

# AGENDA.

## Council Agenda Briefing

16 September 2025

### Notice of Meeting

Mayor and Councillors

The next Council Agenda Briefing of the City of South Perth Council will be held on Tuesday 16 September 2025 in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth commencing at 6.00pm.



MATTHEW SCOTT  
ACTING CHIEF EXECUTIVE OFFICER

10 September 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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# Council Agenda Briefing Meeting - Agenda

## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

## 2. DISCLAIMER

## 3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

## 4. ATTENDANCE

### 4.1 APOLOGIES

### 4.2 APPROVED LEAVE OF ABSENCE

- Mayor Greg Milner for the period 24 July 2025 to 17 October 2025, inclusive.

## 5. DECLARATIONS OF INTEREST

## 6. PUBLIC QUESTION TIME

This item will be dealt with at the Ordinary Council Meeting.

## 7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS

This item will be dealt with at the Ordinary Council Meeting.

## 8. PRESENTATIONS

### 8.1 PETITIONS

This item will be dealt with at the Ordinary Council Meeting.

### 8.2 GIFTS / AWARDS PRESENTED TO COUNCIL

This item will be dealt with at the Ordinary Council Meeting.

### 8.3 DEPUTATIONS

## 9. METHOD OF DEALING WITH AGENDA BUSINESS

This item will be dealt with at the Ordinary Council Meeting.

## 10. DRAFT REPORTS

### 10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)

#### 10.3.1 Proposed Grouped Dwelling - Lot 4, No. 7 Salter Point Parade, Salter Point - Section 31 Reconsideration

Location:	Lot 4, No. 7 Salter Point Parade, Salter Point
Ward:	Manning Ward
Applicant:	Grand Century Construction Pty Ltd
Owner:	China Zhongtian (Aus) Investment Group Pty Ltd
File Reference:	D-25-26158
DA Lodgement Date:	27 November 2024
Reporting Officer(s):	Patrick Quigley, A/ Director Development and Community Services
Previous Reference:	Item 10.3.5 of Ordinary Council Meeting held on 22 April 2025
Delegation:	Delegation DC690 Local Planning Scheme No.7
Council Role:	Quasi-Judicial

#### Summary

The purpose of this report is for Council to reconsider its previous decision to refuse a development application for a Proposed Grouped Dwelling on Lot 4, No. 7 Salter Point Parade, Salter Point, under section 31 of the *State Administrative Tribunal Act 2004 (WA)*.

For the reasons outlined in the report, it is recommended that the application be approved subject to conditions.

#### Officer Recommendation

That pursuant to the provisions of the City of South Perth Local Planning Scheme No.7, and the Metropolitan Region Scheme, the application for development approval for a Grouped Dwelling on Lot 4, No.7 Salter Point Parade, Salter Point, **be approved** subject to the following conditions:

1. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
2. All works to be carried out under this development approval, including footings, are required to be contained within the boundaries of the subject lot.
3. All external fixtures such as solar collectors and air-conditioning units are required to be integrated into the design so as to sit flush/flat along or below the roof line, to the satisfaction of the City of South Perth.
4. Prior to or in conjunction with the submission of a building permit application, or demolition permit application, whichever is earlier, a Construction Management Plan must be submitted to, and approved in writing by, the City of South Perth. The Construction Management Plan must address the following issues, where applicable:
  - (i) public safety and amenity;

- (ii) site plan and security;
- (iii) contact details of essential site personnel, construction period and operating hours;
- (iv) community information, consultation and complaints management plan;
- (v) noise, vibration, air and dust management;
- (vi) traffic, access and parking management;
- (vii) waste management and materials re-use;
- (viii) earthworks, excavation, land retention/piling methods and associated matters;
- (ix) stormwater and sediment control;
- (x) street tree management and protection;
- (xi) removal of onsite effluent disposal system and stormwater management system; and
- (xii) asbestos removal.

The Construction Management Plan must be implemented and adhered to all times, to the satisfaction of the City of South Perth.

5. Prior to or in conjunction with the submission of a building permit application, the applicant must be in receipt of an approved 'Stormwater Drainage Application' that confirms the design is to the satisfaction of the City of South Perth. All stormwater discharge from the development shall be contained and disposed of on-site unless otherwise approved by the City of South Perth.
6. The boundary wall shall be constructed and finished in a clean material to the same standard as the rest of the development to the satisfaction of the City of South Perth.
7. Prior to occupation or use of the development, the existing and/or proposed driveway shall be constructed with brick paving or concrete and suitably drained to the satisfaction of the City of South Perth.
8. All vehicle crossings being upgraded, designed, and constructed to the satisfaction of the City of South Perth.
9. Landscaping areas shall be installed in accordance with the approved plans and maintained for the lifetime of the development, to the satisfaction of the City of South Perth.
10. The xanthorrhoea and banksia trees in the verge adjacent to the lot will be required by the City to be protected by a tree protection zone (TPZ) to Australian Standards during the works. The City requires that mulch is provided around the base of each tree within the TPZ and watered regularly for the duration of the works.

