

# MINUTES

## Ordinary Council Meeting

28 April 2026

Mayor and Councillors

Here within are the Minutes of the Ordinary Council Meeting of the City of South Perth Council held Tuesday 28 April 2026 in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth.



ANITA AMPRIMO  
ACTING CHIEF EXECUTIVE OFFICER

8 May 2026

# 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

Members of the public are cautioned against taking any action as a result of a Council decision until such time as they have seen a copy of the Minutes or been advised, in writing, by the Council's Administration with regard to any particular decision.

# Contents

<b>1.</b>	<b>DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS</b>	<b>5</b>
<b>2.</b>	<b>DISCLAIMER</b>	<b>5</b>
<b>3.</b>	<b>ANNOUNCEMENTS FROM THE PRESIDING MEMBER</b>	<b>5</b>
<b>4.</b>	<b>ATTENDANCE</b>	<b>6</b>
	4.1 APOLOGIES	6
	4.2 APPROVED LEAVE OF ABSENCE	6
<b>5.</b>	<b>DECLARATIONS OF INTEREST</b>	<b>7</b>
<b>6.</b>	<b>PUBLIC QUESTION TIME</b>	<b>8</b>
	6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	8
	6.2 PUBLIC QUESTION TIME: 28 APRIL 2026	8
<b>7.</b>	<b>CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS</b>	<b>8</b>
	7.1 MINUTES	8
	7.1.1 Ordinary Council Meeting Held: 24 March 2026	9
	7.1.2 Special Council Meeting Held: 25 March 2026	9
	7.1.3 Special Council Meeting Held: 31 March 2026	10
	7.1.4 Special Council Meeting Held: 16 April 2026	10
	7.2 CONCEPT BRIEFINGS	10
	7.2.1 Concept Briefings and Workshops	10
	7.2.2 Council Agenda Briefing - 21 April 2026	11
<b>8.</b>	<b>PRESENTATIONS</b>	<b>11</b>
	8.1 PETITIONS	11
	8.2 PRESENTATIONS	11
	8.3 DEPUTATIONS	11
<b>9.</b>	<b>METHOD OF DEALING WITH AGENDA BUSINESS</b>	<b>12</b>
<b>10.</b>	<b>REPORTS</b>	<b>13</b>
	10.1 STRATEGIC DIRECTION 1: COMMUNITY	13
	10.1.1 eQuote WLG000004 - Provision of Collier Park Golf Course Underground Services Upgrade	13

<b>10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)</b>	<b>26</b>
10.3.1 Draft Amended Local Heritage Survey (Advertising)	26
10.3.2 Proposed Management Order for Bush Forever Site 333	34
10.3.3 Proposed Change of Use - Grouped Dwelling to Unhosted Short-Term Rental Accommodation - Lot 1, No. 27A Pether Road, Manning	40
10.3.4 Proposed Change of Use - Grouped Dwelling to Unhosted Short-Term Rental Accommodation - Lot 5 (No.16) Saunders Street, Como	48
10.3.5 Proposed Change of Use - Multiple Dwelling to Unhosted Short -Term Rental Accommodation - Lot 22 (No. 22/181) Mill Point Road, South Perth	55
10.3.6 Proposed Two Grouped Dwellings - Lot 23 (No. 72) Comer Street, Como	62
<b>10.4 STRATEGIC DIRECTION 4: LEADERSHIP</b>	<b>76</b>
10.4.1 Listing of Payments - March 2026	76
10.4.2 Monthly Financial Statements - March 2026	79
<b>10.5 MATTERS REFERRED FROM COMMITTEE MEETINGS</b>	<b>83</b>
10.5.1 Minutes of the Audit, Risk and Improvement Committee Meeting held on 10 March 2026	83
10.5.2 Risk Management - Quarterly Report	90
<b>11. APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>96</b>
<b>12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>96</b>
<b>13. QUESTIONS FROM MEMBERS</b>	<b>96</b>
<b>13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE</b>	<b>96</b>
<b>13.2 QUESTIONS FROM MEMBERS</b>	<b>96</b>
<b>14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING</b>	<b>96</b>
<b>15. MEETING CLOSED TO THE PUBLIC</b>	<b>97</b>
<b>15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED</b>	<b>97</b>
15.1.1 Assignment of Sublease - Boatshed Restaurant/Cafe	97
<b>16. CLOSURE</b>	<b>97</b>
<b>APPENDIX</b>	<b>98</b>
<b>DISCLAIMER</b>	<b>104</b>

# 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 28 April 2026.

## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 6.01pm.

## 2. DISCLAIMER

The Presiding Member read aloud the City's Disclaimer.

## 3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

The Mayor presented the following report of the Mayor's formal engagements, meetings and events since the last Council Meeting:

Date	Subject
25 March 2026	Special Council Meeting
31 March 2026	Special Council Meeting
31 March 2026	Councillor Briefing
2 April 2026	Meeting with Local Government Monitor Gail McGowan
7 April 2026	Meeting with Local Government Monitor Gail McGowan and Cr Tim Houweling
12 April 2026	No More Blank Walls - Mural Festival Street Party
13 April 2026	Citizenship Ceremony
14 April 2026	Meeting with Geoff Baker MLA
14 April 2026	Meeting with Local Government Monitor Gail McGowan and Local Government Inspector Tony Brown
14 April 2026	Budget Workshop 1
15 April 2026	Photoshoot for opening of new public toilets and Changing Places facility on the Coode St Foreshore
16 April 2026	Video interview - No More Blank Walls
16 April 2026	Special Council Meeting
21 April 2026	South Perth Senior Citizens ANZAC Day Lunch
21 April 2026	Council Agenda Briefing
22 April 2026	WALGA South East Metropolitan Zone meeting
24 April 2026	Penrhos College ANZAC Service

24 April 2026	Manning Primary School ANZAC Service
25 April 2026	City of South Perth ANZAC Day Service
25 April 2026	South of Perth Yacht Club ANZAC Day Service
28 April 2026	Ordinary Council Meeting

#### 4. ATTENDANCE

Mayor Greg Milner (Presiding Member)

##### Councillors

Como Ward

Como Ward

Manning Ward

Manning Ward

Mill Point Ward

Mill Point Ward

Moresby Ward

Moresby Ward

Councillor Kathy Lees

Councillor Bronwyn Waugh

Councillor Blake D'Souza

Councillor André Brender-A-Brandis

Councillor Jacqueline Raison

Councillor Tim Houweling

Councillor Stephen Russell

Councillor Hayley Prendiville

##### Officers

Acting Chief Executive Officer

Acting Director Corporate Services

Director Development and Community Services

Acting Director Infrastructure Services

Manager Finance

Acting Manager Governance

Legal and Governance Coordinator

Communications Officer

Governance Officer

Ms Anita Amprimo

Ms Danielle Cattalini

Ms Donna Shaw

Ms Olaya Lope

Mr Abrie Lacock (Retired at 7.23pm)

Mr Morgan Hindle

Ms Jessica Guy

Ms Raquel de Brito

Ms Jane Robinson

##### Guests

Local Government Monitor

Ms Gail McGowan PSM

##### Gallery

There were approximately five members of the public present.

#### 4.1 APOLOGIES

Nil.

#### 4.2 APPROVED LEAVE OF ABSENCE

Nil.

## 5. DECLARATIONS OF INTEREST

- Councillor Hayley Prendiville – Impartiality Interest in 10.1.1 as ‘a person in my family is a member of the Collier Pines Ladies Golf Club that plays at Collier Park.’
- Mayor Greg Milner – Impartiality Interest in Item 10.3.1 as ‘I know a number of the members of the Royal Perth Golf Club.’
- Councillor Stephen Russell – Financial, Proximity and Impartiality Interest in Item 10.3.1 as ‘my property is on the heritage survey. Adjacent properties to my property are on the heritage survey. I know of persons whose properties are on the heritage survey.’
- Councillor Kathy Lees – Impartiality Interest in Item 10.3.1 as ‘prior to my election, as a ratepayer I made a request to the City that 49 Forrest St South Perth which is proposed to be included on the draft Amended Local Heritage Survey for advertising. I also have friends who are members of the Royal Perth Golf Club which is also proposed to be included. As a consequence, there may be a perception that my impartiality on the matter may be affected. However, I declare that I will consider the matter on its merits and vote accordingly.’
- Councillor Bronwyn Waugh – Impartiality Interest in Item 10.3.1 as ‘my son attends Wesley College. I am also involved in a volunteer capacity with Raise Me Up Incorporated, which took over from the HOME Karawara Food Relief Program, a program previously supported by the City of South Perth. Raise Me Up Incorporated received a donation on 13 March 2026 from a Charity Golf Day associated with the Royal Perth Golf Club. These associations may give rise to a perceived impact on my impartiality.’
- Councillor Tim Houweling – Impartiality Interest in Item 10.3.1 as ‘I know some people whose names are included within the heritage list. Secondly, in respect of the Royal Perth Golf Club, some friends of mine play golf. Thirdly, in respect of the Royal Perth Golf Club, a separate arm, the charity golf day association or charity has funded the Raise Me Up Incorporated of which I was a member up until December and made a donation to it. The St Columba’s Church. I attended a baptism once there about two years ago. In respect of Wesley College, Ross Baron is a person I know and spoke to him about the inclusion of some of the buildings as I indicated previously that are to be included on the heritage list.’
- Councillor Jacqueline Raison – Impartiality Interest in Item 10.3.1 as ‘one of my children attended Wesley College and in recent years I participated in Strategy Think Tanks at Wesley College with other business leaders. Prior to 23 March 2026 no property or heritage matters were discussed with me by anyone at Wesley. On 23 March 2026 I was contacted by a representative of Wesley and on 24 March 2026 and 23 April 2026 I had a general discussion with them about this item. In my capacity as a Councillor for Mill Point Ward members of the community have contacted me about the heritage status of the property referred to as St Columba’s Church Group. I am comfortable that I do not have any conflict of interest and can consider this agenda item impartially.’
- Councillor Hayley Prendiville – Impartiality Interest in 10.3.1 as ‘there is a member of the Royal Perth Golf Club who is known to me.’

- Councillor Kathy Lees – Impartiality Interest in Item 10.3.6 as ‘I am a co-founder of the South Perth Tree Canopy Advocates and a co-founder and committee member of the WA Tree Canopy Advocates and I note the application involves removal of regulated trees. While there may be a perception that my impartiality on the matter may be affected, I declare that I will consider this matter on its merits and vote accordingly.’

## 6. PUBLIC QUESTION TIME

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

The Presiding Member advised that the responses to previous public questions taken on notice are available in the Appendix of these Minutes.

### 6.2 PUBLIC QUESTION TIME: 28 APRIL 2026

The Presiding Member opened Public Question Time at 6.07pm.

Written questions were received prior to the meeting from:

- Dr Julian Vearncombe of South Perth.
- Ms Bronwyn David 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 6.14pm.

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

### 7.1 MINUTES

The Presiding Member called for a Motion to move the following items by Exception Resolution, in accordance with Clause 5.5 Exception Resolution of the Standing Orders Local Law 2007.

#### COUNCIL DECISION

**0426/069**

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

**Seconded:** Councillor Blake D'Souza

That the Minutes of Items:

- 7.1.1 Ordinary Council Meeting Held: 24 March 2026
- 7.1.2 Special Council Meeting Held: 25 March 2026
- 7.1.3 Special Council Meeting Held: 31 March 2026
- 7.1.4 Special Council Meeting Held: 16 April 2026

be taken as read and confirmed as a true and correct record.

**CARRIED (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

### 7.1.1 Ordinary Council Meeting Held: 24 March 2026

#### Officer Recommendation AND COUNCIL DECISION

**0426/070**

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

**Seconded:** Councillor Blake D'Souza

That the Minutes of the Ordinary Council Meeting held 24 March 2026 be taken as read and confirmed as a true and correct record.

**CARRIED BY EXCEPTION RESOLUTION (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

### 7.1.2 Special Council Meeting Held: 25 March 2026

#### Officer Recommendation AND COUNCIL DECISION

**0426/071**

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

**Seconded:** Councillor Blake D'Souza

That the Minutes of the Special Council Meeting held 25 March 2026 be taken as read and confirmed as a true and correct record.

**CARRIED BY EXCEPTION RESOLUTION (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

### 7.1.3 Special Council Meeting Held: 31 March 2026

#### Officer Recommendation AND COUNCIL DECISION

0426/072

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

**Seconded:** Councillor Blake D'Souza

That the Minutes of the Special Council Meeting held 31 March 2026 be taken as read and confirmed as a true and correct record.

**CARRIED BY EXCEPTION RESOLUTION (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

### 7.1.4 Special Council Meeting Held: 16 April 2026

#### Officer Recommendation AND COUNCIL DECISION

0426/073

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

**Seconded:** Councillor Blake D'Souza

That the Minutes of the Special Council Meeting held 16 April 2026 be taken as read and confirmed as a true and correct record.

**CARRIED BY EXCEPTION RESOLUTION (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

## 7.2 CONCEPT BRIEFINGS

### 7.2.1 Concept Briefings and Workshops

Officers of the City provided Council with an overview of the following matter at a Workshop:

Date	Subject	Attendees
14 April 2026	Budget Workshop 1	Mayor Greg Milner and Councillors André Brender-A-Brandis, Kathy Lees, Jacqueline Raison, Stephen Russell, Hayley Prendiville.

#### Attachments

Nil.

## 7.2.2 Council Agenda Briefing - 21 April 2026

Officers of the City presented background information and answered questions on Items to be considered at the April Ordinary Council Meeting at the Council Agenda Briefing held 21 April 2026.

### Attachments

7.2.2 (a): Briefing Notes

#### Officer Recommendation AND COUNCIL DECISION

0426/074

**Moved:** Councillor Kathy Lees

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

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

- 7.2.1 Concept Briefings and Workshops
- 7.2.2 Council Agenda Briefing - 21 April 2026

**CARRIED (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

## 8. PRESENTATIONS

### 8.1 PETITIONS

Nil.

### 8.2 PRESENTATIONS

Nil.

### 8.3 DEPUTATIONS

Deputations were heard at the Council Agenda Briefing held 21 April 2026.

## 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 21 April 2026.

### ITEMS WITHDRAWN FOR DISCUSSION

- 10.1.1 eQuote WLG000004 - Provision of Collier Park Golf Course Underground Services Upgrade
- 10.3.1 Draft Amended Local Heritage Survey (Advertising)
- 10.5.1 Minutes of the Audit, Risk and Improvement Committee Meeting held on 10 March 2026
- 10.5.2 Risk Management - Quarterly Report

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

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

**0426/075**

**Moved:** Councillor André Brender-A-Brandis  
**Seconded:** Councillor Jacqueline Raison

- 10.3.2 Proposed Management Order for Bush Forever Site 333
- 10.3.3 Proposed Change of Use - Grouped Dwelling to Unhosted Short-Term Rental Accommodation - Lot 1, No. 27A Pether Road, Manning
- 10.3.4 Proposed Change of Use - Grouped Dwelling to Unhosted Short-Term Rental Accommodation - Lot 5 (No.16) Saunders Street, Como
- 10.3.5 Proposed Change of Use - Multiple Dwelling to Unhosted Short -Term Rental Accommodation - Lot 22 (No. 22/181) Mill Point Road, South Perth
- 10.3.6 Proposed Two Grouped Dwellings - Lot 23 (No. 72) Comer Street, Como
- 10.4.1 Listing of Payments - March 2026
- 10.4.2 Monthly Financial Statements - March 2026
- 15.1.1 Assignment of Sublease - Boatshed Restaurant/Cafe

**CARRIED (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

## 10. REPORTS

### 10.1 STRATEGIC DIRECTION 1: COMMUNITY

*Councillor Hayley Prendiville disclosed an Impartiality Interest in Item 10.1.1.*

#### 10.1.1 eQuote WLG000004 - Provision of Collier Park Golf Course Underground Services Upgrade

File Reference: D-26-9313

Reporting Officer(s): Olaya Lope, Acting Director Infrastructure Services

##### Summary

This report recommends Council to accept a proposal from Saltire Infrastructure Pty Ltd for the Provision of Collier Park Golf Course Underground Services Upgrade.

##### Alternative Motion

**Moved:** Councillor Tim Houweling

**Seconded:** Councillor Blake D'Souza

That Council:

1. Accepts the eQuote submitted by Saltire Infrastructure Pty Ltd for the Provision of Collier Park Golf Course Underground Services Upgrade in accordance with WLG000004 for the period of 12 months;
2. Authorises the Chief Executive Officer to execute the contract with Saltire Infrastructure Pty Ltd for the Provision of Collier Park Golf Course Underground Services Upgrade;
3. Adopts an amendment to the 2025/26 Annual Budget to address the \$132,000 funding shortfall to be managed through the reprioritisation of Collier Park Golf Course project budgets already approved for capital expenditure in the 2025/26 programme.
4. Advise Council in respect to the risk of any damages to which the Council may be subject in respect to any of the responsibilities of Council under either the underground services contract or any related agreements include the Development Services Agreement;
5. Advise Council in whether any additional potential costs associated with the Collier Park Golf Course may arise under either the underground services contract, the Development Services Agreement or any related agreements;
6. Advise Council in respect to any risk associated with recouping the funds loaned from WA Treasury and to keep Council informed from time to time;
7. Consider whether there is any opportunity to recover any costs relating to the underground services from Clublinks;
8. Identify and report to Council any other works may be outside the \$19.8m capped project costs;

9. If required inform Treasury in respect to any requirements in relation to the circumstances of the loan and any "Debt Guarantee Fee" to the WATC loan facility to satisfy WA Treasury policies in respect to any of these risks.
10. Conduct an independent review of the \$116M revenue model to determine whether the assumptions contained within the model that underpin the business case remain accurate, and if not determine the risk to the return;
11. Review whether the arrangement with Clublinks is a matter that ought to have been the subject of a review of the competitive advantage to a private operator through government-backed financing, and the risks that are involved in the project, and what reports ought to be obtained to ameliorate any risks;
12. Evaluating the compliance of WA Treasury Corporation (WATC) financing with State debt neutrality principles including the Intergovernmental Agreement on National Competition Policy regarding the removal of net competitive advantages focusing on:
  - risk of the Council's failure to interrogate competition impacts;
  - potential conflict with principles designed to ensure a level playing field between public-sector backed entities and private businesses; and
  - is this arrangement within the scope of the services of a Local Government as prescribed by the *Local Government Act*, and whether a financial services licence ought properly to have been in place before on-lending money.

### Reasons for Change

#### *COMPETITIVE NEUTRALITY AND MARKET DISTORTION ANALYSIS*

##### Regulatory Context

The *WA Government Policy Statement on Competitive Neutrality* mandates that public entities must not confer unfair advantages on business activities through their government status. Failure to rigorously apply these principles can constitute "jurisdictional error," rendering Council decisions vulnerable to judicial review for failing to consider mandatory legal requirements under the *Competition Principles Agreement*.

##### Evaluation of Policy Compliance: Debt Neutrality

The audit identifies a significant failure in the application of "Debt Neutrality." The City secured a borrowing facility through the WA Treasury Corporation (WATC) to fund its \$11.3m contribution. Under State policy, the use of government-backed loans for commercial ventures operated by private entities requires the imposition of "debt guarantee fees." These fees are necessary to reflect the true commercial cost of capital. There is no evidence that the City has applied these neutralizers, effectively providing Clublinks with a subsidised interest rate not available to its private-sector competitors in the hospitality and leisure industries.

