

# MINUTES

## Ordinary Council Meeting

23 September 2025

Mayor and Councillors

Here within are the Minutes of the Ordinary Council Meeting of the City of South Perth Council held Tuesday 23 September 2025 in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth.



MATTHEW SCOTT  
ACTING CHIEF EXECUTIVE OFFICER

26 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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# Ordinary Council Meeting - Minutes

Minutes of the Ordinary Council Meeting held in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth at 6.00pm on Tuesday 23 September 2025.

## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 6.02pm.

## 2. DISCLAIMER

The Presiding Member read aloud the City's Disclaimer.

## 3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

The Presiding Member read aloud the following statement:

*'I'd like to take this moment to acknowledge that this is the last council meeting with the current Council prior to the local government elections being finalised on Saturday the 18th of October.*

*Councillor Jennifer Nevard has decided not to renominate for re-election this time around. I'd like to take this opportunity to thank Councillor Nevard for her dedication and service to the community since she was elected on 16 October 2021. Councillors, can we please give Councillor Nevard a round of applause for her service.*

*I'd also like to take this opportunity to wish all the candidates good luck in the forthcoming local government elections'*

The Mayor presented the following report of the Mayoral engagements and meetings attended in the Mayor's capacity since the last Council Meeting. The Mayor read out the following:

*'On Thursday 11 September, I attended the 39th South Perth Young Writers Awards (SPYWA).*

*I've had the privilege of presenting the SPYWA awards for six years now, and every year, I'm absolutely amazed by the captivating and entertaining stories produced by our very talented young people.*

*The City of South Perth is delighted to facilitate SPYWA and help showcase the extraordinary creative writing abilities of these wonderful young authors, and encourage them to develop their very-impressive talents.*

*I'd like to extend the City's congratulations to all of our brilliant entrants and winners in this year's SPYWA awards.*

*On Saturday 13 September I attended the Manning Community Toy Library's AGM. For a number of years now, I've been attending the toy library's AGM and reading stories to the children that are there while the adults conduct the AGM itself.*

*I then headed over to Challenger Reserve for the South Perth United Football Club's Junior Awards Day.*

*On Sunday 14 September I attended the Manning Memorial Bowling Club for their Season Opening Day, followed by the Manning Rippers Football Club Youth Wind Up that afternoon.*

*On Tuesday 16 September I met with Acting CEO Matthew Scott. As you all know, I meet with the CEO, or Acting CEO, at least once per week to discuss the local government's affairs and the performance of its functions, in line with section 2.8 of the Local Government Act.*

*In an effort to try and reduce the length of this report, I'll note that I also met with Mr Scott today for that very same purpose.*

*Also on Tuesday 16 September, I served as Presiding Member at the Council Agenda Briefing.*

*On Wednesday 17 September, I attended the City of South Perth's Citizenship Ceremony and helped congratulate 54 new Australian Citizens on their brand new Australian Citizenship. Thank you to everyone who attended that Ceremony.*

*Earlier today, I met with Acting CEO Matthew Scott and the City's Communications team.*

*As you all know, I meet with the City's Communications team once per week to discuss current and upcoming communications by the City, potential third-party media relevant to the City and my duties as spokesperson for the City.*

*That brings us up to tonight's Ordinary Council Meeting.*

### ***Second Part of Report***

*Second part of the report that I'm required to present is an overview of the key issues, initiatives, and matters that I've been addressing in my capacity of Mayor since the last council meeting. But I've been on leave since the last council meeting, so nothing to report there.'*

## **4. ATTENDANCE**

Mayor Greg Milner (Presiding Member)

### Councillors

Como Ward

Manning Ward

Manning Ward

Moresby Ward

Councillor Glenn Cridland

Councillor Blake D'Souza

Councillor André Brender-A-Brandis

Councillor Jennifer Nevard

### Officers

A/ Chief Executive Officer

A/ Director Corporate Services

A/ Director Development and Community Services

Director Infrastructure Services

Manager Development Services

Manager Finance

Manager Governance

Governance Administration Officer

Mr Matthew Scott

Ms Pele McDonald

Mr Patrick Quigley

Ms Anita Amprimo

Ms Fiona Mullen

Mr Abrie Lacock

Ms Toni Fry

Ms Kira Digwood

### Gallery

There were approximately 4 members of the public present.

#### **4.1 APOLOGIES**

- Councillor Bronwyn Waugh

#### **4.2 APPROVED LEAVE OF ABSENCE**

- Mayor Greg Milner for the period 24 July 2025 to 17 October 2025, inclusive.
- Councillor Hayley Prendiville for the period 23 September 2025 to 10 October 2025, inclusive.