**Note:** The City will include any relevant advice notes in the determination notice.

## 1.0 Details

Metropolitan Region Scheme - Zone/Reserve	Urban
Local Planning Scheme - Zone/Reserve	Residential (R20)
Activity Centre Plan	N/A
Use Class and Permissibility	Grouped dwelling – Permitted
Lot Size	1,410m <sup>2</sup>
Existing Land Use	Single house
Heritage	N/A
Bushfire Prone Area	No

## 2.0 Proposal

On 27 November 2024, the City received an application for a proposed Grouped Dwelling on Lot 4, No.7 Salter Point Parade, Salter Point.

The proposal involved the construction of a two-storey Grouped Dwelling split across two levels, to the rear of the existing dwelling on site. The development will share a vehicle access leg with the existing dwelling on site.

The application was refused by Council at its meeting held 22 April 2025 for the following reasons:

1. *The proposed development exceeds the maximum 3.5m height limit set for the site by Schedule B – Additional Site Requirements - ASR12 – Salter Point Escarpment, Salter Point of the City of South Perth Local Planning Scheme No. 7 (LPS7).*
2. *The proposed development is inconsistent with Design Principle 5.1.6 P6 of the Residential Design Codes as the building height proposed adversely impacts access to views of significance.*
3. *The proposed development exceeds the projection envelope in accordance with Local Planning Policy 5.1 – Salter Point Escarpment.*
4. *The proposed development is inconsistent with Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 as:*
  - (i) *The proposal is inconsistent with orderly and proper planning;*
  - (ii) *The building height is incompatible with the desired character of its setting and the development on land in the locality in relation to the effect of height; and*
  - (iii) *The proposal is inconsistent with the amenity of the locality.*

On 24 June 2025, the City received notice that the applicant had made an application for review to the State Administrative Tribunal (SAT).

Following mediation, the applicant has amended the development plans and submitted a letter responding to the reasons for refusal included in **Attachment (a)** and **Attachment (b)** respectively.

Pursuant to section 31 of the *State Administrative Tribunal Act 2004 (WA)*, Council is invited to reconsider its decision.

#### Plan revisions

To address the reasons for refusal, the revised plans include the following modifications:

- Finished Floor Level reduced 0.03m (9.20 AHD to 9.17 AHD).
- Upper floor roof form modified from hipped to skillion.
- Top of roof height reduced 0.105m (13.355 AHD to 13.250 AHD).
- Upper floor master bedroom width reduced by 1.0m, resulting in a 1.0m increase to the north east lot boundary setback.
- Upper floor retreat and master bedroom window widths increased.
- External colour nominated as Colorbond Monument.
- Viewshed analysis from ground floor of No. 80 River Way included.
- Additional view analysis sections showing ground and upper floor views included.

<b>Proposed No. Storeys</b>	Two
<b>Proposed No. Dwellings</b>	One

### 3.0 Background

#### Site Context

The site contains an existing Single House which is located at the front of the site adjacent to Salter Point Parade. The Grouped Dwelling is proposed to be developed to the rear of the existing dwelling, where the existing tennis court is located. The site is surrounded by Single Houses and Grouped Dwellings as seen in **Attachment (c)**.

The site is zoned Residential with a density code of R20 under Local Planning Scheme No. 7 (LPS 7). The site is also subject to Additional Site Requirement 12 (ASR12) of LPS 7, which relates to building heights within the Salter Point Escarpment.

### 4.0 Legislation and Policy

#### Legislation

*Planning and Development Act 2005*

Planning and Development (Local Planning Schemes) Regulations 2015

Planning and Development (State Planning Policies) Regulations 2024

Metropolitan Region Scheme (MRS)

City of South Perth Local Planning Scheme No. 7 (LPS 7)

Residential Design Codes - Volume 1 (R-Codes)

Local Planning Policies

Local Planning Policy 1.1 – Residential Development

Local Planning Policy 3.2 – Tree Retention

Local Planning Policy 5.1 – Salter Point Escarpment

Local Planning Policy 6.1 – Advertising of Planning Proposals

Local Planning Policy 7.1 – Significant Views

**5.0 Consultation and Referrals**Public Consultation

Consultation was undertaken during the initial development application process to the extent and in the manner required by the Deemed Provisions and Local Planning Policy 6.1 – Advertising of Planning Proposals.

A total of 15 letters were sent to adjoining landowners and occupiers. At the close of the consultation period, six submissions were received, five in opposition and one of neutral sentiment.