##### Market Distortion and "Full Cost Attribution"

By bypassing these fees, the City has failed the "Full Cost Attribution" test. This confers a net competitive advantage to the private operator, distorting the local

market by shielding the commercial venture from standard financing overheads. This lack of transparency undermines the state's competition principles.

#### Legal and Regulatory Risks

There is a risk that the City has not properly considered key legislative risks in entering into this business arrangement including:

- Non-compliance with the *Intergovernmental Agreement on National Competition Policy* regarding the removal of net competitive advantages.
- Risk of "jurisdictional error" challenges due to the Council's failure to interrogate competition impacts.
- Potential conflict with principles designed to ensure a level playing field between public-sector backed entities and private businesses.
- The business of loaning money is not something that is within the objects of the City. A question arises whether this arrangement is properly within the scope of the services of a Local Government as prescribed by the Local Government Act, and whether a financial services licence ought properly to have been in place.

#### FINANCIAL INTEGRITY OF THE \$19.8m CAPITAL EXPENDITURE CAP

##### Contractual Finality and the Contingent Approval

In August 2025, the Council granted approval for the lead contractor (Badge Constructions) *strictly contingent* upon a value engineering process confirming that total development costs would not exceed the \$19.8m cap. Any expenditure beyond this limit without mutual agreement constitutes a breach of a Council-mandated condition. I understand that the justification is that this is a separate project from the upgrades, that is that a toilet block on the golf course is a "public toilet" however, these matters were not drawn to the notice of the City, in fact to the contrary it was expressly and repeatedly raised whether the full cost of the project was limited to \$19.8m. This is apparent on the record from before I was on Council. It was never expressly drawn to the Notice of Council that there was an entirely separate component of the project.

I wish to know whether any other funds have been spent for the benefit of the Collier Park redevelopment, and whether there is the prospect of the Ratepayers being responsible for further costs. This must be known before the budget is set, not as a budget repair after the event.

##### The Capped Model: Risk Allocation

The Development Services Agreement (DSA) is designed to protect ratepayers from "cost creep." The current cost-sharing structure is as follows:

Contributor	Contribution Type	Amount
City of South Perth	Capital Contribution	\$11.3m
Clublinks	Deferred Cost Contribution	\$8.5m
<b>Total Project Cap</b>	<b>Contractual Limit</b>	<b>\$19.8m</b>

### Value Engineering and Scope Compromise

To maintain the \$19.8m cap after initial tenders exceeded the budget, the City engaged in "value engineering." Review reveals this was not merely an efficiency exercise but a scope reduction; notably, the "designated space for Golf WA" was removed to accommodate the increased costs of the building footprint shift.

It is clear to me from review of past discussions at Council that Council proceeded on the basis that the full cost of the project was \$19.8m without further cost over-runs, but what was not drawn to the Notice of previous Councils was that the sewerage pump station and further works were additional to the cost.

### Contractual Protections

Under the DSA, the City is only responsible for overruns caused by "latent conditions" or "City-requested changes." All other variations require mutual agreement for cost-sharing. If agreement is not reached, the City holds "absolute discretion" to halt works. As evidenced below, the City has failed to exercise this leverage, choosing instead to circumvent the cap through budgetary fragmentation.

The risk as it stands presently is that I am told that this part of the works was expressly quarantined by Clublinks, and that the City went into the public-private partnership knowing that it was responsible for the costs. There is nothing to evidence this in any agenda item or in the answers given during public question time or in any Report provided to the Council. This gives rise to the question of what else is there that we are not seeing, or what other costs could there be associated with the project that we do not presently know about.

### *INFRASTRUCTURE SHORTFALLS AND BUDGETARY MANIPULATION*

#### Contrived Project Separation

The identification of a \$132,000 shortfall for a private sewer pump station and fire water service has exposed a high-risk governance failure. The City Administration has classified this as a "separate project" in April 2026, arguing it serves public toilets.

The site is fenced off along Jackson Road, meaning the public toilets are accessible *only* to golf patrons and commercial customers. This infrastructure is a foundational requirement for the commercial venue, albeit a public golf course.

#### Operational Budget

To fund this \$132,000 shortfall, the City has moved to "rob" its operational budget by deferring the renewal of golf course maintenance equipment (fleet).

- This constitutes a significant commercial risk. If course quality deteriorates due to sub-standard equipment, the \$116m projected revenue is endangered.
- Clublinks, as the course controller, has not agreed in writing that this deferral will not impact maintenance standards, effectively leaving the City and its ratepayers to bear the financial liability of a potential revenue drop.

Impairment of Capital Controls: The Reserve Fund

The City currently maintains a "Collier Park Golf Course Reserve" (50% of net profits) intended for capital expenditure. Raiding operational maintenance budgets while this reserve remains untouched is financially illogical and evidences a failure to follow established asset management policies.

*CONTRACTUAL RECOVERY AND THIRD-PARTY CONTRIBUTIONS*

**Failure of Commercial Negotiation**

The City has assumed 100% of the \$132,000 liability for infrastructure that enables private profit. Under the DSA's "mutual agreement" clause, the City had the leverage to demand a proportionate contribution from Clublinks but failed to do so.

**Precedent Analysis: Inconsistent Recovery Logic**

The City's failure to recover costs from a for-profit operator stands in stark contrast to its treatment of non-profit educational institutions.

Project	Third-Party Entity	Outcome
Coode Street Public Toilets	Wesley and Penrhos Colleges (Non-profit schools)	\$135,800 recovered for shared sewer infrastructure.
CPGC Redevelopment	Clublinks (For-profit commercial operator)	\$132,000 absorbed by City ratepayers.

This comparison confirms a failure to apply consistent fiscal rigor. While non-profit schools were forced to co-fund essential infrastructure, a commercial operator driving a \$19.8m development was granted a "free pass."

The CPGC redevelopment is currently suffering from a breakdown in governance. The circumvention of the \$19.8m cap through "off-book" infrastructure spending, the raiding of maintenance budgets, and the failure to apply state-mandated debt neutrality fees expose the City to severe financial and regulatory risk.

The City is relying on a \$25.7m Net Present Value (NPV) buffer and "conservative" \$116m revenue projections. Given that capital costs are already leaking beyond the cap and maintenance is being compromised, the risk that this NPV drops to zero, rendering the redevelopment a net financial loss, is high.

**Summary**

1. The \$132,000 "separate project" spend appears inconsistent with the August 2025 Council condition that costs remain under \$19.8m.
2. Failure to charge "debt guarantee fees" on WATC loans appears on the face of it to constitute an unmapped market distortion.
3. Infrastructure costs for sewerage works were previously recovered from Wesley and Penrhos schools (Coode St) were defrayed to those schools as part of development approval conditions, it is unclear why this ought not to be the position for a commercial operator, there are relevant questions about how the grant of development approval in not imposing similar conditions to Wesley and Penrhos were considered. This ought to be understood by Council.

4. Deferring fleet renewals risks the entire \$116m revenue model without written liability protection from the operator.

Western Australian Competitive Neutrality Policy and the Intergovernmental Agreement on National Competition Policy

Under the Western Australian Competitive Neutrality Policy and the Intergovernmental Agreement on National Competition Policy, if a local government engages in the business activity of borrowing money from the WA Treasury to on-loan it, it must ensure it does not enjoy an unfair competitive advantage over private lenders simply because of its public sector status. State governments are responsible for establishing frameworks to operationalize these principles for local governments within their jurisdictions.

If a local government undertakes this activity, the following requirements and arrangements apply:

1. Government entities typically enjoy a lower cost of capital because of the reduced risk associated with government backing (i.e., the power to tax) and explicit or implicit government guarantees on debts, which protect them from the threat of insolvency. To prevent market distortion, the policy requires the imposition of **debt guarantee fees** (or debt neutrality fees) to offset the competitive advantage provided by this beneficial financing. In WA, a "loan guarantee charge" has been applied to government business activities to address this exact advantage.
2. When the local government on-loans the money, it is required to act commercially and apply competitive neutrality pricing principles. The prices charged (in this case, the interest rate and associated loan fees) must reflect full cost attribution. This means the pricing structure must be adjusted to include artificial competitive advantages, effectively passing on the cost of the debt guarantee fees, state taxes, and other regulatory costs as if it were a private business.
3. These competitive neutrality requirements apply if the on-lending is classified as a "significant government business activity". In WA, an activity is generally considered significant if its annual revenue or asset base exceeds \$10 million, though the extent of competition in the market is also a factor. Furthermore, the policy dictates that competitive neutrality should only be fully implemented if the economic benefits of applying it outweigh the associated costs.
4. To enforce these arrangements, the policy requires governments to maintain a transparent complaints mechanism. If a private lender believes the local government is undercutting the market by using subsidized WA Treasury funds without appropriately applying debt guarantee fees, they can lodge a complaint for independent investigation. If non-compliance is proven, the government entity could be penalized or required to reprice its services to remove the artificial advantage.

Under the Intergovernmental Agreement on National Competition Policy, the administration of local governments is indeed subject to these competition principles, though the responsibility for implementing them lies with the respective State or Territory government.

The principles apply to and affect local government administration:

### 1. State-Led Frameworks for Local Governments

State governments (such as Western Australia) are required to adhere to the National Competition Policy commitments in their engagement with local governments. To achieve this, the States must consult with local governments to establish a specific framework that operationalizes the National Competition Principles within the local government context.

### 2. Proportionate Application and Materiality

Recognising that local governments vary drastically in size and resources, the policy does not demand a one-size-fits-all approach. The framework designed for local governments can include a "materiality threshold" and provisions for "proportionate application". This means complex competitive neutrality requirements (like calculating debt guarantee fees for a loan) would typically only apply to local government actions that meet a certain threshold of significance or size.

### 3. Application of Core Principles

The framework for local governments must, to the extent possible, operationalize four specific National Competition Principles:

- Principle 1: Local governments must assess the competition impacts of their major decisions. At a minimum, this applies to major decisions regarding local government procurement, environmental, or land use planning frameworks that could have a material impact on competition.
- Principle 3: Ensuring that if a local government restructures or privatizes a monopoly, it does not harm consumers.
- Principle 4: Ensuring local government business activities that compete with the private sector apply competitive neutrality measures to remove public sector advantages.
- Principle 6: Promoting efficient and transparent pricing practices for goods and services provided by local government monopolies.

### 4. Reciprocal Payment of Local Government Rates

The competitive neutrality policy also impacts local government administration by ensuring that when *State or Commonwealth* government business enterprises operate in competitive markets, they do not gain an unfair advantage by skipping out on municipal costs. Significant government business enterprises are required to pay full local government taxes or tax equivalent systems.

If a private operation is given state approval to operate on public assets (such as a commercial hospitality operation on a river) without paying local government rates or waste management levies, it may be viewed as an unfair competitive advantage that distorts the local market. This does not appear to have been the subject of past advice. The City must consider its position expressly in light of the requirements and if required attend to matters that ought to be attended to now.

All of this highlights the risks of going into a public-private partnership for the benefit of profit share. The City appears not to have had risk

sufficiently drawn its notice, and does not appear to have been notified that there was risk associated with a “separate” set of works.

Business often involves moving and accepting risk. The risk benefit matrix is always at the forefront of the minds of those involved, this requires skills that are not ordinarily part of those that are found within Local Government.

The discretion of Council appears to be bound by the risk of damages, and Council is unaware of the potential for any future or additional cost overruns associated with the project, whether by way of those parts that have been carved out, or those matters that are part of the redevelopment project.

**Absolute Majority Required**

### COUNCIL DECISION

**0426/076**

**Moved:** Mayor Greg Milner  
**Seconded:** Councillor Hayley Prendiville

In accordance with Clause 8.10 of the City of South Perth Standing Orders Local Law 2007 Councillor Tim Houweling be granted an additional five minutes to speak.

**CARRIED (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

### Alternative Motion

**Moved:** Councillor Tim Houweling  
**Seconded:** Councillor Blake D'Souza

That Council:

1. Accepts the eQuote submitted by Saltire Infrastructure Pty Ltd for the Provision of Collier Park Golf Course Underground Services Upgrade in accordance with WLG000004 for the period of 12 months;
2. Authorises the Chief Executive Officer to execute the contract with Saltire Infrastructure Pty Ltd for the Provision of Collier Park Golf Course Underground Services Upgrade;
3. Adopts an amendment to the 2025/26 Annual Budget to address the \$132,000 funding shortfall to be managed through the reprioritisation of Collier Park Golf Course project budgets already approved for capital expenditure in the 2025/26 programme.

4. Advise Council in respect to the risk of any damages to which the Council may be subject in respect to any of the responsibilities of Council under either the underground services contract or any related agreements include the Development Services Agreement;
5. Advise Council in whether any additional potential costs associated with the Collier Park Golf Course may arise under either the underground services contract, the Development Services Agreement or any related agreements;
6. Advise Council in respect to any risk associated with recouping the funds loaned from WA Treasury and to keep Council informed from time to time;
7. Consider whether there is any opportunity to recover any costs relating to the underground services from Clublinks;
8. Identify and report to Council any other works may be outside the \$19.8m capped project costs;
9. If required inform Treasury in respect to any requirements in relation to the circumstances of the loan and any "Debt Guarantee Fee" to the WATC loan facility to satisfy WA Treasury policies in respect to any of these risks.
10. Conduct an independent review of the \$116m revenue model to determine whether the assumptions contained within the model that underpin the business case remain accurate, and if not determine the risk to the return;
11. Review whether the arrangement with Clublinks is a matter that ought to have been the subject of a review of the competitive advantage to a private operator through government-backed financing, and the risks that are involved in the project, and what reports ought to be obtained to ameliorate any risks;
12. Evaluating the compliance of WA Treasury Corporation (WATC) financing with State debt neutrality principles including the Intergovernmental Agreement on National Competition Policy regarding the removal of net competitive advantages focusing on:
  - risk of the Council's failure to interrogate competition impacts;
  - potential conflict with principles designed to ensure a level playing field between public-sector backed entities and private businesses; and
  - is this arrangement within the scope of the services of a Local Government as prescribed by the *Local Government Act*, and whether a financial services licence ought properly to have been in place before on-lending money.

**Absolute Majority Required**

**LOST (4/5)**

**For:** Councillors Blake D'Souza, Tim Houweling, Hayley Prendiville and Bronwyn Waugh.

**Against:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Kathy Lees, Jacqueline Raison and Stephen Russell.

During debate on the Item, Mayor Greg Milner foreshadowed the Officer recommendation.

### Officer Recommendation AND COUNCIL DECISION

0426/077

**Moved:** Mayor Greg Milner

**Seconded:** Councillor Stephen Russell

That Council:

1. Accepts the eQuote submitted by Saltire Infrastructure Pty Ltd for the Provision of Collier Park Golf Course Underground Services Upgrade in accordance with WLG000004 for the period of 12 Months.
2. Authorises the Chief Executive Officer to execute the contract with Saltire Infrastructure Pty Ltd for the Provision of Collier Park Golf Course Underground Services Upgrade.
3. Adopts an amendment to the 2025/26 Annual Budget to address the \$132,000 funding shortfall to be managed through the reprioritisation of Collier Park Golf Course project budgets already approved for capital expenditure in the 2025/26 program.

**CARRIED BY ABSOLUTE MAJORITY (5/4)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Kathy Lees, Jacqueline Raison and Stephen Russell.

**Against:** Councillors Blake D'Souza, Tim Houweling, Hayley Prendiville and Bronwyn Waugh.

### Background

The City of South Perth (the City) sought a suitably skilled and experienced Contractor to provide the construction of a private sewer pumping station, and reticulation and fire water main as detailed in the Request.

The project includes the decommissioning and removal of the current septic systems, which will be replaced by a private pump station discharging into the existing Water Corporation gravity sewer network along Jackson Road.

The scope of works shall include but not limited to:

- Install Private Pump Station Packaged systems and associated pressure main.
- Connect existing plumbing to proposed sewer system.
- Construct gravity sewer connection to the Water Corporation network.
- Install fire main service.
- Install power and communication services to pump stations.
- Decommissioning of the existing septic tank and leach drain systems.

### Comment

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

TABLE A – eQuote Submissions

eQuote Submissions	
1.	Maxey Plumbing Pty Ltd
2.	Pyramids Plumbing Pty Ltd
3.	Saltire Infrastructure Pty Ltd

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

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Demonstrated Relevant Experience	30%
2. Key Personnel, Skills & Resources	20%
3. Demonstrated Understanding and Methodology of Tasks	35%
4. Demonstrated Ability to meet Timeframes / Schedule	15%
<b>Total</b>	<b>100%</b>

Based on the assessment of all submissions received for eQuote TWLG000004 Provision of Collier Park Golf Course Underground Services Upgrade, it is recommended that the eQuote submission from Saltire Infrastructure be accepted by Council.

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

### Consultation

WALGA Preferred Supplier Panel eQuotes were invited in accordance with the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996*.

eQuotes were invited as a Lump Sum Contract.

The contract is for the period of 12 months.

### Policy and Legislative Implications

All legislative and policy requirements have been adhered to.

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

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

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

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

The following Council Policies also apply:

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

### **Financial Implications**

Pre-eQuote Indicative Development Cost was prepared by the City's appointed Superintendent, Porter Consulting Engineers, in November 2025.

The two compliant eQuotes received are higher than the pre-eQuote estimate. However, the Superintendent has advised that all tenders represent value for money given the current market conditions, including global geo-political impacts affecting supply chains and construction costs.

As a result of the higher tendered prices, the project is subject to a total budget shortfall of \$132,000. It is proposed that this shortfall be managed through the reprioritisation of Collier Park Golf Course project budgets already approved for capital expenditure in the 2025/26 program, in particular by deferring several non-urgent Collier Park Golf Course fleet renewals to 2026/27.

### Key Risks and Considerations

<b>Risk Event Outcome</b>	<p><b>Project Cost</b></p> <p>This relates to any project exceeding the project budget. Ranging and exceeding the budget by up to 10% to 30% and over.</p> <p><b>Project Time</b></p> <p>This relates to any project exceeding the project deadline. Ranging from exceeding the deadline by up to 10% to 30% and over.</p> <p><b>Business Interruption</b></p> <p>Incorporates the impact of events which impinge upon the City's capacity to deliver expected services to the community. These interruptions can range from minor inconvenience requiring an alternative method of service delivery being employed through to forced loss of ability to provide multiple services to all or some of the community. Knowledge loss, technological failure and property damage will also contribute to this outcome.</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	Approval of the eQuote report at the April 2026 Ordinary Council Meeting will enable timely contract award and reduce the risk of non-compliance with engineering standards. It will also ensure all design, procurement, and construction activities are aligned with agreed project objectives.

### Strategic Implications

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

Strategic Direction:	Community
Aspiration:	Our diverse community is inclusive, safe, connected and engaged
Outcome:	1.2 Community infrastructure
Strategy:	1.2.2 Develop, manage, maintain and optimise the use of the City's properties, assets and facilities

### Attachments

10.1.1 (a): Recommendation Report (*Confidential*)

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

*Councillor Stephen Russell disclosed a Financial, Proximity and Impartiality Interest in Item 10.3.1 and accordingly left the meeting at 7:23pm prior to consideration of Item 10.3.1.*

*Mayor Greg Milner and Councillors Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison and Bronwyn Waugh disclosed an Impartiality Interest in Item 10.3.1.*

#### 10.3.1 Draft Amended Local Heritage Survey (Advertising)

File Ref: D-26-9314

Reporting Officer(s): Donna Shaw, Director Development and Community Services

#### Summary

At its meeting held 24 March 2026, Council considered the outcome of a place specific review of five places in the Local Heritage Survey and requested the Chief Executive Officer prepare and present to Council an updated Local Heritage Survey to reflect the outcomes of the place specific reviews, including the creation of new and modified place records where required.

