

MINUTES

Ordinary Council Meeting

24 February 2026 (Adjourned)

Reconvened on 4 March 2026

Mayor and Councillors

Here within are the Minutes of the Ordinary Council Meeting of the City of South Perth Council held Tuesday 24 February 2026, and the Reconvened Ordinary Council Meeting on Wednesday 4 March 2026 in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth.



LIZ LEDGER
CHIEF EXECUTIVE OFFICER

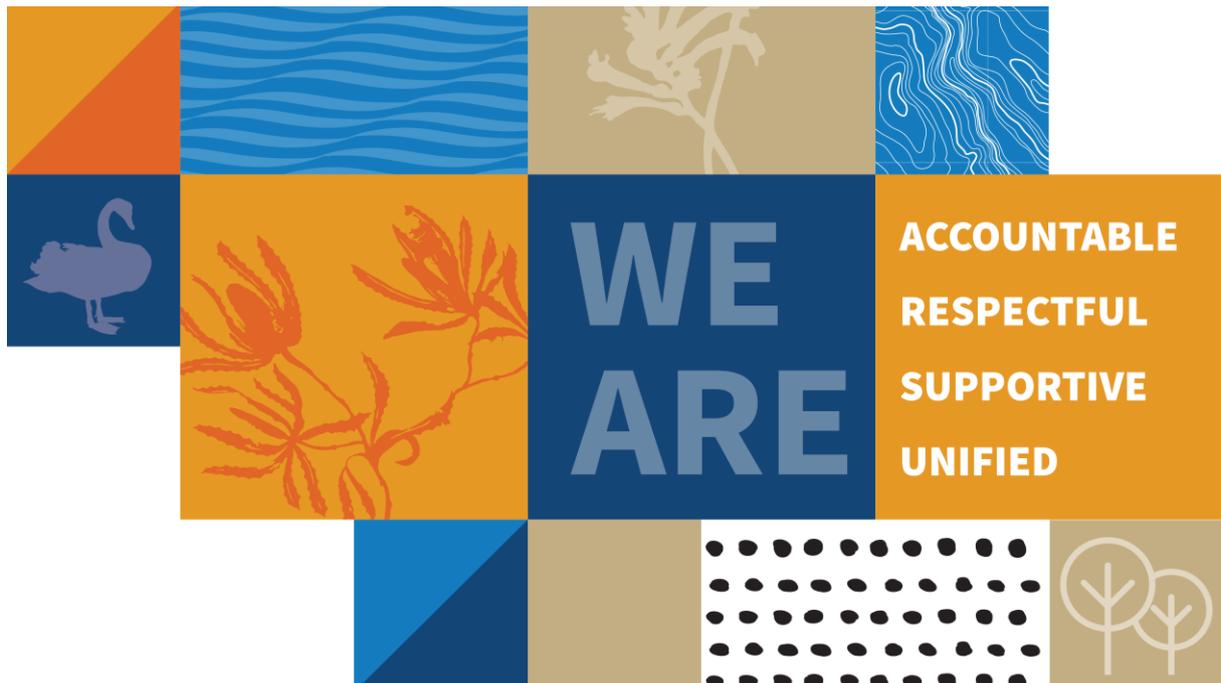
11 March 2026

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.

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Ordinary Council Meeting - Minutes

Minutes of the Ordinary Council Meeting held in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth at 6.00pm on Tuesday 24 February 2026, and reconvened at 6.00pm on Wednesday 4 March 2026.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member welcomed everyone to the meeting and acknowledged and paid respect to the traditional custodians of the land, the Whadjuk people of the Noongar nation and their Elders past and present.

As this was the first full meeting of Council for 2026 the Presiding Member welcomed Mr Matthew McGuire to perform a Welcome to Country Ceremony.

Following the Welcome to Country Ceremony the Presiding Member declared the meeting open at 6.11pm.

2. DISCLAIMER

The Presiding Member read aloud the City's Disclaimer.

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

The Presiding Member read aloud the following statement:

'I would like to correct the record on a matter said at the last Ordinary Council Meeting. At the Ordinary Council Meeting held on 16 December 2025, Councillor Tim Houweling said that in relation to Item 12.7, that 'I note that the Mayoral vehicle often is fueling up in Mosman Park.' Councillors, that statement is not true. I've asked the City administration whether they have any records of the Mayoral vehicle being refueled in Mosman Park, they have not provided any. To the best of my knowledge, I've never refueled the Mayoral vehicle in Mosman Park. Secondly, I've had some members of the community express concern to me about community members getting a couple of questions after they have made deputations at Council Agenda Briefings. So with that in mind, I've asked the City Administration whether there's any legislative requirement for me (as Presiding Member) to allow Elected Members to ask questions of deputies at Council Agenda Briefings. If the City's advice on that question is that I have discretion, then what I intend to do going forward at future Council Agenda Briefings is to ask each deputy whether they would like to take questions from Elected Members. If they do, great. If they'd prefer to simply make their deputation and then resume their seat, then subject to any advice that I might receive from Governance or the City's Administration, that is what I will allow.'

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

'On Wednesday 17 December, I attended a Christmas get together to thank the dedicated Justice of the Peace volunteers (all of them) who make themselves available to our community at the South Perth and Manning libraries. Also on Wednesday, 17 December, I met with District Superintendent Amber Harvey and Senior Sergeant Nic Jessop (the Kensington Police Officer In Charge), together with CEO Liz Ledger and relevant City staff. The discussion centred around the best options for managing hooning and associated antisocial activity and the City provided the outcomes of the Council Meeting decision from the Ordinary Council Meeting on Tuesday 16 December. Also on Wednesday 17 December, I attended the Kensington Primary School year 6 graduation. I must say I always enjoy attending school graduations for our local schools and once again, I congratulate the Kensington Primary School class of 2025.'

On Thursday 18 December, I attended a community meeting held at the offices of our local State Member of Parliament, Mr Geoff Baker MLA concerning antisocial behaviour. I don't want to unwittingly compromise any investigations that might be underway. So, I won't elaborate any further on that meeting (at least not tonight). Also, on Thursday 18 December, I attended on-site evening photo shoots with each of the winners of the City's first ever Christmas Lights Competition, which saw homes and businesses lighting up the festive season in spectacular style. I'd like to once again thank all of our entrants for being involved in the City's Inaugural Christmas Lights Competition. All the entrants not only embraced the competition, they also brought joy to families all over the City this festive season. Well done to all of them.

On Friday 19 December, I attended a meeting of the Mill Point Rotary Club at Royal Perth Golf Club. For those who might not know, I serve as an honorary member of the Mill Point Rotary Club.

On Saturday 20 December, I met with Councillor Kathy Lees at local business Mecca Gourmet in Village Green Karawara to discuss Council business.

On Monday 22 December, I met with CEO Liz Ledger and the City's communication team. I used to meet with the City's communication team once per week to discuss current and upcoming communications by the City, potential third party media relevant to the City, and my duties as spokesperson for the City. Those conversations now happen just with the CEO going forwards.

On Tuesday 23 December, I met with the Local Government Inspector, Mr Tony Brown. Also on Tuesday 23 December, Deputy Mayor André Brender-A-Brandis and I met with CEO Liz Ledger and Director Corporate Services Bree Websdale.

On Tuesday 6 January, I met with Councillor Jacqueline Raison at Local Business Our Ruby Girl in Como to discuss Council business.

On Thursday 8 January, I met with Councillor Kathy Lees at local business the Hangout in Como to discuss local business.

On Friday 9 January, Deputy Mayor André Brender-A-Brandis and I met with the Local Government Inspector, Mr Tony Brown. Also on Friday 9 January, I opened and spoke at the WA Women's Hall of Fame Roll of Honour Photographic Exhibition held at the City of South Perth Historical Society. It was a privilege to help recognise the 69 new Hall of Fame inductees, all of whom represent wonderful role models for future generations. A big thank you to the City of South Perth Historical Society for the very important work they do to celebrate women's achievements, preserve our cultural heritage, and share the stories that define our community.

On Saturday 10 January, I attended a media conference with the Honourable Patrick Gorman MP, and Senator Ellie Whiteaker held at Sir James Mitchell Park. I spoke about the City's then forthcoming Australia Day morning ceremony and thanked the Federal Government for providing a \$15 000 grant towards the event.

On Wednesday 14th January, CEO Liz Ledger and I met with representatives of the Salter Point Community Group to discuss issues relating to the Salter Point community, including traffic issues.

On Thursday 15 January, I met with CEO Liz Ledger, Director Bree Websdale, Director Donna Shaw, and community members Nick Tana and Cecilia Brooke to discuss the proposal by Old Salt Pty Ltd for a floating restaurant on the Swan River. As Councillors are aware, the decision maker on this proposal is the State Government's Department of Biodiversity, Conservation and Attractions, not the City of South Perth. The City's only role relative to this proposal is an Officer Technical Assessment which has recommended refusal of the proposal in its current form.

On Friday 16 January, I met with CEO Liz Ledger, Director Bree Websdale, and Ross Drennan of Nokturnl to discuss matters relating to the Station.

On Monday 19 January, I was pleased to host a visit to South Perth by the Leader of the Opposition, Mr Basil Zempilas MLA to discuss various issues of importance to the City of South Perth community, including the need for a South Perth train station, our community's need for better access to indoor sports courts and community safety. Over the course of almost a full day, we visited several locations across the City of South Perth to discuss what our community would like to see from the State Government to help make our City a better place to live, work, and play.

I would like to thank Mr Zempilas for taking the time to visit our district and for listening not just to me, but also to CEO Liz Ledger, Director Bree Websdale, Director Donna Shaw, and a number of members of our community. I would like to let Council know that I've also extended a similar invitation to our Premier, the Honourable Roger Cook, MLA.

On Wednesday 21 January, I met with CEO Liz Ledger. And in an effort to try and reduce the length of this report, I will note that I also met with Ms Ledger on 27 January, 5 February, 10 February, and 17 February. Also on Wednesday, 21 January, I caught up with the Mayor of the Town of Victoria Park, Mayor Karen Vernon. As mentioned in previous reports, I try and catch up with the Mayors of neighbouring local governments or local governments that the City shares strategic interests with (every so often). We met at local business Kenzie's Kitchen in Kensington.

On Monday 26 January, I represented the City of South Perth at our Australia Day Morning Flag Raising and Citizenship Ceremony. We welcomed the Governor of Western Australia, His Excellency, the Honourable Chris Dawson APM, and inducted 107 new Australians from 40 different countries during what was a very special citizenship ceremony, and honoured some of our outstanding community members with the Auspire Citizen of the Year Awards. It really was a wonderful day, and I'd like to give a big thank you to everyone who contributed and attended.

On Thursday 29 January, I attended the Royal Perth Golf Club presentation (as described at page 8 of tonight's agenda).

On Monday 2 February, I attended the Local Government Inspector and Community Scorecard Results Presentations (as described at page 8 of tonight's agenda).

On Tuesday 3 February, I attended the Structure Plan and Planning Delegations Discussion (as described at page 8 of tonight's agenda).

On Monday 9 February, I met with CEO Liz Ledger, Director Donna Shaw, and representatives of the Como Bowling Club to discuss the club's priorities. Also on Monday, 9th February, I served as Presiding Member at the City's Annual Electors' Meeting.

On Tuesday 10 February, I served as the Chair of the Local Emergency Management Committee Meeting held at the City of South Perth. Also on Tuesday 10 February, I attended the Council Plan Overview Workshop (as described at page 9 of tonight's agenda).

On Wednesday 11 February, I attended the City's Community Safety and Crime Prevention Group meeting.

On Thursday 12 February, I attended the Recordkeeping Requirements Training Session conducted by WALGA (as described at page 9 of tonight's agenda).

On Friday 13 February, I met with our local State Member of Parliament, Mr Geoff Baker MLA, at local business, Mecca Gourmet at Village Green in Karawara. As you all know, Mr Baker and I meet approximately once per month to discuss issues of importance to our local community and to consider what options are available at both the State Government level and the local government level to help keep making this district a better place to live, work, and play.

On Monday 16 February, I attended the Council Plan Workshop 1 (Councillor Workshop, as described at page 9 of tonight's agenda).

On Tuesday 17 February, I served as Presiding Member at last week's Council Agenda Briefing.

On Wednesday 18 February, I attended and participated in an on camera interview with Channel 9 about how to safely dispose of batteries and other hazardous household waste. A Cleanaway truck contracted by the City caught fire on Wednesday 4 February, after a battery was incorrectly placed in a recycling bin. The driver was forced to urgently dump the hot load while in transit to the materials recycling facility. That happened to be one of three rubbish truck fires record reported across Perth that day. Also on Wednesday 18th February, I attended and participated in the Western Australian Local Government Association's Southeast Metropolitan Zone meeting alongside Councillor Jacqueline Raison. The City is part of the Southeast Metropolitan Zone which is comprised of representatives from the City of Armadale, the City of Canning, the City of Gosnells, the City of South Perth and the Town of Victoria Park.

On Thursday 19 February, I caught up with the Mayor of the City of Canning, Mayor Patrick Hall. Later that same day, I met with Councillor Blake D'Souza at local business Dome Manning to discuss Council business.

On Friday 20 February, CEO Liz Ledger and I met with the Local Government Inspector, Mr Tony Brown. Mr Brown advised that a monitor will be appointed to the City of South Perth from 25 February 2026 to 29 April 2026. I very much welcome this appointment and I hope that this development will assist everyone at the City of South Perth to focus on delivering good governance for the people in our district.

On Saturday 21st February, I attended and helped to open South Perth Sounds at Ryrie Reserve in Como. Concert goers were treated to a headline performance from worldclass Australian singer and songwriter and ARIA award winner Conrad Sewell. Mr Sewell is a global talent who has toured with Ed Sheeran and Maroon 5 and has performed at Madison Square Garden and Coachella. Local Aussie indie rock quartet Shorehaven joined Mr Sewell on stage, for what was an unforgettable night of music. I hope that everyone from our community that attended had a really wonderful evening.

On Monday 22 February, I attended a meeting with CEO Liz Ledger, Director Corporate Services Bree Websdale, Superintendent Manus Walsh of the Canning Police District Office, and Senior Sergeant Nic Jessop (the Officer in Charge) of Kensington Police. Topics discussed included hooning and noise disturbances on and around the South Perth foreshore, nitrous oxide use, handheld metal detector searches enabled by recent legislation inspired by Jack's Law in Queensland, and the anti-hooning noise detecting camera trial announced by the State Government in December 2024. Also on Monday, 22 February, CEO Liz Ledger and I met with the Local Government Inspector, Mr Tony Brown. Mr Brown confirmed that Ms Gail McGowan PSM, has been appointed as a Local Government Monitor to the City of South Perth.'

The Mayor then read out the Terms of Appointment of the Local Government Monitor available on the [City's website](#).

'On behalf of the City, I welcome Ms McGowan and very much look forward to working constructively and cooperatively with her to help ensure that our City remains focused on delivering good governance outcomes for our residents and ratepayers. Also on Monday 22 February, I attended the Lunar New Year lion dance celebrations performed by the Yaolin Kung Fu Association at Ms Chow's South Perth. It was a very spectacular event and I hope everyone who attended had a wonderful time.

The second part of Council's resolution from the October 2024 meeting requires me to present an overview of the key issues, initiatives, and matters that I've been addressing in my capacity as Mayor since the last Council meeting.

On the advocacy front, I continue to advocate on behalf of our community for a South Perth train station, for increased and improved access to indoor sports facilities, and for enhanced community safety. I was pleased to host Mr Basil Zempilas for a full day visit to discuss these priorities. But I also want to acknowledge our ongoing productive collaboration with Mr Geoff Baker MLA and with the WA Police regarding the broader challenges that the City faces. Tonight I am going to speak very plainly. Reporting on these matters requires a careful balance. Under our Code of Conduct, I have a duty to avoid damaging the City's reputation. Perhaps more than that, publicly detailing specific internal hurdles can, at times, hinder their resolution rather than help it. That wouldn't be consistent with my obligation with Council's obligation to provide for the good government of persons in our district. That said, it's now public knowledge that a local government monitor has been appointed to the City of South Perth and Councillors, this is a positive step. As detailed in part one of this report, I have met with the Local Government Inspector on a number of occasions since our last Council meeting. I've reached out to the Local Government Inspector because I believe that certain issues are detracting from our ability to properly serve our community. Our community has raised concerns in recent months, perhaps most recently through Deputations heard at the 9 December 2025 Council Agenda Briefing. I think it's fair to say that the issues faced by the City have escalated at least to some degree in recent months. After considering these recent events, I made the difficult, but I think necessary, decision to request the appointment of a Local Government Monitor because that is what the best interests of our community requires.

I believe that the independent oversight of a Local Government Monitor perhaps coupled with the powers available to the Local Government Inspector can assist the City to overcome the challenges we face. This is new territory for local government in Western Australia. The Office of the Local Government Inspector is a new resource. It has only been online since the beginning of this year. I hope that Ms McGowan's appointment as Monitor serves as a catalyst for all of us (myself included) to take stock, reset, refocus, and work constructively towards serving the interests of our community. On this, I must be clear. If we do not take the opportunity to reset, we risk the far more serious prospect of a formal local government inquiry in the not-too distant future, I don't say that as a threat, It's a simple statement of fact. It is incumbent on all of us to act with care and diligence; with honesty and integrity to act in accordance with the trust placed in us by our community; to treat others with respect, courtesy and fairness; to make decisions based on merit; and in the public interest.

We have an opportunity here and we should look at it as an opportunity for all of us to deliver good government and good results for the more than 46,000 residents and ratepayers that call our City home. Let's seize the opportunity to deliver the results that our community deserves and look to us to deliver.'

The Presiding Member provided notice to advise that if the meeting does not conclude in time, with several items outstanding the Mayor intended to move a motion to adjourn the meeting to a later date.

4. ATTENDANCE

Mayor Greg Milner (Presiding Member)

Councillors

Como Ward	Councillor Kathy Lees
Como Ward	Councillor Bronwyn Waugh
Manning Ward	Councillor Blake D'Souza
Manning Ward	Councillor André Brender-A-Brandis
Mill Point Ward	Councillor Jacqueline Raison
Mill Point Ward	Councillor Tim Houweling
Moresby Ward	Councillor Hayley Prendiville

Officers

Chief Executive Officer	Ms Liz Ledger
Director Corporate Services	Ms Bree Websdale
Director Development and Community Services	Ms Donna Shaw (Retired at 10.25pm)
Director Infrastructure Services	Ms Anita Amprimo
Manager Customer, Communications & Engagement	Ms Danielle Cattalini
Manager Governance	Ms Toni Fry
Communications Officer	Ms Raquel de Brito (Retired at 9.03pm)
Governance Officer	Ms Jane Robinson
Governance Administration Officer	Ms Kira Digwood
Legal and Governance Officer	Ms Jessica Guy

Gallery

There were approximately 46 members of the public present.

4.1 APOLOGIES

- Councillor Stephen Russell

4.2 APPROVED LEAVE OF ABSENCE

Nil.