A summary of the key matters raised in submissions is provided in the table below, in addition to the Officer's comments:

Matter	Comment
Significant views	<p>Concerns were raised that the proposed dwelling will significantly impact on existing views of the Canning River from adjoining properties.</p> <p>The dwelling height was reduced in response to the consultation submissions and has been further reduced in the revised plans for this reconsideration. The revised plans are considered to have minimal impact on views to the Canning River from adjoining properties as detailed in this report.</p>
Visual privacy	<p>Concerns were raised in relation to visual privacy impacts from the upper floor master bedroom and retreat windows on the adjacent properties.</p> <p>Whilst the potential for direct line of sight between the windows and outdoor spaces on adjoining properties are acknowledged, the windows meet the deemed-to-comply requirements of the R-Codes.</p>

A Schedule of Submissions is contained as **Attachment (d)**.

The revised plans have not been readvertised, however all submitters from the original consultation period have been notified of the matter being reconsidered by Council.

## 6.0 Assessment

### Local Planning Scheme No. 7 (LPS 7)

The proposal has been assessed against all relevant legislative requirements of the LPS 7, State and Local Planning Policies. ASR12 of LPS 7 provides guidance for assessment and consideration of building height requirements within the Salter Point Escarpment through four clauses, as outlined below:

ASR12 Provision	Comment
(1) The maximum height of buildings on the site(s) shall be no greater than set out in Figure 1, 2 and 3.	A maximum building height of 5.0m in lieu of the maximum 3.5m is proposed.
(2) Notwithstanding (1), any proposed development shall not, in the opinion of the local government, significantly obstruct views of the Canning River from buildings on adjoining lot(s).	The development does not significantly obstruct views of the Canning River from buildings on adjoining lots as further discussed in this report.
(3) In determining whether a view of the Canning River has been significantly obstructed, the local government shall have regard to the provisions of any local planning policy relating to obstruction of views to Canning River.	The proposal has been assessed against Local Planning Policy 5.1 - Salter Point Escarpment as detailed further in this report.
(4) Projections above the maximum building height established under (1) of this schedule may be approved having regard to the provisions of any local planning policy relating to building heights in the area.	The proposal has been assessed against Local Planning Policy 5.1 - Salter Point Escarpment as detailed further in this report.

### Local Planning Policy – Tree Retention (LPP 3.2)

At its 26 August Ordinary Meeting, Council adopted LPP 3.2, which seeks to encourage and facilitate the protection of trees and to maintain and enhance tree canopy. As an adopted local planning policy, the revised application is required to be considered against LPP 3.2.

The subject site includes eight existing trees, all proposed to be removed as part of this development. Three of the trees are considered to meet the definition of regulated trees under the policy; these are the trees are tree 1, 7, and 8 as indicated in **Attachment (e)**.

The following is an assessment against relevant general requirements where due regard in the assessment of tree damaging activity is proposed:

Matter	Comment
6.1(e) The location of the tree within the development site and capacity for a modified building design or subdivision to maximise tree retention.	<p>Trees 7 and 8 are located directly adjacent to the north-east elevation of the dwelling, with minimal to nil separation. Due to the proximity of the trees from the proposed dwelling, it would not be reasonably possible to retain either tree with the currently proposed design.</p> <p>Both trees are considered to be healthy, mature specimens of a native species (peppermint and gum trees) which would be desirable to retain. Given the size of the trees, it is considered likely that retention of either tree would necessitate a significant redesign to protect the associated structural root zones, and retention of both trees would significantly compromise the development potential of the site.</p> <p>To maintain a reasonable development footprint for the site, within expectations based on the density code of the site, only retention of the more significant tree, which is considered to be the gum tree, is considered appropriate.</p>
6.1(g) Design and location of proposed crossovers to retain trees.	<p>Tree 1 is located directly adjacent the proposed driveway, which necessitates approximately 1.6m cut from the existing ground levels. Due to the location of the existing dwelling and access leg, the driveway cannot reasonably be provided in any other location, and the cut required will compromise the tree. This requirement cannot be achieved as the tree cannot be reasonably retained if the driveway is constructed in this location.</p>

As demonstrated above, the proposed development does not comply with the general criteria of LPP 3.2. Notwithstanding, in the assessment of a development application, the Policy provides that tree damaging activity to a regulated tree may be considered if relevant information and/or technical reports are provided to demonstrate that, in the opinion of the City, the redesign of the development to accommodate the regulated tree is unfeasible.

The applicant has advised that given the height and lean of the tree, it is unsuitable to be retained adjacent any development on the land. The City accepts that retention of the trees cannot be accommodated given the siting of the proposed development, and that a redesign of the proposal would be required to accommodate the trees.