### **5. DECLARATIONS OF INTEREST**

Nil.

### **6. PUBLIC QUESTION TIME**

#### **6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

#### **6.2 PUBLIC QUESTION TIME: 23 SEPTEMBER 2025**

The Presiding Member opened Public Question Time at 6.09pm.

Written questions were received prior to the meeting from:

- Mr Stephen Russell of Como.
- Mr Roberto Filippetto of South Perth.

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

There being no further questions, the Presiding Member closed Public Question Time at 6.19pm.

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

### 7.1 MINUTES

#### 7.1.1 Ordinary Council Meeting Held: 26 August 2025

##### Officer Recommendation AND COUNCIL DECISION

0925/181

**Moved:** Councillor André Brender-A-Brandis

**Seconded:** Councillor Jennifer Nevard

That the Minutes of the Ordinary Council Meeting held 26 August 2025 be taken as read and confirmed as a true and correct record.

**CARRIED (5/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Glenn Cridland, Blake D'Souza and Jennifer Nevard

**Against:** Nil.

### 7.2 CONCEPT BRIEFINGS

#### 7.2.1 Concept Briefings and Workshops

The City has not facilitated any Concept Briefings and/or Workshops with Elected Members during this current period.

#### Attachments

Nil.



## 7.2.2 Council Agenda Briefing - 16 September 2025

Officers of the City presented background information and answered questions on Items to be considered at the September Ordinary Council Meeting at the Council Agenda Briefing held 16 September 2025.

### Attachments

7.2.2 (a): Briefing Notes

#### Officer Recommendation AND COUNCIL DECISION

0925/182

**Moved:** Councillor André Brender-A-Brandis

**Seconded:** Councillor Blake D'Souza

That Council notes that:

- 7.2.1 No Concept Briefings and/or Workshops were held; and
- 7.2.2 Council Agenda Briefing was held 16 September 2025

**CARRIED (5/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Glenn Cridland, Blake D'Souza and Jennifer Nevard.

**Against:** Nil.

## 8. PRESENTATIONS

### 8.1 PETITIONS

Nil.

### 8.2 PRESENTATIONS

Nil.

### 8.3 DEPUTATIONS

Deputations were heard at the Council Agenda Briefing held 16 September 2025.

## 9. METHOD OF DEALING WITH AGENDA BUSINESS

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

The Acting Chief Executive Officer confirmed all the report items were discussed at the Council Agenda Briefing held 16 September 2025.

### ITEMS WITHDRAWN FOR DISCUSSION

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

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

### **Officer Recommendation AND COUNCIL DECISION**

**0925/183**

**Moved:** Councillor André Brender-A-Brandis

**Seconded:** Councillor Blake D'Souza

10.4.1 Listing of Payments August 2025

10.4.2 Monthly Financial Statements August 2025

10.4.3 Electors' Special Meeting – 25 August 2025

**CARRIED (5/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Glenn Cridland, Blake D'Souza and Jennifer Nevard.

**Against:** Nil.

## 10. 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-25-29992
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.

#### COUNCIL DECISION

0925/184

**Moved:** Mayor Greg Milner  
**Seconded:** Councillor Jennifer Nevard

In accordance with Clause 8.10 of the City of South Perth Standing Orders Local Law 2007 Councillor André Brender-A-Brandis be granted an additional five minutes to speak.

**CARRIED (5/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Glenn Cridland, Blake D'Souza and Jennifer Nevard.

**Against:** Nil.

**Officer Recommendation AND COUNCIL DECISION****0925/185****Moved:** Councillor Blake D'Souza**Seconded:** Councillor André Brender-A-Brandis

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.

**CARRIED (5/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Glenn Cridland, Blake D'Souza and Jennifer Nevard.

**Against:** Nil.

## 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,</p>

	which is considered to be the gum tree, is considered appropriate.
6.1(g) Design and location of proposed crossovers to retain trees.	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.