This report seeks approval to advertise the draft amended Local Heritage Survey.

#### Officer Recommendation AND COUNCIL DECISION

0426/078

**Moved:** Councillor Kathy Lees

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

That Council advertises the draft amended Local Heritage Survey at **Attachment (a)**.

**CARRIED (4/4)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Kathy Lees and Jacqueline Raison.

**Against:** Councillors Blake D'Souza, Tim Houweling, Hayley Prendiville and Bronwyn Waugh.

**Casting Vote For:** Mayor Greg Milner

#### Background

At its Ordinary Council Meeting held 28 October 2025, Council adopted the Heritage List and requested place specific reviews (including consideration of built form) be undertaken for five places in the Local Heritage Survey (LHS), ensuring where relevant, that the Statement of Significance of each place is consistent with the State Register of Heritage Places.

In November 2025, the City engaged an independent heritage consultant to undertake place specific reviews in accordance with Council's resolution.

In considering the outcome of these place specific reviews at its Ordinary Council Meeting held 24 March 2026, Council resolved:

*“That Council:*

1. *Notes the outcome of the place specific reviews of the following places:*
  - *Place No. 86, 39 Anstey Street, South Perth.*
  - *Place No. 36, 40 Coode Street, South Perth (Wesley College).*
  - *Place No. 39, 25 Forrest Street, South Perth (St Columba’s Church Group).*
  - *Place No. 50, Labouchere Road, South Perth (Royal Perth Golf Club (course)).*
  - *Place No. 85, 49 Forrest Street, South Perth (fmr. 44 Angelo Street).*
2. *Requests the Chief Executive Officer prepare and present to Council an updated Local Heritage Survey to reflect the outcomes of the place specific reviews, including the creation of new and modified place records where required.”*

This report presents the amended LHS for the purposes of advertising, as contained in **Attachment (a)**. Individual new and modified place records are contained as **Attachment (b)**.

## **Comment**

### LHS and State Register

The 28 October 2025 resolution of Council required that where relevant, the Statement of Significance of each place record is consistent with the State Register of Heritage Places (the Register). The following outlines the difference between the LHS and the Register relevant to this report.

#### *Local Heritage Survey*

The *Heritage Act 2018* requires local governments to prepare an LHS to identify and record places that are, or that might become, of cultural heritage significance. The LHS assists the City in making decisions that impact heritage places and supports the creation of a heritage list or heritage areas, which provide for statutory protection of places under the local planning scheme. The LHS of a local government with ongoing urban development (such as the City of South Perth) is likely to require review within 5-8 years, or at intervals consistent with the major review of a local planning strategy or Council Plan. Ad hoc creation or review of one or more place records, including the commissioning of a heritage assessment where required, is recommended to ensure the LHS remains relevant and current.

#### *State Register of Heritage Places*

The Register is a statutory list of places that represent the story of Western Australia’s history and development, and entry in the Register is reserved for places of State cultural heritage significance and is the highest recognition afforded at the State level. The Heritage Council of Western Australia (HCWA) determines if the place should be assessed, and the Department of Planning, Lands and Heritage (DPLH) drafts an assessment of the cultural heritage for the Heritage Council’s consideration. The Minister for Heritage considers the HCWA’s recommendation, along with the submissions and heritage assessment, and makes a decision on registration, providing a direction to the HCWA. There are no specific timeframes identified for the review of places on the Register, with the HCWA instead considering nominations for assessment when received.

The DPLH has confirmed that the local government heritage list or LHS entries are not required to match the registered curtilage of a place in the Register. The local government listing relates to the local heritage value of that place, whereas the Register relates to its heritage value in a State context. Whilst the information within the draft LHS is consistent with the Register, additional information may be included in the LHS to reflect the local significance.

Notwithstanding, the *Heritage Act 2018* requires the local government to provide a copy of the LHS to the HCWA, to which any updates and information in the LHS can be used to inform amendments to the Register where relevant.

The table of heritage places in the LHS has been modified to include the DPLH’s InHerit database reference number (from the Register) where this number has been allocated to new place records following the 2025 general review.

Place and Cultural Heritage Significance

The *Heritage Act 2018* refers to a ‘place’ as meaning a defined or readily identifiable area of land. The following list provides a summary of things that are in, on or over this area of land:

- (a) archaeological remains;
- (b) buildings, structures, other built forms, and their surrounds;
- (c) equipment, furniture, fittings and other objects (whether fixed or not) that are historically or physically associated or connected with the land;
- (d) gardens and man-made parks or sites; and
- (e) a tree or group of trees (whether planted or naturally occurring) in, or adjacent to, a man-made setting\*.

*\* The inclusion of trees in the LHS must be based on cultural heritage significance, rather than amenity or environmental value.*

The area of land may include any number of contiguous or non-contiguous parts, any number of lots, in separate titles and in different ownerships, and include as much of the land beneath the surface whether it is covered by water or not.

The cultural heritage significance of a place is determined by an assessment of each place’s potential cultural heritage values, being aesthetic, historic, scientific, social, spiritual. A level of significance is determined, giving due regard to the additional qualities of rarity and representativeness. This assessment is also guided by a thematic history of the local district or region which provides an understanding of its history and development.

The DPLH Guidelines for Local Heritage Surveys provide the following classification of significance:

Level of Significance to the local area	Classification	Description
Exceptional	Category 1	Essential to the heritage of the locality. Rare or outstanding example.
Considerable	Category 2	Very important to the heritage of the locality.
Some/moderate	Category 3	Contributes to the heritage of the locality.

Little	Category 4	Has elements or values worth noting for community interest but otherwise makes little contribution.
--------	------------	---

#### Recommended Modifications to Place Records

The following table identifies proposed changes to the existing place record for each of the five places. These changes align with the independent heritage consultant recommendations undertaken as part of the place specific review as presented to Council at its Ordinary Council Meeting held 24 March 2026. The independent heritage consultant's advice is contained at **Attachment (c)**.

Place/ Address	Proposed Details/ Changes
<p><b>Place No. 36, Wesley College</b> No. 40 Coode Street, South Perth</p>	<ul style="list-style-type: none"> <li>• Retain Category 1 Classification of Significance.</li> <li>• Recognise the cultural heritage significance of two (2) additional buildings being the: <ul style="list-style-type: none"> <li>○ Boarding House (Cygnet, Tranby), 42 Swan St; and</li> <li>○ Mildred Manning Science Centre, 40 Coode St.</li> </ul> </li> <li>• Include additional place specific information.</li> <li>• Inclusion of 'areas of cultural heritage significance'.</li> <li>• Entered in the State Register of Heritage Places 2009.</li> <li>• Recommend place for inclusion on the Heritage List.</li> </ul>
<p><b>Place No. 39, St Columba's Church Group</b> 25 Forrest Street and 16 York Street, South Perth</p>	<ul style="list-style-type: none"> <li>• Create two (2) separate place records reflective of separate ownership, notwithstanding place is one site on the State Register: <ul style="list-style-type: none"> <li>○ Place No. 39, St Columba's Church, Presbytery &amp; Primary School at 25 Forrest Street.</li> <li>○ Place No. 95, St Joesph's Convent (Dennehy House fmr.) at 16 York Street.</li> </ul> </li> <li>• Retain Category 1 Classification of Significance for both places.</li> <li>• Include additional place specific information.</li> <li>• Recommend place for inclusion on the Heritage List.</li> <li>• Entered in the State Register of Heritage Places 2006.</li> </ul>

Place/ Address	Proposed Details/ Changes
<p><b>Place No. 50, Royal Perth Golf Club (Golf Course)</b> Labouchere Road, South Perth</p>	<ul style="list-style-type: none"> <li>• Create two (2) separate place records reflective of separate land parcels, zoning/reservation, ownership and categories: <ul style="list-style-type: none"> <li>○ Place No. 50 – Royal Perth Golf Club (Golf Course).</li> <li>○ Place No. 96 - Royal Perth Golf Club (Clubhouse).</li> </ul> </li> <li>• Retain current Categories of Classification of Significance: <ul style="list-style-type: none"> <li>○ Place No. 50 - Golf Course - Category 2.</li> <li>○ Place No. 96 - Clubhouse - Category 4.</li> </ul> </li> <li>• Include additional place specific information.</li> <li>• Recommend Golf Course for inclusion on the Heritage List.</li> </ul> <p><i>*Since consideration of this item at the 21 April 2026 Council Agenda Briefing, the City has updated the Place Record for Place No. 50 – Royal Perth Golf Club (Golf Course), to include the number of trees removed as part of the Stage 3 Works on Crown Reserve 10250 and planting of a further 8,000 trees and shrubs in 2028-2029 in the Melville Parade Corridor, as included in the Council decision of the 24 February 2026 Ordinary Meeting.</i></p>
<p><b>Place No. 85, Residence: No. 49 Forrest Street (fmr. 44 Angelo Street), South Perth</b> No. 49 Forrest Street, South Perth</p>	<ul style="list-style-type: none"> <li>• Retain Category 2 Classification of Significance.</li> <li>• Include details to extend significance to elements of the interior specifically on the ground floor (original fireplaces and associated jarrah cabinetry, floorboards and skirting boards within the two ground floor rooms labelled the ‘Drawing Room’ and ‘Bedroom 1’ in the original floor plans for the place (dated 1934)).</li> <li>• Include additional place specific information.</li> <li>• Recommend place for inclusion on the Heritage List.</li> </ul>
<p><b>Place No. 86, Residence: 39 Anstey Street, South Perth</b> 39 Anstey Street, South Perth</p>	<ul style="list-style-type: none"> <li>• Retain Category 2 Classification of Significance.</li> <li>• Minor modifications to correct grammatical errors.</li> <li>• Recommend place for inclusion on the Heritage List.</li> </ul>

### Future Processes

#### *Heritage List*

Whilst Council recently adopted its Heritage List at its meeting held 28 October 2025, following adoption of the LHS post advertising, it is recommended that the City's Heritage List is updated to reflect any changes as a result of an updated LHS. The Heritage List is an instrument that is afforded power under the *Planning and Development Act 2005* and carries statutory weight when determining development outcomes for heritage places.

The *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), which provides for the creation of the Heritage List, does not prescribe which classification of place must be included in the Heritage List. It is at Council's discretion to determine which properties it includes on the Heritage List.

The City has previously recommended that any places with a classification of significance of Categories 1 or 2 are recommended for inclusion in the Heritage List, being those with the highest level of local heritage significance. Those places with a category of 3 or 4 will not be recommended for inclusion in the Heritage List but will remain in the LHS.

The City's Heritage List currently only contains Category 1 or 2 places, except for No. 426 Canning Highway, Como (Blue Waters), which Council resolved to include in the Heritage List despite being a Category 3 place in the LHS.

Any changes to the Heritage List are subject to separate statutory processes and are not part of this report.

#### *State Register of Heritage Places*

Once adopted, the City will present a copy of the updated LHS to the HCWA in accordance with the *Heritage Act 2018*. The City will notify DPLH of any updates to the LHS that relate to places on the Register, should DPLH seek to update the Register entries.

#### *Development Assessment*

Whilst not subject to this report, given the classification of significance of a place on the LHS is used to inform creation of the Heritage List, the following is provided to inform Council as to the development assessment process for places included in the Heritage List.

Including a place on the Heritage List gives the place recognition and statutory protection under the local planning scheme. It requires the local government to give due regard to the heritage significance of the listed place when determining a related development application.

The Regulations define a 'heritage-protected place' as follows:

*"A heritage-protected place is a place —*

- (a) that is entered in the State Register of Heritage Places under the Heritage Act 2018 section 42; or*
- (b) that is under consideration for entry into the State Register of Heritage Places as described in subclause (2); or*
- (c) that is the subject of an order under the Heritage Act 2018 Part 4; or*
- (d) that is the subject of a heritage agreement that has been certified under the Heritage Act 2018 section 90; or*
- (e) that is included on a heritage list as defined in clause 7; or (f) that is within a heritage area as defined in clause 7."*

The Regulations also provide for ‘development for which development approval is not required’, which specifies works that do not require development approval if certain conditions are satisfied in relation to the works. ‘The works are not located in a heritage-protected place’ is one such condition for certain works.

Places on the Heritage List require development approval for all demolition, alterations or other development affecting the cultural heritage significance of the place unless identified as exempt under the deemed provisions of the Regulations. Including a place on the Heritage List means that it is an offence under the *Planning and Development Act 2005* to undertake work which would otherwise be exempt from the requirement for development approval in the Regulations, such as some internal building works, single dwellings, ancillary dwellings and outbuildings, without development approval having first being obtained.

Including a place on a Heritage List does not limit or restrict how a local government is to determine an application or necessarily prohibit building works or other development from occurring. It does not mean a place cannot be adapted or changed to meet contemporary needs, rather, requires assessment and encourages sensitive development and new compatible uses of heritage places.

At its meeting held 27 February 2024, Council adopted Local Planning Policy 8.1 – Heritage Conservation and Development, which provides guidance on the assessment of proposals for development for those places included on the Heritage List. In addition to this Policy, the City will consider how the proposal relates to the Statement of Significance (i.e. the reason for the entry into the Heritage List), and whether there is any impact.

In accordance with the Regulations, the City (or relevant decision maker) may vary any site or development requirement where it considers the proposed variations will facilitate the conservation of a heritage-protected place or enhance the values of a heritage area.

Given a place that is entered into the State Register of Heritage Places under the *Heritage Act 2018* or a place that is under consideration for entry into the State Register of Heritage Places are also considered a ‘heritage-protected place’ under the Regulations, development approval is also required for some works that would otherwise be exempt under the Regulations.

If development or change to a State Registered place is proposed, it is referred to the HCWA for advice, as required by the *Heritage Act 2018*. Where the registered curtilage for a place on the Register only covers a portion of the lot, the heritage ‘place’ is the area defined by the registered curtilage. Whilst all development within the registered curtilage requires referral to the HCWA in accordance with the *Heritage Act 2018*, all development that may impact on the heritage values of that place (such as outside of the registered curtilage which may impact on the heritage value such as impact setting, view etc.) also require referral.

Further, it may not just be the significant building that is ‘registered’, given the *Heritage Act 2018* defines ‘place’ as ‘*a defined or readily identifiable area of land*’. This does not mean that development cannot occur within or external to the curtilage, rather, the development is first required to be referred for assessment. In most cases, the DPLH, under authority from the HCWA, will address the referral. Major developments are considered by the HCWA.

### Consultation

Whilst there is no statutory timeframe prescribed for advertising an LHS, should Council resolve to advertise the draft LHS, the City intends to advertise for a 28-day period.

**Policy and Legislative Implications**

The *Heritage Act 2018* requires that a local government must prepare a survey of places in its district that in its opinion are, or may become, of cultural heritage significance.

After preparing an LHS, or reviewing and updating, a LHS, a local government must –

- (a) provide the Council with a copy of the LHS; and
- (b) make the local heritage survey available to the public.

**Financial Implications**

Nil.

**Key Risks and Considerations**

<b>Risk Event Outcome</b>	<p><b>Legislative Breach</b></p> <p>Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	The City has prepared the LHS in accordance with the Guidelines for Local Heritage Surveys.

**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): Draft Amended Local Heritage Survey
- 10.3.1 (b): Draft Place Records with Track Changes

### 10.3.2 Proposed Management Order for Bush Forever Site 333

File Ref: D-26-9318  
Reporting Officer(s): Danielle Cattalini, Acting Director Corporate Services

#### Summary

This report recommends that Council consider a request to assume ongoing responsibility for the management of a portion of Lot 5000 on Deposited Plan 70746, Waterford.

#### Officer Recommendation AND COUNCIL DECISION

0426/079

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

**Seconded:** Councillor Jacqueline Raison

That Council:

1. Accepts the care, control and management of a 1.5756ha portion of Lot 5000 on Deposited Plan 70746, Waterford via a management order granted by the Minister for Lands, subject to receiving an Area Assistance Grant from the Western Australian Planning Commission to complete necessary remediation works.
2. Authorises the Chief Executive Officer to execute any documents necessary to effect the management order set out in 1. above.

**CARRIED BY EXCEPTION RESOLUTION (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

#### Background

On 2 February 2024, the Indigenous Land and Sea Corporation (ILSC) approached the City of South Perth (City) to discuss their intention to dispose a portion of Lot 5000 on Deposited Plan 70746, Waterford (the site) to the Western Australian Planning Commission (WAPC) by voluntary acquisition.

The outcome of the above land transaction will enable the ILSC to establish a sinking fund to secure the future of their land holdings and result in the amalgamation of the site with the adjacent public recreation reserve (Reserve 48530).

To progress the land transaction, the WAPC require written confirmation from the City confirming it will accept the care control and management of the site via a management order.

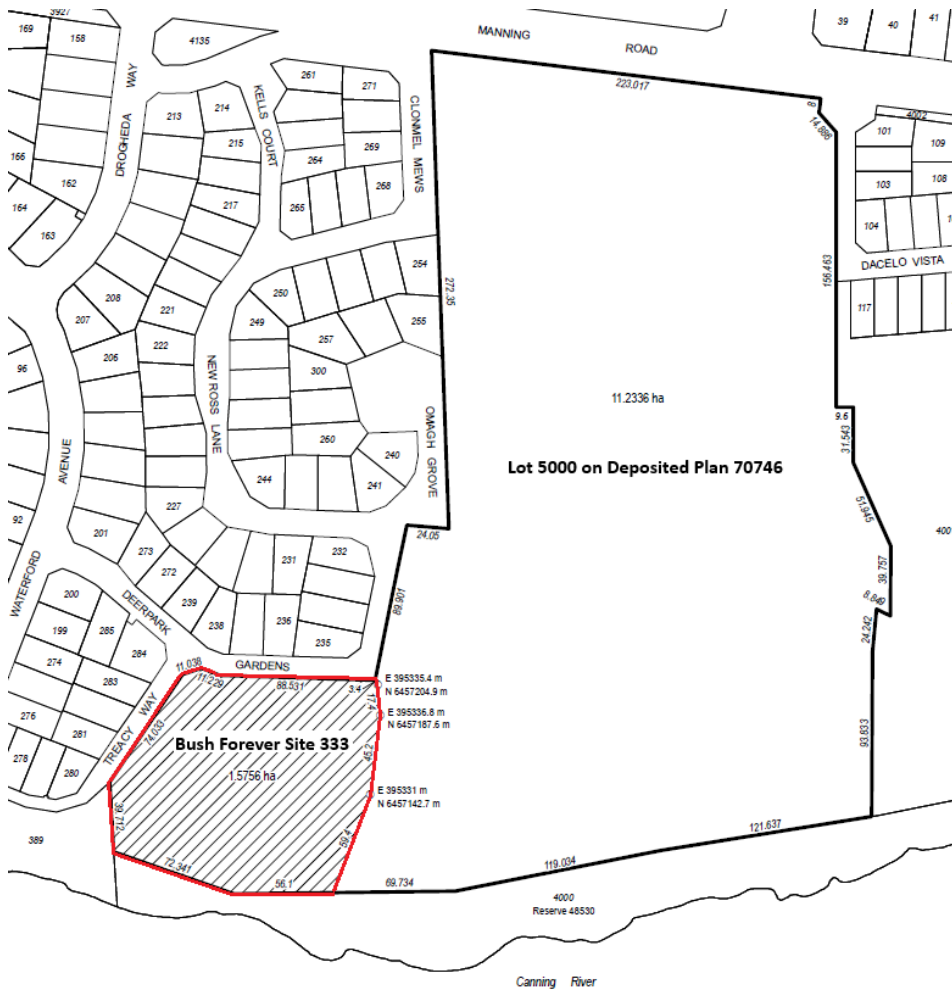
**Comment**

The whole of Lot 5000 on Deposited Plan 70746 is owned in freehold by the ILSC and is reserved ‘Public open space, Private community purposes’ under the provisions of Local Planning Scheme No. 7.

