply with Local Government (Functions and General) Regulations 1996, Regulation 12 when deciding to enter into multiple contracts rather than a single contract?	N/A	
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents, or each acceptable tenderer notice of the variation?	Yes	
6	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 15 and 16?	Yes	
7	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulation 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes	
8	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	Yes	
9	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes	
10	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes	
11	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulations 21 and 22?	N/A	No EOI's sought for the period.
12	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A	No EOI's sought for the period.

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13	F&G Reg 23(3) & (4)	Were all expressions of interest that were not rejected under the Local Government (Functions and General) Regulations 1996, Regulation 23(1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	N/A	
14	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with Local Government (Functions and General) Regulations 1996, Regulation 24?	N/A	
15	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with Local Government (Functions & General) Regulations 1996 regulations 24AD(4) and 24AE?	Yes	
16	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	Yes	
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	Yes	
18	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24AG?	Yes	
19	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	Yes	
20	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	Yes	
21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	Yes	



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<b>22</b>	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24E and 24F?	Yes	
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<b>Integrated Planning and Reporting</b>				
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>
<b>1</b>	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	14/12/2021  Strategic Community Plan adopted on 14 December 2021
<b>2</b>	Admin Reg 19DA(1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	25/06/2024
<b>3</b>	Admin Reg 19DA(2) & (3)	Does the corporate business plan comply with the requirements of Local Government (Administration) Regulations 1996 19DA(2) & (3)?	Yes	

<b>Optional Questions</b>				
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>
<b>1</b>	Financial Management Reg 5(2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with the Local Government (Financial Management) Regulations 1996 regulations 5(2)(c) within the three financial years prior to 31 December 2024? If yes, please provide the date of council's resolution to accept the report.	Yes	25/03/2025 Review completed in December 2024, report to be presented to Audit Risk and Governance Committee on 12 March 2025 and Council 25 March 2025
<b>2</b>	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Local Government (Audit) Regulations 1996 regulation 17 within the three financial	Yes	25/03/2025 Review completed in December 2024, report to be presented to Audit Risk and Governance Committee on 12 March 2025 and Council 25 March 2025

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		years prior to 31 December 2024? If yes, please provide date of council's resolution to accept the report.		
3	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B of the Local Government Act 1995, were the disclosures made within 10 days after receipt of the gift? Did the disclosure include the information required by section 5.87C of the Act?	Yes	
4	s5.90A(2) & (5)	Did the local government prepare, adopt by absolute majority and publish an up-to-date version on the local government's website, a policy dealing with the attendance of council members and the CEO at events?	Yes	
5	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4) of the Local Government Act 1995?	Yes	
6	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes	
7	s5.127	Did the local government prepare a report on the training completed by council members in the 2023/2024 financial year and publish it on the local government's official website by 31 July 2024?	Yes	
8	s6.4(3)	By 30 September 2024, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2024?	Yes	
9	s.6.2(3)	When adopting the annual budget, did the local government take into account all its expenditure, revenue and income?	Yes	

\_\_\_\_\_  
Chief Executive Officer

\_\_\_\_\_  
Date

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Department of  
**Local Government, Sport  
and Cultural Industries**

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Mayor/President

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Date