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>	
<p><i>Deemed-to-comply</i></p> <ol style="list-style-type: none"> <li>Up to 1.7m cut within 1.5m of the south-west lot boundary in lieu of 1.5m maximum.</li> <li>Up to 0.8m cut within 1m of the north-west lot boundary in lieu of 0.5m maximum.</li> </ol>	
<p><i>Design principles</i></p> <p>P7.1 Development that considers and responds to the natural features of the site and requires minimal excavation/fill.</p> <p>P7.2 Where excavation/fill is necessary, all finished levels respecting the natural ground level at the lot 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>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>
<u>Visual privacy</u>	
<p><i>Deemed-to-comply</i></p> <ol style="list-style-type: none"> <li>Retreat south-east facing window setback 1.6m from the internal south-east lot boundary (indicative) in lieu of 6.0m minimum.</li> <li>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>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>

<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 screens, external blinds, window hoods and shutters).</li> </ul>	
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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-25-29994

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 AND COUNCIL DECISION

0925/186

**Moved:** Councillor André Brender-A-Brandis

**Seconded:** Councillor Blake D'Souza

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

**CARRIED BY EXCEPTION RESOLUTION (5/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Glenn Cridland, Blake D'Souza and Jennifer Nevard.

**Against:** Nil.

#### Background

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



**Comment**

The payment listing for 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-25-29995

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 AND COUNCIL DECISION

0925/187

**Moved:** Councillor André Brender-A-Brandis

**Seconded:** Councillor Blake D'Souza

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

**CARRIED BY EXCEPTION RESOLUTION (5/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Glenn Cridland, Blake D'Souza and Jennifer Nevard.

**Against:** Nil.

### 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-25-29996  
Reporting Officer(s): Matthew Scott, A/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 AND COUNCIL DECISION

0925/188

**Moved:** Councillor André Brender-A-Brandis

**Seconded:** Councillor Blake D'Souza

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.

**CARRIED BY EXCEPTION RESOLUTION (5/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Glenn Cridland, Blake D'Souza and Jennifer Nevard.

**Against:** Nil.

#### 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

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

Nil.

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

Nil.

**13. QUESTIONS FROM MEMBERS**

**13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE**

Nil.

**13.2 QUESTIONS FROM MEMBERS**

- Councillor Jennifer Nevard
- Councillor Glenn Cridland
- Councillor André Brender-A-Brandis

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

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

Nil.

**15. MEETING CLOSED TO THE PUBLIC**

Nil.

**16. CLOSURE**

The Presiding Member thanked everyone for their attendance and closed the meeting at 6.48pm.

## APPENDIX

### 6.2 PUBLIC QUESTION TIME: 23 September 2025

<b>1 Mr Stephen Russell, Como</b> <b>Received: 22 September 2025</b>	<b>Responses provided by: Patrick Quigley – A/Director Development and Community Services</b>
<p><i>[Preamble]</i></p> <p><i>These questions are a follow-on to my previous questions of the August OCM regarding the damage beyond repair of a large lemon-scented gum tree on a development site (DAP/22/02273) at the corner of Clydesdale and Davilak Street during construction. This tree was a magnificent and landmark tree and in my observations one of the few examples where a developer had decided to retain such a tree, making its destruction even the more tragic. I need to note that the City's recommended condition of approval within the RAR for the protection of this tree did not make reference to Australian Standard AS4970 "Protection of Trees on Development Sites" nor the arborists report contained within the DA which amongst others, required for this tree (a) a tree protection zone per Australian Standards AS4970, (b) mulching, (c) possible exploratory root excavation to be undertaken in advance of works to further aid design (d) determination of a possible extensive root mass (i.e. roots &gt;40-50mm dia.). Hence my questions are:</i></p>	
1. Can the City confirm if the Arborists requirements were met?	The City does not proactively monitor demolition or construction sites, so it is unable to confirm whether the recommendations of the Arboriculturally Impact Assessment Report prepared by Civica, dated 6 October 2022, were carried out on site during works.
2. As the City did not provide a clear or unambiguous response to my previous question of the August OCM, then I need to repeat the question here "Did the City prior to and during construction perform site visits to verify that the tree protection condition was satisfactory to ensure it's survival?" The emphasis is on site visit.	This is partially addressed in the answer to question 1.  However, just to be clear, a site visit was not undertaken by the City to check on the welfare of the large lemon-scented gum tree during the construction period.