**The Site**

The site comprises an area of approximately 1.5756ha and forms part of the property known as Clontarf Aboriginal College in Waterford.

Historically, the site was a garden established by the Christian Brothers formerly known as ‘Brother Keaney’s Garden’, however has since been recognised by the State Government as a Bush Forever site and designated as Bush Forever site 333 under State Planning Policy 2.8 – Bushland Policy for the Perth Metropolitan Region (SPP 2.8).



**Image 1:** Location and extent of the site outlined in red

**Site Condition**

The vigorous growth of introduced grasses, bush, and tree foliage results in increased bushfire risk and has caused significant concern for fire management and fuel loads on-ground particularly with increased rains over the winter, over-hanging tree branch risk to power lines and breakages of debris on roads, and lumbering tall southern karri trees with loosely established root stock prone to falls.



**Image 2:** Aerial view of site vegetation and firebreak location.

Considering the current condition of the site is deemed poor in relation to the surrounding natural environment, significant financial and human resources are required to eradicate the grass and weed, remove dead vegetation and non-remnant vegetation and ultimately remediate the site to a manageable condition.

To mitigate the financial and human resource burden to the City, the ILSC agreed to undertake the required remediation work however, a subsequent assessment by the WAPC concluded the cost to remediate the site would exceed the amount the ILSC had budgeted for.

To ensure the appropriate level of remediation could be achieved and facilitate the transfer of the site, the WAPC has suggested a better approach would be to provide an Area Assistance Grant for the City to complete the remediation work.

#### Management Order

Land vesting is undertaken in accordance with the *Land Administration Act 1997* and relevant State government processes administered by the Department of Planning, Lands and Heritage (DPLH).

Once the site has transferred to the State and subsequently converted to reserve land, DPLH will need to appoint a responsible agency.

By virtue of accepting the management order, the City will become the responsible agency and assume the ongoing care, control and management of the reserve land in accordance with any management order conditions.

Considering the nature of the site, it's likely the conditions will focus on conservation and passive recreation.

#### Strategic Alignment

Should the land transaction occur, the Department of Planning, Lands and Heritage (DPLH) intend to amalgamate the site with Reserve 48530, being the adjacent public recreation reserve.

Under the Clontarf Waterford Salter Point Foreshore (CWSPF) Masterplan, Reserve 48530 is deemed a key destination for experiencing and sharing knowledge about the natural environment and our cultural heritage. It has also been identified as a strategic asset within other adopted City documents, including the Clontarf Foreshore Restoration Plan.

The objectives of the CWSPF Masterplan seek to:

- Address current and future management issues to strengthen the natural and cultural aspects of the CWSPF.
- Allow for unique and site-specific landscape response that embraces the changing environment and allows positive experiences for all users.
- Enhance native, physical and biological environmental values and ecosystem processes along the CWSPF.
- Establish key areas for passive and active recreation and nature spaces.
- Focus on connectivity, accessibility and amenity provision along the entire CWSPF.
- Celebrate the unique culture and heritage of the foreshore and surrounds.

Additionally, the CWSPF Masterplan incorporates the following core principles:

1. Preservation of the natural environment;
2. Protecting and enhancing the physical and visual connections to the river; and
3. Maintaining and enriching character of 'the place'.

Acceptance of the management order will enable:

- Consistent land management standards.
- Integrated planning across the river corridor.
- Proactive risk management.
- Strategic alignment.
- Land consolidation and cohesive land management.

### Conclusion

Accepting the management order would enable the City to coordinate proactive management of the river corridor with ongoing maintenance and management costs accommodated through existing operational programs and potential future external funding opportunities over time.

If left unmanaged, the site presents an elevated bushfire risk, providing fuel load for potential bushfires along the Clontarf Waterford Salter Point foreshore corridor as well as fragmented or reactive land management outcomes. The unmanaged weed species on the site also contribute to the increased management requirements on the City's adjoining land.

### **Consultation**

The City has consulted with relevant external stakeholders, including the Department of Conservation, Biodiversity and Attractions (DBCA), and DPLH. Their feedback has been incorporated within the report.

## Policy and Legislative Implications

### Land Administration Act 1997

Section 46 of the *Land Administration Act 1997* provides “*the Minister may by order place with any one person or jointly with any 2 or more persons as that for which the relevant Crown land is reserve under section 41 and for purposes ancillary or beneficial to that purpose any may in that order subject that care, control and management to such conditions as the minister specifies.*”

### Swan and Canning Rivers Management Act 2006

The *Swan and Canning Rivers Management Act 2006* is the primary legislation that governs the Swan Canning foreshore reserve. It provides a legal framework for the protection of ecological and community benefits and grants powers to DBCA and local governments to manage the Swan Canning Riverpark area.

### State Planning Policy 2.8 – Bushland Policy for the Perth Metropolitan Region

SPP 2.8 defines Bush Forever areas as a “*classification of land in the Metropolitan Region Scheme to protect and manage regionally significant bushland in accordance with the policy*”. The policy also aims to provide an implementation framework that ensures bushland protection and management issues in the Perth Metropolitan Region are appropriately addressed and integrated with broader land use planning and decision making with view to securing long-term protection of biodiversity and associated environmental values.

### Policy P206 Urban Forest

Policy P206 Urban Forest ensures tree cover in the City is maintained and enhanced where possible in light of increased densities on private land, a drying climate and ageing tree stock.

## Financial Implications

### Land Transfer

The WAPC will be responsible for costs and fees relating to the preparation and lodgement of all documents for settlement and the subsequent survey and transfer of the site to the State.

### Remediation Works

The estimated costs to remediate the site include \$280,000 for tree work in the first year, \$180,000 revegetation work over four years and \$40,000 for plant costs over four years.

To ensure the site is up to a certain standard before the City assumes management, the WAPC have advised they will provide an Area Assistance Grant to the City to fund the remediation work.

### Ongoing Land Management

There is no immediate budget for the ongoing management of the site.

Ongoing costs are expected to relate to:

- Vegetation management.
- Environmental rehabilitation.
- Bushfire risk mitigation.
- Public access and safety management.

Minimal increase to the operating budget for the adjoining land management would be required to accommodate the above. These costs would be included within existing operational programs, subject to future Council consideration of funding priorities and any potential grant opportunities.

**Key Risks and Considerations**

<b>Risk Event Outcome</b>	<b>Financial Loss</b> An adverse monetary impact of the City as a consequence of long-term maintenance and funding obligations, community expectations regarding improvements or access, and environmental and bushfire management responsibilities.
<b>Risk rating</b>	Medium
<b>Mitigation and actions</b>	These risks are considered manageable through existing governance and budgeting processes.

**Strategic Implications**

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

- Strategic Direction: Environment (Built and Natural)
- Aspiration: Sustainable, liveable, diverse and welcoming neighbourhoods that respect and value the natural and built environment
- Outcome: 3.3 Enhanced environment and open spaces
- Strategy: 3.3.4 Enhancement of the environment, maintaining open space and effective management of the Swan and Canning River foreshores

**Attachments**

Nil.

### 10.3.3 Proposed Change of Use - Grouped Dwelling to Unhosted Short-Term Rental Accommodation - Lot 1, No. 27A Pether Road, Manning

Location:	Lot 1, No.27A Pether Road, Manning
Ward:	Manning Ward
Applicant:	Mr Edward O Moir
Owner:	Mr Edward O Moir & Mrs Stacey L Moir
File Reference:	D-26-9319
DA Lodgement Date:	8 January 2026
Reporting Officer(s):	Donna Shaw, Director Development and Community Services
Previous Reference:	Nil.
Delegation:	DC690 – Local Planning Scheme No.7
Council Role:	Quasi-Judicial

#### Summary

The purpose of this report is to consider an application for development approval for a Change of Use from a Grouped Dwelling to Unhosted Short-Term Rental Accommodation on Lot 1, No. 27A Pether Road, Manning.

The item is referred to Council as the proposed land use falls outside the delegation to Officers. It proposes a non-residential 'A' uses within the Residential zone, and objections have been received during advertising.

For the reasons outlined in the report, it is recommended that the application be conditionally approved.

#### Officer Recommendation AND COUNCIL DECISION

0426/080

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

**Seconded:** Councillor Jacqueline Raison

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 Change of Use from a Grouped Dwelling to Unhosted Short-Term Rental Accommodation on Lot 1, No. 27A Pether Road in Manning **be approved** subject to the following conditions:

1. A maximum of six guests are permitted on site at any one time.
2. The Management Plan received on 8 January 2026 shall be implemented and adhered to at all times, to the satisfaction of the City of South Perth.
3. The approval is valid for a period of 12 months only from the date of the determination. The applicant will be required lodge a subsequent application to extend to the term of the approval and in determining such an application, the City of South Perth will have regard to the performance of the Unhosted Short-Term Rental Accommodation over the previous period.

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

**CARRIED BY EXCEPTION RESOLUTION (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

**1.0 Details**

<b>Metropolitan Region Scheme - Zone/Reserve</b>	Urban
<b>Local Planning Scheme - Zone/Reserve</b>	Residential (R30)
<b>Activity Centre Plan</b>	N/A
<b>Activity Centre Land Use Designation</b>	N/A
<b>Use Class and Permissibility</b>	Unhosted Short-Term Rental Accommodation – 'A' use
<b>Lot Size</b>	373m <sup>2</sup>
<b>Existing Land Use</b>	Grouped Dwelling
<b>Heritage</b>	N/A
<b>Bushfire Prone Area</b>	No

**2.0 Proposal**

On 8 January 2026, the City received an application for a Change of Use from a Grouped Dwelling to Unhosted Short-Term Rental Accommodation (USTRA) at Lot 1, No. 27A Pether Road, Manning.

The applicant has submitted a Management Plan and Code of Conduct in support of the proposal. Details on the proposal are as follows:

- A maximum of six guests at any one time;
- Minimum stay of two nights and maximum stay of 28 nights;
- Check-in time is 2:00pm and check-out time by 10:00am (arrivals later than 10:00pm are discouraged);
- One car parking bay for guests;
- Two 24/7 contact numbers for complaints, with urgent complaints address via phone within 20 minutes and site attendance (if required) within one hour;
- Non-urgent complaints addressed within two hours and resolved within 24 hours;
- Check-in is via a smart lock at the entry door, with the entry code provided one day prior to the start of the booking;

10.3.3 Proposed Change of Use - Grouped Dwelling to Unhosted Short-Term Rental Accommodation - Lot 1, No. 27A Pether Road, Manning

- A copy of the House Rules (Code of Conduct) is provided to guests at the time of booking, and a physical copy is displayed at the property. Guests are required to follow house rules at all times;
- Parties, events, gatherings and pets are not permitted; and
- Specified 'quiet hours' from 9:00pm to 7:00am apply and guests are required to keep noise to a minimum, particularly in the outdoor patio area.

The Management Plan, Code of Conduct and Development Plans submitted as part of this application are contained in **Attachment (a)**.

### 3.0 Background

#### Site Context

The dwelling subject to this application is part of an existing Grouped Dwelling development consisting of two single-storey dwellings, with each dwelling having vehicle access from a common property driveway. The parent lot has a total site area of 901m<sup>2</sup>. The Grouped Dwelling the subject of this application has frontage to Pether Road and has an exclusive use area of 373m<sup>2</sup>.

The site is zoned 'Residential' under Local Planning Scheme No. 7 (LPS7) and has a density coding of R30. The surrounding locality is predominantly residential in land use.

The site is located approximately 95m north of Manning Road and 90m to the west of Canavan Crescent, which is a high frequency transit route. The site is approximately 350m north-east of a 'Neighbourhood Centre' zone (Manning Hub) and 415m east of the Canning Bridge Activity Centre Plan (CBACP) area.

An aerial image and zoning map depicting the site within its context is contained in **Attachment (b)**.

### 4.0 Legislation and Policy

#### Legislation

*Planning and Development Act 2005*

*Short Term Rental Accommodation Act 2024*

Metropolitan Region Scheme (MRS)

Planning and Development (Local Planning Schemes) Regulations 2015

Local Planning Scheme No. 7 (LPS 7)

#### Structure Plans/Activity Centre Plans

Canning Bridge Activity Centre Plan

#### Local Planning Policies

Local Planning Policy 2.5 – Unhosted Short-Term Rental Accommodation

Local Planning Policy 6.1 – Advertising of Planning Proposals

## 5.0 Consultation and Referrals

### Public Consultation

Consultation has been undertaken to the extent and in the manner required by the Deemed Provisions and Local Planning Policy 6.1 – Advertising of Planning Proposals.

The application was advertised for a period of 14 days between 10 February 2026 and 24 February 2026 in the following manner:

- A total of 24 letters were sent to adjoining landowners and occupiers; and
- A copy of the application was made available for review on the City’s website.

At the close of the consultation period, three submissions were received (two objections and one neutral submission).

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

Matter	Comment
<p><u>Car Parking</u></p> <p>The proposed occupancy (six persons) and only one on-site car bay will result in cars parking on the street/nearby verges.</p>	<p>The Guest Code of Conduct specifies that there is one on-site parking bay available and that no parking is permitted outside of this bay, which includes parking on the street, communal driveway and verges.</p> <p>A copy of the ‘House Rules’ (Code of Conduct) will be provided to guests at the time of booking.</p> <p>Any breaches of the Code of Conduct will result in one warning, and any subsequent breach will result in immediate eviction without refund. Any breaches can be reported to the property managers directly.</p> <p>Contact details for the primary and secondary managers are provided in the Management Plan and will be distributed to neighbouring properties.</p> <p>Whilst it is noted that there are traffic calming measures installed directly adjacent this site, parking is permitted in the road reserve along Pether Road and surrounding streets in accordance with the City’s Parking Local Law 2017.</p>
<p><u>Traffic</u></p> <p>Additional vehicles visiting the property will cause traffic issues at the junction of Pether Road and Crawshaw Crescent.</p>	<p>A maximum of six guests are permitted on-site at any one time and parties/gatherings are prohibited. The dwelling is a three bedroom dwelling and it is therefore anticipated that traffic generation rates for the proposed land use will be consistent with traffic generation for a residential dwelling of this size. It is also noted that it is unlikely that all guests will have a vehicle. The resultant vehicle movements are within the capacity of the surrounding road networks to accommodate.</p>

<p><u>Land Use</u></p> <p>The change of use will increase probability the property will be used for student accommodation due to proximity to Curtin University.</p>	<p>The proposal is for a change of use to USTRA. 'Student Accommodation' is 'use not listed' which would require development approval from the City should a Student Accommodation be proposed for the site.</p> <p>In accordance with the Management Plan, only registered guests are permitted to stay overnight at the property, and a maximum stay of 28 consecutive nights applies. It is considered unlikely that longer term students would therefore utilise the property.</p>
<p><u>Unsuitable Dwelling</u></p> <p>The dwelling is too small to accommodate six people due to small bedroom sizes.</p>	<p>In accordance with Clause 5.4 of LPP 2.5, a maximum occupancy of two persons per bedroom is permitted.</p> <p>The dwelling has three bedrooms and therefore the proposed maximum occupancy of six persons is consistent with the Policy.</p>

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

Referrals/consultation with Government/Service Agencies

Nil.

## 6.0 Assessment

### Short Term Rental Accommodation Act 2024

Whilst USTRA is exempt from the requirement to obtain development approval if the property is not used as USTRA for more 90 nights in a relevant 12-month period, the applicant seeks approval for an unlimited number of nights in a 12-month period and development approval is therefore required. Under the *Short-Term Rental Accommodation Act 2024*, all providers of STRA within Western Australia, both hosted and unhosted, were required to register their properties by 1 January 2025.

The USTRA is currently registered with Department of Local Government, Industry Regulation and Safety.

### Planning and Development (Local Planning Schemes) Regulations 2015

Clause 67(2) of Regulations include matters which the local government is to have due regard to when considering an application for Development Approval. Items relevant to the assessment of this application include:

Clause 67(2) Matter	Comment
<p>(m) The compatibility of the development with its setting, including –</p> <p>(i) the compatibility of the development with the desired character of its setting; and</p> <p>(ii) the relationship of the development to development</p>	<p>The proposed USTRA is considered generally compatible with the character and setting of the area given it uses an existing dwelling, and compatible with the wider character and the proposed use and operation is of a scale that is consistent with the Policy.</p>

	on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.
<p>(n) The amenity of the locality including the following –</p> <p>(i) environmental impact of the development;</p> <p>(ii) the character of the locality; and</p> <p>(iii) social impacts of the development.</p>	<p>A Management Plan has been provided, outlining amenity mitigation measures including ‘quiet hours’ (9:00pm to 7:00am).</p> <p>Check-in times are also restricted to no later than 10:00pm to minimise impact of vehicle headlights to adjoining properties.</p> <p>Parties, events, gatherings and pets are not permitted.</p> <p>Additionally, the use will be required to comply with the requirements of the Environmental Protection (Noise) Regulations 1997.</p> <p>The proposed development is considered satisfactory subject to compliance with the submitted Management Plan, which has been recommended as a condition.</p>
<p>(y) Any submissions received on the application.</p>	<p>Details of submissions received are contained within the consultation section of this report.</p>

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

The proposal has been assessed against all relevant legislative requirements of the LPS 7 and State and Local Planning Policies and is considered to be compliant. Items relevant to the assessment of this application have been included below:

Zone Name	Objectives	Comment
Residential	To provide for a range of housing and a choice of residential densities to meet the needs of the community.	N/A
	To facilitate and encourage high quality design, built form and streetscapes through residential areas.	N/A
	To provide for a range of non-residential uses, which are compatible	If managed appropriately in accordance with the Management Plan and Code of Conduct, the land

	and complementary to residential development.	use is considered compatible and complementary to residential development.
--	---	--

#### Local Planning Policy 2.5 – Unhosted Short-Term Rental Accommodation (LPP 2.5)

The objective of LPP 2.5 is to guide the location, design and operation of USTRA within the City and to ensure development is compatible within its context and the amenity of the surrounding area.

The proposal complies with the requirements of LPP 2.5 with the exception of the following:

Matter	Comment
5.6 Location Requirements	
5.6.4 In locations where objections to the development is received from neighbours, any approval granted must first be a time limited approval for 12 months, to properly assess the impact on the neighbours and amenity.	Two objections were received during the consultation period. For this reason, a condition is recommended to limit the approval validity to a maximum 12 months in accordance with the Policy.

## 7.0 Conclusion

USTRA is a land use that can be considered for approval in the Residential zone. Conditions of development approval are recommended to ensure the operation of the proposed USTRA does not adversely impact the amenity of the locality.

Accordingly, subject to the inclusion of appropriate conditions, including a 12-month time limited approval condition as required by LPP 2.5, the application is recommended for approval.

## Financial Implications

To the extent that if the applicant were to make an application for review of the decision, the City may need to seek representation at the State Administrative Tribunal.

### 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>	The application has been assessed in accordance with the requirements of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and the local planning framework.