5. DECLARATIONS OF INTEREST

- Mayor Greg Milner - Impartiality Interest in Item 10.1.1 as 'my wife and I have previously been gifted tickets to see a show at Old Mill Theatre Inc. The total value of the tickets was below the \$300 threshold for a Financial Interest.'
- Councillor Kathy Lees - Impartiality Interest in Item 10.1.1 as 'I have met with Old Mill Theatre Board Members and attended shows at the Theatre on a number of occasions. As a consequence, 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.'
- Councillor Jacqueline Raison – Impartiality Interest in Item 10.1.1 as 'during last year's election campaign I met with Board members of the Old Mill Theatre at their invitation and discussed a number of matters including the lease that is the subject of this agenda item. More than 5 years ago, Old Mill Theatre Board Member, Roger Farley and I served on a Board together and I was the Chair of that Board. Since then we have only seen one another in passing in and around South Perth. Notwithstanding these matters, I will consider this Agenda item impartially in accordance with my duties as a Councillor.'
- Councillor Kathy Lees - Impartiality Interest in Item 10.1.2 as 'I know people who are members of the Friends of Collier Reserve and I am a client of a clinic that leases space in the adjacent pavilion at the Reserve. As a consequence, 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.'
- Councillor Hayley Prendiville – Impartiality Interest in Item 10.1.2 as 'my son has previously been involved in the South Perth Junior Cricket Club at this reserve.'
- Councillor Jacqueline Raison – Impartiality Interest in Item 10.1.2 as 'in my capacity as a Councillor I have been contacted by and met with various members of the community in relation to Collier Reserve but there have been no discussions about this proposal. I do not know any of these community members personally. More than 5 years ago one of my children played cricket for the South Perth Junior Cricket Club and my husband coached one of the junior teams. I will consider this Agenda item impartially in accordance with my duties as a Councillor.'
- 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 Kathy Lees - Impartiality Interest in Item 10.3.1 as 'I have friends who are members of the Royal Perth Golf Club. Consequently, 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.'

- Councillor Jacqueline Raison – Impartiality Interest in Item 10.3.1 as ‘In my capacity as a Councillor for Mill Point Ward, I have been contacted by and met with various members of the community in relation to the Royal Perth Golf course. Recently at the invitation of the Royal Perth Golf Club, I attended a tour of the golf course. I also attend private events at the Club from time to time at the invitation of community groups such as Soroptimist International. Notwithstanding these matters I will consider this Agenda item impartially in accordance with my duties as a Councillor.’
- Mayor Greg Milner – Financial and Proximity Interest in Item 10.3.2 as ‘the proposed closure of the South Perth Esplanade Car Park (SPE11) could potentially affect the financial and businesses interests of persons who contributed to my election campaign in 2023.’
- Councillor Jacqueline Raison – Impartiality Interest in Item 10.3.2 as ‘In my capacity as a Councillor for Mill Point Ward, I have been contacted by and met with various members of the community in relation to issues connected with the foreshore around Mends Street. I also have acquaintances who live in apartments near South Perth Esplanade Car Park No. 11. Notwithstanding these matters I will consider this Agenda item impartially in accordance with my duties as a Councillor.’
- Councillor Kathy Lees - Impartiality Interest in Item 10.3.3 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. Through this work I know the landowner’s arborist and the landowner has also contacted me to discuss the requested tree removal. As a consequence, 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.’
- Mayor Greg Milner – Impartiality Interest in Item 10.3.4 as ‘CEO Liz Ledger, Director Bree Websdale and I met with Ross Drennan of Nokturnl on 16 January 2026.’
- Councillor Kathy Lees - Impartiality Interest in Item 10.3.4 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 a tree. As a consequence, 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.’
- Councillor Jacqueline Raison – Impartiality Interest in Item 10.3.4 as ‘in my capacity as a Councillor for Mill Point Ward, late last year I was contacted by one of the owners of The Station to discuss various issues relating to The Station. I also attend functions and dine at The Station from time to time as a resident of Mill Point Ward. Notwithstanding these matters I will consider this Agenda item impartially in accordance with my duties as a Councillor.’
- Councillor Kathy Lees - Impartiality Interest in Item 10.3.5 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. As a consequence, 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.’
- Mayor Greg Milner - Impartiality Interest in Item 10.4.1 as ‘I know a number of the members of the Royal Perth Golf Club.’

- Councillor Kathy Lees - Impartiality Interest in Item 10.4.1 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. I also have friends who are members of the Royal Perth Golf Club. Consequently, 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.’
- Councillor Jacqueline Raison – Impartiality Interest in Item 10.4.1 as ‘in my capacity as a Councillor for Mill Point Ward, I have been contacted by and met with various members of the community in relation to the Royal Perth Golf course. Recently at the invitation of the Royal Perth Golf Club, I attended a tour of the golf course. I also attend private events at the Club from time to time at the invitation of community groups such as Soroptimist International. Notwithstanding these matters I will consider this Agenda item impartially in accordance with my duties as a Councillor.’
- Councillor Hayley Prendiville – Impartiality Interest in Item 10.4.1 as ‘I know someone who is a member of that golf club.’
- Councillor Kathy Lees - Impartiality Interest in Item 10.4.6 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. As a consequence, 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.’
- Mayor Greg Milner - Impartiality Interest in Item 12.1 as ‘Cr Houweling’s motion specifically names me and seeks to increase my reporting requirements.’
- Councillor Jacqueline Raison – Impartiality Interest in Item 12.2 as ‘in my capacity as a Councillor for Mill Point Ward, I have been contacted by and met with various members of the community in relation to various matters that concern the South Perth foreshore. I also live in Mill Ward and enjoy and attend various events at the South Perth foreshore.’
- Mayor Greg Milner – Impartiality Interest in Item 15.1.1 as ‘the complainant, the respondent and the “other relevant party / witness” referred to in the investigation report are all Council colleagues and are all known to me.’
- Councillor André Brender-A-Brandis – Impartiality Interest in Item 15.1.1 as ‘I know the Councillor that is the subject of the Code of Conduct.’

6. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

Councillor Blake D'Souza left the meeting at 7.26pm, and returned at 7.29pm during consideration of Item 6.2.

6.2 PUBLIC QUESTION TIME: 24 FEBRUARY 2026

The Presiding Member opened Public Question Time at 6.49pm.

Written questions were received prior to the meeting from:

- Dr John Bassett of Como.
- Mr Andrew McLean of South Perth.
- Ms Suellen Murdoch of South Perth.
- Ms Heidi Schmidt of South Perth.
- Ms K Poh of Como.

At 7.06pm, in accordance with Clause 6.7 of the City of South Perth Standing Orders Local Law 2007, the Presiding Member extended Public Question Time by an additional 15 minutes to hear those questions not yet heard.

- Ms Bronwyn David of South Perth.
- Ms Cristy Lowe of Como.
- Ms Cecilia Brooke of South Perth.
- Ms Joanne Ord of Como.
- Ms Lynlea Miles of Waterford.

At 7.22pm the Presiding Member called for a Motion to extend Public Question Time to hear those questions not yet heard.

COUNCIL DECISION

0226/001

Moved: Mayor Greg Milner

Seconded: Councillor André Brender-A-Brandis

That in accordance with Clause 6.7 of the City of South Perth Standing Orders Local Law 2007, Public Question Time be extended to hear those questions not yet heard.

CARRIED (8/0)

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

Against: Nil.

- Mr Ross Drennan of South Perth
- Mr Murray Rosenberg of Como.

- Mr Max Szmekura of South Perth.
- Dr Louise Johnston of Como.
- Mr Oliver Crosthwaite of South Perth.
- Mr Aidan Carlsson of Karawara.

At 7.39pm the Presiding Member called for a Motion to further extend Public Question Time to hear those questions not yet heard.

COUNCIL DECISION

0226/002

Moved: Mayor Greg Milner

Seconded: Councillor André Brender-A-Brandis

That in accordance with Clause 6.7 of the City of South Perth Standing Orders Local Law 2007, Public Question Time be extended to hear those questions not yet heard.

CARRIED (7/1)

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

Against: Councillor Tim Houweling.

Written questions were received at the meeting by:

- Mr John Ferguson of South Perth.

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

Questions received at the meeting were Taken on Notice. The answers to these questions will be made available in the March 2026 Ordinary Council Meeting Agenda.

There being no further questions, the Presiding Member closed Public Question Time at 7.44pm.

7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS

7.1 MINUTES

7.1.1 Ordinary Council Meeting Held: 16 December 2025

Prior to the Item being moved and seconded, Councillor André Brender-A-Brandis asked to clarify content in the Minutes. At 7.48pm, the Presiding Member advised that Item 7.1.1 would be considered later in the meeting.

7.2 CONCEPT BRIEFINGS

7.2.1 Concept Briefings and Workshops

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

Date	Subject	Attendees
29 January 2026	Royal Perth Golf Club Presentation	Mayor Greg Milner and Councillors André Brender-A-Brandis, Tim Houweling, Kathy Lees, Jacqueline Raison, Stephen Russell, Blake D'Souza, Hayley Prendiville, Bronwyn Waugh.
2 February 2026	The Local Government Inspector and Community Scorecard Results Presentations	Mayor Greg Milner and Councillors André Brender-A-Brandis, Tim Houweling, Kathy Lees, Jacqueline Raison, Blake D'Souza, Bronwyn Waugh.
3 February 2026	Challenger Reserve Project: Parameters Workshop	Mayor Greg Milner and Councillors André Brender-A-Brandis, Tim Houweling, Kathy Lees, Jacqueline Raison, Blake D'Souza, Hayley Prendiville, Bronwyn Waugh.
3 February 2026	Structure Plan and Planning Delegations Discussion	Mayor Greg Milner and Councillors André Brender-A-Brandis, Tim Houweling, Kathy Lees, Jacqueline Raison, Blake D'Souza, Hayley Prendiville, Bronwyn Waugh.
10 February 2026	Council Plan – Overview	Mayor Greg Milner and Councillors André Brender-A-Brandis, Tim Houweling, Kathy Lees, Jacqueline Raison, Blake D'Souza, Hayley Prendiville, Bronwyn Waugh.
12 February 2026	Record Keeping Requirements	Mayor Greg Milner and Councillors André Brender-A-Brandis, Tim Houweling, Kathy Lees, Bronwyn Waugh.
16 February 2026	Council Plan Workshop 1	Mayor Greg Milner and Councillors André Brender-A-Brandis, Tim Houweling, Kathy Lees, Jacqueline Raison, Blake D'Souza, Hayley Prendiville, Bronwyn Waugh.

Attachments

Nil.

7.2.2 Council Agenda Briefing - 17 February 2026

Officers of the City presented background information and answered questions on Items to be considered at the February Ordinary Council Meeting at the Council Agenda Briefing held 17 February 2026.

Attachments

7.2.2 (a): Briefing Notes

Officer Recommendation AND COUNCIL DECISION

0226/003

Moved: Councillor Blake D'Souza

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 - 17 February 2026

CARRIED (8/0)

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

Against: Nil.

8. PRESENTATIONS

8.1 PETITIONS

8.1.1 Waterford Entry Statement Petition

A petition was received 18 February 2026 from Ms Lynlea Miles of 6 Doneraile Court, Waterford, together with 208 unverified signatures in support of an 'Entry Statement' to be installed in Waterford, on the southern side of the intersection of Manning Road, Kent Street and Waterford Avenue.

The text of the petition reads:

'That the City of South Perth commission a physical "entry statement" for the suburb of Waterford. to be installed on the southern side of the intersection of Manning Road, Kent Street and Waterford Avenue.

For the following reasons:

- 1. For many years, the suburb of Waterford had a well-known, landmark "entry statement" at the above intersection, being a low white wall with the word "WATERFORD" in prominent raised lettering.*
- 2. The previous "entry statement" was located on privately-owned land.*
- 3. In 2024, a Colourbond fence was erected around the perimeter of the relevant land, blocking the previous "entry statement" from public view.*
- 4. Since that time, the suburb of Waterford has been without an entry statement.*
- 5. A carefully designed, aesthetically-attractive replacement entry statement for Waterford will improve the amenity and community pride in the suburb.'*

Officer Recommendation AND COUNCIL DECISION

0226/004

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Blake D'Souza

That the petition received 18 February 2026 from Ms Lynlea Miles of 6 Doneraile Court, Waterford, together with 208 unverified signatures in relation to an 'Entry Statement' to be installed in Waterford, on the southern side of the intersection of Manning Road, Kent Street and Waterford Avenue be forwarded to the relevant Director for consideration.

CARRIED (8/0)

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

Against: Nil.

8.2 PRESENTATIONS

Nil.

8.3 DEPUTATIONS

Deputations were heard at the Council Agenda Briefing held 17 February 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 Presiding Member advised that the following Agenda Item was a new report and was not presented to the Council Agenda Briefing held 17 February 2026:

- Item 15.1.1 – Councillor Code of Conduct

The Chief Executive Officer confirmed all report items were discussed at the Council Agenda Briefing held 17 February 2026 with the exception of Item 15.1.1.

ITEMS WITHDRAWN FOR DISCUSSION

- 10.3.2 Response to Council Resolution 1225/250 including Proposed Closure of South Perth Esplanade Car Park No.11
- 10.3.3 Proposed Tree Damaging Activity to a Regulated Tree - Lot 29 (No.14) Hurlingham Road, South Perth
- 10.3.4 Proposed Additions to Tavern (The Station) - Lot 688 (No.1) Mends Street, South Perth
- 10.3.5 Tree Damaging Activity to a Regulated Tree - Lot 42 (No.20) Karoo Street, South Perth
- 10.4.1 Royal Perth Golf Club Inc. Stage 3 Works
- 10.4.2 Delegation DC690 Local Planning Scheme No.7
- 10.4.3 Council Member, Committee Member and Candidate Code of Conduct
- 10.4.5 Metro Inner Development Assessment Panel
- 10.4.6 Urban Greening Advisory Group

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

Officer Recommendation AND COUNCIL DECISION

0226/005

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Kathy Lees

- 10.1.1 Lease for Old Mill Theatre
- 10.1.2 RFT 7/2025 - Provision of New Changeroom Building for Collier Reserve
- 10.1.3 RFT 8/2025 - Provision of New Public Toilets & Changing Places Building at Neil McDougall Park
- 10.3.1 Proposed Scheme Amendment No.3 to Local Planning Scheme No. 7 - Lot 1 Labouchere Road, South Perth
- 10.3.6 Rivers Regional Subsidiary - Waste to Energy Contract Amendment
- 10.4.4 Meeting Attendance Fees for Independent Committee Members
- 10.4.7 Listing of Payments - December 2025 and January 2026
- 10.4.8 Monthly Financial Statements December 2025
- 10.4.9 Monthly Financial Statements January 2026

CARRIED (8/0)

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

Against: Nil.

10. REPORTS

10.1 STRATEGIC DIRECTION 1: COMMUNITY

Mayor Greg Milner and Councillors Kathy Lees and Jacqueline Raison disclosed an Impartiality Interest in Item 10.1.1.

10.1.1 Lease for Old Mill Theatre

File Ref: D-26-4150

Reporting Officer(s): Bree Websdale, Director Corporate Services

Summary

This report recommends that Council provide a long-term lease to Old Mill Theatre Inc. (ABN 19 250 378 001) for Part Lot 429 Mends Street, South Perth.

Officer Recommendation AND COUNCIL DECISION

0226/006

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Kathy Lees

That Council:

1. Recognises the contribution of Old Mill Theatre Inc.
2. Authorises the Chief Executive Officer to execute a lease agreement with Old Mill Theatre Inc. (ABN 19 250 378 001) for Part Lot 429 on Deposited Plan 100191, Mends Street South Perth on the terms contained herein.

CARRIED BY EXCEPTION RESOLUTION (8/0)

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

Against: Nil.

Background

Old Mill Theatre Inc. (OMT) is a Not-For-Profit organisation incorporated in 1959. They are seeking a long-term lease over Old Mill Theatre which is located on a portion of Part Lot 429 Mends Street, South Perth and has been owned (freehold) by the City since 1913.

Historical records indicate the building has been used as a venue for amateur theatre since circa 1948. The building is listed in the City's Local Heritage Survey and the State Register of Heritage Places for the following reasons:

- The place and its landscaped grounds form part of a distinct and significant streetscape along Mends Street and can be read as an integral component of the South Perth Historic Village Precinct (now known as the Mends Street Precinct).
- The place is a modest but pleasing example of the Federation Free Classical style, designed by the architect Henry James Prockter.

10.1.1 Lease for Old Mill Theatre

- The place is representative of the development of Mechanics’ Institutes in Western Australia from the mid-nineteenth century and is a rare as it was designed to accommodate the secondary function of Road Board Office.
- The place is highly valued by the local community for its use as an amateur theatre.
- The place is valued by the local community for its historic, educational and cultural associations, and contributes to the community’s sense of place through its prominent location in the administrative, commercial, entertainment and cultural centre of South Perth from 1899 to the present; and
- The place is associated with people significant in the history of South Perth (and Western Australia) including May Gibbs, internationally renowned illustrator and author; Henry Prockter, architect; Thelma Jean ‘Jill’ Hargrave, educationalist; and Constance Ord, theatre director.

The land is reserved for civic and cultural purposes under the Metropolitan Region Scheme (MRS) to provide for the preservation and protection of civic precincts and buildings.

Comment

The Administration is recommending Council support a long-term lease on the following terms to the Old Mill Theatre Inc:

	<i>Current Lease - Summary (Attachment (a))</i>	<i>Proposed Lease – Summary</i>
Term	21 years (1 June 2004- 31 May 2025) Currently on a monthly holding over arrangement.	21-year term (approx. 1 March 2026 to 1 March 2047)
Rent	\$1.00 per annum	No change proposed
Rent Review	NA	No change proposed
Outgoings	OMT are responsible for: <ul style="list-style-type: none"> • Utilities (paid directly to the provider other than water); • Waste collection (approx. \$860 per annum); • Monitored security costs (reimbursement to the City); and • Building contents and public liability insurance. OMT indemnifies the City. No rates or land taxes are applicable to this property.	No change proposed

Maintenance Requirements	OMT are responsible for maintenance of the premises internally and externally (including garden) at their cost. The City is responsible for Structural maintenance/repairs.	No change proposed
Permitted Use	For the purposes of the “ <i>Old Mill Theatre Inc. only.</i> ” OMT have permission to hire to other groups.	No change proposed

Old Mill Theatre Inc are model tenants who have kept the building and external grounds in excellent condition.

Over the past two years, Old Mill Theatre Inc. has experienced significant growth in both the number of productions they stage and overall attendance. They have hosted over 40 performances for the Fringe World Festival in January and February 2026.

Over 12,150 people attending the Old Mill Theatre in 2025, an increase from 8,500 the prior year.

The Old Mill Theatre calendar for 2026 is shown in **Attachment (d)**.

The Old Mill Theatre Strategic Directions 2025-2026 documentation is shown in **Attachment (e)**.

Old Mill Theatre are supported by 267 volunteers including:

- 9 x Board members (including office bearers).
- 35 x Front of House (active).
- 10 x Technical crew (Lighting and audio).
- 5 x Stage crew (stage Manager, set build, etc).
- 15 x Bar (RSA and Managers licence required).