Adoption of LPP 3.2 is considered a material change to the local planning framework and should Council seek to re-affirm its decision to refuse the application, it can include application of LPP 3.2 in its reasons for refusal. The SAT can consider if continuing the proceedings from a refusal based on LPP 3.2 is considered an 'abuse of process' and/or the changes have material planning implications.

#### Local Planning Policy 5.1 – Salter Point Escarpment (LPP 5.1)

The objectives of LPP 5.1 relevant to this proposal are to ensure building heights are consistent with the character and topography of the Salter Point Escarpment, whilst not significantly obstructing views to the Canning River. LPP5.1 uses a 'projection envelope' to provide guidance on where building height can reasonably exceed building height as assessed under ASR12.

LPP 5.1 sets out steps for calculating the projection envelope under clause 5.2.1, whereby the maximum permitted building height may be based on the highest natural ground level (NGL) below the proposed new building and not within 1.5m of a side or rear boundary. The highest NGL on the site has been estimated as 9.75m AHD, based on the highest point being located roughly halfway between the 10.0m and 9.5m AHD contour lines on the site survey.

As the permitted building height for the site under ASR12 is 3.5m, the resulting projection envelope height is 13.25m AHD. The proposed dwelling maximum height is 13.25m AHD, accordingly the entire dwelling is contained within the projection envelope.

Clause 5.2.2 of LPP 5.1 provides criteria for assessment of projections above the projection envelope. This clause was relevant to the plans considered by Council at its meeting held 22 April 2025, as the design included a 0.105m projection above the projection envelope. The revised plans contain the development within the projection envelope so assessment under clause 5.2.2 is no longer applicable.

Clause 5.2.3 addresses assessment of significant obstruction of views and provides guidance on the application of clause 2 of ASR12. It is noted that line of sight is only considered for properties adjoining the site, with the primary consideration being the rear adjoining property (No. 80 River Way). Significantly lesser weight is to be given to properties which may have views over side boundaries.

The revised plans include updated and additional diagrams demonstrating how the proposed dwelling will affect the sightlines from No. 80 River Way. These diagrams are included in **Attachment (a)** and provide a visual indication of the width and depth of view obstructions.

The City has also reassessed sightlines on the revised plans and concludes that the proposed dwelling is unlikely to result in any significant obstruction to the existing views which No. 80 River Way currently enjoys to Canning River. Views from the upper floor of No. 80 River Way will continue to be entirely unobstructed by both the existing and proposed dwellings at No. 7 Salter Point Parade.

From the ground floor of No. 80 River Way, the existing dwelling at No. 7 Salter Point Parade currently obstructs approximately 50% of the maximum potential vertical viewing angle towards the Canning River water surface. As can be seen in photos provided in **Attachment (c)**, views towards the Canning River from the ground floor of No. 80 River Way are also obstructed by vegetation beyond the ridgeline of No. 7 Salter Point Parade.

This demonstrates that irrespective of the existing dwelling, the primary obstruction to views of the water surface is the existing vegetation, and the existing dwelling primarily obstructs views to the vegetation rather than the Canning River. It is estimated that when also considering the obstruction from vegetation, No. 80 River Way achieves approximately 30% of its potential maximum vertical viewing angle towards the Canning River water surface.

The revised plans amend the roof design from hipped to skillion and reduce the maximum roof height from 13.355 AHD (Australian Height Datum) to 13.250 AHD. This results in the entire development being contained within the projection envelope, however, changes the location of the highest point from being centrally located above the upper floor, to the south east side of the upper floor.

Despite having a lower maximum AHD height, the revised skillion roof design results in a greater building height along the south-east side of the development, which is closer to the river. This increases obstruction of views towards the river; however, the change is considered to be of no material impact, with the increase expected to only obscure views to vegetation beyond the existing dwelling at No. 7 Salter Point Parade and not the Canning River water surface.

Should the application be approved, a condition ensuring that any external fixtures do not exceed the height of the proposed roof to ensure that views are not inadvertently impacted by the proposal is recommended.

In addition to the rear adjoining property at No. 80 River Way, concerns were raised by the residents at No. 78 River Way, which is located north-west of the subject site. LPP 5.1 states that greatest weight will be given to any line-of-sight established from a property directly 'behind' a site in reference to its position to Canning River. Significantly lesser weight will be given to a line-of-sight established from a property to the 'side' of a site.

As No. 78 River Way will retain its primary views over No. 5 Salter Point Parade, any impact resulting from the proposal is considered to impact on secondary views. The City does not have exact floor levels of the existing dwelling to accurately assess impact, however, based on estimates from the available information, the revised design is considered unlikely to result in any impact on existing views to the Canning River water surface from the upper floor of this property.