### Strategic Implications

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

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

### Attachments

- 10.3.3 (a): Management Plan, Code of Conduct and Development Plans
- 10.3.3 (b): Aerial Image & Zoning Map
- 10.3.3 (c): Schedule of Submissions

### 10.3.4 Proposed Change of Use - Grouped Dwelling to Unhosted Short-Term Rental Accommodation - Lot 5 (No.16) Saunders Street, Como

Location:	Lot 5 (No. 16) Saunders Street, Como
Ward:	Como Ward
Applicant:	Peter Bell
Owner:	Peter Bell
File Reference:	D-26-9321
DA Lodgement Date:	15 January 2026
Reporting Officer(s):	Donna Shaw, Director Development and Community Services
Previous Reference:	Nil.
Delegation:	DC690 – Local Planning Scheme No.7
Council Role:	Quasi-Judicial

#### Summary

The purpose of this report is to consider an application for development approval for a Change of Use from a Grouped Dwelling to Unhosted Short-Term Rental Accommodation at Lot 5 (No. 16) Saunders Street, Como.

The item is referred to Council as the proposed land use falls outside the delegation to Officers. It proposes a non-residential 'A' uses within the Residential zone, and objections have been received during advertising.

For the reasons outlined in the report, it is recommended that the application be conditionally approved.

#### Officer Recommendation AND COUNCIL DECISION

0426/081

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

**Seconded:** Councillor Jacqueline Raison

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 Change of Use from a Grouped Dwelling to Unhosted Short-Term Rental Accommodation on Lot 5 (No. 16) Saunders Street, Como be approved subject to the following conditions:

1. A maximum of four guests are permitted on site at any one time.
2. The Management Plan received on 4 March 2026 shall be implemented and adhered to at all times, to the satisfaction of the City of South Perth.
3. The approval is valid for a period of 12 months only from the date of the determination. The applicant will be required lodge a subsequent application to extend to the term of the approval and in determining such an application, the City of South Perth will have regard to the performance of the Unhosted Short-Term Rental Accommodation over the previous period.

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

**CARRIED BY EXCEPTION RESOLUTION (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

**1.0 Details**

<b>Metropolitan Region Scheme - Zone/Reserve</b>	Urban
<b>Local Planning Scheme - Zone/Reserve</b>	Residential (R30)
<b>Activity Centre Plan</b>	N/A
<b>Activity Centre Land Use Designation</b>	N/A
<b>Use Class and Permissibility</b>	Unhosted Short-Term Rental Accommodation – 'A' use
<b>Lot Size</b>	216m <sup>2</sup>
<b>Existing Land Use</b>	Grouped Dwelling
<b>Heritage</b>	N/A
<b>Bushfire Prone Area</b>	No

**2.0 Proposal**

On 15 January 2026, the City received an application for a Change of Use from a Grouped Dwelling to Unhosted Short-Term Rental Accommodation (USTRA) on Lot 5 (No.16) Saunders Street, Como.

The application was subsequently accepted on 19 January 2026 following receipt of requested further information.

The applicant has submitted a Management Plan and Code of Conduct in support of the application. Details of the proposal are as follows:

- The proposal relates to the primary dwelling on the site only and excludes the rear ancillary dwelling which the applicant has stated is used occasionally by the landowner;
- A maximum of four guests are permitted;
- A minimum stay of three nights is applicable for all bookings;
- Check-in time is after 3:00pm and check-out by 11:00am;
- Parties and any other large gatherings are prohibited;
- One dedicated parking bay is provided within the subject site;

10.3.4 Proposed Change of Use - Grouped Dwelling to Unhosted Short-Term Rental Accommodation - Lot 5 (No.16) Saunders Street, Como

- Guests are required to abide by the Code of Conduct at all times, any antisocial behaviour and excessive noise is not tolerated; and
- Quiet hours are to be enforced between 10:00pm and 7:00am.

The Management Plan, Code of Conduct and Development Plans for the development are contained in **Attachment (a)**.

The applicant has advised that the two USTRA managers both reside next door to the subject property and are available 24/7 to address matters immediately. All complaints are to be resolved within one hour of receipt by the USTRA managers.

### 3.0 Background

#### Site Context

The subject site is one of four Grouped Dwellings on the north-western corner of Saunders Street and Labouchere Road. The subject site shares a common property driveway with the adjoining unit at 16A Saunders Street.

The surrounding context is characterised by a mix of density coding and includes Multiple Dwellings, Grouped Dwellings and Single Houses.

The subject site is zoned 'Residential' and has a density coding of R30.

An aerial image and zoning map depicting the site within its context are contained in **Attachment (b)**.

### 4.0 Legislation and Policy

#### Legislation

*Planning and Development Act 2005*

*Short Term Rental Accommodation Act 2024*

Metropolitan Region Scheme (MRS)

Planning and Development (Local Planning Schemes) Regulations 2015

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

#### Local Planning Policies

Local Planning Policy 2.5 – Unhosted Short-Term Rental Accommodation

Local Planning Policy 6.1 – Advertising of Planning Proposals

### 5.0 Consultation and Referrals

#### Public Consultation

Consultation has been undertaken to the extent and in the manner required by the Deemed Provisions and Local Planning Policy 6.1 – Advertising of Planning Proposals.

The application was advertised for a period of 14 days between 6 March 2026 and 20 March 2026 in the following manner:

- A total of 33 letters were sent to adjoining landowners and occupiers; and
- A copy of the application was made available for review on the City's website.

At the close of the consultation period, one objection was received.

The key matter raised in the submission is provided in the table below, in addition to the Officer's comment:

Matter	Comment
The development is inappropriate in the context of family homes and nearby primary school.	<p>It is noted that the subject site is in an area currently undergoing change due to its proximity to the Canning Bridge Activity Centre and Canning Highway, both of which are identified for urban intensification in the State and local planning frameworks. Whilst existing development may present as low density development, the site is surrounded by a range of density codes (R30, R60 and R80) capable of accommodating higher density development in future.</p> <p>The proposed USTRA will occupy an existing dwelling, with no modifications to the building proposed.</p>

A Schedule of Submission is contained as **Attachment (c)**.

## 6.0 Assessment

### Short Term Rental Accommodation Act 2024

Whilst USTRA is exempt from the requirement to obtain development approval if the property is not used as USTRA for more 90 nights in a relevant 12-month period, the applicant seeks approval for an unlimited number of nights in a 12-month period and development approval is therefore required. Under the *Short-Term Rental Accommodation Act 2024*, all providers of STRA within Western Australia, both hosted and un-hosted, were required to register their properties by 1 January 2025.

The USTRA is currently registered with Department of Local Government, Industry Regulation and Safety.

### Planning and Development (Local Planning Schemes) Regulations 2015

Clause 67(2) of Regulations include matters which the local government is to have due regard to when considering an application for Development Approval. Items relevant to the assessment of this application include:

Clause 67(2) Matter	Comment
<p>(m) The compatibility of the development with its setting, including –</p> <p>(i) the compatibility of the development with the desired character of its setting; and</p> <p>(ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale,</p>	<p>The proposed USTRA is compatible with the wider character and amenity of the area as the proposed use and operation is minor in scale and intensity, hosting a maximum of four guests and one vehicle which is consistent with the expected number of persons within a Grouped Dwelling.</p>

orientation and appearance of the development.	
<p>(n) The amenity of the locality including the following –</p> <p>(i) Environmental impact of the development;</p> <p>(ii) The character of the locality; and</p> <p>(iii) Social impacts of the development.</p>	<p>A Code of Conduct and Management Plan has been provided with guidance for the expected behaviour of guests, to avoid any potential impacts to surrounding landowners or the wider locality.</p> <p>The development is not considered to have any perceived impact on the locality and be imperceivable from the existing land use of a Grouped Dwelling.</p> <p>There are no environmental impacts which have been noted.</p> <p>Guests are encouraged to use public transport and have access to high frequency public transport routes.</p>
(y) Any submissions received on the application	Details of the submission received are contained within the consultation section of this report.

Local Planning Scheme No. 7 (LPS 7)

The proposal has been assessed against all relevant legislative requirements of the LPS 7, SPACP, and State and Local Planning Policies, and is considered to be compliant. Items relevant to the assessment of this application have been included below:

Zone Name	Objectives	Comment
Residential	To provide for a range of housing and a choice of residential densities to meet the needs of the community.	N/A
	To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.	N/A
	To provide for a range of non-residential uses, which are compatible with and complementary to residential development.	If managed appropriately and in accordance with the Code of Conduct and Management Plan, the land use is considered compliant and complementary to residential development.

Local Planning Policy 2.5 – Unhosted Short Term Rental Accommodation

The objective of LPP 2.5 is to guide the location, design and operation of USTRA within the City and to ensure development is compatible within its context and the amenity of the surrounding area.

The proposal complies with the requirements of LPP 2.5 with the exception of the following:

Matter	Comment
<p>5.6 Location Requirements</p> <p>5.6.4 In locations where objections to the development is received from neighbours, any approval granted must first be a time limited approval for 12 months, to properly assess the impact on the neighbours and amenity.</p>	<p>One objection was received during the consultation period. For this reason, a condition is recommended to limit the approval validity to a maximum 12 months in accordance with the Policy.</p>

**7.0 Conclusion**

USTRA is a land use that can be considered for approval in the Residential zone. Conditions of development approval are recommended to ensure the operation of the proposed USTRA does not adversely impact the amenity of the locality.

Accordingly, subject to the inclusion of appropriate conditions, including a 12-month time limited approval condition as required by LPP 2.5, the application is recommended for approval.

**Financial Implications**

To the extent that if the applicant were to make an application for review of the decision, the City may need to seek representation at the State Administrative Tribunal.

**Key Risks and Considerations**

<b>Risk Event Outcome</b>	<p><b>Legislative Breach</b></p> <p>Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	<p>The application has been assessed in accordance with the requirements of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and the local planning framework.</p>

### 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

10.3.4 (a):	Management Plan, Code of Conduct and Development Plans
10.3.4 (b):	Aerial and Zoning Map
10.3.4 (c):	Schedule of Submission

### 10.3.5 Proposed Change of Use - Multiple Dwelling to Unhosted Short -Term Rental Accommodation - Lot 22 (No. 22/181) Mill Point Road, South Perth

Location:	Lot 22 (No. 22/181) Mill Point Road, South Perth
Ward:	Mill Point Ward
Applicant:	Jonathon Hingley
Owner:	Kimberley John Hingley, Louise Morris Hingley, Jonathon Hingley
File Reference:	D-26-9322
DA Lodgement Date:	13 January 2026
Reporting Officer(s):	Donna Shaw, Director Development and Community Services
Previous Reference:	Nil.
Delegation:	DC690 – Local Planning Scheme No.7
Council Role:	Quasi-Judicial

#### Summary

The purpose of this report is to consider an application for development approval for a Change of Use from a Multiple Dwelling to Unhosted Short-Term Rental Accommodation on Lot 22 (No. 22/181) Mill Point Road, South Perth.

The item is referred to Council, as the proposed land use falls outside the delegation to Officers as it proposes a non-residential 'A' uses within the Residential zone, and an objection has been received during advertising.

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

#### Officer Recommendation AND COUNCIL DECISION

0426/082

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

**Seconded:** Councillor Jacqueline Raison

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 Change of Use from a Multiple Dwelling to Unhosted Short-Term Rental Accommodation on Lot 22 (No. 22/181) Mill Point Road, South Perth be approved subject to the following conditions:

1. A maximum of two guests are permitted on site at any one time.
2. The Management Plan received on 13 January 2026 shall be implemented and adhered to at all times, to the satisfaction of the City of South Perth.
3. The approval is valid for a period of 12 months only from the date of the determination. The applicant will be required lodge a subsequent application to extend to the term of the approval and in determining such an application, the City of South Perth will have regard to the performance of the Unhosted Short-Term Rental Accommodation over the previous period.

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

**CARRIED BY EXCEPTION RESOLUTION (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

**1.0 Details**

<b>Metropolitan Region Scheme - Zone/Reserve</b>	Urban
<b>Local Planning Scheme - Zone/Reserve</b>	Residential (R60)
<b>Activity Centre Plan</b>	N/A
<b>Activity Centre Land Use Designation</b>	N/A
<b>Use Class and Permissibility</b>	Unhosted Short-Term Rental Accommodation – 'A' use
<b>Lot Size</b>	N/A
<b>Existing Land Use</b>	Multiple Dwelling
<b>Heritage</b>	N/A
<b>Bushfire Prone Area</b>	No

**2.0 Proposal**

On 13 January 2026, the City received an application for a proposed Change of Use from a Multiple Dwelling to Unhosted Short-Term Rental Accommodation (USTRA) at Lot 22 (No. 22/181) Mill Point Road, South Perth. Additional information was sought on 15 January 2026, and the application was subsequently accepted by the City on 10 February 2026.

The applicant has submitted a Management Plan and Code of Conduct in support of the proposal. Details of the proposal are as follows:

- A maximum of two guests;
- Minimum stay of two nights;
- References required for guests under 25 years old;
- Check-in after 2:00pm and check-out by 10:00am;
- Parties and gatherings are prohibited;
- Quiet hours enforced between 10:00pm and 8:00am;
- Two USTRA manager contacts are provided to guests and are available 24/7 to respond to matters; and
- One dedicated parking spot is provided to guests, with a maximum of one car allowed.

10.3.5 Proposed Change of Use - Multiple Dwelling to Unhosted Short -Term Rental Accommodation - Lot 22 (No. 22/181) Mill Point Road, South Perth

The Management Plan, Code of Conduct and Development Plans for the development are contained in **Attachment (a)**.

### 3.0 Background

#### Site Context

The subject site is zoned Residential and has a density coding of R60. The unit is located on the 5th floor within a six-storey apartment building.

The building is adjacent to Sir James Mitchell Park and approximately 200m from the Perth Zoo. To the west, the site abuts the South Perth Activity Centre.

An aerial image and zoning map depicting the site within its context are contained in **Attachment (b)**.

### 4.0 Legislation and Policy

#### Legislation

*Planning and Development Act 2005*

*Short Term Rental Accommodation Act 2024*

Metropolitan Region Scheme (MRS)

Planning and Development (Local Planning Schemes) Regulations 2015

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

#### Local Planning Policies

Local Planning Policy 2.5 – Unhosted Short-Term Rental Accommodation

Local Planning Policy 6.1 – Advertising of Planning Proposals

### 5.0 Consultation and Referrals

Consultation has been undertaken to the extent and in the manner required by the Deemed Provisions and Local Planning Policy 6.1 – Advertising of Planning Proposals.

The application was advertised for a period of 14 days between 6 March 2026 and 20 March 2026 in the following manner:

- A total of 51 letters were sent to adjoining landowners and occupiers; and
- A copy of the application was made available for review on the City’s website.

At the close of the consultation period, one objection was received.

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

Matter	Comment
The USTRA will have a negative impact on the housing market.	The State Government has mandated that in the Perth Metropolitan Area, USTRA is required to be assigned a ‘D’ (i.e. discretionary) or ‘A’ (i.e. discretionary subject to advertising) land use in all zones where any type of dwelling is capable of approval. As such, USTRA is a land use that

	<p>is capable of approval in the Residential zone.</p> <p>The development satisfies the objectives and requirements of the LPP 2.5 and the <i>Short Term Rental Accommodation Act 2024</i> and the land use is capable of consideration and approval under LPS 7.</p>
--	---

A Schedule of Submission is contained in **Attachment (c)**.

## 6.0 Assessment

### Short Term Rental Accommodation Act 2024

Whilst USTRA is exempt from the requirement to obtain development approval if the property is not used as USTRA for more 90 nights in a relevant 12-month period, the applicant seeks approval for an unlimited number of nights in a 12-month period and development approval is therefore required. Under the *Short-Term Rental Accommodation Act 2024*, all providers of STRA within Western Australia, both hosted and un-hosted, were required to register their properties by 1 January 2025.

The USTRA is currently registered with Department of Local Government, Industry Regulation and Safety.

### Planning and Development (Local Planning Schemes) Regulations 2015

Clause 67(2) of Regulations include matters which the local government is to have due regard to when considering an application for Development Approval. Items relevant to the assessment of this application include:

Clause 67(2) Matter	Comment
<p>(m) The compatibility of the development with its setting, including –</p> <p>(i) the compatibility of the development with the desired character of its setting; and</p> <p>(ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.</p>	<p>The subject site is within walking distance of several of South Perth’s key tourist attractions and landmarks, including the Perth Zoo and South Perth foreshore.</p> <p>The surrounding development context and proximity to the South Perth Activity Centre also reflects a diverse range of building typologies, densities and land uses which are considered compatible with the USTRA land use.</p> <p>The development is restricted to a maximum of two guests, with one car parking space available, which will not cause an increase in traffic beyond the capacity of the existing road network. No works are proposed to the existing building as part of this proposal.</p>

<p>(n) The amenity of the locality including the following –</p> <p>(i) environmental impact of the development;</p> <p>(ii) the character of the locality; and</p> <p>(iii) social impacts of the development.</p>	<p>The proposal is within an existing Multiple Dwelling development and is unlikely to have any impact on the surrounding environment.</p> <p>Subject to compliance with the Code of Conduct is unlikely to have any adverse social impacts.</p>
<p>(y) Any submissions received on the application.</p>	<p>Details of the submission received is contained within the consultation section of this report.</p>

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

The proposal has been assessed against all relevant legislative requirements of the LPS 7, SPACP, and State and Local Planning Policies, and is deemed to be compliant. Items relevant to the assessment of this application have been included below:

Zone Name	Objectives	Comment
Residential	To provide for a range of housing and a choice of residential densities to meet the needs of the community.	N/A
	To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.	N/A
	To provide for a range of non-residential uses, which are compatible with and complementary to residential development.	Subject to compliance with the Code of Conduct and Management Plan provided, the land use is considered compliant and complementary to residential development.

#### Local Planning Policy 2.5 – Unhosted Short Term Rental Accommodation

The objective of LPP 2.5 is to guide the location, design and operation of USTRA within the City and to ensure development is compatible within its context and the amenity of the surrounding area.

The proposal complies with the requirements of LPP 2.5 with the exception of the following:

Matter	Comment
<p><u>5.6 Location Requirements</u></p> <p>5.6.4 In locations where objections to the development is received from neighbours, any approval granted must first be a time limited approval for 12 months, to properly assess the impact on the neighbours and amenity.</p>	<p>One objection was received during the consultation period. For this reason, a condition is recommended to limit the approval validity to a maximum 12 months in accordance with the Policy.</p>

## 7.0 Conclusion

USTRA is a land use that can be considered for approval in the Residential zone. Conditions of development approval are recommended to ensure the operation of the proposed USTRA does not adversely impact the amenity of the locality.

Accordingly, subject to the inclusion of appropriate conditions, including a 12-month time limited approval condition as required by LPP 2.5, the application is recommended for approval.

## Financial Implications

To the extent that if the applicant were to make an application for review of the decision, the City may need to seek representation at the State Administrative Tribunal.