Production crews (not limited to OMT productions):

- 18 x Directors.
- 18 x Producers.
- 151 x Actors/performers/musicians.
- 6 x Costume making/arrangement.

The Old Theatre Mill plays a vital role in the local economy and community life. The benefits of Old Mill Theatre Inc, remaining a tenant of the Old Mill Theatre are significant for the City and the community and include:

- The venue is historically significant (as set out under Background above).
- The continued operation of a 118-seat community theatre.
- Ongoing support for performing arts. The theatre provides an avenue for the arts/ drama that would otherwise be unmet throughout the City.

10.1.1 Lease for Old Mill Theatre

- Providing a stepping stone for those interested in the performing arts.
- They provide a training ground for students in the arts.
- Provide an inclusive space for those with an interest to the arts to participate.
- They attract audiences from a wide geographical area (**Attachment (c)**), and a broad demographic, many of whom spend money at nearby restaurants, cafés bringing increased visitation and revenue to local businesses.
- The operations of the group also extend beyond performing arts by assisting other community groups and charitable projects, such as South Perth Historical Society (Wattle Day event), City of South Perth Evolve (live performance venue partnership), Soroptimists, Heart & Lung Foundation, and local rotary clubs.

Additionally, Old Mill Theatre Inc have secured a grant from WA State Government for \$75,000 which will enable a significant refurbishment of the venue later this year. The Old Mill Theatre are contributing a further \$103,256 towards the refurbishment. The total renovation costs are \$178,256 comprising:

Replacement seating	\$75,316
Full carpet replacement (including accessibility requirements)	\$54,445
Replacement of full stage lighting (to LED where possible)	\$39,995
Painting (quote only at this stage)	\$8,500

Once the renovations are completed, the benefits include:

- More comfortable (and numbered) seating which also retracts when empty allowing easier access.
- The entire front row is movable allowing flexibility for:
 - Easier access and additional space for more mobility devices such as wheelchairs, (although still restricted by width of wheelchairs through the auditorium door).
 - Create space if stairs are required to the stage during a performance (while still maintaining safe access in case of emergency evacuation).
 - Allowing for musician placement front of stage, or
 - Front row table seating is required.
- The new lighting includes many new LED lights (where possible and available) which are:
 - more energy efficient,
 - cooler for the environment and for the actors on stage,
 - more flexibility in lighting colours, options, directions from the light board,
 - safer for the tech group as these new lights reduces the need for ladders and scaffolding each time a new production is developed and designed, as they can be controlled from the lighting desk.

Consultation

There has been no consultation outside of discussions with Old Mill Theatre Inc representative from their Board of Management.

Policy and Legislative Implications

The proposed lease requires Council approval as the proposed term is beyond that contemplated in Policy P609 Management and Sale of City Policy and Delegation DC609.

The policy and delegation authorise the CEO to enter into agreements to lease property (that the City owns or that it controls under a management order) subject to:

1. *“Leases being for a maximum term of five years with a five year option for: Not for Profit Sporting Organisations, Not for Profit Organisations, Community Associations, Government Bodies, Committees and Associations, and educational institutions”*
2. *Meeting the requirements of section 3.58 of the Local Government Act 1995.*

Section 3.58 of the *Local Government Act 1995* provides requirements for the disposal of property. A disposal of property by the City includes a lease. However, section 3.58 is not applicable in relation to this lease to a not for profit organisation, as set out in Regulation 30 of the Local Government (Functions and General) Regulations 1996.

As such, disposal (lease) of Part Lot 429 Mends Street, South Perth is not required to be advertised.

Financial Implications

Old Mill Theatre Inc are required to pay the legal costs associated with preparation of a new lease.

Following a review of their latest financial statements at **Attachment (b)**, Old Mill Theatre Inc. is deemed financially sustainable and has sufficient operational capacity to pay outgoings.

Key Risks and Considerations

Risk Event Outcome	Reputational Damage Deals with adverse impact upon the professional reputation and integrity of the City and its representatives whether those persons be appointed or elected to represent the City. The outcome can range from a letter of complaint through to a sustained and co-ordinated representation against the City and or sustained adverse comment in the media.
Risk rating	Medium
Mitigation and actions	The City may suffer reputational damage if it does not continue leasing arrangements with Old Mill Theatre Inc noting it is highly valued by the community and aligns with Council’s Strategic Community Plan.

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):	Current Lease Agreement - Old Mill Theatre Inc. (<i>Confidential</i>)
10.1.1 (b):	OMT Inc 2024 Financial Summary (<i>Confidential</i>)
10.1.1 (c):	OMT Inc Catchment Map
10.1.1 (d):	OMT Inc 2026 Calendar
10.1.1 (e):	OMT Inc Strategic Directions 2025-2028

Councillors Kathy Lees, Hayley Prendiville and Jacqueline Raison disclosed an Impartiality Interest in Item 10.1.2.

10.1.2 RFT 7/2025 - Provision of New Changeroom Building for Collier Reserve

File Reference: D-26-4153

Reporting Officer(s): Anita Amprimo, Director Infrastructure Services

Summary

This report recommends Council accept a tender submitted by Hoskins Investments Pty Ltd / ATF M R Hoskins Family Trust (trading as AE Hoskins Building Services) for the Provision of New Changeroom Building for Collier Reserve.

Officer Recommendation AND COUNCIL DECISION

0226/007

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Kathy Lees

That Council:

1. Accepts the tender submitted by Hoskins Investments Pty Ltd / ATF M R Hoskins Family Trust (trading as AE Hoskins Building Services) for the Provision of a New Changeroom Building for Collier Reserve in Como as shown in **Confidential Attachment (a)**; and
2. Authorises the Chief Executive Officer to execute a contract with Hoskins Investments Pty Ltd / ATF M R Hoskins Family Trust (trading as AE Hoskins Building Services) for the Provision of New Changeroom Building for Collier Reserve in Como.

CARRIED BY EXCEPTION RESOLUTION (8/0)

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

Against: Nil.

Background

In November 2025, the City of South Perth invited submissions for a lump sum tender for the construction and installation of the new Collier Reserve change room building.

The overall scope of work comprises the following:

- Construction of a new change room building comprising 2 x sets of changerooms with bench seating (home and away teams); 2 x storerooms; 6 x toilet cubicles (including 2 x ambulant toilets); 6 x enclosed showers; 6 x hand basins; umpire room with 2 sets of ensuites with showers, toilets and basins; Universal Access Toilet; and cleaner's storeroom.

10.1.2 RFT 7/2025 - Provision of New Changeroom Building for Collier Reserve

- The provision of access and inclusion building components to encourage all-genders participation, such as enclosed/private toilet cubicles instead of urinals; mirror/vanity/shelving for personal items; power points for accessories adjacent to wash basins; and fold away baby change table.
- Service upgrades & connections to the surrounding curtilage of the new building.
- Associated external siteworks.

The proposed new changeroom building is planned to be located adjacent the existing pavilion. See Site Plan below:

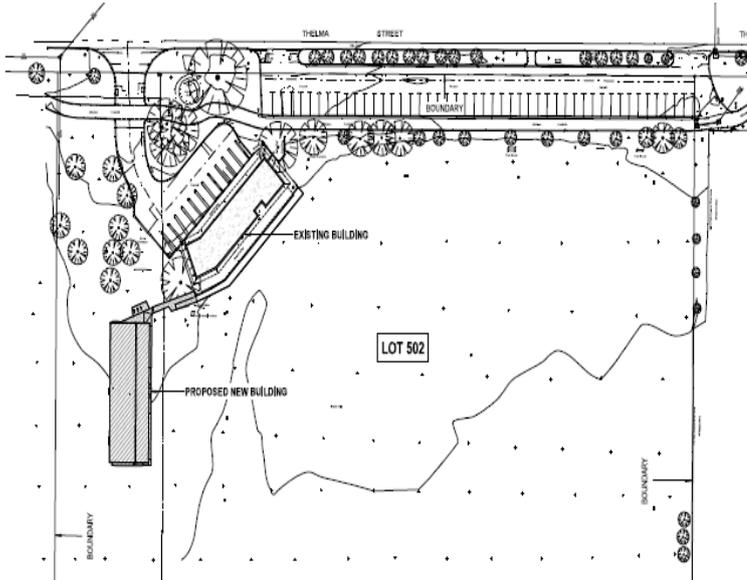


Figure 1: Site Plan of Collier Reserve indicating location of proposed new changeroom building in relation to existing changeroom building.

Comment

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

TABLE A – Tender Submissions

Tender Submissions	
1.	Geared Construction Pty Ltd
2.	Hoskins Investments Pty Ltd / ATF M R Hoskins Family Trust (trading as AE Hoskins Building Services)
3.	LKS Constructions (WA) Pty Ltd
4.	Schlager Group Pty Ltd
5.	Solution 4 Building Pty Ltd
6.	Topend Living Pty Ltd (trading as Buildon Construction)

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

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Specified Personnel for Project Team	20%
2. Demonstrated Experience and Capabilities	25%
3. Work Methodology	30%
4. Delivery Timeframe	25%
Total	100%

Based on the assessment of all submissions received, it is recommended that the tender submission from Hoskins Investments Pty Ltd / ATF M R Hoskins Family Trust (trading as AE Hoskins Building Services) (**AE Hoskins**) be accepted by Council.

AE Hoskins achieved the highest qualitative score. AE Hoskins was established in 1911 and is a multi-generational, family-owned building company with a long-standing reputation within Western Australia's construction industry.

AE Hoskins specialises in refurbishments, fit-outs, new builds, design-and-construct projects, and structural upgrades. The company delivers projects valued between \$100,000 and \$2m for both government and private sector clients.

AE Hoskins' experience includes schools, financial institutions, community facilities and commercial offices, demonstrating proven capability in delivering projects within complex operational environments. AE Hoskins demonstrated strong and relevant experience across multiple projects of similar scope and value, including extensive local government experience with (but not limited to) the City of Perth, City of Melville, City of Kalamunda, City of Canning, and the Shire of Mundaring.

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

Consultation

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

A Request for Tender (RFT) 7/2025 for the Provision of New Change Room Building, Collier Reserve Como was advertised in The West Australian on Wednesday 12 November 2025 and closed at 5.00pm (AWST) on Monday 8 December 2025.

A mandatory site briefing was held at 10.00 am (AWST) on Tuesday, 18 November 2025. Attendance at this briefing was a prerequisite for submitting a proposal.

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.*

The following Council Policies also apply:

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

Financial Implications

These works are fully funded by the Recreation Aquatic Facility Funding. In July 2024, the City of South Perth entered a deed of variation with the Australian Government's Department of Health and Aged Care to redirect the former Recreation Aquatic Facility (RAF) funding towards the provision of new or upgraded all-genders change rooms and sports lighting at local sporting reserves around the City.

The fixed contact price is within the Pre-Tender Estimate obtained from the City's Quantity Surveyor in October 2025.

Key Risks and Considerations

Risk Event Outcome	Business Interruption 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.
Risk rating	Low
Mitigation and actions	The contract is required to be awarded promptly to ensure the City meets grant funding milestones.

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:	1.2.3 Plan for and promote the development of recreation facilities to service City of South Perth needs

Attachments

10.1.2 (a):	Recommendation Report (<i>Confidential</i>)
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10.1.3 RFT 8/2025 - Provision of New Public Toilets & Changing Places Building at Neil McDougall Park

File Reference: D-26-4154
Reporting Officer(s): Anita Amprimo, Director Infrastructure Services

Summary

This report recommends Council accept a tender submitted by LKS Constructions (WA) Pty for the Provision of New Public Toilets & Changing Places Building at Neil McDougall Park.

Officer Recommendation AND COUNCIL DECISION

0226/008

Moved: Councillor André Brender-A-Brandis
Seconded: Councillor Kathy Lees

That Council:

1. Accepts the tender submitted by LKS Constructions (WA) Pty Ltd for the Provision of New Public Toilets & Changing Places Building at Neil McDougall Park, as shown in **Confidential Attachment (a)**;
2. Authorises the Chief Executive Officer to execute the contract with LKS Constructions (WA) Pty Ltd for the Provision of New Public Toilets & Changing Places Building at Neil McDougall Park.

CARRIED BY EXCEPTION RESOLUTION (8/0)

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

Against: Nil.

Background

The City of South Perth invited submissions for a lump sum tender for the demolition of an existing toilet building and construction of a new toilet and Changing Places building, located at Neil McDougall Park on Ley Street, Como. The existing facility has reached end-of-life condition and no longer meets current accessibility or Changing Places requirements, necessitating its full replacement.

The overall scope of work broadly includes:

- Demolition of existing toilet facilities.
- Construction of a new toilet facility building and external drinking water fountain.
- Service upgrades & connections to the surrounding curtilage of the new building; and
- Associated external siteworks.

Comment

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

TABLE A – Tender Submissions

Tender Submissions	
1.	Brausch Construction Group Pty Ltd
2.	Castledine Pty Ltd
3.	Classic Contractors Pty Ltd
4.	Kilmore Group Pty Ltd
5.	LKS Constructions (WA) Pty Ltd
6.	Rebus Restrooms Pty Ltd ATF Rebus Restrooms Unit Trust
7.	Schlager Group Pty Ltd

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

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting %
1. Specified Personnel for Project Team	20%
2. Demonstrated Experience and Capabilities	25%
3. Work Methodology	30%
4. Delivery Timeframe	25%
Total	100%

Based on the assessment of all submissions received it is recommended that the tender submission from LKS Constructions (WA) Pty Ltd (**LKS**) be accepted by Council. This recommendation is made on the following grounds:

- LKS achieved the highest overall weighted score against the qualitative selection criteria and submitted the lowest priced compliant tender, representing the most advantageous offer.
- LKS demonstrated strong relevant experience across multiple projects of similar scope and value, including extensive experience with Local Government clients.

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

Consultation

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

10.1.3 RFT 8/2025 - Provision of New Public Toilets & Changing Places Building at Neil McDougall Park

A Request for Tender (RFT) 8/2025 for the Provision of Public Toilets & Changing Places Building at Neil McDougall Park was advertised in The West Australian on Saturday 22 November 2025 and closed at 2:00pm (AWST), Wednesday 17 December 2025.

A mandatory site briefing was held at 10.00am (AWST) on Thursday 27 November 2025. Attendance at this briefing was a prerequisite for submitting a proposal.

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.*

The following Council Policies also apply:

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

Financial Implications

An independent Pre-Tender Estimate (PTE) was prepared by the City's Quantity Surveyor, RW Quantity Surveyors, in November 2025 and adjusted in January 2026.

Although, the four lowest tenders received are between 13.5% and 16% above the adjusted PTE (approximately 5% to 10% higher than anticipated) the Quantity Surveyor has advised that all tenders represent value for money when assessed against current market conditions. This is supported by the variance between the lowest and fourth-lowest tender submissions was 1.0%.

Key Risks and Considerations

Risk Event Outcome	<p>Business Interruption</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>
Risk rating	Low
Mitigation and actions	<p>To maintain uninterrupted service to the community, temporary public toilet facilities will be installed on site for the duration of the works, ensuring continued access to amenities during the period in which permanent, accessible toilets are not available.</p> <p>The contract is required to be awarded promptly to ensure the City meets grant funding milestones.</p>

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:	1.2.1 Maintain, plan, develop and facilitate community infrastructure to respond to community needs and priorities

Attachments

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

10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)

Mayor Greg Milner and Councillors Kathy Lees and Jacqueline Raison disclosed an Impartiality Interest in Item 10.3.1.

10.3.1 Proposed Scheme Amendment No.3 to Local Planning Scheme No. 7 - Lot 1 Labouchere Road, South Perth

File Ref: D-26-4155

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

Summary

The purpose of this report is for Council to consider Scheme Amendment No. 3 to Local Planning Scheme No. 7 to zone Lot 1 Labouchere Road, South Perth 'Private Community Purposes'.

Officer Recommendation AND COUNCIL DECISION

0226/009

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Kathy Lees

That Council:

1. Resolves, pursuant to Section 75 of the Planning and *Development Act 2005*, to amend Local Planning Scheme No. 7 by zoning Lot 1 Labouchere Road, South Perth 'Private Community Purposes'.
2. Considers the Scheme Amendment is standard under the provisions of Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reasons:
 1. The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment;
 2. The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
 3. The amendment is not considered a complex or basic amendment.
3. In accordance with Regulations 35A of the Planning and Development (Local Planning Schemes) Regulations 2015, the approval of the South Perth Activity Centre Plan and Canning Bridge Activity Centre Plan are not affected by the standard amendment.

CARRIED BY EXCEPTION RESOLUTION (8/0)

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

Against: Nil.

Background

Lot 1 Labouchere Road, South Perth is owned in freehold by Royal Perth Golf Club (RPGC) and contains their clubhouse building. It is a separate parcel of land to the golf course.

At its 28 February 2024 meeting, the Western Australian Planning Commission (WAPC) resolved to prepare Amendment No.1423 to the Metropolitan Region Scheme (MRS) to amend the MRS reservation on the site from 'Regional Open Space - Restricted Public Access' to 'Urban'.

The MRS amendment request was intended to facilitate the investigation of potential redevelopment opportunities compatible with the site's current use and any subsequent planning and development.

The MRS amendment was advertised for 42 days, from 20 May 2024 to 1 July 2024. A total of 19 submissions were received on the amendment. They were:

- six submissions of objection,
- eleven submissions of general comments, non-objection or no comment, and
- two supporting submissions.

Matters raised in the submissions included:

- Use and development of the site beyond recreational uses is not appropriate.
- Inconsistency with the recently gazetted local planning framework.
- Insufficient infrastructure to support the redevelopment of the site.

The City's administration provided a submission and deputation on the MRS amendment, which recommended that should the MRS amendment progress, the site should be concurrently zoned to 'Private Community Purposes' under Local Planning Scheme No.7 (LPS 7).

The City's administration advised that it does not support a 'Centre' zone under LPS 7 as this does not align with the future designation of the land in the City's Local Planning Strategy or the WAPC Central Sub-regional Planning Framework. There is currently no structure plan or local development plan applicable to the site, and LPS 7 otherwise defers land use permissibility in the Centre zone to the provisions of a structure plan or local development plan.

Planning consultants acting on behalf of the RPGC also provided a submission on the MRS amendment (**Attachment (a)**) which advised that at that point in time, the RPGC did not have an agreed redevelopment vision in place yet, and whilst the RPGC would have preferred an immediate 'Centre' or 'Special Use' zone that would have better aligned with the intent to pursue other opportunities, respected the City's position that an interim zone of 'Private Community Purposes' zone suits the current use whilst RPGC progresses a new vision for greater use of the land.

The WAPC did not support the City's request to concurrently zone the site under LPS 7, as where it automatically amends a local planning scheme under section 126(3) of the *Planning and Development Act 2005*, (the Act) the relevant area will usually be zoned 'Urban Development' or equivalent ('Centre' zone for the purposes of LPS 7), for planning and development to proceed in accordance with a structure plan prepared under the local planning scheme. The site currently has no zoning/ reservation under LPS 7 as the land was previously reserved under the MRS.