Accordingly, the proposal is considered to present minimal impact on the existing views of adjoining properties to the Canning River and therefore achieves the objectives of LPP 5.1.

#### Local Planning Policy 7.1 – Significant Views (LPP 7.1)

LPP 7.1 provides that, where this policy is inconsistent with a local development plan, structure plan or other local planning policy that applies to a specific site or area, the provisions of that specific planning instrument shall prevail.

The provisions of LPP 5.1 address matters pertaining to building height and impact on views, specifically within the Salter Point area and as such, the provisions of LPP 5.1 prevail.

Residential Design Codes Volume 1

In addition to the site-specific requirements of LPS 7 and LPP 5.1, the proposal is required to be assessed against the R-Codes.

Applications not satisfying the deemed-to-comply requirements are then assessed against the associated design principles for that element. The proposal has been assessed to comply with all applicable deemed-to-comply provisions of the R-Codes, with the exception of those detailed in the table below:

R-Codes Provision	Comment
<u>Lot boundary setbacks</u>	
<i>Deemed-to-comply</i>	
1. Upper floor south-east (internal) lot boundary setback of 1.6m in lieu of 1.7m (excluding major openings) to 3.5m minimum (including major openings).	
<i>Design principles</i> P3.1 Buildings set back from lot boundaries or adjacent buildings on the same lot so as to: <ul style="list-style-type: none"> <li>• reduce impacts of building bulk on adjoining properties;</li> <li>• provide adequate sunlight and ventilation to the building and open spaces on the site and adjoining properties; and</li> <li>• minimise the extent of overlooking and resultant loss of privacy on adjoining properties.</li> </ul>	The reduced lot boundary setback relates to an indicative lot boundary with the existing dwelling on site. The area on the adjacent site contains a carport and therefore is considered unlikely to result in any notable impact on the habitable areas of the site. The reduced setbacks to the south-east allow for building mass to be located further from the north-west lot boundary, which reduces prominence and visual impact of the dwelling to the rear adjoining properties.
<u>Site works</u>	
<i>Deemed-to-comply</i>	
1. Up to 1.7m cut within 1.5m of the south-west lot boundary in lieu of 1.5m maximum.	
2. Up to 0.8m cut within 1m of the north-west lot boundary in lieu of 0.5m maximum.	
<i>Design principles</i> P7.1 Development that considers and responds to the natural features of the site and requires minimal excavation/fill.  P7.2 Where excavation/fill is necessary, all finished levels respecting the natural ground level at the lot	The site works relate to cut and therefore will only reduce potential impact by allowing for lower finished floor levels and building heights. A Construction Management Plan has been included as a recommended condition of approval to assist in managing potential impacts associated with site works.

<p>boundary of the site and as viewed from the street.</p> <p>P7.3 Retaining walls that result in land which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped having due regard to clause 5.4.1.</p>	
<p><u>Visual privacy</u></p>	
<p><i>Deemed-to-comply</i></p> <ol style="list-style-type: none"> <li>1. Retreat south-east facing window setback 1.6m from the internal south-east lot boundary (indicative) in lieu of 6.0m minimum.</li> <li>2. Master bedroom south-east facing window setback 1.6m from the internal south-east lot boundary (indicative) in lieu of 4.5m minimum.</li> </ol>	
<p><i>Design principles</i></p> <p>P1.1 Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:</p> <ul style="list-style-type: none"> <li>• building layout and location;</li> <li>• design of major openings;</li> <li>• landscape screening of outdoor active habitable spaces; and/or</li> <li>• location of screening devices.</li> </ul> <p>P1.2 Maximum visual privacy to side and rear boundaries through measures such as:</p> <ul style="list-style-type: none"> <li>• offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;</li> <li>• building to the boundary where appropriate;</li> <li>• setting back the first floor from the side boundary;</li> <li>• providing higher or opaque and fixed windows; and/or</li> <li>• screen devices (including landscaping, fencing, obscure glazing, timber</li> </ul>	<p>The area overlooked contains a carport and is not a habitable space or outdoor living area and therefore any overlooking is of minimal impact. It is also noted that the dwelling is on the same site in the same ownership.</p>

screens, external blinds, window hoods and shutters).	
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## 7.0 Conclusion

The development has been designed having due regard to the requirements of LPS 7, LPP 5.1, and the R-Codes. It is considered the proposal will not detrimentally impact adjoining neighbouring properties and will result in minimal impact to access to views of significance from adjoining properties to the Canning River. The proposal does not meet LPP 3.2 as outlined in this report.

Given the proposal generally meets the applicable planning framework and addresses reasons for refusal in the original decision, the revised proposal is recommended for approval subject to the inclusion of appropriate conditions.