## Key Risks and Considerations

<b>Risk Event Outcome</b>	<p><b>Legislative Breach</b></p> <p>Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	<p>The application has been assessed in accordance with the requirements of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and the local planning framework.</p>

### 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

10.3.5 (a):	Management Plan, Code of Conduct and Development Plans
10.3.5 (b):	Aerial and Zoning Maps
10.3.5 (c):	Schedule of Submission

*Councillor Kathy Lees disclosed an Impartiality Interest in Item 10.3.6.*

### **10.3.6 Proposed Two Grouped Dwellings - Lot 23 (No. 72) Comer Street, Como**

Location: Lot 23 (No. 72) Comer Street, Como  
Ward: Como Ward  
Applicant: Dale Alcock Homes Pty Ltd - Ros Briant  
Owner: Joan L Harris, Pamela J Harris  
File Reference: D-26-9323  
DA Lodgement Date: 3 December 2025  
Reporting Officer(s): Donna Shaw, Director Development and Community Services  
Previous Reference: Nil.  
Delegation: DC690 – Local Planning Scheme No. 7  
Council Role: Quasi-Judicial

#### **Summary**

The purpose of this report is to consider an application for development approval for two Grouped Dwellings on Lot 23 (No. 72) Comer Street, Como.

The item is referred to Council as the proposed development is an application which proposes tree damaging activity to a regulated tree in accordance with 7.2(c) of Local Planning Policy 3.2 – Tree Retention (i.e. where the redesign of the development to accommodate the regulated tree is unfeasible).

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

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

**0426/083**

**Moved:** Councillor André Brender-A-Brandis  
**Seconded:** Councillor Jacqueline Raison

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 Dwellings on Lot 23 (No. 72) Comer Street, Como 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. External fixtures, including but not limited to, air-conditioning units, clothes drying facilities, satellite dishes and non-standard television aerials, but excluding solar collectors, are to be integrated into the design of the building and shall be located so that they are not visible from the street to the satisfaction of the City of South Perth.
4. All street 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.

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. Prior to occupation or use of the development, the boundary wall(s) 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 the submission of a demolition permit or building permit application (whichever occurs first), a Tree Retention Plan is to be submitted to and approved by the City of South Perth. The Tree Retention Plan is to detail the methods of protection for the tree nominated for retention on the approved site plan and is to demonstrate compliance with the requirements of AS 4970-2009 - Protection of Trees on Development Sites.

The tree to be retained shall be clearly identified on site and protected for the duration of all demolition and construction works in accordance with the endorsed Tree Retention Plan and the Australian Standard. Protection measures are to be installed prior to the commencement of any works and maintained for the duration of the development.

The retained tree shall be adequately watered, mulch provided to the base of the tree, and maintained at all times during demolition and construction to the satisfaction of the City of South Perth.

8. Prior to occupation or use of the development, landscaping areas shall be installed in accordance with the approved landscaping plan or any approved modifications to the satisfaction of the City of South Perth. All landscaping areas shall be maintained for the lifetime of the development to the satisfaction of the City of South Perth.
9. Prior to occupation or use of the development, two (2) replacement trees shall be planted on each lot in accordance with the approved landscaping plan. Each tree shall be a minimum height of 2.0 metres at the time of planting and sourced from a minimum 100-litre container. All planted trees, together with their designated growth zones, shall be retained and maintained for the life of the development to the satisfaction of the City of South Perth.
10. Prior to occupation or use of the development, the proposed driveways shall be constructed with brick paving or concrete and suitably drained to the satisfaction of the City of South Perth.
11. Prior to occupation or use of the development, all vehicle crossings are required to be upgraded, designed, and constructed to the satisfaction of the City of South Perth.
12. Prior to occupation or use of the development, any redundant crossovers shall be removed and the verge and kerbing reinstated, at the expense of the applicant to the satisfaction of the City of South Perth.

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

**CARRIED BY EXCEPTION RESOLUTION (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

### 1.0 Details

<b>Metropolitan Region Scheme - Zone/Reserve</b>	Urban
<b>Local Planning Scheme - Zone/Reserve</b>	Residential – R30
<b>Activity Centre Plan</b>	N/A
<b>Activity Centre Land Use Designation</b>	N/A
<b>Use Class and Permissibility</b>	Grouped Dwellings – Permitted ('P') use
<b>Lot Size</b>	746m <sup>2</sup>
<b>Existing Land Use</b>	Single House
<b>Heritage</b>	N/A
<b>Bushfire Prone Area</b>	No

### 2.0 Proposal

On 3 December 2025, the City received and accepted an application for two Grouped Dwellings on Lot 23 (No. 72) Comer Street, Como (the subject site). Upon completion of the initial assessment, on 20 January 2026 the City requested further information relating to clarification and amendments regarding the proposed removal of regulated trees on site, vehicle access, waste management and landscaping, which was received on 6 March 2026. Specifically, the application involves:

- Demolition of the existing Single House;
- Construction of two single storey Grouped Dwellings;
- Access via Comer Street and Hazel Street; and
- Retention of one and removal of two regulated trees, and provision of new landscaping.

A copy of the development plans is contained as **Attachment (a)** and the applicant's justification in support of the proposal is contained as **Attachment (b)**.

### 3.0 Background

#### Site Context

The site has two street frontages, Comer Street to the south and Hazel Street to the east. The prevailing development surrounding the subject site comprises predominantly single-storey Grouped Dwellings and Single Houses.

An aerial image and zoning map depicting the site within its context can be found at **Attachment (c)**.

#### 4.0 Legislation and Policy

##### Legislation

*Planning and Development Act 2005*

Planning and Development (Local Planning Schemes) Regulations 2015

Metropolitan Region Scheme (MRS)

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 6.1 – Advertising of Planning Proposals

#### 5.0 Consultation and Referrals

##### Public Consultation

Consultation has been undertaken to the extent and in the manner required by the Deemed Provisions and Local Planning Policy 6.1 – Advertising of Planning Proposals.

The application was advertised for a period of 14 days between 13 March 2026 and 27 March 2026 in the following manner:

- A total of 66 letters were sent to adjoining landowners and occupiers; and
- A copy of the application was made available for review on the City's website.

At the close of the consultation period, two submissions were received in support of the proposed development.

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

#### 6.0 Assessment

##### Residential Design Codes Volume 1 – Part C (Medium Density)

The R-Codes include 'deemed-to-comply' criteria and design principles. Applications not complying with the deemed-to-comply criteria can be assessed against relevant design principles, which is a merit-based approach to determine whether a proposal meets the objectives of the R-Codes.

The proposal seeks to vary the deemed-to-comply requirements of the following elements:

- Clause 3.3 – Street Setbacks
- Clause 3.7 – Access

*Clause 3.3 – Street setbacks*

Clause 3.3 – Street Setbacks	Deemed-to-comply Requirement	Proposed
Unit 2 Primary street (Hazel Street) setback to bedroom 1	3.0m setback	2.5m setback
Unit 2 Primary street (Hazel Street) setback to porch	2.0m setback	1.5m setback

Design Principles	Assessment
<p>Buildings are set back from street boundaries an appropriate distance to ensure they:</p> <p>(i) Are consistent with the existing or future streetscape or local character;</p> <p>(ii) Provide sufficient space for tree planting and other landscaping, as well as community interaction;</p> <p>(iii) Provide adequate privacy to the dwellings;</p> <p>(iv) Accommodate site planning requirements such as parking and utilities; and</p> <p>(v) Allow safety clearances for easements for essential service corridors and sightlines.</p> <p>and</p> <p>Buildings mass and form that:</p> <p>(i) uses design features to affect the size and scale of the building;</p> <p>(ii) provide the opportunity for building articulation, such as well-defined entries, varying setbacks across the building width,</p> <p>(iii) verandahs, porches and balconies;</p> <p>(iv) uses appropriate minor projections that do not detract from the character of the streetscape;</p>	<ul style="list-style-type: none"> <li>The proposed development aligns with the prevailing street setbacks, ranging between 2.0m and 3.0m, as demonstrated by neighbouring properties at 60, 64, 68 and 74 Comer Street, and 11 and 13 Hazel Street. These examples reflect a mix of building typologies which are consistent with the proposed development in setbacks and scale.</li> <li>The proposed development is considered consistent with the established streetscape and does not introduce an inconsistent or incompatible built form.</li> <li>The façade of Unit 2 incorporates varied setbacks across elements such as the garage, porch and bedroom 1, creating articulation that breaks up building mass and avoids a singular presentation to the street. This articulated setback reduces perceived bulk while maintaining opportunities for passive surveillance of the streetscape through primary opening to habitable spaces within the dwelling.</li> <li>The building façade includes clearly defined entry points. Vehicle and pedestrian access points remain legible, and the dwelling retains an active interface with the public realm.</li> </ul>

<p>(v) minimises the proportion of the façade at ground level taken up by building services, vehicle entries, parking supply, blank walls, servicing infrastructure access, meters and the like; and</p> <p>(vi) positively contributes to the prevailing or future development context and streetscape as outlined in the local planning framework.</p>	<ul style="list-style-type: none"> <li>The street setback provides adequate space for continuous landscaping outside of the driveway, including the planting of a new broad-canopy tree and retention of the regulated tree (Hibiscus) on the northern frontage. Low-level planting is also incorporated to maximise contribution to the streetscape and visual amenity.</li> <li>The proposed setbacks allow for vehicle manoeuvring and parking in accordance with Australian Standards, while also accommodating utilities and ensuring practical access to essential services.</li> </ul>
--	---

### Clause 3.7 Access

Clause 3.7 - Access	Requirement	Proposed
<p><b>Unit 1</b></p> <p>Vehicle Access</p>	<p>Vehicle access is to be provided from the secondary street in lieu of the primary street</p>	<p>Vehicle access is proposed from the primary street (Comer Street) in lieu of the available secondary street (Hazel Street)</p>

Design Principles	Assessment
<p>The relevant design principles for Access consider the following:</p> <p>P3.7.1 Access for each development site is to:</p> <ul style="list-style-type: none"> <li>(i) balance pedestrian and cyclist safety while providing safe vehicle access;</li> <li>(ii) minimise the extent of impervious surfaces;</li> <li>(iii) provide legible access; and</li> <li>(iv) include high quality landscaping features.</li> </ul> <p>P3.7.2 Vehicle access is designed and located to:</p> <ul style="list-style-type: none"> <li>(i) minimise the number and width of vehicle access</li> </ul>	<ul style="list-style-type: none"> <li>The development provides clear, legible and direct street access to both units, with vehicle manoeuvring and sightlines satisfying the corresponding deemed to comply requirements of the R-Codes. No obstructions are proposed, ensuring pedestrian, vehicle and cyclist safety is maintained.</li> <li>Impervious surfaces are confined to the driveway, with landscaping proposed along the full extent of the visible street frontage. Crossovers are minimised to one per dwelling and limited to a maximum width of 5.0m.</li> <li>Hazel and Comer Streets are of comparable hierarchy and traffic volume. The crossover achieves a</li> </ul>

<p>points and the impact on the streetscape;</p> <p>(ii) provide access to the street with the lowest volume of traffic; and</p> <p>(iii) accommodate sloping sites and retaining walls.</p> <p>P3.7.4 Unobstructed sightlines provided at vehicle access points to ensure safety and visibility along vehicle access ways, streets, rights-of-way, communal streets, crossovers, and footpaths.</p> <p>P3.7.5 Legible, safe, and direct access for residents and their visitors to move between communal car parking areas or public streets and individual dwellings.</p>	<p>compliant setback to the tangent point and does not result in a materially different vehicle manoeuvring or safety outcomes compared to an alternative street location on the secondary street.</p> <ul style="list-style-type: none"> <li>The development maintains clear sightlines, with crossovers designed to provide appropriate truncation to verge infrastructure, including street trees.</li> </ul>
---	--

The proposal is considered to meet the relevant design principles of the R-Codes.

Local Planning Policy 3.2 – Tree Retention (LPP 3.2)

The purpose of LPP 3.2 is to encourage and facilitate the protection of trees and to maintain and enhance tree canopy. For the purposes of the Policy:

Requirement	Assessment
Regulated tree	<p>means a living tree that:</p> <p>(a) Is 8.0m or more high; and/or</p> <p>(b) has an average canopy diameter of at least 6.0m; and/or</p> <p>(c) has a trunk circumference of at least 1.5m, measured 1.4m above the ground; and</p> <p>(d) is of a species that is not included on State or local area weed register.</p>
Tree-damaging activity	<p>means:</p> <p>(a) the killing or destruction of a tree; and/or</p> <p>(b) the removal of a tree; and/or</p> <p>(c) the severing of branches, limbs, stems or trunk of a tree; and/or</p> <p>(d) the ringbarking, topping or lopping of a tree; and/or</p> <p>(e) any other substantial damage to a tree.</p>

The City has undertaken an assessment of the site and identified three trees that meet the definition of a regulated tree, as outlined in the Arborist Report contained in **Attachment (e)**.

The Arborist Report provided identifies the species, health, and relevant particulars of the regulated trees on site. As the justification for their removal is not based on health or safety concerns, the report does not make any recommendation regarding retention or removal and instead serves solely as a factual record of the trees' characteristics assisting with the assessment of the development proposal.

The regulated trees are as follows:

Tree	Characteristics
<b>Hibiscus (<i>Hibiscus Species</i>)</b> North-east corner of site (to be retained)	Height: Approx. 4.0m Canopy spread: Approx. 6.0m Diameter at breast height: 0.37m
<b>Oleander (<i>Nerium Oleander</i>)</b> South-east corner of site	Height: Approx. 5.0m Canopy spread: Approx. 7.0m Diameter at breast height: 0.58m
<b>Frangipani (<i>Plumeria rubra</i>)</b> North of site (approx. 10.0m from northern boundary)	Height: Approx. 5.0m Canopy spread: Approx 6.0m Diameter at breast height: 0.31m

The proposal is compliant with LPP 3.2 with the exception of the following:

Requirement	Assessment
Objectives 4.2 Prioritise the retention, protection, and the provisions of trees on private land and adjacent reserves in the planning process.	<p>Whilst the proposal involves the removal of regulated trees, the development has been designed in accordance with the residential density provisions applicable to the site under LPS 7, whilst also giving due consideration to the retention and protection of trees.</p> <p>The proposal has been amended to facilitate the retention and protection of one regulated tree, being the Hibiscus located at the north-east corner of the site.</p> <p>The development incorporates the planting of four new trees, which, upon maturity, are expected to provide a greater overall canopy coverage than the existing regulated trees on site.</p> <p>The development is considered to balance site yield with the retention of established vegetation and the provision of new planting.</p>

<p>4.3 Promote and facilitate tree preservation at the earliest possible stage in the planning and development process, balancing with the desired built form and land use outcomes.</p>	<p>Whilst the proposed development does not facilitate complete tree preservation of the regulated trees, the development is considered to have been designed to consider tree retention where possible, with adjustments made where practicable to retain a regulated tree. This has been balanced against the need to achieve appropriate built form outcomes, including appropriate solar access to indoor and outdoor living areas, particularly in relation to Unit 2.</p> <p>Given the location of regulated trees on site and the proposed building footprints the retention of all regulated trees is not deemed feasible.</p> <p>The design is considered to achieve an appropriate balance between preserving vegetation and delivering functional dwelling layouts.</p>
<p>4.4 Preserve and enhance neighbourhood amenity, character and sense of place.</p>	<p>It is noted that the regulated trees are largely obscured from the street and make a limited contribution to the local streetscape character.</p> <p>The proposal retains one regulated tree in a prominent, street-visible location and incorporates additional planting throughout the site, including the street setback areas.</p> <p>The proposal is considered to maintain and enhance neighbourhood character, amenity and sense of place by reinforcing the landscaping within the streetscape.</p>
<p>4.5 Mitigate the urban heat island effect, reduce air pollution, improve groundwater quality and contribute to biodiversity and other environmental benefits.</p>	<p>Subject to the implementation of the proposed landscaping plan, including the planting of new trees, the development is expected to achieve a net increase to tree canopy coverage relative to the existing condition of the subject site.</p> <p>This proposed canopy coverage will contribute to mitigating the urban heat island effect, while also supporting improved air quality, groundwater outcomes and broader biodiversity benefits.</p>

<p>Development applications</p> <p>7.2 Tree damaging activity to a regulated tree may be considered if the following relevant information and/or technical reports are provided to demonstrate:</p> <p>(a) The regulated tree is unhealthy, based on the recommendations of an Arborist Report;</p>	<p>The regulated trees identified within the subject site have been assessed as being in 'acceptable' health.</p> <p>Accordingly, their current health and condition do not form part of the justification for their removal.</p>
<p>(b) The regulated tree causes safety risks to people, infrastructure or buildings based on recommendations on an Arborist Report and/or Structural Engineering Report;</p>	<p>None of the regulated trees identified within the application have been assessed as posing a safety risk to people, infrastructure or property.</p> <p>Accordingly, safety considerations do not form part of the justification for their removal.</p>
<p>(c) In the opinion of the City, the redesign of the development to accommodate the regulated tree is unfeasible.</p>	<p>The regulated trees proposed for removal are centrally located within Lot 2 and the proposed building envelope, including one tree positioned effectively within the middle of the lot and proposed dwelling footprint.</p> <p>The location of the regulated trees significantly constrains the ability to achieve a functional and compliant dwelling layout. Any attempt to redesign around these trees would result in an inefficient and compromised internal dwelling arrangement, inconsistent with the expectations for dwelling design under Part C, of the R-Codes and would limit the provision of appropriately oriented living spaces.</p> <p>Retaining the two regulated trees would conflict with the ability to maximise the northern orientation for Unit 2, which is a key amenity focused design principle to ensure adequate solar access to primary indoor and outdoor living spaces.</p> <p>Relocating or reconfiguring the dwelling to avoid the trees would lead to suboptimal use of the site and reduced residential amenity and the functionality of the dwelling layout.</p> <p>The site constraints are further compounded by the applicable density</p>

	<p>coding of the site, which requires an efficient use of the developable area to achieve a compliant built form outcome.</p> <p>For Unit 1, the corner truncation and associated sightline requirements further restrict the siting of a development. Retention of the trees, including their tree protection zones, would necessitate irregular building setbacks and an impractical dwelling configuration across the site.</p> <p>The regulated trees are comparatively small and only marginally meet the regulated tree criteria, limiting their contribution in terms of canopy and overall broader amenity to the locality and streetscape.</p> <p>The proposal includes the retention of one regulated tree in a prominent location and the planting of new trees, which will provide a substantially greater canopy cover over time and are proposed to be in highly visible locations within the streetscape.</p> <p>The proposal is considered to appropriately balance tree retention with the development of functional and appropriately orientated development. A redesign to retain the two regulated trees is not considered feasible or practical in this instance.</p>
--	--

#### State Planning Policy 5.4 – Road and Rail Noise

State Planning Policy 5.4 (SPP 5.4) considers the impact of road and rail noise on noise-sensitive land-uses within the specified trigger distance of strategic freight and major traffic routes.

SPP 5.4 applies to the development as it is located within 300m of a strategic freight and major traffic route (Canning Highway), and results in an intensification of the land use on site.

In support of the application, an acoustic report has been provided and is contained in **Attachment (f)**. The acoustic report concludes that no mitigation measures are required in order for the development to maintain appropriate acoustic targets, which is supported by the City.