<p>3. For DAP/23/02517 an 11-grouped dwelling development at the corner of Ley and Phillips determined in October 2023, the City recommended tree protections conditions as follows: (a) Public verge trees to be retained, are required to be protected by a tree protection zone (TPZ) to Australian Standard AS4970, mulched within the TPZ and watered weekly up to 500 litres each. The DAP approved this condition with a variation to watering. (b) No specific tree protection conditions for the large on-site large jacaranda to be retained nor reference to the arborist report which made reference to Australian Standard AS4970 tree protection. Hence, when comparing the two aforementioned DAP applications there are discrepancies to how the City approaches tree protection conditions of approval. That is, public trees have clear and rigorous protection criteria whereas trees on private lands do not. Does the City consider this approach as being orderly and proper planning to ensure the survival of retained private trees on private development lands?</p>	<p>Conditions associated with development approvals are determined on a case-by-case basis. In August 2025, Council adopted Local Planning Policy 3.2 'Tree Retention' aimed at providing greater protection and consistency for preserving local trees on private property.</p>
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<b>2 Mr Roberto Filippetto, South Perth</b> <b>Received: 22 September 2025</b>	<b>Responses provided by: Anita Amprimo – Director Infrastructure Services</b>
<p>1. I'm a local resident in 42 Douglas Avenue. I have a query regarding to a lot of honing happening in our street. As I wrote in the question there, maybe the Council can help us with some calming devices in the order of humps or whatever that is necessary because it's becoming more and more intolerable at the moment. There's a lot of happening with broken muffler or a special type of muffler that makes a lot of noises. It's not really nice, so I wonder whether the Council can do something about it?</p>	<p>Douglas Avenue already has several traffic calming measures installed. Given the classification and purpose of this road there is limited further engineering interventions however the City will look to see if there are any other suitable engineering options. The City has a number of speed awareness signs that it can deploy across the City and we'll see if we can find a location on Douglas Avenue that is suitable to locate that.</p> <p>The City also regularly has ongoing discussions with WA Police relating to antisocial driver behaviour. On the advice of WA Police, we would encourage residents to contact the police directly when this activity is occurring as this helps them prioritise resources and deploy them accordingly.</p>
<p><i>[Preamble] The second question was regarding some empty houses or houses that are inhabited that nobody lives in, which I have no quarries about. The thing is two of them really give a bad aspect in the street and one of them has a scaffolding erected or a fence erected at the front of the property. Nothing has been done about it, and it has been there for about 10 months now.</i></p>	
<p>2. Is there anything that the Council can do regarding to that? The squatters used to live in them and there is another house that nobody lives in it, but it is used as a dumping ground for all sorts of stuff. I have photograph evidence of it, and I don't think it's fair to for the street appeal of the street that if you dump all the leftover equipment or whatever you got in your front yard.</p>	<p>Depending on the condition of unoccupied properties, there are several actions that local government can undertake. For example, if a property is in a poor state with an identified health hazard (e.g. pest infestations or fire hazard etc), then enforcements can be implemented under relevant legislation. If a property is in an unclean state or squatters are present, owners can be approached to clean it and/or secure their property.</p> <p>We would ask you to contact the City through our request system or by phoning our main line to give us details of the particular addresses that you have concerns with.</p>

<p>3. Is the council responsible for the front verge of a property? If not, can the council enforce any bi-laws to keep it tidy and clean?</p>	<p>The maintenance of lawns and gardens on verges is the responsibility of the owner of the property adjacent to the verge. While the City is responsible for all street trees on verges, residents are encouraged to establish waterwise verge gardens and look after their verges. Whilst the City encourages the care of the verge by the adjoining resident, there is no local law to enforce this.</p>
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## 13.2 QUESTIONS FROM MEMBERS OCM 23 September 2025

Councillor Jennifer Nevard	Response to question provided by: Anita Amprimo – Director Infrastructure Services
<p>1. My only question was relating to the sumps and whether there would be the likelihood that any of the sumps that were being audited would have the capacity to become a community garden? Acknowledging, that they do require community commitment to keep going.</p>	<p>As Elected Members will be aware, we've been going through an audit of our drainage systems. The type of use of a drainage sump that you are talking about would require a design where it is fairly flat and shallow drainage sump. We have a limited number of those within the City. Until we get the outcome of that drainage review, it would be difficult to say whether any of them could be used in that way or not.</p>