## Financial Implications

This determination has minimal financial implications, however, should Council reaffirm its earlier decision to refuse the application, the matter may progress to a final hearing at the SAT, which will incur further consultant fees for representation.

To date the City has expended \$8,824.75 in consultant fees, in addition to staff time. At this stage, the City has not obtained a quote for representation in the event this matter progresses to a hearing.

## Key Risks and Considerations

<b>Risk Event Outcome</b>	<b>Reputational Damage</b> Deals with adverse impact upon the professional reputation and integrity of the City and its representatives whether those persons be appointed or elected to represent the City. The outcome can range from a letter of complaint through to a sustained and co-ordinated representation against the City and or sustained adverse comment in the media.
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	Risk acceptable with adequate controls, managed by routine procedures and monitoring.

### Strategic Implications

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

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

### Attachments

10.3.1 (a):	Development plans (revised)
10.3.1 (b):	Response to reasons for refusal
10.3.1 (c):	Aerial image
10.3.1 (d):	Schedule of submissions
10.3.1 (e):	Existing trees on site

## 10.4 STRATEGIC DIRECTION 4: LEADERSHIP

### 10.4.1 Listing of Payments August 2025

File Ref: D-25-29025

Reporting Officer(s): Pele McDonald, A/Director Corporate Services

#### Summary

This report presents to Council a list of accounts paid under delegated authority between 1 August 2025 to 31 August 2025 for information. It also includes purchase card transactions between 1 July 2025 to 31 July 2025 in line with legislative requirements. The City made the following payments:

EFT Payments to Creditors	(391)	\$3,851,629.73
<b>Total Monthly Payments to Creditors</b>	<b>(391)</b>	<b>\$3,851,629.73</b>
EFT Payments to Non-Creditors	(29)	\$26,077.67
<b>Total EFT &amp; Cheque Payments</b>	<b>(420)</b>	<b>\$3,877,707.40</b>
Credit Card Payments	(93)	\$22,107.27
Fleet Card Payments	(30)	\$2,196.74
<b>Total Payments</b>	<b>(543)</b>	<b>\$3,902,011.41</b>

#### Officer Recommendation

That Council receives the Listing of Payments for the month of August 2025 as detailed in **Attachment (a)**.

#### Background

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

#### Comment

The payment listing for August 2025 is included in **Attachment (a)**.

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

The report records payments are classified as:

- Creditor Payments

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

- Non-Creditor Payments

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

- Purchase Cards

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

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

### **Consultation**

Nil.

### **Policy and Legislative Implications**

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

### **Financial Implications**

The payment of authorised amounts is within existing budget provisions.

### Key Risks and Considerations

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

### Strategic Implications

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

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

### Attachments

10.4.1 (a):	Listing of Payments August 2025
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## 10.4.2 Monthly Financial Statements August 2025

File Ref: D-25-29034

Reporting Officer(s): Pele McDonald, A/Director Corporate Services

### Summary

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

### Officer Recommendation

That Council notes the Financial Statements and report for the month ended 31 August 2025.

### Background

Regulation 34(1) of the Local Government (Financial Management) Regulations 1996, requires each local government to present a Statement of Financial Activity reporting on income and expenditure as set out in the annual budget. Regulation 34(3) specifies that the nature or type classification must be used. In addition, regulation 34(5) requires a local government to adopt a percentage or value to report on material variances between budgeted and actual results. In addition to the above, Regulation 35 requires a local government to present a Statement of Financial Position. The 2025/26 budget adopted by Council at its meeting held 24 June 2025, determined the material variance amounts of \$10,000 or 10% for the financial year. The Financial Management Reports contains an Original and Revised Budget column for comparative purposes.

### Comment

The Local Government (Financial Management) Regulations 1996 requires that a Statement of Financial Position and a Statement of Financial Activity are produced monthly. The Statement of Financial Activity is a financial report unique to local government drawing information from other reports to include operating revenue, expenditure, capital income, expenditure, loan funding and transfers to and from reserves.

Monetary policy measures taken by the Reserve Bank of Australia (RBA) appears to be achieving its objective of lowering inflation in Australia. The June 2024 quarter to June 2025 quarter Perth CPI of 2.7% were within target. The national CPI figure of 2.1% for the 12 months to June 2025 were well within the target range, however the monthly national CPI rose 2.8% for July 2024 to July 2025 but remaining in the target range of between 2% and 3%.

At its February 2025 meeting the RBA decided to cut the cash rate by 25 basis points to 4.10%, followed by a further 25 basis points cut at its 20 May 2025 meeting. The RBA did cut rates further by 25 basis points at its Monetary Policy Board Meeting on 12 August 2025, taking the cash rate to 3.60%.