10.3.1 **Proposed Scheme Amendment No.3 to Local Planning Scheme No. 7 - Lot 1 Labouchere Road, South Perth**

In response to these matters, the WAPC advised that the proposed Urban zoning aligns with the existing use and development of the site and is consistent with urban development. No changes were made to the MRS amendment in response to submissions.

The Minister for Planning and Lands approved Amendment No.1423, which came into effect from the date of publication in the WA Government Gazette on 12 December 2025.

Comment

Proposed Scheme Amendment No. 3 to Local Planning Scheme No. 7

In accordance with Part 9, section 124 of the Act, the local government is now required to resolve to prepare an amendment to LPS 7 to ensure the local planning scheme is consistent with the MRS, no later than 90 days after the day on which the MRS has effect (12 March 2026).

The purpose of the Urban zone under the MRS is to provide for residential development and associated local employment, recreation and open space, shopping, schools and other community facilities.

In considering an appropriate zoning under LPS 7, the City considers the 'Private Community Purposes' zone is appropriate for the following reasons:

- The 'Private Community Purposes' zone under LPS 7 is a zone that can be contemplated under the Urban zoning under the MRS, ensuring the local planning scheme is consistent with the MRS as required by the Act;
- This zoning is compatible with the current use of the site for or privately owned and operated recreation (Royal Perth Golf Course) and enables the integration of private recreation areas with public recreation areas (the adjacent golf course, which is located on reserved land under the MRS); and
- The intensification of use at the site beyond private recreation purposes complementary to the golf course, would reflect a departure from the adopted strategic planning framework as further detailed below.

A copy of the draft Scheme Amendment is contained as **Attachment (b)**.

The RPGC have not submitted a proposed Scheme Amendment, nor engaged with the City on proposed redevelopment of the site that would otherwise warrant a different zoning being considered.

Centre Sub-regional Planning Framework

The State Government's Central Sub-regional Planning Framework (the Framework) aims to establish a long-term integrated planning framework for land use and infrastructure, with a focus on guiding future infill growth in the Central sub-region, including the City of South Perth. Labouchere Road is identified as an 'Urban Corridor' under the Framework map.

The Framework notes that the map is a conceptual representation of broad planning intentions within the sub-region and that further planning processes and decision-making under relevant legislation will need to be undertaken. Further detailed planning has occurred for the subject area, through the preparation of the City's Local Planning Strategy (the Strategy) which was approved by the WAPC in March 2021.

Local Planning Context - City of South Perth Local Planning Strategy

The City of South Perth Local Planning Strategy (the Strategy) was adopted in 2021 following endorsement by the WAPC and sets the strategic direction for planning and development in the City over the next 10 to 15 years. The Strategy provides the strategic basis for the preparation, implementation and amendments to LPS 7.

The Strategy notes that a number of urban corridors identified in the Framework do not form part of the ‘managed growth strategy’ to accommodate future infill development. Labouchere Road is an urban corridor which has not been included. The reasons for excluding the corridor as noted in the Strategy are as follows:

- The areas identified in the managed growth strategy address the dwelling growth expectations of Perth and Peel @3.5million (WAPC land use planning and infrastructure frameworks aim to accommodate 3.5 million people by 2050). The WAPC has previously supported the City's position on not including Labouchere Road as an Urban Corridor or Growth area, notwithstanding how it is designated under Perth and Peel @3.5million.
- This corridor is served by public transport, but not to the same extent as more prominent corridors such as Canning Highway and Manning Road; and
- The corridor is not identified as ‘high-priority’ routes in the Perth and Peel Transport Plan. This indicates a presumption against significant investment in upgrading transport infrastructure/services along the corridors in, at least, the short-medium term.

The Strategy does not identify Labouchere Road as an ‘Urban Corridor,’ nor does it identify the site within a ‘Growth area’. The site therefore does not have a role in delivering the City’s forecast dwelling growth and was not planned to have a significant increase in intensity of development. The intensification of use at the site beyond private recreation purposes (or other uses complementary to the adjoining golf course) would reflect a departure to the adopted strategic planning framework.

Whilst the site has proximity to the South Perth activity centre area, the site is separated to the activity centre area by Richardson Park, a 6ha Parks and Recreation Reserve and Perth Zoo, and is not subject to the requirements of the South Perth Activity Centre Structure Plan.

Local Planning Scheme No.7

LPS 7 provides the following zones, and land use permissibility for each zone is contained in **Attachment (c)**. Whilst all zones are compatible with the Urban zoning under the MRS, the ‘Private Community Purposes’ zone is recommended, with comments on each zone provided below.

LPS 7 Zoning	Comment
Residential	The RPGC is a membership-based club with fees, which meets the land use definition of Recreation – private, which is an ‘X’ (i.e. not permitted) use in the Residential zone. Non-conforming use provisions would become applicable should the club seek to alter/ extent the non-confirming use or change the use of the land.

Private Community Purposes	As proposed. The objective of the Private Community Purposes zone, as detailed below is consistent with the current use as the RPGC clubhouse whilst providing for future uses.
Mixed Use	The mixed use zone provides for uses that are not considered compatible with the surrounding locality and would reflect a departure from the adopted strategic planning framework.
Local Centre	The site is not a designated local centre in the local planning strategy and would reflect a departure from the adopted strategic planning framework.
Neighbourhood Centre	The site is not a designated neighbourhood centre in the local planning strategy and would reflect a departure from the adopted strategic planning framework.
Centre	In the absence of an adopted structure plan or local development plan, the Centre zone does not identify any permissible uses for land. It is also noted that a request to include this land in the Centre zone for the nearby South Perth Activity Centre Plan (2021) was previously not supported by the Western Australian Planning Commission.

The objective of the Private Community Purposes zone is as follows:

- *To provide sites for privately owned and operated recreation, institutions and places of worship.*
- *To integrate private recreation areas with public recreation areas wherever possible.*
- *To separate potentially noisy engine sports from incompatible uses.*
- *To provide for a range of privately owned community facilities and uses that are incidental and ancillary to the provision of those facilities, which are compatible with surrounding development.*
- *To ensure that the standard of development is in keeping with surrounding development and protects the amenity of the area.*

The development requirements applicable to all land zoned Private Community Purposes are:

'(1) In the absence of an approved local development plan, all non-residential development shall be designed in accordance with the following requirements:

- (a) Building height – Maximum 2 storeys*
- (b) Primary street setback – Minimum 7.5 metres*
- (c) Side Setbacks – Minimum 4.5 metres'*

Conclusion

The proposed Scheme Amendment is required to ensure consistency with the MRS. The City therefore recommends that Council resolves to seek approval to advertise the proposed Scheme Amendment, without modification.

Consultation

In response to the MRS amendment as contained as **Attachment (a)**, the planning consultant on behalf of RPGC advised the following with respect to the Private Community Purposes zone under LPS 7:

“Under the ‘Private Community Purposes’ zone, a local development plan can be prepared. Pursuant to clause 32 and Table 7 of the LPS 7, the preparation of a Local Development Plan may provide for alternative height and setback provisions from those that apply by default. Based on recent conversations with the City of South Perth, it is understood that the intent of clause 32 of the LPS 7 is to facilitate the preparation of a Local Development Plan which would prevail over the default provisions contained in Table 7. The opportunity to prepare a LDP provides opportunities to investigate bespoke and unique design and development provisions for the site. The RPGC takes some comfort that, guided by the preparation of a Local Development Plan, diversification of the site would be possible to be investigated further.”

If the Scheme Amendment is initiated by Council as a 'Standard Amendment', it is required to be advertised in accordance with the Regulations for a minimum period of 42 days from the date of publication.

Policy and Legislative Implications

Planning and Development Act 2005

Part 9, section 124 of the Act sets out the following in relation to the status of the site under LPS 7:

“(3) If a region planning scheme is amended and is inconsistent with a local planning scheme, the local government of the district in which the land directly affected is situated is to, not later than 90 days after the day on which the amendment to the region planning scheme has effect, resolve to prepare in relation to the land –

- (a) a local planning scheme which is consistent with the region planning scheme; or*
- (b) an amendment to the local planning scheme which renders the local planning scheme consistent with the region planning scheme, and which does not contain or remove, as the case requires, any provision which would be likely to impede the implementation of the region planning scheme.”*

The procedures for dealing with proposals to amend LPS 7, are in accordance with the Act and are set out in the Regulations. Under Regulation 35(2) a Council resolution must:

- “(a) specify whether, in the opinion of the local government, the amendment is a complex amendment, a standard amendment or a basic amendment; and*
- (b) include an explanation of the reasons for the local government forming that opinion.”*

10.3.1 Proposed Scheme Amendment No.3 to Local Planning Scheme No. 7 - Lot 1 Labouchere Road, South Perth

The proposed amendment is considered as a standard amendment as:

1. The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment.
2. The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
3. The amendment is not considered a complex or basic amendment.

Financial Implications

Nil.

Key Risks and Considerations

Risk Event Outcome	Legislative Breach Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.
Risk rating	Low
Mitigation and actions	Initiate the Scheme Amendment in accordance with the <i>Planning and Development Act 2005</i> and Regulations.

Strategic Implications

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

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

Attachments

- 10.3.1 (a):** Taylor Burrell Barnett Submission - MRS Amendment of Lot 1 Labouchere Road, South Perth
- 10.3.1 (b):** Scheme Amendment No. 3 to Local Planning Scheme No.7 - Lot 1 Labouchere Road, South Perth - Scheme Amendment Report
- 10.3.1 (c):** Local Planning Scheme No.7 Zoning Table

Mayor Greg Milner disclosed a Financial and Proximity Interest in Item 10.3.2 and accordingly left the meeting at 7.57pm. Councillor André Brender-A-Brandis assumed the chair.

Councillor Jacqueline Raison disclosed an Impartiality Interest in Item 10.3.2.

10.3.2 Response to Council Resolution 1225/250 including Proposed Closure of South Perth Esplanade Car Park No.11

File Ref: D-26-4157
Reporting Officer(s): Anita Amprimo, Director Infrastructure Services
Bree Websdale, Director Corporate Services
Liz Ledger, Chief Executive Officer

Summary

This report:

- Provides an update on Resolution 1225/60, made by Council at the 16 December 2025 Ordinary Council Meeting, and
- Proposes the closure of the South Perth Esplanade Car Park (SPE11) to address anti-social behaviour.

Officer Recommendation

Moved: Councillor Tim Houweling

Seconded: Councillor Blake D'Souza

That Council:

1. Notes the progress made on the Council Resolution 1225/60 (Ordinary Council Meeting held on 16 December 2025).
2. Authorises the closure of the South Perth Esplanade Car Park (SPE11) as follows:
 - (a) closure between 11.45pm and 5am, Monday to Saturday during Summer Services.
 - (b) closure between 10pm and 5am on Sundays during Summer Services.
 - (c) closure between 10pm and 5am, Monday to Sunday during Winter Services.

During debate on the Item, Councillor Kathy Lees foreshadowed an Alternative Motion.

Councillor Brender-A-Brandis suggested to add the words 'for a trial period of 12 months' in paragraph two, between the words '(SPE11) and 'as follows.'

With the agreement of the mover and seconder, the motion was amended as follows:

COUNCIL DECISION

0226/010

Moved: Councillor Tim Houweling

Seconded: Councillor Blake D'Souza

That Council:

1. Notes the progress made on the Council Resolution 1225/60 (Ordinary Council Meeting held on 16 December 2025).
2. Authorises the closure of the South Perth Esplanade Car Park (SPE11) for a trial period of 12 months, as follows:
 - (a) closure between 11.45pm and 5am, Monday to Saturday during Summer Services.
 - (b) closure between 10pm and 5am on Sundays during Summer Services.
 - (c) closure between 10pm and 5am, Monday to Sunday during Winter Services.

CARRIED (4/3)

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

Against: Councillors André Brender-A-Brandis, Kathy Lees and Jacqueline Raison.

Background

A Notice of Motion was presented by Councillor Tim Houweling at the 16 December 2025 meeting which asked Council to recognise the negative impact this issue (hooning and Nitrous Oxide use) is having on residents living near the land on/ adjacent Sir James Mitchell Park on South Perth Esplanade and the South Perth Peninsula.

At its meeting held 16 December 2025 Council resolved as follows:

Resolution 1225/250

“That Council, recognises the negative impact this issue is having on residents living near the land on/ adjacent Sir James Mitchell Park on South Perth Esplanade and the South Perth Peninsula, and

1. *Endorses the CEO to identify up to \$60,000 unspent funds (prior to the Mid-Year Budget Review) in the 2025/26 Budget and reallocate to:*
 - i. *Support employee costs for Ranger and Environmental Health Services to provide monitoring and patrols, to be undertaken as soon as possible.*
 - ii. *Install bollards or similar infrastructure around the perimeter of the green islands on the west end of the Peninsula to prevent parking.*
 - iii. *Install “no stopping road or verge” signs on the western side of South Perth Esplanade between Queens Street and Mill Point Close.*

10.3.2 Response to Council Resolution 1225/250 including Proposed Closure of South Perth Esplanade Car Park No.11

2. *Requests the Chief Executive Officer to review and present as part of the 2026/27 budget process, opportunities and costs associated with the following:*
 - iv. *Modification to the local road network in respect to traffic calming and management.*
 - v. *Additional rubbish bins and waste collection along the South Perth foreshore from the Narrows Bridge to Ellam Street.*
 - vi. *Landscaping and beautification of the verge on the western side of South Perth Esplanade from Queen Street to Mill Point Close; and*
 - vii. *Having monitored the impact of 1(iii) above, recommendations on any further restrictions.*
 - viii. *Additional CCTV cameras and the fibre cabling required.*
3. *Requests the Chief Executive Officer to write to the Hon. Reece Whitby MLA, Minister for Police, requesting police assistance and enforcement for anti-social behaviour, nitrous oxide misuse, hooning and modified vehicles.*
4. *Notes the City of South Perth is procuring an additional mobile CCTV camera, anticipated to be deployed in early mid-2026, with images, data and footage provided to the WA Police for investigation and enforcement.*

The comments section below addresses progress to date on the resolution and any further action required.

Comment

In relation to (*Resolution 1225/250*) the City has progressed as follows:

- A trial night patrol service will commence in March and will operate Thursday to Sundays from 8pm-12pm. The service will utilise existing vehicles and equipment and will focus on the South Perth Esplanade and the South Perth Peninsula. The patrolling officers will be qualified rangers who are familiar with the City.
- Bollards or similar infrastructure are planned to be installed late March around the perimeter of the green islands on the west end of the Peninsula to prevent parking.
- The “no stopping road or verge” signs on the western side of South Perth Esplanade between Queens Street and Mill Point Close were installed in December 2025.

Regarding options for modifications to the road network, these are complex and require extensive consultation with multiple stakeholders including the local community and Main Roads Western Australia (MRWA). A full analysis of any options would be required to ensure there are no unintended consequences however comment on options is provided below.

Intersection of South Perth Esplanade and Mends Street

The intersection of Mends Street and South Perth Esplanade was comprehensively upgraded as part of the Mindeerup Plaza project completed in 2019. As part of those works, the entire intersection was constructed as a raised platform, delivering traffic calming and clearly establishing pedestrian friendly environment at this key junction serving ferry users, residents, visitors, and foreshore users. This location as one of the highest pedestrian movement environments within South Perth.

Accordingly, the intersection already functions as a raised treatment, delivering the primary road safety outcome typically sought through a raised pedestrian crossing. As such, additional raised treatments at the immediate intersection would be largely redundant.

Notwithstanding, the City has identified an opportunity to further enhance pedestrian safety and access and will investigate the provision of a zebra crossing with lighting on South Perth Esplanade, east of Mends Street (aligned with the ferry terminal).

Reduction in Speed Limits

The streets identified for possible reduced speed limits are Mends Street, Harper Terrace, Frasers Lane, Ferry Court, and South Perth Esplanade between Frasers Lane and the South Perth Esplanade Car Park 11. Except for Ferry Court, which is a short cul de sac, all these streets currently provide dedicated footpaths, and there is no demonstrated benefit in pedestrians sharing the carriageway.

These streets were incorporated into an area wide 40 km/h speed zone in October 2024, reflecting their local street function and pedestrian oriented environment. Any further reduction in speed limits would require a submission to MRWA outlining the justification and seeking approval would need to be made.

Traffic Calming Devices

A range of traffic calming devices and engineering measures have been implemented along Mill Point Road, Mill Point Close, Mends Street and South Perth Esplanade over recent years. These measures were introduced to reduce vehicle speeds, discourage hooning behaviour and improve overall safety and amenity within the area.

While additional traffic calming measures requires collection of data, responsive design process, liaising with relevant agencies and resourcing, this is being progressed internally.

Modifications to the Road Network Flow of Traffic

Similarly to traffic calming infrastructure, modifications to road network flow or traffic involve significant design, operational, and approval considerations. It would represent a material change to the function of Mill Point Close and its role within the broader Peninsula street network.

A defined and evidence-based implementation process would be required to progress this option further. The most feasible options are currently being scoped and evaluated and will be included for consideration by Council in the 2026/27 Budget workshops.

Additional Rubbish Bins

An assessment by the City identified that the area has an existing high level of service for rubbish bin and the issue is more related to public use, or lack thereof, of the available facilities. The City patrols the park daily to pick up any items disposed of incorrectly. Notwithstanding, costs for additional bins will be included in budget workshops for Council consideration.

Budget estimates are available for beautification of the verge. Options and the extend of works will be discussed with Council during the budget setting workshops.

Mobile CCTV trailer

A contract for the City's second CCTV trailer including ANPR technology has been awarded to Fortis Security Pty Ltd. The trailer takes approximately 8 – 10 weeks to build and the City will take delivery late March/early April. This will further enhance the City's CCTV coverage and also assist the WA Police as they will have direct access to the footage.

10.3.2 Response to Council Resolution 1225/250 including Proposed Closure of South Perth Esplanade Car Park No.11

In the interim, the City has hired two Mobile CCTV towers which are located at Mill Point Close and towards the rear of SPE11.

Fixed CCTV

The City has received funding for 4 fixed CCTV cameras from the State Government. The program is to support the strategic expansion of CCTV across the State, to deter antisocial behaviour and further assist the WA Police Force to protect the community.

City Officers have worked closely with the Officer in Charge at Kensington Police Station (OIC) as per the funding guidelines to identify the location for each camera as follows:

- Location 1 - Mill Point Close, South Perth
- Location 2 – South Perth Esplanade Carpark SPE11
- Location 3 – Cnr Douglas Avenue and Moresby Street, Kensington
- Location 4 – in the public access way at the rear of 27 Wandarra Close, Karawara

All cameras will be fixed to the either the City’s or Western Power’s Infrastructure.

Other Options Considered- closure of the South Perth Esplanade Car Park 11 (SPE11)

The City has reviewed other options including requests from the community impacted, and as a result, is recommending implementing nightly closure of South Perth Esplanade Car Park (SPE11) for a trial period of 12 months.

The administration has undertaken an assessment to implement nightly closures of the South Perth Esplanade Car Park 11 (SPE11) and notes the following.