Local Planning Scheme No. 7 (LPS 7)

The proposal has been assessed against all relevant legislative requirements of LPS 7, and is considered to satisfy the relevant zone objectives as follows:

Zone Name	Objectives	Comment
Residential	To provide for a range of housing and a choice of residential densities to meet the needs of the community.	The proposal is consistent with this objective, resulting in an increase in housing density consistent with the site's coding.
	To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.	The development is considered to be consistent with the prevailing and desired streetscape context.
	To provide for a range of non-residential uses, which are compatible with and complementary to residential development.	N/A

Planning and Development (Local Planning Schemes) Regulations 2015

Clause 67(2) of Regulations outline matters which the local government is to have due regard to when considering an application for development approval. Items relevant to the assessment of this application include:

Requirement	Assessment
(a) The aims and provisions of this Scheme (including any planning codes that are read, with or without modifications, into this Scheme) and any other local planning scheme operating within the Scheme area.	The proposal is consistent with the requirements of LPS 7 and satisfies the applicable design principles and policy objectives where relevant.
(m) the compatibility of the development with its setting, including – (i) the compatibility of the development with the desired future character of its setting; and (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;	<p>The development is consistent with the prevailing and future development context, which consists mostly of similar Grouped Dwelling typologies. It is not considered to introduce a new or inconsistent built form to the area.</p> <p>The proposed development satisfies the deemed to comply requirements of the R-Codes and where relevant the corresponding design principles.</p> <p>The development is not considered to have an adverse impact on adjoining properties of the streetscape.</p>

<p>(n) the amenity of the locality including the following –</p> <p>(i) environmental impacts of the development;</p> <p>(ii) the character of the locality;</p> <p>(iii) social impacts of the development.</p>	<p>The development is consistent with the prevailing and desired future development context.</p>
<p>(p) Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved</p>	<p>Landscaping has been proposed as part of the development and a condition has been recommended to ensure compliance. Retention of trees is discussed as part of the LPP 3.2 section of this report.</p>

## 7.0 Conclusion

The proposed development is consistent with the applicable local planning framework, achieving a built form and design outcome that aligns with both the existing and desired future character of the locality. While the removal of two regulated trees is proposed, their central location within Lot 2 and the Unit 2 building envelope, presents a significant and impractical constraint to development.

Redesign to accommodate the retention of these trees would result in a compromised and inefficient dwelling layout and conflict with the functional and design expectations under the R-Codes.

In the context of the subject site and development, the proposal achieves an appropriate development outcome through the retention of one regulated tree in a prominent location visible from the street and delivering a net increase in canopy through the planting of new trees. This approach balances tree retention with the delivery of a functional development consistent with its coding.

The redesign of the development to accommodate the retention of all regulated trees is not considered feasible. Accordingly, the application is recommended for approval subject to appropriate conditions.

## Financial Implications

To the extent that if the applicant were to make an application for review of the decision, the City may need to seek representation at the State Administrative Tribunal.

### Key Risks and Considerations

<b>Risk Event Outcome</b>	<p><b>Legislative Breach</b></p> <p>Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	The proposal has been assessed against the applicable State and local planning frameworks.

### 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

<b>10.3.6 (a):</b>	Development Plans
<b>10.3.6 (b):</b>	Justification in Support of Application
<b>10.3.6 (c):</b>	Aerial and Zoning Map
<b>10.3.6 (d):</b>	Schedule of Submissions
<b>10.3.6 (e):</b>	Arborist Report
<b>10.3.6 (f):</b>	Acoustic Report

## 10.4 STRATEGIC DIRECTION 4: LEADERSHIP

### 10.4.1 Listing of Payments - March 2026

File Ref: D-26-9324

Reporting Officer(s): Danielle Cattalini, Acting Director Corporate Services

#### Summary

This report presents to Council:

- the list of accounts paid under delegated authority between 1 March 2026 to 31 March 2026.
- purchase card transactions between 1 February 2026 to 28 February 2026.

#### Officer Recommendation AND COUNCIL DECISION

0426/084

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

**Seconded:** Councillor Jacqueline Raison

That Council receives the Listing of Payments for the month of March 2026 as detailed in **Attachment (a)** and notes all payments made by the Chief Executive Officer under Delegation DC602.

**CARRIED BY EXCEPTION RESOLUTION (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

#### Background

Council has delegated to the Chief Executive Officer (CEO) the exercise of power to make payments from its Municipal and Trust Funds.

In accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid by the CEO is to be prepared each month and presented to Council at the next Ordinary Meeting of the Council after the list is prepared.

Regulation 13A of the *Local Government (Financial Management) Regulations 1996* requires payments made with purchase cards to be included in the list of accounts paid.

### Comment

The payment listing for March 2026 is included in **Attachment (a)** and shows the following payments:

EFT Payments to Creditors	402	\$7,112,964.83
Cheque payments to creditors	1	\$62.75
EFT Payments to Non-Creditors	29	\$36,071.59
Cheque payments to Non-Creditors	1	\$1,948.13
<i>Total EFT &amp; Cheque Payments</i>	433	\$7,151,047.30
Credit Card Payments	50	\$12,274.94
Fleet Card Payments	29	\$1,838.38
<b>Total Payments</b>	<b>512</b>	<b>\$7,165,160.62</b>

The attached reports include a “Description” for each payment.

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.

The City’s officers have redacted (in black) information of a private or confidential nature.

Details of payments made by direct credit to employees are not provided in this report.

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

*Local Government (Financial Management) Regulations 1996* - Regulations 12, 13(1) and 13A

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>	<p><b>Legislative Breach</b></p> <p>Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	Adopting the officer recommendation ensures the Monthly Financial reporting timelines do not exceed 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 March 2026

## 10.4.2 Monthly Financial Statements - March 2026

File Ref: D-26-9325  
Reporting Officer(s): Danielle Cattalini, Acting Director Corporate Services

### Summary

To present to Council the Financial Statements for March 2026.

### Officer Recommendation AND COUNCIL DECISION

0426/085

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

**Seconded:** Councillor Jacqueline Raison

That Council notes the Financial Statements and report for this financial year to 31 March 2026, as shown in **Attachments (a)–(i)**.

#### CARRIED BY EXCEPTION RESOLUTION (9/0)

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

### Background

The *Local Government (Financial Management) Regulations 1996* require a Statement of Financial Activity and Statement of Financial Position to be prepared monthly. These statements must report on material variances between the adopted budget and actual revenue and expenditure.

At the Ordinary Council Meeting of 24 June 2025, as part of adoption of the 2025/26 budget, Council determined the material variance reporting threshold as \$10,000 or 10%.

### Comment

The following CPI and interest rate update is provided as background:

- The national Consumer Price Index (CPI) inflation was 3.7% for the 12 months to February 2026, compared to 3.8% in the 12 months to January 2026. Perth was even higher for the 12 months to February 2026 at 4.9%.
- Headline inflation remains higher than the target rate.
- At its 17 March 2026 meeting the Board (RBA) increased the cash rate by 25 basis points to 4.10%.
- The RBA Monetary Policy Board released the following statement on the 17 March 2026: *“While inflation has fallen substantially since its peak in 2022, it picked up materially in the second half of 2025. Information since the February meeting suggests that some of the increase in inflation reflects greater capacity pressures. In addition, the conflict in the Middle East has resulted in sharply higher fuel prices,*

*which, if sustained, will add to inflation. Short-term measures of inflation expectations have already risen. As a result, the Board judged that there is a material risk that inflation will remain above target for longer than previously anticipated.”*

- Banks have been offering improved average interest rates of 4.78% for investments under 12 months.

### Financial Statements

The Financial Statements represent the 2025/26 operations to 31 March 2026 and compare year to date expenditure and revenue against the corresponding adopted budget of Council.

Category	Variance
Revenue from operating activities	Favourable variance of \$32,771. (\$82,042,250 in comparison to budget of \$82,009,479)
Expenditure from operating activities	Favourable variance of \$39,074 (\$60,853,787 in comparison to the budget of \$60,892,861)
<i>Net Operating Position</i> (See <b>Attachment (c)</b> )	Favourable variance of \$71,845 (\$21,188,462 in comparison to budget of \$21,116,618)
Capital Revenue	Favourable variance of \$22,670 (\$2,392,951 in comparison to budget of \$2,370,281)
Capital Expenditure (See <b>Attachment (e)</b> )	Unfavourable by \$49,990. (\$12,483,598 in comparison to the budget \$12,433,608)

A variance analysis is provided within **Attachment (f) Significant Variance Analysis** for those variances of \$10,000 or 10%.

**Attachment (h)** is a *Summary of Cash Investments, Investments and Cash* and shows where cash is invested, what % it equates to and the short-term credit rating provided by Standard & Poor's for each of the institutions.

Municipal	\$34,396,514
Reserves	\$56,498,470
<i>Total</i>	<i>\$90,894,984</i>
Total invested (various institutions)	\$88,709,345
Interest earned YTD (as at 31 March 2026)	\$3,056,166

As at 31 March 2026, the City held 24.74% of its investments in institutions that do not provide fossil fuel lending.

**Consultation**

The City is required to prepare and submit a report to Council for the Statement of Financial Activity for each month, reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d) of the *Local Government (Financial Management) Regulations 1996*.

Statements of Financial Activity must be submitted within two months after the end of the month to which the statement relates in accordance with regulation 36(4) of the *Local Government (Financial Management) Regulations 1996*.

**Policy and Legislative Implications**

Section 6.4 of the *Local Government Act 1995*

Regulation 34 and 35 of the *Local Government (Financial Management) Regulations 1996* and AASB 1031 Materiality.

Policy P603 Investment of Surplus Funds

**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>	Adopting the officer recommendation ensures the Monthly Financial reporting timelines do not exceed 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): Capital Revenue and Expenditure
- 10.4.2 (f): Significant Variance Analysis
- 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

## 10.5 MATTERS REFERRED FROM COMMITTEE MEETINGS

*Councillor Stephen Russell returned to the meeting at 7.44pm following consideration of Item 10.3.1.*

*Councillor Blake D'Souza left the meeting at 7.51pm and returned to the meeting at 7.54pm during consideration of Item 10.5.1.*

*Councillor Bronwyn Waugh left the meeting at 8.04pm and returned to the meeting at 8.06pm during consideration of Item 10.5.1.*

### 10.5.1 Minutes of the Audit, Risk and Improvement Committee Meeting held on 10 March 2026

File Ref: D-26-9326

Reporting Officer(s): Danielle Cattalini, Acting Director Corporate Services

#### Summary

This report recommends Council receive the minutes of the Audit, Risk and Improvement Committee meeting held 10 March 2026.

#### Alternative Motion

**Moved:** Councillor Tim Houweling  
**Seconded:** Councillor Bronwyn Waugh

That Council:

1. Receives the unconfirmed minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held on 10 March 2026 as contained in **Attachment (a)**.
2. Adopts all recommendations contained within the unconfirmed ARIC minutes, except for Item 6.5 Integrity Framework or where a specific ARIC related matter is included as a separate report on this Ordinary Council Meeting agenda, in which case the Council determination on that report shall prevail.
3. Accepts the completed self-assessment at Item 6.5 Attachment (d) of the Audit, Risk and Improvement Committee Minutes.
4. Requests the Chief Executive Officer to undertake a comprehensive review of the Integrity Framework inclusive of the completed self-assessment to develop concrete strategies that elevate the City's integrity practices to "Embedded" and "Excelling" maturity levels, and present this revised framework to ARIC and then Council for formal adoption.

#### Reasons for Change

The decision by the ARIC to amend the officer's recommendation—removing the clause to "recommend adoption by Council" and instead resolving only to "note" the Integrity Framework—represents a passive approach that falls fundamentally short of the standards of good governance.

Good governance requires that government bodies meet their legitimate objectives in a manner that is honest, fair, accountable, and transparent. It is not merely about making correct decisions, but about establishing the best possible processes for making and implementing those decisions, supported by a culture of accountability.

When integrity matters are raised such as the explicit finding in the City's self-assessment that integrity "is not embedded in day-to-day culture across all levels of the City" they must be vigorously reviewed and acted upon, not merely noted.

- **Avoiding the "Tick-the-Box" Mentality:** As highlighted by recent local government inquiries, relying on a "compliance driven and reactive" or "tick-the-box" approach rather than pursuing meaningful, outcomes-based practices creates fertile ground for dysfunction. Merely noting an integrity framework suggests an administration going through the motions rather than actively striving to prevent misconduct and corruption.
- **The Tone from the Top:** Leadership behaviour is best demonstrated from the top of an organisation downwards; strong and principled leaders must exemplify and practice good governance. By actively reviewing the framework and implementing strategies to improve it, Council fulfills its statutory role to govern at a strategic level and uphold public trust.
- **Active Risk Management:** The failure to proactively manage integrity risks can lead to a culture characterised by self-interest, complacency, and a lack of transparency. A robust governance framework must actively deal with matters as they arise, escalating issues of significant risk and ensuring they are resolved by the right people at the right time.

Therefore, Council must reject the ARIC's passive resolution. Good government demands that when an integrity assessment reveals that practices are only "Developing", Council must take the necessary steps to enforce continuous improvement and elevate those standards

#### Areas of the Integrity Framework to be Improved

Based on the Public Sector Commissioner's (PSC) Integrity Framework Maturity Self-Assessment Tool, the City has self-assessed as "Developing" across most elements. To achieve an "Embedded" or "Excelling" standard, the following areas must be specifically improved:

- **Element 1: Clear Expectations (Tone from the Top):** Currently, expectations may only be occasionally reinforced. The framework must be improved so that the authority head and leadership group *frequently* reinforce expectations, ensuring the "tone from the top" is well known both inside and outside the authority, and integrated directly into all business processes.
- **Element 4: Risk Analysis and Planning:** While the City is currently identifying integrity risks, this must transition to a state where risks are fully documented in risk registers, assigned to specific risk owners, and regularly monitored and reported on. The framework should push toward advanced tools (like automated dashboards) to actively monitor red flags.
- **Element 6: Fraud and Corruption Detection Systems:** The City needs to move beyond basic reporting or structural data capture. The framework must establish fit-for-purpose data tests that are repeatable and provide

useful insights, ultimately implementing automated processes to identify and escalate red flags promptly.

- Element 9: Organisation Culture: While the City is developing actions and initiatives, the framework must mandate that recruiting for integrity and staff employment screening occur for *all* new staff. Furthermore, reporting pathways must be well known, providing avenues for both internal staff and external stakeholders to report integrity matters safely and anonymously.
- Element 11: Response to Integrity Breaches: Rather than just developing procedures to handle breaches, the framework must require a central register that captures detailed case information. Importantly, it must include processes for conducting root-cause analyses on both individual motivations and organisational control weaknesses to actively prevent future breaches.
- Element 12: Self-Analysis and Review: The City must schedule regular, aligned reviews of the integrity framework. Improvements should be made based on periodic and ongoing assessments, with the implementation of recommendations actively monitored and reported to the leadership group.
- Element 13: Oversight: The framework must evolve from leadership simply understanding their role, to establishing dedicated structures (such as an expanded committee) with specific responsibilities to oversee the integrity framework and provide fulsome, regular reports directly to the authority head.

#### COUNCIL DECISION

**0426/086**

**Moved:** Mayor Greg Milner  
**Seconded:** Councillor Hayley Prendiville

In accordance with Clause 8.10 of the City of South Perth Standing Orders Local Law 2007 Councillor Tim Houweling be granted an additional five minutes to speak.

**CARRIED (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

**COUNCIL DECISION****0426/087****Moved:** Councillor André Brender-A-Brandis**Seconded:** Councillor Kathy Lees

In accordance with Clause 8.10 of the City of South Perth Standing Orders Local Law 2007 Mayor Greg Milner be granted an additional five minutes to speak.

**CARRIED (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

**COUNCIL DECISION****0426/088****Moved:** Mayor Greg Milner**Seconded:** Councillor Blake D'Souza

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 (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

**Alternative Motion****Moved:** Councillor Tim Houweling**Seconded:** Councillor Bronwyn Waugh

That Council:

1. Receives the unconfirmed minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held on 10 March 2026 as contained in **Attachment (a)**.
2. Adopts all recommendations contained within the unconfirmed ARIC minutes, except for Item 6.5 Integrity Framework or where a specific ARIC related matter is included as a separate report on this Ordinary Council Meeting agenda, in which case the Council determination on that report shall prevail.
3. Accepts the completed self-assessment at Item 6.5 Attachment (d) of the Audit, Risk and Improvement Committee Minutes.

4. Requests the Chief Executive Officer to undertake a comprehensive review of the Integrity Framework inclusive of the completed self-assessment to develop concrete strategies that elevate the City's integrity practices to "Embedded" and "Excelling" maturity levels, and present this revised framework to ARIC and then Council for formal adoption.

**LOST (3/6)**

**For:** Councillors Blake D'Souza, Tim Houweling and Bronwyn Waugh.

**Against:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Kathy Lees, Hayley Prendiville, Jacqueline Raison and Stephen Russell.

During debate on the Item, Mayor Greg Milner foreshadowed the Officer Recommendation.

#### Officer Recommendation

**Moved:** Mayor Greg Milner

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

That Council:

1. Receives the unconfirmed minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held on 10 March 2026 as contained in **Attachment (a)**.
2. Adopts all recommendations contained within the unconfirmed ARIC minutes, except where a specific ARIC related matter is included as a separate report on this Ordinary Council Meeting agenda, in which case the Council determination on that report shall prevail.
3. Adopt the Integrity Framework as contained in **Attachment (b)**.

During debate on the Officer Recommendation, it was suggested with agreement of the Presiding Member that paragraphs 1 and 2 be voted on first, followed by paragraph 3, as follows:

#### Officer Recommendation AND COUNCIL DECISION

**0426/089**

**Moved:** Mayor Greg Milner

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

That Council:

1. Receives the unconfirmed minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held on 10 March 2026 as contained in **Attachment (a)**.
2. Adopts all recommendations contained within the unconfirmed ARIC minutes, except where a specific ARIC related matter is included as a separate report on this Ordinary Council Meeting agenda, in which case the Council determination on that report shall prevail.

**CARRIED (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

**0426/090**

3. Adopt the Integrity Framework as contained in **Attachment (b)**.

**CARRIED (8/1)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Stephen Russell and Bronwyn Waugh.

**Against:** Councillor Jacqueline Raison.

### Background

An Audit, Risk and Improvement Committee meeting was held on Monday 10 March 2026.

The unconfirmed minutes from that meeting are presented to Council to receive. The minutes will be confirmed by the Committee at its next meeting as required by the *Local Government Act 1995*.

In accordance with the Committee's Terms of Reference:

- "The Committee's recommendations must be adopted by Council before implementation."
- "Any recommendation for action from the Committee will be presented to the next Ordinary meeting of Council for consideration."

### Comment

The ARIC were presented with seven reports being:

- Item 6.1 Internal Audit Report - Customer Service, Social Media and Stakeholder Engagement
- Item 6.2 Internal Audit Report – Records Management
- Item 6.3 Audit Register - Quarterly Report
- Item 6.4 Corporate Business Plan - Quarterly Report
- Item 6.5 Integrity Framework
- Item 6.6 Risk Management - Quarterly Report
- Item 6.7 Council Resolution Tracking

Item 6.6 Risk Management – Quarterly Report is presented as a stand-alone report in this Agenda as the Committee's recommendation requires a resolution of Council.

All other Committee recommendations are for noting by Council.

### Consultation

Nil.

## Policy and Legislative Implications

*Local Government Act 1995*

## Financial Implications

Nil.

## Key Risks and Considerations

<b>Risk Event Outcome</b>	<p><b>Legislative Breach</b></p> <p>Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	The minutes are provided in full and those requiring further consideration or decision of Council can be elevated separately.

## 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>10.5.1 (a):</b>	Minutes of the Audit, Risk and Improvement Committee Meeting held on 10 March 2026
<b>10.5.1 (b):</b>	Integrity Framework

## 10.5.2 Risk Management - Quarterly Report

File Ref: D-26-9327  
Reporting Officer(s): Danielle Cattalini, Acting Director Corporate Services

### Summary

To present a recommendation of the Audit, Risk and Improvement Committee in relation to strategic risk to Council for consideration.