The economic outlook remains uncertain, the RBA Monetary Policy Board released the following statement on the 12 August 2025: “Uncertainty in the world economy remains elevated. There is a little more clarity on the scope and scale of US tariffs and policy responses in other countries, suggesting that more extreme outcomes are likely to be avoided. Trade policy developments are nevertheless still expected to have an adverse effect on global economic activity, and there remains a risk that households and firms delay expenditure pending still greater clarity on the outlook. As in May, the forecasts assume that both effects weigh on activity and inflation in Australia for a period.”

In framing the Annual Budget 2025/26, the City considered the continued economic uncertainty. The City continues to prudently manage its finances through this uncertain time whilst remaining conscious of the need to provide quality services to its community.

Actual income from operating activities for August year-to-date (YTD) is \$70.34m in comparison to budget of \$70.16m, favourable to budget by \$0.18m. Actual expenditure from operating activities for August is \$11.16m in comparison to the budget of \$11.46m, favourable to budget by \$0.30m or 2.63%. The August Net Operating Position of \$59.18m is \$0.48m favourable in comparison to budget.

Capital Revenue, budget and actual for the month of August is insignificant. Actual Capital Expenditure YTD is \$0.85m in comparison to the budget \$1.10m, favourable by \$0.25m. A variance analysis is provided within **Attachment (e)** titled Significant Variance Analysis. The estimation of Capital projects that may carry-forward from one year to the next is challenging as completion of at the 30 June is affected by many factors. For example, contractors, material availability and the weather. As in previous years, there will be several Capital projects that require Budget adjustments to recognise carry forward projects.

Cash and Cash Equivalents amounted to \$80.12m. Consistent with previous monthly reports, the Cash and Cash Equivalents balance is contained within the Statement of Financial Position. In addition, further detail is included in a non-statutory report (All Council Funds).

Banks have been pricing in the anticipated rate cut by the RBA, offering average interest rates of 3.92% for investments under 12 months. The City holds a portion of its funds in financial institutions that do not invest in fossil fuels. Investment in this market segment is contingent upon all the other investment criteria of Policy P603 Investment of Surplus Funds being met. At the end of August 2025, the City held 47.82% of its investments in institutions that do not provide fossil fuel lending. The Summary of Cash Investments illustrates the percentage invested in each of the non-fossil fuel institutions and the short-term credit rating provided by Standard & Poors for each of the institutions.

### Consultation

Nil.

### Policy and Legislative Implications

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

### Financial Implications

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

### Key Risks and Considerations

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

### Strategic Implications

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

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

### Attachments

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

### 10.4.3 Electors' Special Meeting - 25 August 2025

File Ref: D-25-27893

Reporting Officer(s): Matthew Scott, Acting Chief Executive Officer

#### Summary

This report allows Council to consider the outcomes of the Electors' Special Meeting held 25 August 2025 in accordance with section 5.33 of the *Local Government Act 1995*.

#### Officer Recommendation

1. That the minutes of the Electors' Special Meeting held Monday 25 August 2025 and contained in **Attachment (a)** be received.
2. That Council notes the decision made at the Electors' Special Meeting held Monday 25 August 2025 as outlined in the body of this report.

#### Background

On 4 August 2025, the City received a request to hold an Electors' Special Meeting via a Form 1 containing 658 verified signatures in accordance with the Local Government (Administration) Regulations 1996. As per the form the details of the matters to be discussed at the meeting were as follows:

*That the Electors of the City of South Perth ('the City'):*

1. *Express a lack of confidence in the Council for their decision on Cr Coveney's Notice of Motion Item 12.1 (Resolution 0725/140) "Removal of the Six Trees Planted on the South Side of Lake Douglas During Winter 2024" of the July 2025 Ordinary Council Meeting agenda, for the following reasons:*
  - (a) *The decision to remove six trees from public land in order to protect the outlook of the adjoining private landowners ('the decision') is not in the best interests of the general community of the City, and is inconsistent with the conservation and enhancement of a functional, healthy river and foreshore environment which is the aim of the City's **South Perth Foreshore Strategy and Management Plan**.*
  - (b) *The decision is inconsistent with and disrespectful of the consensus of the community as expressed in research undertaken for and feedback to the **Urban Greening Strategy**, as endorsed by Council.*
  - (c) *The decision undermines the goals of the **Urban Greening Strategy** to: protect the City's ecologically sensitive riverside environment as a community asset; protect the City's vegetation, tree canopy and green spaces and existing trees; and expand existing urban greening for the benefit of the City's environment and community wellbeing.*