Location Map: South Perth Esplanade Car Park 11



The following factors and circumstances supporting this proposal include:

- SPE 11 is currently a location for anti-social behaviour at night, like what was occurring at Millers Pool Car Park 11.
- The closure of Millers Pool Car Park 11 has seen a reduction in anti-social behaviour at night at and around this location.
- There is merit in trialling the same arrangements at SPE 11.

10.3.2 Response to Council Resolution 1225/250 including Proposed Closure of South Perth Esplanade Car Park No.11

- Residents living near the land on/ adjacent Sir James Mitchell Park on South Perth Esplanade and the South Perth Peninsula have requested this closure.

It is recommended that the closures time consider the impact on users of the ferry service from Elizabeth Quay to Mends Street who may require access to car park SPE 11.

The last services which arrive at Mends Street Jetty at approximately:

Last Ferry - Mends Street	Monday –Saturday	Sunday
Summer Services 14 September to 18 July 2026	Arrives - 11.30pm Departs - 11.45pm	Arrives - 9.39pm Departs - 9.45pm
Winter Service 19 July 2026 to 12 September 2027	Arrives - 9.08pm Departs - 9.15pm	Arrives - 9.08pm Departs - 9.15pm

Consultation

The City has also received feedback from members of the community regarding the South Perth Esplanade that supports this car park being closed at night. Local Police have been informed of this trial proposal, and the Office in Charge has been proactive in assisting in this regard.

Car Park users will be notified with signage and lighting.

Financial Implications

The cost implications for implementing the Officer Recommendation are provided below.

Implementation of daily car park closures would require both capital investment and ongoing operational expenditure.

The estimated cost for the nighttime closure of the South Perth Esplanade Car Park 11 is shown below:

Item	Cost (estimated)
Installation of gates, lighting, signage and bollards.	\$30,000
Daily opening and closing of gates by a third party. *These costs could potentially be absorbed by an employee closing the car park at night once a night patrol service is operational.	\$10,000 per annum *\$2,500 for this FY
	\$32,500

These items are not part of the 2025/2026 budget; however they can be absorbed in the current budget.

Key Risks and Considerations

Risk Event Outcome	Reputational Damage Deals with adverse impact upon the professional reputation and integrity of the City and its representatives whether those persons be appointed or elected to represent the City. The outcome can range from a letter of complaint through to a sustained and co-ordinated representation against the City and or sustained adverse comment in the media.
Risk rating	Low
Mitigation and actions	The City may suffer reputation damage if it does not respond to community request.

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:	3.1 Connected and accessible City
Strategy:	3.1.1 Facilitate a safe, efficient, accessible and reliable transport network that encompasses alternative forms of transport and supportive infrastructure

Attachments

Nil.

Mayor Greg Milner returned to the meeting at 8.19pm following consideration of Item 10.3.3, and assumed the Chair.

Councillor Kathy Lees disclosed an Impartiality Interest in Item 10.3.3.

10.3.3 Proposed Tree Damaging Activity to a Regulated Tree - Lot 29 (No.14) Hurlingham Road, South Perth

Location: Lot 29 No. 14 Hurlingham Road, South Perth
Ward: Mill Point Ward
Applicant: Lorraine Harford
Owner: Lorraine Harford
File Reference: D-26-4160
DA Lodgement Date: 12 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 for Council to consider a development application for proposed Tree Damaging Activity to a Regulated Tree at Lot 29 (No.14) Hurlingham Road, South Perth.

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

Alternative Motion

Moved: Councillor Tim Houweling
Seconded: Councillor Bronwyn Waugh

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 Tree Damaging Activity to a Regulated Tree on Lot 29 (No.14) Hurlingham Road, South Perth be **approved**.

Reasons for Change

The City adopted its Tree Retention Policy in August 2025.

Whereas the Council originally attempted to introduce tree protection provisions into its new Local Planning Scheme No. 7 (LPS 7). These provisions were removed prior to gazetting the scheme. Supportive Councillors and community groups urged the City to adopt a Local Planning Policy (LPP) based on a model drafted by the Western Australian Local Government Association (WALGA).

At the 23 July 2024 Ordinary Council Meeting, the Council debated the adoption of the WALGA-model and voted to reject it, instead asking the CEO to advocate for the State Government to take the lead.

The legal landscape changed in July 2025 following the decision of *Zorzi v Town of Cambridge*. The question was whether tree removal may constitute "works" under the *Planning and Development Act 2005* and therefore requiring development approval.

The Administration presented a new "Draft Local Planning Policy - Trees" to the August 2025 meeting and stated in respect of the policy; *"development", is always context dependent, and that in a residential context, de minimis arises for consideration."*

The City further stated *"consideration should be given to the significance of the tree and the planning context as to whether the local government should require a development application."*

At that meeting Councillor Jennifer Nevard moved an Alternative Motion to adopt the original WALGA-model "Local Planning Policy - Tree Retention" that had been rejected in July 2024 at the August 2025 meeting.

The reasons given at that time was that Council has the benefit of knowing of successful trial locations of similar policies implement in other metro councils that have also been based on the WALGA developed tree policy framework.

The reasons also stated at "(g) *"There is no shame in Council reconsidering an item presented previously. The strength of any responsible decision-making body is to be prepared to review a process or decision..."*

The Council passed the Alternative Motion, officially adopting the Tree Retention Policy and requesting the CEO to present a report on its effectiveness by August 2026.

The City of South Perth's Local Planning Policy 3.2 – Tree Retention (LPP 3.2) attempts to define that "tree damaging activity" automatically constitutes "works" and therefore "development" under the *Planning and Development Act 2005* (WA).

However, a Local Planning Policy cannot, by itself, legally determine what constitutes works or development. Local Planning Policies are merely "due regard" documents when considering an application for development under Clause 67(2) of the Deemed Provisions and cannot have the effect of expanding the statutory reach of the Act.

Section 4 of the *Planning and Development Act 2005* defines "development" as the development or use of any land, which includes "the carrying out on the land of any excavation or other works".

Exemptions under Clause 60 and 61

Under Clause 60 of the Deemed Provisions to the *Planning and Development (Local Planning Schemes) Regulations 2015*, a person must not commence or carry out works without development approval unless the works are exempt under Clause 61.

Clause 61(1) allows a Local Planning Policy to specify certain works that are exempt from requiring approval. Thus, an LPP can establish exemptions to development, but it cannot dictate that an activity is "development" if it does not already meet the legal threshold established by the Act and case law.

The State Administrative Tribunal (SAT) in *Zorzi v Town of Cambridge* provided clarity on when tree removal crosses the threshold into development. The SAT determined that while felling a tree *can* be "works", it is always context-dependent.

Crucially, the SAT applied the common law principle of *de minimis* (meaning the proposal is too small to be of meaningful planning concern). The Tribunal held that "Parliament did not intend the PD Act, and the tentacles of planning law, to intrude too far into the activities and works undertaken in one's backyard".

The felling of a tree only constitutes development if it generates tangible town planning impacts—such as substantially contributing to the amenity, visual impression, and streetscape character of the locality.

This brings the focus to the motion in the City of South Perth's agenda at Clause 10.3.3 ("Proposed Tree Damaging Activity to a Regulated Tree - Lot 29"), regarding the removal of a Jacaranda tree at No. 14 Hurlingham Road.

The applicant requested its removal because "the tree roots are lifting pavers surrounding the tree which have become a trip hazard," have "cracked a water feature," and there is "extensive root occupation".

Because the tree meets the arbitrary size thresholds of LPP 3.2, the City classified it as a "Regulated Tree" requiring a development application. However, what is required in the first instance is consideration of whether the removal of this Jacaranda tree in its context is development.

In my view, the removal of the Jacaranda is cannot be considered development in the first instance. There is nothing to indicated a special contextual significance or visual prominence beyond merely hitting a height threshold, its removal likely falls under the *de minimis* exception for ordinary backyard maintenance as referred to in *Zorzi*.

The Local Planning Policy is only one indicia; it is not determinative. Deciding which trees can be cut down is not as simple as applying a blanket policy metric, because the entire legal question rests on whether the removal of *that specific tree* creates sufficient amenity impact to constitute "development". The applicant was forced to make an application due to the City's policy, but the tree's significance must be carefully weighed against the *Zorzi* test. In my view it does not satisfy that test and for that reason is not development.

If the owners remove the tree without having received approval, and the matter proceeded by way of a prosecution the first question that will need to be satisfied is whether the removal of the tree is in fact development, and this is not determined solely by an application of the test contained in a Local Planning Policy, as it cannot define what is development in the first instance.

Foreseeability of Risk and *Pyrenees Shire Council v Day*

If the City considers the policy strictly applies and mandates the tree's retention, the documented physical dangers (trip hazards and structural cracking) raise significant questions regarding the foreseeability of risk.

In the High Court case of *Pyrenees Shire Council v Day* (1998), the court examined the duty of care owed by a statutory authority when it has actual knowledge of a specific, foreseeable danger.

The principles established dictate that when an authority is aware of a specific hazard and possesses the statutory power to prevent or mitigate it, failing to exercise that power reasonably can result in a breach of their duty of care. In that case it was a danger the City became aware of in the parapet wall separating two houses.

In this planning context, if the City has been formally put on notice that the Jacaranda tree's roots are causing dangerous trip hazards and structural damage, yet refuses approval for its removal under the guise of an LPP, the City could potentially expose itself to negligence liability should those foreseeable hazards result in injury or property damage.

Conclusion

For those reasons firstly no application was required as in my view what was proposed does not amount to development, and secondly, despite this we have an application before us for a single tree that gives rise to the proper application of the *de minimis* principle referred to in *Zorzi*, thirdly, if notwithstanding we consider it is

development, then I am persuaded by the risk of damage that is foreseeable creating a danger and for that reason consider the development ought to be approved.

Finally, this is not a relevant planning consideration but to the extent that the City has previously been warned that refusal of an application may result in cost being incurred by an application proceeding to SAT this has been matters drawn to the City on 24 occasions since 2022.

1. 22 March 2022: 181 Lockhart Street, Como.
2. 26 April 2022: 60 Elizabeth Street, South Perth.
3. 24 May 2022: 60 Elizabeth Street, South Perth.
4. 28 June 2022: 15 and 17 Redmond Street, Salter Point.
5. 27 September 2022: 19 Redmond Street, Salter Point.
6. 27 September 2022: 1/45 Mary Street, Como.
7. 18 April 2023: 120 Mary Street, Como.
8. 31 October 2023: 1/45 Mary Street, Como.
9. 27 February 2024: 17 Craigie Crescent, Manning.
10. 28 May 2024: 7 Vista Street, Kensington.
11. 28 May 2024: 49 Kilkenny Circle, Waterford.
12. 23 July 2024: 15 and 17 Bowman Street, South Perth.
13. 22 October 2024: 52A Leonora Street, Como.
14. 19 November 2024: 310/29 Melville Parade, South Perth.
15. 19 November 2024: 16D Greenock Avenue, Como.
16. 19 November 2024: 4/22 Anstey Street, South Perth.
17. 10 December 2024: 197 Douglas Avenue, Kensington.
18. 25 February 2025: 50 Canavan Crescent, Manning.
19. 25 February 2025: 35/240 Mill Point Road, South Perth.
20. 25 March 2025: 9/1 Weston Avenue, South Perth.
21. 25 March 2025: 111/29 Melville Parade, South Perth.
22. 22 April 2025: 1/5 Clarence Street, South Perth.
23. 22 April 2025: 7 Salter Point Parade, Salter Point.
24. 28 October 2025: 71 Strickland Street, South Perth.

COUNCIL DECISION

0226/011

Moved: Mayor Greg Milner
Seconded: Councillor Bronwyn Waugh

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 (8/0)

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

Against: Nil.

Alternative Motion

Moved: Councillor Tim Houweling
Seconded: Councillor Bronwyn Waugh

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 Tree Damaging Activity to a Regulated Tree on Lot 29 (No.14) Hurlingham Road, South Perth be **approved**.

LOST (4/4)

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

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

Casting Vote Against: Mayor Greg Milner

During debate on Councillor Tim Houweling's Alternative Motion, Councillor Kathy Lees foreshadowed her Alternative Motion.

Alternative Motion AND COUNCIL DECISION

0226/012

Moved: Councillor Kathy Lees
Seconded: Councillor Blake D'Souza

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 Tree Damaging Activity to a Regulated Tree on Lot 29 (No.14) Hurlingham Road, South Perth, be **approved**.

Reasons for Change

The officer report indicates that the Council when determining this development application is required to have regard matters listed in Clause 67(2) of the Deemed Provisions to the extent that that they are considered relevant to the application. This

includes the relevant aims of Local Planning Scheme No. 7 and the provisions of Local Planning Policy 3.2 – Tree Retention.

The Tree Retention Policy specifies the matters to be considered when assessing development applications for the removal of large, regulated trees such as the Jacaranda now in question.

The intent of the Policy is not to mandate the retention of every tree, but to ensure that all reasonable options for retention have been fully explored and that removal is only supported where the tree is unhealthy, poses a safety risk, or where redesign to accommodate the tree is not feasible.

In this instance, the Jacaranda is causing uplift of the surrounding paving, creating a potential tripping hazard for the older residents and visitors to the property. We are advised that this presents an ongoing safety risk.

Unfortunately, the arborists engaged by the applicant and the City have conflicting views on whether fixing the issue, possibly with raised paving or decking, could be done without compromising the tree's health or structural stability. As a result, there is no agreed-upon mitigation option that would address both the safety hazard and retain confidence in the tree's long-term health and structural stability.

While the tree is currently assessed as healthy, it is estimated to be more than 60 years old. Given the typical lifespan of Jacarandas in urban environments, it is likely approaching the latter stages of its life. This further reduces the justification for undertaking costly or complex works to retain it, particularly where those works may themselves jeopardise the tree's stability or accelerate its decline.

It was also clear from the owner's deputation last week that she values the amenity and environmental benefits that mature trees provide. Her property already accommodates two large eucalypts, and she has proactively planted several new trees in anticipation of the potential need to remove the Jacaranda. Importantly, the retention of the two established eucalypts ensures that the property will continue to contribute a reasonable level of canopy cover to the streetscape and broader neighbourhood.

Furthermore, the owner has taken reasonable steps to retain the tree and has not made the decision to seek its removal lightly. The combination of safety concerns, conflicting expert advice, the tree's age, and the owner's demonstrated efforts to preserve and replace canopy on her property indicate to me that the requirements and intent of Local Planning Scheme No. 7 and Local Planning Policy 3.2 have been met.

For these reasons, and with considerable sadness, I believe that approval of the removal of the Jacaranda is justified and should be supported.

CARRIED (7/1)

For: Mayor Greg Milner, Councillors Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison and Bronwyn Waugh.

Against: Councillor André Brender-A-Brandis.

Officer Recommendation

That pursuant to the provisions of the City of South Perth Local Planning Scheme No.7, and the Metropolitan Region Scheme, the application for development approval for Tree Damaging Activity to a Regulated Tree on Lot 29 (No.14) Hurlingham Road, South Perth, **be refused** for the following reasons:

1. The proposed development does not satisfy Clause 67(2)(a) of the Planning and Development (Local Planning Schemes) Regulations 2015 as the proposal is inconsistent with the aim of Local Planning Scheme No.7 to protect and enhance the natural environment by maintaining biodiversity, protecting and increasing tree canopy, and reducing urban heat island effects.
2. The proposed development does not satisfy Clause 67(2)(g) of the Planning and Development (Local Planning Schemes) Regulations 2015 as the proposal is inconsistent with Local Planning Policy 3.2 – Tree Retention as:
 - (i) The removal of the tree is inconsistent with the objectives of the Policy to:
 - (a) Prioritise the retention, protection, and the provisions of trees on private land.
 - (b) Preserve and enhance neighbourhood amenity, character and sense of place and mitigate the urban heat island effect, reduce air pollution, improve groundwater quality and contribute to biodiversity and other environmental benefits; and
 - (c) Mitigate the urban heat island effect, reduce air pollution, improve groundwater quality and contribute to biodiversity and other environmental benefits.
 - (ii) The removal of the tree is inconsistent with the general requirements of the Policy as the tree:
 - (a) is in good health; and
 - (b) positively contributes to the streetscape by virtue of its position, maturity and size.
3. The proposed development does not satisfy Clause 67(2)(n) of the Planning and Development (Local Planning Schemes) Regulations 2015 as removal of the tree would result in an undue impact to the amenity and character of the locality given the tree is visible within the streetscape and contributes to the character of the locality.
4. The proposed development does not satisfy Clause 67(2)(o) of the Planning and Development (Local Planning Schemes) Regulations 2015 as removal of the tree would have an adverse impact on the natural environment.
5. The proposed development does not satisfy Clause 67(2)(p) of the Planning and Development (Local Planning Schemes) Regulations 2015 as the tree is in good health and should be preserved.
6. The proposed development does not satisfy Clause 67(2)(x) of the Planning and Development (Local Planning Schemes) Regulations 2015 as removal of the tree would adversely impact the community as a whole given its visual prominence in the locality.

1.0 Details

Metropolitan Region Scheme - Zone/Reserve	Urban
Local Planning Scheme - Zone/Reserve	Residential
Activity Centre Plan	N/A
Activity Centre Land Use Designation	N/A
Use Class and Permissibility	N/A
Lot Size	764m ²
Existing Land Use	Single House
Heritage	N/A
Bushfire Prone Area	No

2.0 Proposal

The applicant seeks approval to undertake Tree Damaging Activity to a Regulated Tree, specifically, removal of a Jacaranda tree (*Jacaranda mimosifolia*). Details are as follows:

- The tree has a height of 14.0m, average canopy diameter of 11.5m and a trunk circumference of 1.4m measured 1.4m above the ground:
- The tree is not included on a State of local weed register; and
- the tree is located at the north-eastern portion of the site.

Photographs of the tree are contained as **Attachment (a)**, and the site plan showing the location of the tree is contained as **Attachment (b)**.

The applicant's justification for the removal of the tree is contained as **Attachment (c)** and is summarised as follows:

- The tree roots are lifting pavers surrounding the tree which have become a trip hazard.
- The tree roots have cracked a water feature; and
- There is extensive root occupation beneath the paving.

The applicant has submitted an Arborist Report in support of the application as contained as **Attachment (d)**. The City engaged an Arborist to peer review the proposal, the advice of which is contained as **Attachment (e)**.

3.0 Background

Planning Context

A decision from the State Administrative Tribunal (SAT) has confirmed development approval can be sought for tree removal on the basis that such removal is 'works' for the purposes of the *Planning and Development Act 2005* (the Act), however, the SAT found that the question of whether the felling of a tree constitutes 'works', and is thus 'development', is always context dependent, and that in a residential context, *de minimis* arises for

consideration as to whether an application for development approval should be sought (i.e. the proposal is too small to be meaningful or taken into consideration).

Effectively, whilst tree removal on private property can be considered development for which approval is required, consideration should be given to the significance of the tree and the planning context as to whether development approval should be required.