Councillor Glenn Cridland	<p>Response to question 1 provided by: Matthew Scott – A/ Chief Executive Officer</p> <p>Responses to questions 2, 3, 4 and 5 provided by: Anita Amprimo – Director Infrastructure Services</p>
<p><i>[Preamble] First one relates to some issues I'd asked at the last few meetings about our sporting and community clubs and in relation to them still waiting to finalise their long-term leases for occupation or licenses for long-term occupation of their locations.</i></p>	
<p>1. I was wondering how many sporting and community clubs or groups are waiting to renew their long-term leases and are on month-to-month agreements? How long is the longest that a group has been waiting on a month-to-month basis?</p>	<p>Taken on notice.</p>
<p><i>[Preamble] My next questions relate, I think largely to the general subject matter of trees, and it comes in the context of the City having planted a fairly large number of trees in the public realm for example near Collier Park Golf Course, the Thelma Street transfer station, Bill Grayden Oval, etc.</i></p>	
<p>2. Does the City keep a record of how many new trees it's planted in the public realm over the last 12 months, or over the last financial year, or over a calendar year for example?</p>	<p>On an annual basis we plant around a thousand trees in the streetscapes and maybe another 200- 300 in our bushland and public open space. That number varies slightly depending on, as you could imagine, when we bring plants on, grow them in the nursery, some survive but there is some that don't. The numbers that we produce are approximate based on what we believe the need will be. Then towards the end of the planting season, what you're seeing at the moment, is the trees that we have left. We always end up with around about 1,200 every year. We do track the location of them. We record them in a tree register. We do know where all of the trees that we have planted are and we know how many we plant each year.</p>

<p>3. Following on from that question and answer, does the City also keep a record of it's expenditure on the trees that are planted in the public realm?</p>	<p>Most of the planting is undertaken by contractors. We have quite clear definable costs that we track for that. We also have ongoing maintenance for newly planted trees particularly in their first two years of life. Most of those costs are fairly traceable with our current financial system. We work on around \$940 per tree for the first two years of its life. That's potentially slightly higher than industry average, but we have higher survival rates than industry average. We focus on putting the resources into the first two years of life to have a higher success rate establishing trees.</p>
<p><i>[Preamble] Next question relates to a question I sent through in respect of 61 Edgecumbe Street and what I thought was a Norfolk pine but from the answer I can see, was in fact a Cook Araucaria. Which is a related species but quite different in one respect in that it is the only tree that actually has a bend or a lean towards the equator, which I noticed when I looked it up having read your answer.</i></p>	
<p>4. I had a question in respect of that, noting that there is to lean on the quite tall Cook Araucaria on 61 Edgecumbe Street. Does the City have a view as to whether or not it's safe and is not a fall or failure risk, given that there is a DAP approval made in May of this year for a number of group dwellings to go on that property?</p>	<p>If it's a City-owned tree, we would inspect it where we have concern. We have a couple of staff members who are actively out looking at street trees and where there was concern about its integrity, we would get in an external arborist to do an assessment on it. If it's something that you've got a particular concern about, we can have another look at it.</p>
<p><i>[Preamble] My final question relates to Connect South or Mindeerup, which was changed to remove the trees that provided shade down there on the foreshore near the jetty. Then some questions were asked in 2021 from the community. I can't remember the member of the public who asked them, relating to perhaps replacing some of the artificial metal structures with some trees to provide shade for the public down there. Your predecessor Director, then Director Taylor said that there was going to be a 2021/22 financial year review of that issue for Connect South and Mindeerup as to whether or not there could be some trees planted down there for shade.</i></p>	
<p>5. Was that review ever carried out and can the Councillors and the public be made aware of it if it was?</p>	<p>I have been unable to locate anywhere on our system a review that has been undertaken that was referenced back in 2021. I can't find any reference of it anywhere on our system.</p>

Councillor André Brender-A-Brandis	<p>Response to question 1 provided by: Matthew Scott – A/ Chief Executive Officer</p> <p>Response to question 2 provided by: Anita Amprimo – Director Infrastructure Services</p>
<p>1. With regard to the verge at 9 Wandarra Close in in Karawara. There's a significant amount of household rubbish and waste that's actually been on that verge for at least a couple of weeks. I'm just wondering if the administration is aware of it, have received any complaints? Includes household furniture and white goods and it's sort of spilling on the edge of the road.</p>	<p>I don't believe we've received a complaint, but we will now investigate and get some further information if we can.</p>
<p>2. With regard to the planned infrastructure works for this current year for Karawara. Do we have any significant lighting upgrades or installations that are actually planned for the remainder of this year?</p>	<p>There is \$200,000 in the budget for the Karawara laneways which will include some lighting improvements as well as the footpath improvements through there. There's also the election commitment by the State Member, Geoff Baker and I believe some of that lighting was intended to go in that area as well.</p>

## DISCLAIMER

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

These Minutes were confirmed at the Ordinary Council Meeting held: Tuesday 28 October 2025

Signed \_\_\_\_\_

Presiding Member at the meeting at which the Minutes were confirmed