- (d) *The proposal to hold a Councillor workshop to develop a policy on planting trees on public land is inconsistent with the requirements of the **Urban Greening Strategy**, the **South Perth Foreshore Strategy and Management Plan** and the Environment (Built and Natural) elements of the **Strategic Community Plan**. This could affect potential Federal and State Government funding by suggesting to higher levels of government that funding might not align with a thoroughly researched, community supported plan.*
  - (e) *The decision establishes a concerning precedent by permitting the interests of a limited group of individuals to take precedence over those of the broader community. As such, it does not fulfil the **Strategic Community Plan's** requirements (at 4.3.1) to foster effective governance with quality decision making to deliver community priorities.*
2. *In accordance with the above, we call upon Council to rescind or change Resolution 0725/140 resulting from Item 12.1, in its entirety or as possible under the Standing Orders, at its earliest opportunity.'*

In accordance with the *Local Government Act 1995* and the Local Government (Administration) Regulations 1996 an Electors' Special Meeting was scheduled for Monday 25 August 2025.

### Comment

The Electors' Special Meeting was held at 6pm on Monday 25 August 2025 in the City of South Perth Community Hall. At the commencement of the meeting there were approximately 110 in attendance, 93 of those present registered with addresses that would enable them to validly be declared an Elector.

The motion moved by the electors is as follows:

*"Moved: Ms Bronwyn David*

*Seconded: Ms Sue Gillieatt*

*That the Electors of the City of South Perth ('the City'):*

1. *Express a lack of confidence in the Council for their decision on Cr Coveney's Notice of Motion Item 12.1 (Resolution 0725/140) "Removal of the Six Trees Planted on the South Side of Lake Douglas During Winter 2024" of the July 2025 Ordinary Council Meeting agenda, for the following reasons:*
  - (a) *The decision to remove six trees from public land in order to protect the outlook of the adjoining private landowners ('the decision') is not in the best interests of the general community of the City, and is inconsistent with the conservation and enhancement of a functional, healthy river and foreshore environment which is the aim of the City's **South Perth Foreshore Strategy and Management Plan**.*
  - (b) *The decision is inconsistent with and disrespectful of the consensus of the community as expressed in research undertaken for and feedback to the **Urban Greening Strategy**, as endorsed by Council.*
  - (c) *The decision undermines the goals of the **Urban Greening Strategy** to: protect the City's ecologically sensitive riverside environment as a community asset; protect the City's vegetation, tree canopy and green spaces and existing trees; and expand existing urban greening for the benefit of the City's environment and community wellbeing.*

- (d) *The proposal to hold a Councillor workshop to develop a policy on planting trees on public land is inconsistent with the requirements of the **Urban Greening Strategy**, the **South Perth Foreshore Strategy and Management Plan** and the Environment (Built and Natural) elements of the **Strategic Community Plan**. This could affect potential Federal and State Government funding by suggesting to higher levels of government that funding might not align with a thoroughly researched, community supported plan.*
  - (e) *The decision establishes a concerning precedent by permitting the interests of a limited group of individuals to take precedence over those of the broader community. As such, it does not fulfil the **Strategic Community Plan's** requirements (at 4.3.1) to foster effective governance with quality decision making to deliver community priorities.*
2. *In accordance with the above, we call upon Council to rescind or change Resolution 0725/140 resulting from Item 12.1, in its entirety or as possible under the Standing Orders, at its earliest opportunity.*

There is no action required by Council with regard to this motion. Recommendation 2 was dealt with by Council at its meeting held Tuesday 26 August 2025, following a revocation motion submitted by Councillor Jennifer Nevard and supported by Mayor Greg Milner and Councillor André Brender-A-Brandis. Council resolved not to revoke the decision from its meeting held 22 July 2025. The minutes for that meeting can be found [here](#).

### Consultation

The meeting was advertised in accordance with the *Local Government Act 1995* and the Local Government (Administration) Regulations 1996.

### Policy and Legislative Implications

*Local Government Act 1995*

Local Government (Administration) Regulations 1996

### Financial Implications

The approximate cost to hold the Electors' Special Meeting was \$10,000 which consisted of audio-visual equipment for the community hall, hall hire and Officer time.

### Key Risks and Considerations

<b>Risk Event Outcome</b>	<b>Legislative Breach</b>  Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	Officers are aware of the requirements to hold Electors' Special Meetings in accordance with the <i>Local Government Act 1995</i> and the Local Government (Administration) Regulations 1996.

### Strategic Implications

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

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

### Attachments

10.4.3 (a):	Electors' Special Meeting - Minutes
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**11. APPLICATIONS FOR LEAVE OF ABSENCE**

This item will be dealt with at the Ordinary Council Meeting.

**12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**13. QUESTIONS FROM MEMBERS**

This item will be dealt with at the Ordinary Council Meeting.

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

This item will be dealt with at the Ordinary Council Meeting.

**15. MEETING CLOSED TO THE PUBLIC**

Nil.

**16. CLOSURE**