At its Ordinary Meeting held 26 August 2025, Council adopted Local Planning Policy 3.2 – Tree Retention, which is generally consistent with the Western Australian Local Government Associations ‘Tree Retention Model Local Planning Policy.’ The basis of the Policy is that ‘Tree Damaging Activity’ as defined in the Policy constitutes works under the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) and development under the Act for which development approval is required.

The Policy clarifies the circumstances in which a development application and approval is required for any Tree Damaging Activity and guides the assessment of these applications and other planning proposals.

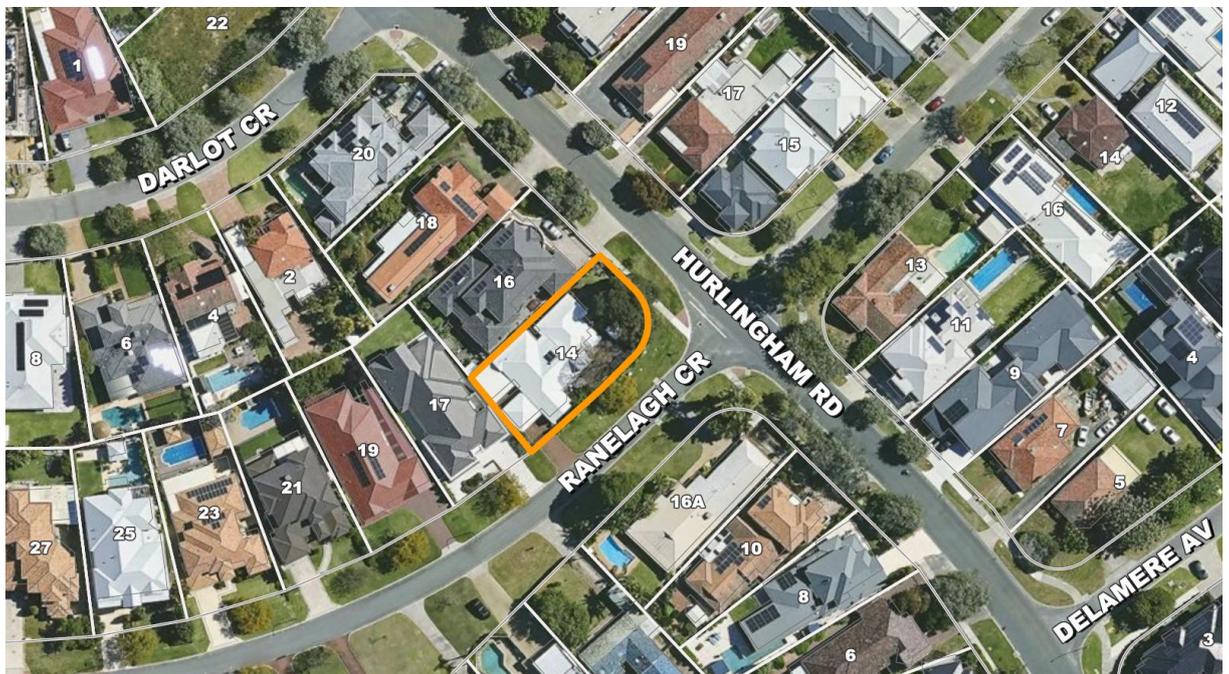
As the tree the subject of the application meets the definition of a Regulated Tree as prescribed in the Policy, development approval is required for tree damaging activity.

Site Context

The subject site is zoned ‘Residential’ under Local Planning Scheme No.7 with a site area of 764m².

The site is on the corner of Hurlingham Road and Ranelagh Crescent. The immediate locality is characterised by single houses and mature street trees, particularly in the vicinity of the intersection of Hurlingham Road and Ranelagh Crescent.

An aerial image depicting the site within its context is provided below.



4.0 Legislation and Policy

Legislation

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Local Planning Scheme No.7 (LPS 7)

Local Planning Policies

Local Planning Policy 3.2 – Tree Retention

Local Planning Policy 6.1 – Advertising of Planning Proposals

5.0 Consultation and Referrals

Local Planning Policy 6.1 – Advertising of Planning Proposals requires standard development applications to be advertised for 14 days to properties in the vicinity that may be affected unless discretion is exercised by the City to increase or reduce the consultation radius.

Public consultation has not been undertaken for this application as the site is located on a corner, and the tree is located adjacent the road reserve. The tree does not overhang or encroach on adjacent private property.

6.0 Assessment

Planning and Development (Local Planning Schemes) Regulations 2015

In considering an application for development approval, the local government is to have due regard to the matters listed in Clause 67(2) of the Deemed Provisions to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application. The matters relevant to this proposal and the City’s response to each consideration are outlined in the table below:

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 inconsistent with the aim of LPS 7 to protect and enhance the natural environment by maintaining biodiversity, protecting and increasing tree canopy, and reducing urban heat island effects.
(g) Any local planning policy for the Scheme area.	The proposal is inconsistent with provisions of LPP 3.2 as detailed in this report.
(n) the amenity of the locality including the following – (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development.	The removal of the tree would result in an adverse impact to the amenity and character of the locality given the tree is visible within the streetscape and positively contributes to the character and amenity of the locality.

(o) The likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource.	The removal of the tree would have an adverse impact on the environment.
(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.	The applicant's Arborist Report estimates the age of the tree as 50 years (with a typical life expectancy of 50-70 years in an urban setting), and that the tree displays good overall vigour. There were no signs of pathogenic infection or decline, and no signs of compromise to the structural integrity of the tree and as such, the City considers the tree should be preserved.
(x) The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals.	The City considers that removal of the tree would adversely impact the community as a whole given its visual prominence in the locality. The applicant's Arborist Report states that the tree has a moderate- high environmental/ amenity value.

Local Planning Policy 3.2 – Tree Retention

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:

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

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

Requirement	Assessment
<p>Objectives</p> <p>4.2 Prioritise the retention, protection, and the provisions of trees on private land and adjacent reserves in the planning process.</p>	<p>The removal of the tree does not prioritise the retention, protection and the provisions of trees on private land.</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>With the exception of paving uplift and a cracked water feature, the tree removal is not associated with impacts to the built form of the dwelling, proposed new development or other land use outcomes.</p>
<p>4.4 Preserve and enhance neighbourhood amenity, character and sense of place.</p>	<p>The tree is visible within the streetscape and its removal will not preserve or enhance neighbourhood amenity, character or sense of place.</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>The removal of the tree will not mitigate the urban heat island effect, reduce air pollution, improve ground water quality or contribute towards biodiversity and does not have any environmental 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>(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>(c) In the opinion of the City, the redesign of the development to accommodate the regulated tree is unfeasible.</p>	<p>The applicant's Arborist Report states that the tree is healthy and that it displays good overall vigour with no signs of decline.</p> <p>The applicant's Arborist Report states that the tree is not at risk of limb drop and is not a safety risk.</p> <p>No new development is proposed.</p> <p>The Arborist engaged by the City advised that there is no demonstrated need to remove the tree as the paver distortion issues may be ameliorated by a number of various measures outlined in Attachment (e).</p>

7.0 Conclusion

The proposal is inconsistent with the aim of LPS 7 to protect tree canopy, and the objectives and provisions of LPP 3.2. The City considers that the tree positively contributes to the streetscape and the amenity of the locality. The applicant’s Arborist Report confirms the tree is in good health and accordingly, it is recommended that the application to remove the tree is refused.

Financial Implications

The cost of the independent Arborist review was \$450 + GST.

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

Risk Event Outcome	Environmental Damage Includes any detrimental impact upon the natural environment within the City. This includes pollutant spillages and leakages, failure to maintain or enhance the natural environment within the City or its connections with its natural or municipal neighbours.
Risk rating	Low
Mitigation and actions	Approval of the tree damaging activity to a regulated tree would result in environmental damage.

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:	3.3.2 Enhance the City’s urban forest on public and private land

Attachments

- 10.3.3 (a): Site Photos
- 10.3.3 (b): Site Plan
- 10.3.3 (c): Applicant's Justification
- 10.3.3 (d): Applicant's Arborist Report
- 10.3.3 (e): Independent Arborist Review

At 9.03pm, following consideration of Item 10.3.3, the Presiding Member moved a motion to adjourn the meeting for 10 minutes.

COUNCIL DECISION

0226/013

Moved: Mayor Greg Milner

Seconded: Councillor Hayley Prendiville

That the meeting be adjourned for 10 minutes.

CARRIED (8/0)

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

Against: Nil.

At 9.10pm, the meeting reconvened, Item 7.1.1 was considered first, prior to consideration of Item 10.3.4.

7.1.1 Ordinary Council Meeting Held: 16 December 2025

At 9.13pm following the adjournment, the Presiding Member returned to Item 7.1.1, as follows:

Officer Recommendation AND COUNCIL DECISION

0226/014

Moved: Councillor Tim Houweling

Seconded: Councillor Hayley Prendiville

That the Minutes of the Ordinary Council Meeting held 16 December 2025 be taken as read and confirmed as a true and correct record.

CARRIED (8/0)

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

Against: Nil.

At 9.15pm, the meeting returned to Item 10.3.4.

Mayor Greg Milner and Councillors Kathy Lees and Jacqueline Raison disclosed an Impartiality Interest in Item 10.3.4.

10.3.4 Proposed Additions to Tavern (The Station) - Lot 688 (No.1) Mends Street, South Perth

Location:	Lot 688 (No.1) Mends Street, South Perth
Ward:	Mill Point Ward
Applicant:	The Station (Wa) Pty Ltd
Owner:	2022 Onward Pty Ltd Atf Venue Three Unit Trust
File Reference:	D-26-4161
DA Lodgement Date:	9 December 2025
Reporting Officer(s):	Donna Shaw, Director Development and Community Services
Previous Reference:	Nil.
Delegation:	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 proposed Additions to Tavern (The Station) on Lot 688 (No.1) Mends Street, South Perth.

The item is referred to Council as it involves the exercise of a discretion for an application to a Heritage Listed property.

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

Alternative Motion AND COUNCIL DECISION

0226/015

Moved: Councillor Bronwyn Waugh

Seconded: Councillor Tim Houweling

That pursuant to the provisions of the City of South Perth Local Planning Scheme No. 7 and the Metropolitan Region Scheme, this application for development approval for proposed Additions to Tavern (The Station) on Lot 688 (No.1) Mends Street, South Perth **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. Prior to occupation or use of the development, the endorsed material and finishes schedule shall be implemented and thereafter maintained to the satisfaction of the City of South Perth.
4. A tree protection zone in accordance with Australian Standard AS4970-2009 shall be implemented during construction for the trees notated on the approved plans for retention within the lot, to the satisfaction of the City of South Perth.

5. Prior to or in conjunction with the submission of a Building Permit application, a Construction Management Plan must be submitted to, and approved in writing by, the City of South Perth. The Construction Management Plan must address the following issues:
 - (i) Public safety and amenity;
 - (ii) Site plan and security;
 - (iii) Contact details of essential site personnel, construction period and operating hours;
 - (iv) Complaints management details;
 - (v) Noise management;
 - (vii) Traffic, access and parking management;
 - (viii) Waste management; and
 - (xi) Street tree management and protection.

The Construction Management Plan must be implemented and adhered to all times, to the satisfaction of the City of South Perth.
6. External lighting shall comply with the requirements of *Australian Standard 4282 – Control of Obtrusive Effects of Outdoor Lighting* to the satisfaction of the City of South Perth.
7. All stormwater discharge from the development shall be contained and disposed of on-site unless otherwise approved by the City of South Perth.

Reasons for Change

The amendment to remove Conditions 8 and 9 is based on the requirement that planning conditions must satisfy the established legal test set out in *Newbury District Council v Secretary of State for the Environment* and affirmed by the High Court in *Western Australian Planning Commission v Temwood Holdings Pty Ltd*.

In particular, a condition must:

1. Be imposed for a proper planning purpose;
2. Fairly and reasonably relate to the development; and
3. Be reasonable.

The concern relates to the second limb, being the requirement for a clear and substantial nexus between the condition and impacts created or materially exacerbated by the development itself.

This application relates to structural works comprising a patio and associated glazing. It does not involve an increase in patron numbers, extended trading hours, or intensification of the approved use. During the agenda briefing, it was indicated that the patio is intended to reduce noise impacts.

Conditions 8 and 9 require recalculated worst-case acoustic modelling and the preparation and implementation of a lifetime Noise Management Plan. These requirements regulate operational noise management rather than the physical built form.

The State Administrative Tribunal has emphasised in decisions including *Hill v City of Subiaco* and *Kellet v City of Vincent* that conditions must respond to impacts arising from the specific proposal before the decision-maker. Conditions should not be

imposed to regulate broader operational matters unless the development itself demonstrably creates a new or intensified impact.

Operational noise is already regulated under the Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997, which establish comprehensive standards, measurement methodologies, enforcement mechanisms and review rights.

Given that:

- o The development is described as ameliorative in acoustic terms,
- o There is no change in trading intensity, and
- o Operational noise is governed by an existing statutory regime,

it is not considered that Conditions 8 and 9 demonstrate the necessary causal connection to the structural works the subject of this application.

For those reasons, the conditions are considered not to satisfy the “fairly and reasonably relates” requirement and are proposed to be removed.

CARRIED (5/3)

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

Against: Mayor Greg Milner, Councillors André Brender-A-Brandis and Kathy Lees.

Officer Recommendation

That pursuant to the provisions of the City of South Perth Local Planning Scheme No. 7 and the Metropolitan Region Scheme, this application for development approval for proposed Additions to Tavern (The Station) on Lot 688 (No.1) Mends Street, South Perth **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. Prior to occupation or use of the development, the endorsed material and finishes schedule shall be implemented and thereafter maintained to the satisfaction of the City of South Perth.
4. A tree protection zone in accordance with Australian Standard AS4970-2009 shall be implemented during construction for the trees notated on the approved plans for retention within the lot, to the satisfaction of the City of South Perth.
5. Prior to or in conjunction with the submission of a Building Permit application, a Construction Management Plan must be submitted to, and approved in writing by, the City of South Perth. The Construction Management Plan must address the following issues:
 - (i) Public safety and amenity;
 - (ii) Site plan and security;
 - (iii) Contact details of essential site personnel, construction period and operating hours;

- (iv) Complaints management details;
- (v) Noise management;
- (vii) Traffic, access and parking management;
- (viii) Waste management; and
- (xi) Street tree management and protection.

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

6. External lighting shall comply with the requirements of *Australian Standard 4282 – Control of Obtrusive Effects of Outdoor Lighting* to the satisfaction of the City of South Perth.
7. All stormwater discharge from the development shall be contained and disposed of on-site unless otherwise approved by the City of South Perth.
8. Prior to or in conjunction with the submission of a Building Permit application, an amended acoustic report prepared by a suitably qualified acoustic consultant shall be submitted to and approved in writing by the City of South Perth which addresses the following:
 - (i) The address of the closest sensitive noise receiver (Lot 215, 108/3 Mends Street, South Perth) is to be listed in the report and measurements are to be recalculated accordingly in a worst-case assessment scenario;
 - (ii) The impact of noise from the speakers and the use of those speakers for amplified music and quiz nights that are located in the southern and northern alfresco areas are to be addressed as if both areas are fully occupied as a worst-case assessment scenario and measurements are to be recalculated accordingly;
 - (iii) The noise impacts resulting from the enclosure of the northern alfresco area are to be assessed and measurements are to be recalculated accordingly in a worst-case assessment scenario; and
 - (iv) The temporary opening of the door in the northern alfresco area is required to be assessed against L10 metrics as part of a worst-case scenario assessment scenario and measurements are to be recalculated accordingly.

The approved acoustic report, including any specifications, requirements and recommendations cited in the report shall be implemented and maintained for the lifetime of the development to the satisfaction of the City of South Perth, including being incorporated into the building permit application documentation.

9. Prior to or in conjunction with the submission of a Building Permit application, a Noise Management Plan prepared by a suitably qualified acoustic consultant shall be submitted to and approved in writing by the City of South Perth. The approved noise management plan, including any specifications, requirements and recommendations cited in the report shall be implemented and maintained for the lifetime of the development to the satisfaction of the City of South Perth, including being incorporated into the Building Permit application documentation.

1.0 Details

Metropolitan Region Scheme - Zone/Reserve	Urban
Local Planning Scheme - Zone/Reserve	Centre
Activity Centre Plan	South Perth Activity Centre Plan
Activity Centre Land Use Designation	Centre – in accordance with Structure Plan
Use Class and Permissibility	Tavern – ‘D’ use
Lot Size	8,208m ²
Existing Land Use	Tavern
Heritage	Local and State - The subject site is a Category 1 place on the City of South Perth Heritage List and contained on the State Register of Heritage Places (South Perth Police Station and Quarters (fmr)).
Bushfire Prone Area	No

2.0 Proposal

On 9 December 2025, the City received an application for Additions to Tavern (The Station) on Lot 688 (No.1) Mends Street, South Perth. Specifically, the application proposes:

- A freestanding awning (142m² and maximum height of 3.5m) constructed of bronze powder coated steel columns and polycarbonate grey roof sheeting.
- Amending the landscaping on the site by removing one tree (*Erythrina variegata*), which is not a ‘Regulated Tree’ for the purposes of Local Planning Policy 3.2 – Tree Retention.
- Acoustic glazing to the north side of the building.

Following a request for further information, the information was submitted on the 18 December 2025, and the application was accepted on 19 December 2025.

The Development Plans and Acoustic Report are contained as **Attachment (a)** and **Attachment (b)** respectively.

3.0 Background

Site Context

Between 2021 and 2024 the Finbar Group Ltd constructed the ‘Civic Heart’ mixed use development which retained various buildings identified for their heritage value. Development approval was granted on 4 October 2022 to adapt the South Perth Police Station (fmr) on the site for food and beverage services (**Tavern**) and has been trading as ‘The Station’ since December 2023.

The portion of the site containing ‘The Station’ site has two street frontages, Mends Street to the southeast and Labouchere Road to the southwest and is located approximately 320m from the Mill Point Road/Kwinana Freeway on ramp.

The subject site is zoned ‘Centre’ and is subject to the ACR1 – Civic Site – Lot 688 (No. 1) Mends Street, South Perth controls of the City of South Perth Local Planning Scheme No. 7 (LPS 7) and the South Perth Activity Centre Plan (SPACP). An aerial image and zoning map depicting the site within its context can found at **Attachment (c)**.

4.0 Legislation and Policy

Legislation

Planning and Development Act 2005

Heritage Act 2018

Planning and Development (Local Planning Schemes) Regulations 2015

Heritage Regulations 2019

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

State Government Policies

State Planning Policy 3.5 – Historic Heritage Conservation

State Planning Policy 7.0 – Design of the Built Environment

Structure Plans/Activity Centre Plans

South Perth Activity Centre Plan

Local Planning Policies

Local Planning Policy 6.1 – Advertising of Planning Proposals

Local Planning Policy 6.2 – Design Review Policy

Local Planning Policy 8.1 – Heritage Conservation and Development

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.