### Alternative Motion

**Moved:** Councillor Tim Houweling  
**Seconded:** Councillor Bronwyn Waugh

That Council:

1. Adopts the Strategic Risk review developed by the RiskWest workshop, setting aside the recommendation to set aside the Risk Management Quarterly Report (Item 6.6).
2. Directs the Chief Executive Officer to propose to Council recommendations arising from the Governance review as contained within the RiskWest Strategic Risk workshop.
3. Requests the Chief Executive Officer to utilise the findings of the RiskWest workshop to identify areas of the City's governance framework that require improvement, and to report back to Council with actionable strategies to address the Governance and Risk gaps.

### Reasons for Change

This alternate motion shifts the Council's approach from passive observation to active, strategic risk management. Rather than dismissing the RiskWest Strategic Risk Report or merely noting it, Council must leverage this independent assessment to drive meaningful governance reforms.

1. Proactive Risk Management as the Foundation of Good Governance - It is vital that local governments have well-established processes for monitoring all aspects of the business, and for escalating issues of significant risk and ensuring they are resolved by the right people at the right time. By formally adopting the RiskWest workshop, the City acknowledges its strategic vulnerabilities and commits to addressing them. A strong focus on building and sustaining effective governance frameworks and on detecting signs of poor governance can assist in dealing with problems before they develop into serious performance issues.
2. Empowering the CEO to Implement and Improve Governance - The Chief Executive Officer has a statutory responsibility to cause Council decisions to be implemented and to manage the day-to-day operations of the local government. Directing the CEO to actively apply the RiskWest

recommendations ensures that risk mitigation becomes an operational reality rather than a theoretical exercise.

Furthermore, tasking the CEO with identifying areas for governance improvement addresses a critical vulnerability found in many local governments: risk and audit functions that are not responsive to organisational challenges and provide limited support in strengthening governance, risk and control. By analysing the RiskWest findings, the CEO can identify weaknesses across the City's "lines of defence" from internal policies and management controls to independent assurance mechanisms and recommend structural improvements to safeguard the City's operations.

**LOST (3/6)**

**For:** Councillors Blake D'Souza, Tim Houweling and Bronwyn Waugh.

**Against:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Kathy Lees, Hayley Prendiville, Jacqueline Raison and Stephen Russell.

During debate on the Item, Mayor Greg Milner foreshadowed the Committee Recommendation. With the agreement of the mover and seconder, the word 'attending' was replaced with 'invited.'

#### **Committee Recommendation AND COUNCIL DECISION**

**0426/091**

**Moved:** Mayor Greg Milner

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

That Council:

1. Requests that the Chief Executive Officer hold a Strategic Risk Workshop with all Councillors and ARIC members invited and delivered using the framework and definitions within the existing Risk Framework at the City of South Perth, the existing Strategic Risk Register and the existing Strategic Community Plan.
2. That the OAG Exit Debrief 2019, OAG Exit Debrief 2020 and the paper tabled under item 7.6 Response to Notice of Motion be tabled at the June ARIC meeting.

**CARRIED (7/2)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Kathy Lees, Hayley Prendiville, Jacqueline Raison and Stephen Russell.

**Against:** Councillors Tim Houweling and Bronwyn Waugh.

#### **Background**

At the Audit, Risk and Improvement Committee (ARIC) meeting held on 10 March 2026, the Committee were presented with a quarterly update report on risk management (Item 6.6). This is a standing item providing quarterly updates in relation to strategic risk, operational risk, business continuity and work health and safety.

In regard to strategic risk, the report noted:

*‘On 23 February 2026, a Strategic Risk Workshop was facilitated by an external consultant. The workshop was attended by Council Members and Independent Members of the ARIC.*

*The quarterly review of the current Strategic Risk Registers has been deferred to enable the outcomes of the workshop to inform a review and amendment to the Strategic Risk Register.*

*An updated Strategic Risk Register will be finalised in the next quarter.’*

The officer recommendation for this item was “ *That the Audit, Risk and Improvement Committee notes the details of the activities contained in the body of this report.* ”

An alternative motion was carried by the Committee recommending that Council:

- 1. Requests that the Chief Executive Officer hold a Strategic Risk Workshop with all Councillors and ARIC members attending and delivered using the framework and definitions within the existing Risk Framework at the City of South Perth, the existing Strategic Risk Register and the existing Strategic Community Plan.*
- 2. That the OAG Exit Debrief 2019, OAG Exit Debrief 2020 and the paper tabled under item 7.6 Response to Notice of Motion be tabled at the June ARIC meeting.*

The following reasons were provided by the mover of the alternative motion:

- 1. The definition of strategic risk used in the training is inconsistent with that used in the CoSP Risk Framework. The risks were identified by the facilitator without input by attendees. Attendees were asked to identify risks linked to risks which was not clearly explained. Risks were aggregated in a way that precluded meaningful assessment and risks were not rated.*
- 2. The City of South Perth Integrity Framework articulates the standards of behaviour expected of those involved in decision making processes with the City. Ethical leadership is defined as using transparency and accountability in decision making to make decisions that are fair, unbiased and able to withstand public scrutiny. To ensure that these ideals are achieved, the City is committed to fostering and supporting an environment where employees feel comfortable to speak up and intervene when needed. Under section 16(b) of the Local Government (Audit) Regulations 1996 one of the key functions of ARIC is to recommend to the Council improvements to the local government’s systems and procedures in relation to risk management.*
- 3. At the Strategic Risk Workshop on 23 February 2026, statements were made on the previous financial performance of the City. It is essential that only accurate information be tabled at ARIC meetings. The requested documents are a historical record of the recent financial performance of the City.*

The Committee does not have any delegated power from Council. In accordance with its terms of reference, any recommendation for action from the Committee will be presented to the next Ordinary meeting of Council for consideration.

### **Comment**

The Strategic Risk Register was last endorsed by the ARIC at its meeting held 10 November 2025.

On 23 February 2026, a Strategic Risk Workshop was facilitated by an external consultant engaged to assist with a review of the City’s Strategic Risk Register. The workshop was attended by Council Members and Independent Members of the ARIC.

The outcomes of the workshop were not subject of the report presented to ARIC due to the proximity of the workshop to the meeting.

In response to point 1 of the Committee Recommendation, it is noted that:

1. An agenda was circulated ahead of the workshop outlining that the purpose of the workshop was to obtain attendee's views on potential threats and opportunities facing the City in delivering its services. Attendees were also provided with the following documents for review:
  - a. World Economic Forum, Global Risks 2026: Insight Report
  - b. Trends that will Shape Local Government in 2025 — Aaron Likely, Alturra
2. At the workshop, the consultant defined risk as “the effect of uncertainty on objectives” as per AS/NZS ISO 31000:2018. This is consistent with the definition of Risk in Council Policy P695.
3. Strategic risk is defined in the City's Risk Management Framework as “Risks associated with the achievement of the Council and community strategic objectives”.
4. The presentation did not include a definition of strategic risk. The consultant discussed strategic vs operational risk generally, noting the following characteristics of strategic risk:
  - a. Arises from Council's strategic decisions, often externally driven
  - b. Long-term and community-wide in impact
  - c. Affects sustainability, trust, and future service capacity
  - d. Time horizon - Medium to long term (4–10+ years)
  - e. Ownership - Council (Elected Members), Executive Management Team
5. Attendees were asked to assess several global risk trends to identify potential opportunities, downside risks and suggestions for mitigations/actions. The risk themes discussed were:
  - a. Extreme weather events and climate change
  - b. Cost of living crisis and inequality
  - c. Misinformation, trust erosion and community polarisation
  - d. Cybersecurity and digital disruption
  - e. Fiscal pressure, ageing assets and constrained revenues
  - f. State and Federal Government policy, decision making and reform
  - g. Workforce capability and labour shortages
  - h. Governance and Leadership – Council decision-making
6. The City's Strategic Community Plan 2021 – 2031 is due for review this calendar year in accordance with the *Local Government Act 1995*. As part of this review, the strategic directions, outcomes and strategies outlined in the Plan may be subject to change. Accordingly, it is considered appropriate that the workshop focused on global risk trends rather than the Strategic Community Plan at this time.

Feedback from the workshop was intended to form a review of the City’s Strategic Risk Register for subsequent presentation to the ARIC and Council. The Administration has not progressed this piece of work pending Council’s determination of the Committee Recommendation.

The documents referred to at point 2 of the Committee Recommendation have previously been tabled with the Committee as follows:

- 10 June 2025: Item 7.6 Response to Notice of Motion – City of South Perth Financial Indicators.
- 14 December 2020: Annual Financial Audit Exit Brief for the financial year ended 30 June 2020 within Item 7.1 City of South Perth Annual Financial Report 2019/20.
- 18 November 2019: Annual Financial Audit Exit Brief for the financial year ended 30 June 2019 within Item 7.9 2018/19 Annual Financial Report.

**Consultation**

Council members and the independent committee members attended the strategic risk workshop on 23 February 2026.

**Policy and Legislative Implications**

*Local Government Act 1995*

*Local Government (Audit) Regulations 1996*

**Financial Implications**

Further consultant costs and officer time will be incurred in convening a further workshop.

**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>	Setting and quantifying risk appetite. Ensuring risk management functions are resourced. Regular risk reviews and identifying potential risks before they occur so that impacts can be minimised and opportunities realised. Embedding risk practices into City operations.

### 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

Nil.

## 11. APPLICATIONS FOR LEAVE OF ABSENCE

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

### COUNCIL DECISION

0426/092

**Moved:** Councillor Jacqueline Raison

**Seconded:** Councillor Hayley Prendiville

That Council approve the Leave of Absence applications received from:

1. Mayor Greg Milner for the period 1 July 2026 to 17 July 2026, inclusive.
2. Councillor Bronwyn Waugh for the periods:
  - 25 May 2026 to 29 May 2026, inclusive; and
  - 17 August 2026 to 28 August 2026, inclusive.

**CARRIED (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

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

Nil.

## 13. QUESTIONS FROM MEMBERS

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

Nil.

### 13.2 QUESTIONS FROM MEMBERS

- Councillor Bronwyn Waugh.
- Councillor Tim Houweling.
- Councillor Stephen Russell.
- Councillor Jacqueline Raison.

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

The Presiding Member advised that there was a matter for discussion on the Agenda for which the meeting may be closed to the public, in accordance with section 5.23(3)(a) of the *Local Government Act 1995*. The confidential report was adopted by exception resolution and accordingly was not withdrawn for discussion, in accordance with Clause 5.5 of the City of South Perth Standing Orders Local Law 2007.

### 15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

#### 15.1.1 Assignment of Sublease - Boatshed Restaurant/Cafe

*This item is considered **confidential** in accordance with section 5.23(3)(a) of the Local Government Act 1995 as it contains information relating to "that is imposed under a written law, excluding this Act and local laws"*

File Ref: D-26-9328

Reporting Officer(s): Danielle Cattalini, Acting Director Corporate Services

#### Officer Recommendation AND COUNCIL DECISION

0426/093

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

**Seconded:** Councillor Jacqueline Raison

That Council:

1. Consents to the proposed assignment of the Sublease for Lot 1203 on Plan 28824 from Millar Holdings Pty Ltd to Global Transformation Services Pty Ltd.
2. Authorises the CEO to provide written consent on behalf of the City and prepare a Deed of Assignment on the terms set out in this report.

**CARRIED BY EXCEPTION RESOLUTION (9/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison, Stephen Russell and Bronwyn Waugh.

**Against:** Nil.

## 16. CLOSURE

The Presiding Member thanked everyone for their attendance and closed the meeting at 9.24pm.

## APPENDIX

### 6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE - OCM 24 MARCH 2026

Ms Joanne Ord, Como	
<p>1. Does the administration consider that funds will be spent this financial year from those new reserves (bearing in mind that there are only 3 months to go) and if not, why is the City suggesting these reserves are created through the mid-year review and not through the normal budgeting process?</p>	<p><u>Response provided at the meeting:</u></p> <p>If the reserves are established, they would not be anticipated expenditure for them this year.</p> <p>The second part of your question I would have to take on notice, I am not in a position to answer.</p> <p><u>Additional Response provided:</u></p> <p>The creation of the reserves fund is ultimately for Council's consideration and is guided by key areas of community interest and impact. The timing for establishing these reserves remains at Council's discretion.</p>

## 6.2 PUBLIC QUESTION TIME: 28 April 2026

<p>1 Dr Julian Vearncombe, South Perth Received: 25 April 2026</p>	<p>Responses provided by: Danielle Cattalini – Acting Director Corporate Services and Mayor Greg Milner</p>
<p><i>[Preamble]</i></p> <p><i>The Mends Street Esplanade intersection is an important public location in South Perth, it is the centre of the entertainment precinct for South Perth. It is a well-used green space, it is a ferry transport hub and there is a significant children's playground there. The Swan Canning Waterways Authority advised me on 13 January 2026, and I have copied that to the Council 'that the toilets at that location are the responsibility of the City of South Perth.' I assume that to be the case because I copied it and nobody has replied.</i></p>	
<p>1. Could the City please explain why there are still no practical, working toilets available at Mends Street? Could the City also please clarify why emails raising simple and practical issues are not being answered with clear and timely responses?</p>	<p>The toilets are currently located on the Mends St jetty, which is a Department of Transport and Major Infrastructure facility.</p> <p>The City is continuing to work with the Department, who is responsible for the funding and delivery of the installation of a new toilet amenity on City managed land.</p> <p>The City has allocated funds in the 2026/27 budget (subject to Council approval) for the City to assist the Department of Transport with site identification and associated preliminary site investigation works.</p> <p><u>Mayor Greg Milner provided an additional response:</u></p> <p>I have seen your emails come in. I am happy to go back and have a look at them again, but the bottom line is they are not our toilets. They belong to the State government. We are looking at potentially building another facility, which is what Ms Cattalini said. Whatever you have been told by someone else, they are not our toilets.</p>

<p>2 Ms Bronwyn David, South Perth Received: 27 April 2026</p>	<p>Responses provided by: Donna Shaw – Director Development and Community Services</p>
<p><i>[Preamble]</i></p> <p><i>Section 104 of the Heritage Act 2018 is headed ‘Purposes of local heritage survey.’ These purposes - for a Local Government - are identifying and recording heritage places; providing a cultural and historical record of its district; and providing an accessible public record of places of cultural heritage significance to its district.</i></p>	
<p>1. Does anything in section 104 impose any obligation in any way on an owner of a heritage place?</p>	<p>No. Section 104 of the <i>Heritage Act 2018</i> only sets out the purposes of a local heritage survey by a local government.</p>
<p>2. Could the owner of a property on the heritage survey (not the heritage list) alter their property in any way or even demolish it without legal consequence?</p>	<p>Yes, subject to a demolition permit being received and if the place is not also contained on the heritage list or State Register.</p> <p>If the place is on the heritage list or State Register, development approval would first be required to be obtained.</p>
<p>3. Do owner's opinions or attitudes in relation to their property feed into the information used to determine the heritage significance of a place, or is an assessment is based on independent, expert, and historical evidence of cultural significance rather than owner support?</p>	<p>The assessment of a place may seek and consider input from any stakeholder likely to have information, knowledge or interest in its heritage values, which may include past and present owners and occupants.</p> <p>Whilst the Guidelines for Local Heritage Surveys states that objections unrelated to heritage significance should not be entertained as a reason for exclusion or removal of a place from the Local Heritage Survey, nothing in Part 8 – Local Heritage Surveys of the <i>Heritage Act 2018</i> precludes the local government from taking into account matters not set out in the guidelines.</p>

## 13.2 QUESTIONS FROM MEMBERS OCM 28 APRIL 2026

<b>Councillor Bronwyn Waugh</b>	<b>Response provided by: Anita Amprimo – Acting Chief Executive Officer</b>
<p>1. I noticed tonight at Item 10.5.2 several Councillors referred to the strategic risk workshop and the fact that only half of Council attended that. I am also aware that there were a number of Councillors absent from other workshops, including budget workshops, which I think are significantly important. Is there a method by which we can increase participation either by way of Teams availability or administration reaching out to Councillors in respect to those things separately seeking feedback? If this is going to become a precedent for future decision making, I would like to make sure that we have done everything we can to make sure that the processes are inclusive?</p>	<p>We can look at Teams attendance. The information, and if there was a presentation is uploaded onto the hub, and Elected Members can provide feedback on that.</p> <p>Ideally if we can have attendance and if Elected Members can let us know in advance, we can try and make other arrangements.</p>
<b>Councillor Tim Houweling</b>	<b>Response provided by: Anita Amprimo - Acting Chief Executive Officer</b>
<p>1. Just following on from that, is it fair to say that any such workshop has lesser weight if less members attend and so for that reason does not need to be taken by this Council with the same level of seriousness as workshops fully attended?</p>	<p>It would be up to Council to take the information from those workshops as they wish.</p>

<b>Councillor Stephen Russell</b>	<b>Responses provided by: Anita Amprimo – Acting Chief Executive Officer</b>
1. Could the City advise how many on street disabled car bays which are controlled by the City that are not in compliance with the latest version of Australian Standard 2890.5, published in the year 2020?	We would need to undertake an audit to ascertain that.
2. What is the City's statutory obligation with respect to provision of on-street disabled parking?	We would comply with the Standards at the time. My understanding is we would not need to retrospectively meet any requirements. Where there is a particular car park area, we will look at what the requirements are at that location. I can provide further information to you.
<b>Councillor Bronwyn Waugh</b>	<b>Response provided by: Anita Amprimo – Acting Chief Executive Officer</b>
1. I am aware of several disabled bays that are potentially not being used by disabled people. I wonder if you could please provide us with some information as to the City's enforcement of the Act and Regulations to ensure that those disabled bays are being used by those persons that need them?	We can get that information and provide it to you.
<b>Councillor Tim Houweling</b>	<b>Response provided by: Anita Amprimo – Acting Chief Executive Officer</b>
1. Two months ago I provided a document on notice, in respect of the communications allowance and the provision to Councillors of telephones. Can I expect that this would be published with the written answers to me?	Yes you can.

Councillor Jacqueline Raison	Responses provided by: Anita Amprimo- Director Infrastructure Services
<p>1. Recently, I met with Geoff Baker MLA and one of his policy officers to talk about whether there is anything the State government can do to speed up toilets at the Mends Street ferry and the crosswalk. I understand that Geoff Baker MLA is going to be having a meeting with the City. I am interested to know whether there is anything that would enable us because this is relevant to budget considerations, whether there was any contribution from the State government to speed those two things up?</p>	<p>With respect to the toilets, we are progressing those with the relevant State department.</p> <p>In terms of the crosswalk on the Esplanade at Mends Street, until we go through the design process, we probably will not understand what the blockers are to make that happen faster.</p>
<p>2. Earlier in the meeting, I touched on the questions that were taken on notice in relation to the Collier Park Golf Course and there were a number of a lot of questions there. I just want to check whether they will be answered, or is there a more efficient way? There certainly are questions in there that I am interested in hearing the answer to. One possibility which I flagged in an email to Council is whether we have a meeting rather than take the time for the 58 or so questions?</p>	<p>There was quite an extensive number of questions, as you noted and it will take some time for us to work through what the answers to all of those are. There was a brief interim answer provided in the notes but there is quite a bit more work to do on providing the answers.</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 26 May 2026

Signed \_\_\_\_\_

Presiding Member at the meeting at which the Minutes were confirmed