A total of 44 letters were sent to adjoining landowners and occupiers. 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
Noise	<p>It is noted that the scope of the acoustic report is limited to the development proposed as part of this application. An acoustic report was provided prior to occupancy in 2023.</p> <p>The applicant submitted an acoustic report with the development application to address the potential noise impact of the proposed development. The City sought clarification in relation to the assessment contained within</p>

	the acoustic report and further clarification was provided by the applicant. However, the City considers additional information is required and is recommending this be addressed via Conditions including the need for a Noise Management Plan for the alfresco areas subject to this application.
Visual Amenity in relation to air conditioning.	The proposed development does not propose any new air conditioning infrastructure.
Parking	The proposed development does not require any additional car parking bays.
Servicing	The proposed development does not propose to modify existing servicing arrangements.

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

Referrals/consultation with Government/Service Agencies

As the South Perth Police Station is contained on the State Register of Heritage Places, the proposal was referred to the Heritage Council for comment in accordance with section 73 of the *Heritage Act 2018*. The Heritage Council supported the proposal, as detailed in the advice contained in **Attachment (e)**.

In accordance with Regulation 42(3) of the Heritage Regulations 2019, the City is required to provide the Heritage Council with a copy of the Council resolution on the matter within 10 days after making a decision.

Design Review Panel Advice

The proposal was referred to the Design Review Panel Chair (sole review) on 22 January 2026 who advised of support for the proposed development.

A copy of the advice is contained as **Attachment (f)**.

6.0 Assessment

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:

Matter	Comment
(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.	<p>The relevant aims of LPS 7 are as follows:</p> <p>(a) To provide for safe, functional, and connected activity centres that offer a diverse range of goods, services and activities as well as places to live and stay.</p> <p>(b) To support sustainable urban neighbourhoods that accommodate a growing population, whilst</p>

	<p>protecting and enhancing heritage areas and other areas of identified or notable character, or which contribute strongly to a sense of place.</p> <p>(e) To protect and enhance the natural environment by maintaining biodiversity, protecting and increasing tree canopy, and reducing urban heat island effects.</p> <p>The proposed awning is considered to contribute to the functionality of the space and is not considered to compromise the heritage values of the place.</p>
(c) Any approved State planning policy.	The proposal has been assessed against the requirements of State Planning Policy 3.5 - Historic Heritage Conservation and is considered consistent with this Policy, as further detailed in this report.
(g) Any local planning policy for the Scheme area.	Details of requirements of applicable local planning policies are contained within the LPS 7 section of this report.
(h) Any structure plan or local development plan that relates to the development.	Details of requirements of the South Perth Activity Centre Plan are contained within the LPS 7 section of this report.
(k) The built heritage conservation of any place that is of cultural Significance.	<p>South Perth Police Station (fmr), is a single storey brick building with a Marseilles pattern tile roof, constructed in the Federation Free Style with stylistic elements of Federation Gothic.</p> <p>The place contributes to the community's sense of place by its long standing presence, the service it provided to the community, its distinctive architectural styling and prominent location.</p>
(l) The effect of the proposal on the cultural heritage significance of the area in which the development is located.	Whilst the proposal has been designed to minimise the visual impact, the proposed awning is considered to have a minor impact on the landmark values of South Perth Police Station. Notwithstanding, the Heritage Council has supported the proposal.

<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 proposed patio structure has been designed to be independent of the heritage building to minimise impacts and to ensure it is able to be removed in the future if required.</p> <p>Bulk and scale impacts have been mitigated by the lightweight and slender design of the patio structure along with the use of clear glazing.</p> <p>The proposed colours and materials are considered to complement the existing heritage place.</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 applicant has submitted an acoustic report to address the potential noise impacts of the proposed patio. A revised acoustic report is recommended along with a Noise Management Plan as a condition of approval.</p> <p>The proposed patio is considered to be compatible with the character of the locality given it has been designed to complement the existing heritage building and maintains an active street interface.</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>The requirements of ACR1 – Civic Site – Lot 688 (No. 1) Mends Street, South Perth of LPS 7 contain a specific provision related to weather protection as detailed in the LPS 7 section of this report.</p>
<p>(w) The history of the site where the development is to be located.</p>	<p>The South Perth Police Station (fmr) was built in 1908, under the direction of the Public Works Department Chief Architect, Hillson Beasley. The WA Police vacated the station in late 2002 and the place remains a representative example of a police station incorporating neighbourhood policing in the first half of the twentieth century and is representative of the ongoing policing of law and order in the South Perth area.</p> <p>In 2022, the premises was approved for adaption as a food and beverage venue. This involved development of a basement which is in use as a restaurant, and further</p>

	internal and external modifications to accommodate a restaurant and alfresco garden areas. This has included a glazed enclosure on the western elevation which provides a curved canopy structure over the alfresco area along the Labouchere Road edge of the building.
(y) Any submissions received on the application.	Details of the submission received are contained within the consultation section of this report.
(za) The comments or submissions received from any authority consulted under clause 66.	The proposal was referred to the Heritage Council who support the proposal.

State Planning Policy 3.5 - Historic Heritage Conservation

This policy sets out the principles of sound and responsible planning for the conservation and protection of Western Australia's historic heritage. The objectives of this policy are:

- To conserve places and areas of historic heritage significance.
- To ensure that development does not adversely affect the significance of heritage places and areas.
- To ensure that heritage significance at both the State and local levels is given due weight in planning decision-making.
- To provide improved certainty to landowners and the community about the planning processes for heritage identification, conservation and protection.

In respect to development assessment, SPP 3.5 requires consideration of whether the proposed development will adversely affect the significance of any heritage place or area, including any adverse effect resulting from the location, bulk, form or appearance of the proposed development.

With respect to alterations/extensions, development should conserve and protect the cultural significance of a heritage place based on respect for the existing building or structure and should involve the least possible change to the significant fabric. Alterations and additions to a heritage place should not detract from its significance and should be compatible with the siting, scale, architectural style and form, materials and external finishes of the place.

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 as detailed below.

ACR1 – Civic Site – Lot 688 (No. 1) Mends Street, South Perth (ACR1)

For the purposes of assessment against ACR1, the proposal has not been considered a ‘new development’ to which matters contained in ACR1 such as sustainability and design quality are applicable. The proposal is considered to otherwise comply with the requirements of ACR1 with the exception of the following:

Requirement	Comment
<p>Built Form Setbacks</p> <p>2.3 All development shall maintain a minimum setback of 4.5 metres from a heritage place and an average setback of 6.0 metres, with the exception of awnings which may project 2.0 metres into the minimum setback area.</p>	<p>The proposed patio has a nil setback to a heritage place. The proposed nil setback is supported as it has been designed to minimise the visual impact and is an independent structure to the building that is capable of being removed.</p> <p>The Heritage Council has supported the patio based on a nil setback to the heritage place.</p>
<p>Weather protection</p> <p>5.1 Weather protection shall be provided to shade and protect the pedestrian environment through the provision of a colonnade, all-weather visually permeable temporary enclosure or awning to the perimeter of the new buildings of at least 2m width. Only light-weight cantilevered awnings may project into the 4.5 metre setback from any heritage place.</p>	<p>The proposed patio is not cantilevered due to the 142m² roof size which requires posts to support it structurally. The patio will improve the provision of shade and weather protection for patrons.</p> <p>The setbacks of the patio from the heritage place are addressed above.</p>
<p>Heritage</p> <p>7.1 Applications for development affecting or adjoining a heritage place shall be accompanied by a heritage impact statement prepared by a suitably qualified heritage expert justifying the appropriateness of the built form of the comprehensive new development, including specific reference to the impact of the proposed podium height and building height, and proposed materials on the heritage place.</p>	<p>The applicant has not submitted a heritage impact statement. It is considered that a heritage impact statement is not required for the scale of the development proposed. A heritage impact statement was not requested by the Heritage Council.</p>
<p>7.2 The Design Review Panel shall consider the appropriateness of the development to the adjacent heritage places.</p>	<p>The Design Review Panel chair review was supportive of the proposed development.</p>

<p>7.3 Development shall ensure a visual connection between the heritage places/buildings on the site is maintained.</p>	<p>Whilst the proposal will have a minor impact on the values of the heritage place, the proposed awning is a freestanding structure which will assist in ensuring the visual connection to the heritage building is maintained.</p>
<p>7.4 In the case of a development which includes additions or alterations to a heritage place the proposed additions or alterations shall retain, re-use and maintain the heritage values of the existing heritage place.</p>	<p>The proposed awning is constructed of bronze powder coated steel columns and polycarbonate grey roof sheeting, which is inconsistent with the materiality of the heritage building, being a steeply pitched roof and striated style of detailing contrasting red brick with white stucco bands.</p> <p>Notwithstanding, the proposed use of materials that are considered visually compatible but distinguishable from the original building is supported.</p>
<p>Design Quality</p> <p>8.1 The architectural design of any proposed development must be exemplary, sensitive and sophisticated and must contribute to the high quality of the inner urban environment being promoted in the locality, as defined by any policy or guidelines of the Commission relating to architectural design quality.</p>	<p>The proposal was considered against the relevant design principles contained within State Planning Policy 7.0 – Design of the Built Environment (SPP 7.0).</p> <p>In respect to the proposed awning, the scale and height of the development is appropriate to its setting and has responded to the heritage value of the place.</p> <p>In respect to the proposed landscaping, SPP 7.0 encourages outdoor spaces that are designed with people in mind, which should be attractive and comfortable, offering opportunities for people to meet and socialise, bringing vitality and identity to a place.</p>

Landscape Area	
<p>10.1 Landscaping of not less than 40% of the site area shall be provided as part of new development. Landscaping shall include in-ground landscaping comprising shade trees and living plants at ground level, planting on walls, landscaping on the roof of the podium and rooftop terraces or gardens as shall be assessed in accordance with the R-Codes.</p>	<p>This requirement relates to the entire Civic Heart site which provided landscaping as part of its development.</p> <p>The proposal involves the removal of one tree which is not a 'Regulated Tree' in accordance with Local Planning Policy 3.2 – Tree Retention.</p> <p>Given the site constraints it is not feasible to plant an equivalent replacement tree on site, however the landscaping area will be retained beneath the patio awning as a feature of the alfresco area.</p>

ACR2 – Land subject to the South Perth Activity Centre Plan

For the purposes of assessment against ACR2, the proposed patio is considered to be an addition that is outside of the approved building envelope and ACR2 applies. However, many of the ACR2 requirements are not applicable as they are covered in ACR1 as outlined above. In considering the proposal against ACR2 requirements it is noted the development complies with the following:

- The increase in 34m² of net lettable area (NLA) associated with the enclosure of the northern alfresco does not require any additional car parking or bicycle bays.
- The proposal provides clear transparent glazing to the northern alfresco and the proposed patio maintains passive surveillance and an active street frontage.

It is considered that the proposal aligns with the objectives for the Mends character area of the South Perth Activity Centre Plan and the proposal is considered to comply with the requirements of ACR2.

Local Planning Policy 8.1 - Heritage Conservation and Development (LPP 8.1)

The purpose of this policy is to provide guidance on the assessment of proposals for development affecting heritage-protected places.

LPP 8.1 provides assessment criteria with respect to alterations and additions to existing buildings, relating to ensuring the additions respect and do not adversely impact the predominant scale of the heritage-protected place, use materials that are visually compatible but distinguishable from the original building and do not result in removal of significant or original fabric from the heritage-protected place. The proposal is considered to comply with the requirements of LPP 8.1.

7.0 Conclusion

The development proposal is consistent with the local planning framework as discussed in the body of the report. The development is of a scale and design which is also consistent with the existing and desired future development within the locality and is not considered to compromise the values of the heritage-protected place.

Accordingly, subject to the inclusion of appropriate conditions, the application is recommended for conditional 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

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

10.3.4 (a):	Development Plans
10.3.4 (b):	Acoustic Report
10.3.4 (c):	Aerial and Location Plan
10.3.4 (d):	Schedule of Submission
10.3.4 (e):	Heritage Council Comments
10.3.4 (f):	Design Review Panel Chair Review

Councillor Kathy Lees disclosed an Impartiality Interest in Item 10.3.5.

10.3.5 Tree Damaging Activity to a Regulated Tree - Lot 42 (No.20) Karoo Street, South Perth

Location: Lot 42 (No. 20) Karoo Street, South Perth
Ward: Mill Point Ward
Applicant: Katherine and Simon Woods
Owner: Katherine and Simon Woods
File Reference: D-26-4162
DA Lodgement Date: 27 January 2026
Reporting Officer(s): Donna Shaw, Director Development and Community Services
Liz Ledger, Chief Executive Officer
Previous Reference: Nil.
Delegation: DC690 – Local Planning Scheme No.7
Council Role: Quasi-Judicial

Summary

The purpose of this report is for Council to consider a development application for proposed Tree Damaging Activity to a Regulated Tree at Lot 42 (No.20) Karoo Street, South Perth.

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

Officer Recommendation AND COUNCIL DECISION

0226/016

Moved: Councillor Kathy Lees
Seconded: Councillor Tim Houweling

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 Tree Damaging Activity to a Regulated Tree on Lot 42 (No.20) Karoo Street, South Perth, **be approved** subject to the following condition:

1. One tree must be planted on site. The tree must be a minimum of 2.0m high and 100-litre pot size at the time of planting and both the tree, and the tree growth zone, must be retained and maintained to the satisfaction of the City of South Perth.

CARRIED (8/0)

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

Against: Nil.

1.0 Details

Metropolitan Region Scheme - Zone/Reserve	Urban
Local Planning Scheme - Zone/Reserve	Residential
Activity Centre Plan	N/A
Activity Centre Land Use Designation	N/A
Use Class and Permissibility	N/A
Lot Size	860m ²
Existing Land Use	Single House
Heritage	N/A
Bushfire Prone Area	No

2.0 Proposal

Tree Damaging Activity to the tree has been undertaken, which is further discussed in the Background section of this report. The landowner was requested to submit a development application on 23 January 2026, which was subsequently submitted on 27 January 2026 and accepted by the City on 2 February 2026, following receipt of required information.

The applicant seeks approval to undertake further Tree Damaging Activity to a Regulated Tree, specifically, removal of the remainder of the Lemon-scented gum (*Eucalyptus citriodora*). Details are as follows:

- The tree had a height of approximately 25.0m and a circumference of approximately 382cm, measured 1.4m above the ground. Previous aerial imagery indicates a canopy diameter of approximately 15.0m.
- The City does not consider the tree is included on a State or local area weed register; and
- The tree is located at the rear northern portion of the site, adjacent a right-of-way.

Photographs of the tree are contained as **Attachment (a)**. The applicant has submitted an Arborist Report in support of the application as contained as **Attachment (b)**, which was based on the premise of imminent and severe risk to public safety, buildings, infrastructure, and the surrounding environment, as well as supporting information contained as **Attachment (c)**.

The City engaged an arborist to peer review the report, the advice of which is contained as **Attachment (d)**.

3.0 Background

Planning Context

A decision from the State Administrative Tribunal (SAT) has confirmed development approval can be sought for tree removal on the basis that such removal is 'works' for the purposes of the *Planning and Development Act 2005* (the Act), however, the SAT found that the question of whether the felling of a tree constitutes 'works', and is thus 'development', is always context dependent, and that in a residential context, *de minimis* arises for consideration as to whether an application for development approval should be sought.

Council's adopted Local Planning Policy 3.2 – Tree Retention clarifies the circumstances in which a development application and approval is required for any Tree Damaging Activity and guides the assessment of these applications and other planning proposals.

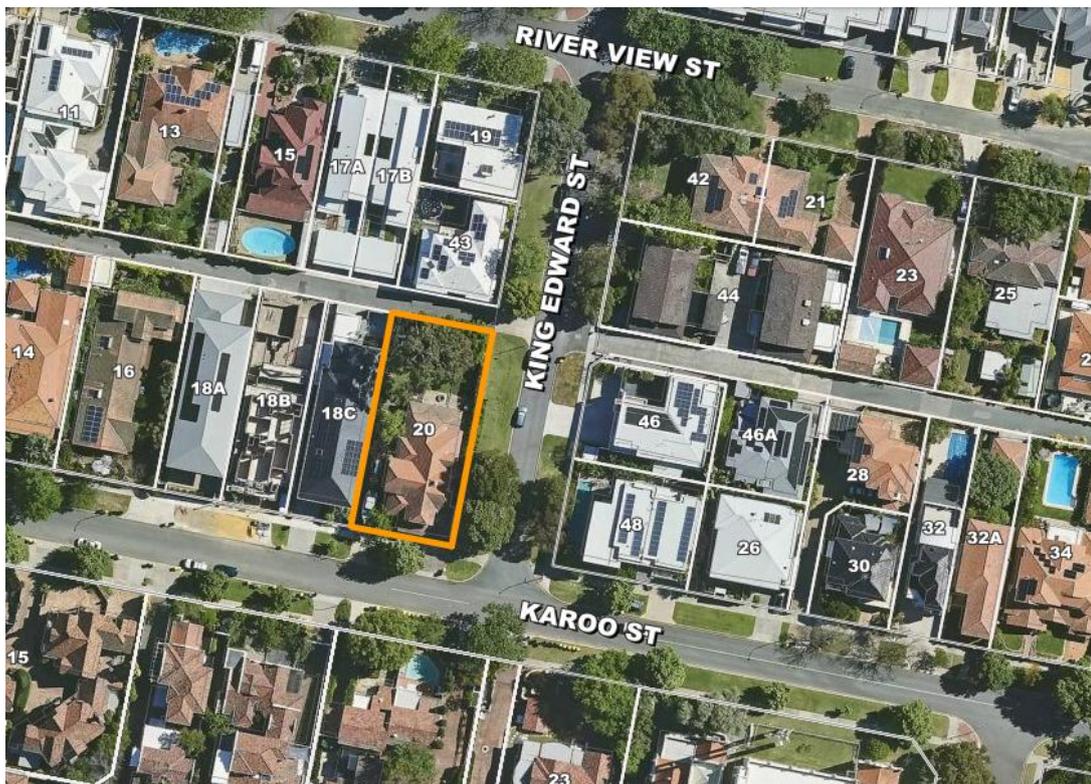
Whilst the applicant is of the opinion that the tree meets the exemption criteria contained within the Policy, the City considers the tree the subject of the application meets the definition of a Regulated Tree.

Site Context

The subject site is zoned 'Residential R25' under Local Planning Scheme No.7 with a site area of 860m².

The site is on the corner of Karoo Street and King Edward Street. The immediate locality is characterised by single houses and mature street trees.

An aerial image depicting the site within its context is provided below:



Planning Compliance

The property was recently sold, and notification of the requirements of Local Planning Policy 3.2 – Tree Retention (LPP 3.2) was included on the property enquiry dated 20 November 2025 provided by the City as part of settlement.

On 13 January 2026, the City received notification from a member of the public that a tree on the site was being removed.

The City attended the site shortly thereafter and advised the contractor to cease all removal and pruning works as the tree was considered to be a Regulated Tree in accordance with LPP 3.2. At this point, only the trunk of the tree remained, and all canopy has been removed.

The remainder of the tree is still considered to be a Regulated Tree for the purposes of LPP 3.2 and as such, development approval is required prior to any further Tree Damaging Activity (removal) occurring. The landowner subsequently lodged an application for development approval which forms the basis of this report.

It should be noted that a subsequent grant of 'retrospective' development approval does not negate or preclude a prosecution which relates to development being carried out prior to the grant of development approval as detailed below:

- Sections 164(1) of the Act provides that a responsible authority may grant its approval under a planning scheme for development already commenced or carried out.
- Section 164(3) of the Act provides that this provision does not affect the operation of the provisions of Part 13 of the Act (which comprises the relevant enforcement and penalty provisions) in respect of development commenced or carried out before approval has been granted.
- Whilst section 164(4) provides that *"development which was unlawfully commenced or carried out is not rendered lawful by the occurrence of any subsequent event except the approval by the relevant responsible authority of that development"*, the matter of whether unlawful development is rendered lawful but subsequent approval has been granted, has previously been considered by the Magistrates Court, which found that 'retrospective' approval did not negate prosecution proceedings.

As such, the City could commence enforcement for the Tree Damaging Activity that has occurred to date. No decision of Council is required in this respect.

4.0 Legislation and Policy

Legislation

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Local Planning Scheme No.7 (LPS 7)

Local Planning Policies

Local Planning Policy 3.2 – Tree Retention

Local Planning Policy 6.1 – Advertising of Planning Proposals

5.0 Consultation and Referrals

Public Consultation

Local Planning Policy 6.1 – Advertising of Planning Proposals requires standard development applications to be advertised for 14 days to properties in the vicinity that may be affected unless discretion is exercised by the City to increase or reduce the consultation radius.

Public consultation has not been undertaken as the Tree Damaging Activity had occurred prior to the application being lodged. The site is located on a corner, and the tree does not overhang or encroach on adjacent private property.

Department of Primary Industries and Regional Development

The applicant considers the tree is a weed species and meets the exemptions prescribed in LPP 3.2 on the basis of being contained on a State or local weed register.

The City sought advice from the Department of Primary Industries and Regional Development (DPIRD) as to whether the species *Corymbia citriodora* is a weed on a *weed register*, and the status of the document 'CRC for Australian Weed Management – the Introduced flora of Australia and its weed status' (CRC).

DPIRD advised that the legal status of *Corymbia citriodora*, as assessed under the *Biosecurity and Agricultural Management Act 2007* and as listed in the Western Australian Organism List (WAOL), is permitted, and that WAOL is a legal database.

The City sought further clarification as to the above and DPIRD advised that whilst the species is a weed, it is permitted and is not on a weed register. Further, DPIRD advised that the CRC is a compendium of introduced and native plants and a botanical description of weed potential. It is not a legal database. A copy of the advice from DPIRD is contained as **Attachment (e)**.

6.0 Assessment

Planning and Development (Local Planning Schemes) Regulations 2015

In considering an application for development approval, the local government is to have due regard to the matters listed in Clause 67(2) of the Deemed Provisions to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application. The matters relevant to this proposal and the City's response to each consideration are outlined in the table below:

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 inconsistent with the aim of LPS 7 to protect and enhance the natural environment by maintaining biodiversity, protecting and increasing tree canopy, and reducing urban heat island effects.
(g) Any local planning policy for the Scheme area.	The proposal is inconsistent with provisions of LPP 3.2 as detailed in this report.
(n) the amenity of the locality including the following – (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development.	The Tree Damaging Activity undertaken to date has had an adverse impact on the amenity and character of the locality given the tree was visible and positively contributed to the streetscape and amenity of the locality. The remaining tree trunk is not considered to positively contribute to the amenity of

	the locality, however, could still provide environmental benefit.
(o) The likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource.	The removal of the tree would have an adverse impact on the environment.
(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.	Should Council approve the proposal, a condition of development approval is recommended requiring the planting of a replacement tree on the site to provide additional landscaping on the site.
(x) The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals.	The City considers that the Tree Damaging Activity that has already occurred to the tree has adversely impacted the community given the tree's visual prominence in the locality.

Local Planning Policy 3.2 – Tree Retention

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

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

The proposal is compliant with LPP 3.2 except for the following:

Requirement	Assessment
<p>Objectives</p> <p>4.2 Prioritise the retention, protection, and the provisions of trees on private land and adjacent reserves in the planning process.</p>	<p>The removal of the tree does not prioritise the retention, protection and the provisions of trees on private land.</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>No development application or building permit applications have been submitted for other development/ works on the site.</p>
<p>4.4 Preserve and enhance neighbourhood amenity, character and sense of place.</p>	<p>The City considers that the Tree Damaging Activity that has already occurred to the tree has adversely impacted the neighbourhood amenity, character and sense of place given the tree's visual prominence in the locality.</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>The removal of the tree will not mitigate the urban heat island effect, reduce air pollution, improve ground water quality or contribute towards biodiversity and does not have any environmental 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>(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>(c) In the opinion of the City, the redesign of the development to</p>	<p>In respect to whether the tree should be preserved, the applicant's Arborist Report provides that in respect to the structure and form of the street, the tree was severely compromised due to past pruning and trunk failure. Further, the tree had been previously lopped/pruned unprofessionally, with an estimated loss of up to 50% or more of total canopy mass.</p> <p>The City engaged an arborist to peer review the report and review the proposal, which concluded that <i>"while the subject tree displayed several features which may have affected structural integrity, potentially to a detrimental level, it is unlikely that the tree posed a serious or imminent threat to the surrounding environment prior to removal."</i></p>

<p>accommodate the regulated tree is unfeasible.</p>	<p>The City sought further advice as to whether the remainder of the tree would pose a safety concern and whether it could regrow. The advice was that the tree likely does not currently pose a safety concern and could be retained and has a good likelihood of surviving. The lifespan and amenity of the tree would, however, be severely reduced and new branches would require significant ongoing management to maintain good structure and safety. From a best arboriculture practice standpoint, the arborist advised they would usually recommend removal and replacement.</p>
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7.0 Conclusion

The application is inconsistent with the aim of LPS 7 to protect tree canopy, and the objectives and provisions of LPP 3.2.

Notwithstanding, given the extent of Tree Damaging Activity that has occurred, the City considers that the tree no longer positively contributes to the streetscape and the amenity of the locality. Whilst the tree has a good likelihood of surviving, as advised by the independent arborist, the lifespan and amenity value of the tree will be reduced severely, and the tree will require significant ongoing management to maintain good structure and safety.

Consistent with the independent arborist advice, the City is therefore recommending that approval be granted to remove the remainder of the tree and recommends a condition requiring a replacement tree.

Financial Implications

The cost of the independent arborist review was \$900 + GST.

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

Risk Event Outcome	<p>Financial Loss</p> <p>An adverse monetary impact on the City as a consequence of a risk event occurring. A grading is assigned to different levels of potential loss relative to the significance of the impact on the City's ongoing operations and its ability to deliver expected services.</p>
Risk rating	Low
Mitigation and actions	<p>As outlined in the Financial Implications.</p> <p>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.</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: 3.3 Enhanced environment and open spaces
 Strategy: 3.3.2 Enhance the City's urban forest on public and private land

Attachments

- 10.3.5 (a): Tree Photographs
- 10.3.5 (b): Applicant's Arborist Report
- 10.3.5 (c): Applicant's Supporting Information
- 10.3.5 (d): Independent Arborist Review
- 10.3.5 (e): Advice from DPIRD

10.3.6 Rivers Regional Subsidiary - Waste to Energy Contract Amendment

File Ref: D-26-4163
Reporting Officer(s): Anita Amprimo, Director Infrastructure Services

Summary

To present to Council for endorsement a revised Waste to Energy Waste Supply Agreement (**WSA**) which has been endorsed by Rivers Regional Subsidiary.

Officer Recommendation AND COUNCIL DECISION

0226/017

Moved: Councillor André Brender-A-Brandis
Seconded: Councillor Kathy Lees

That Council authorises the execution by the Mayor and Chief Executive Officer, (including application of Common Seal) of the Deed of Variation No 3 Kwinana Waste to Energy Waste Supply Agreement, as contained at **Confidential Attachment (a)**.

CARRIED BY EXCEPTION RESOLUTION (8/0)

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

Against: Nil.

Background

The City was originally a member of the Rivers Regional Council (**RRC**) which was created under the *Local Government Act 1995*. Its members were the Cities of South Perth, Armadale, Gosnells, Mandurah, and the Shires of Murray and Serpentine-Jarrahdale. The RRC made decisions relating to strategic waste management issues. It had the responsibility for planning long-term waste management strategy, identifying issues associated with waste management and lobbying on behalf of the six member Councils in the general field of waste management.

As detailed in the report to Council on 28 February 2023, Council resolved at its meeting held 28 May 2019 to approve the wind up of the RRC and support its transition to the Rivers Regional Subsidiary.

The Rivers Regional Subsidiary (**RRS**) comprises of the former members of the Rivers Regional Council. The City of Canning continues as a Participant to the Agreements however is not a member of the Rivers Regional Subsidiary.

As a member of the RRS the City is party to the following two agreements:

- Waste Agreement for the Waste to Energy Plant; and
- Participants Agreement.

In January 2024, the Waste to Energy plant transferred ownership from Avertas to Acciona and shortly after the facility was renamed - Kwinana Energy Recovery (**KER**) in alignment with the State Government Waste Strategy.

In November 2024 a transformer explosion triggered a request by Acciona to extend Practical Completion of the KER facility to 16 July 2025. This presented an opportunity for the parties to renegotiate elements of the WSA and review the operational effectiveness and workability of the current contract.

The amendments to the WSA will be affected by a deed of variation which amends and restates the WSA, amends the PA and amends the Direct Deed in a single document.

Comment

Following those negotiations, the RSS is endorsing to its members attachment (a), *Waste to Energy Waste Supply Agreement – Amendment No 3*. This revised agreement is a significant reduction, from the prior agreement of committed tonnes of Waste that the City (and other RRS members) had to contractually deliver to the KER over the course of the agreement:

The total committed tonnes for all RSS members are reduced to:

- 186,000t p/a for 2025/2026 for a period of four years until 2028/2029;
- 192,850t p/a in 2029/2030;
- then annually escalate at 1.5% for 16 years; and
- then 0% for the final five years.

This provides a reduction of 820,676 tonnes over the life of the WSA as shown below:

- City of Armadale - 169,557 tonnes.
- City of Gosnells - 157,290 tonnes.
- City of Mandurah - 237,681 tonnes.
- Shire of Murray - 35,015 tonnes.
- Shire of Serpentine Jarrahdale - 39,152 tonnes.
- City of South Perth - 32,285 tonnes.
- City of Canning - 149,087 tonnes.

The risk of waste shortfall is reduced with the reduction of committed tonnes for each participant. The changes represent a concession totalling approximately \$127,000,000 (based on 2025/2026 rates) for the WSA participants over the life of the 25-year WSA.

Other amendments to the WSA are as follows:

- Revised Committed Tonnage Profile at a group level only under the WSA with the exclusivity obligation remaining and the individual participant commitments managed via the Participants Agreement (PA).
- The Services Commencement Date is 1 July 2025, with the PC date extended by agreement to 30 June 2025. The term of 25 years will commence on and from the Services Commencement Date.

10.3.6 Rivers Regional Subsidiary - Waste to Energy Contract Amendment

- Strengthening of the position to place an onus on RRS to work towards retaining control of Food Organics and Garden Organics (FOGO) residuals and deliver the residues/rejects/contaminated material from (Yellow Lid) Dry Mixed Recycling (via a Material Recovery Facility) or (Green Lid) Organics Bin, to KER, if it is economically viable.
- FOGO or Garden Organic (GO) transitions would be staggered between the local governments and forecasts would be provided to KER to avoid any significant and unplanned changes in waste volumes being supplied.
- If FOGO or GO initiatives are unsuccessful, then KER will ensure capacity to re-introduce this within the residual stream to avoid organic material going to landfill.
- KER and RRS would jointly develop positive external communications regarding the contractual evolution to meet the continuing needs of local governments while providing long term support and commitment to the success of Energy Recovery in WA.
- Removal of all discount mechanisms previously negotiated, except Delay Costs.
- An agreed “hold action” letter was executed in June 2025- to allow the contract amendment process to proceed beyond the Services Agreement Commencement Date.
- The commissioning regime and related concepts (e.g. Commissioning Fee, Commissioning Shortfall Fee etc.) has been stripped out of the agreement as they are no longer required.
- The concept of Optional Waste has been deleted and replaced with Waste Arising and consequential changes made. Wastes Arising are all wastes collected and owned by or on behalf of the Participants that exceed the Committed Wastes.
- The Principal is required to provide a Wastes Arising Forecast, being an estimate of the Wastes Arising that may be delivered over a period of five years, which is to be incorporated into the Waste Delivery Plan.
- In the event the parties cannot agree on the Waste Delivery Plan for the upcoming Financial Year, the Waste Delivery Plan will include an amount up to maximum quantity of 150% of the relevant Committed Waste.

Consultation

Waste to Energy Contract Amendment No 3 was considered and endorsed by the RRS Board with a simple majority.

Legal advice was obtained by the RRS to assist with obtaining a mutually agreeable contracted outcome with Acciona.

Policy and Legislative Implications

Nil.

Financial Implications

The amended WSA provides an overall reduction of 820,676 committed tonnes over the 25-year term of the contract. This represents a 13.2% reduction and consequently a significant reduction in financial risk for the participants.

The committed tonnes for the City have reduced from 318,360 tonnes to 286,075 tonnes. This will realise a saving of \$5,000,000 (2025/2026 rates, unindexed) over the term of the WSA contract based on forecast penalties that could have applied if the City did not deliver the contracted waste tonnages.

There is no change to the gate fee escalation clause, that is, the cost per tonne of waste will not change from the previous amendment.

Key Risks and Considerations

Risk Event Outcome	Financial Loss An adverse monetary impact on the City as a consequence of a risk event occurring. A grading is assigned to different levels of potential loss relative to the significance of the impact on the City's ongoing operations and its ability to deliver expected services.
Risk rating	Low
Mitigation and actions	The Endorsement of the Deed of Variation No 3 Kwinana Waste to Energy Waste Supply Agreement will reduce financial risk to the City by reducing the tonnage commitments.

Strategic Implications

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

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

Attachments

- 10.3.6 (a): Deed of Variation No 3 Kwinana Waste to Energy Waste Supply Agreement (*Confidential*)

10.4 STRATEGIC DIRECTION 4: LEADERSHIP

Mayor Greg Milner and Councillors Kathy Lees, Hayley Prendiville and Jacqueline Raison disclosed an Impartiality Interest in Item 10.4.1.

Councillor Blake D'Souza left the meeting at 10.03pm, and returned at 10.05pm during consideration of Item 10.4.1.

10.4.1 Royal Perth Golf Club Inc. Stage 3 Works

File Ref: D-26-4164
Reporting Officer(s): Bree Websdale, Director Corporate Services
Liz Ledger, Chief Executive Officer

Summary

For Council to consider the Royal Perth Golf Club Inc request for approval of Stage Three Works on Crown Reserve 10250.

Moved: Councillor Kathy Lees
Seconded: Councillor André Brender-A-Brandis

That Council defer Item 10.4.1 Royal Perth Golf Club Inc. Stage 3 Works to the Ordinary Council Meeting to be held 24 March 2026.

Reasons

I don't think it was so much about the accuracy of the advice provided in by the administration. I think there is a real question around the number of trees that are being removed, the percentage of canopy cover, whether this application is actually a reduction, or an increase in the number of trees being removed. There seems to be a lot of confusion around that, which is not clearly explained in the Administration's report.

LOST (3/5)

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

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

Alternative Motion

Moved: Councillor Kathy Lees
Seconded: Councillor Jacqueline Raison

That Council:

1. Does not consent to the Royal Perth Golf Club's application dated 27 January 2026 (as shown in **Attachment (d)**) for the Stage 3 Works on Crown Reserve 10250, pursuant to clause 6.3 of the Lease with the City of South Perth; and

2. Requests the Chief Executive Officer to advise the Royal Perth Golf Club that Council would be prepared to consider an alternative Stage 3 proposal that:
 - prioritises the retention of large, healthy trees and the associated habitat, ensuring that removal is considered only as a last resort, consistent with the Council’s strategic framework, including relevant strategies; and
 - seeks to address safety concerns through methods other than tree removal wherever possible.

Reasons for Change

While it is acknowledged that the Royal Perth Golf Club has revised its proposal and engaged openly with the Council, the extent of tree removal still proposed remains inconsistent with community expectations and the Council’s environmental commitments. The removal of 39 mature trees— and more when clumped species are counted individually—represents a significant and irreversible loss of canopy that provides amenity, cooling, climate change mitigation, habitat, enhanced air quality, and biodiversity benefits plus more that cannot be replicated by new plantings for many decades.

The Council’s Strategic Community Plan requires the Council to respect and value the natural environment, including maintaining and improving biodiversity and enhancing the City’s urban forest. The Council’s Urban Greening Strategy specifies that it applies to City-owned and managed land, and under its “Protect” pillar it states clearly that tree removal should be a last resort. To disregard either document would be to disregard the very policy framework designed to guide responsible decision-making.

These strategic documents are relevant considerations when Council is asked to exercise its discretion under the lease, even if they are not expressly referenced within it. Clause 4.5 of the lease also reflects the City’s longstanding intention to protect significant trees on the site—an intention that remains relevant despite the Minister for Planning’s 2024 decision to abolish the Significant Tree Register. In my mind, that decision does not mean that that clause is now entirely devoid of content or meaning. The clause clearly demonstrates that, at the time the lease was approved, the Council had a genuine interest in safeguarding trees on the golf course, and we should be mindful of that. We also need to be mindful that the Council’s policy context has shifted significantly, and that our understanding of what constitutes a significant tree is now more stringent than it was when the lease was approved.

The City administration’s report states that the Urban Greening Strategy is not a matter arising under the lease and therefore does not require consideration. While the Strategy is made applicable by the lease, I think it is unreasonable to conclude that that renders it irrelevant. When Council is asked to give or withhold consent, it is both reasonable and responsible for it to have regard to its strategic and planning framework and associated documents. Any party entering into a long-term lease with the Council would reasonably anticipate that the Council will act consistently with its own policies. In fact, the Council has a duty to its community to consider relevant planning and environmental matters—many of which cannot reasonably be foreseen or articulated in a 50-year lease. This obligation flows from the identity and role of the lessor as the local government.

It is important to note that a number of the “relevant considerations” identified in the administration’s report are inherently subjective assessments rather than matters of law. Council is not bound to accept those interpretations, nor should it disregard its own policy framework simply because the lease does not expressly reference it. Council should exercise its own judgment, informed by its present environmental responsibilities and community expectations.

The City has noted that the Stage 3 works represent the culmination of the Club’s broader course renewal program under its masterplan for the Reserve. However, the City did not have visibility of Stage 3—or the extent of tree removal—when it approved Stages 1 and 2. Those approvals were made without any understanding that more than 100 trees might ultimately be proposed for removal. It is therefore not appropriate to assume that earlier approvals commit the Council to supporting this stage. Each stage must be assessed on its own merits, and Stage 3 presents impacts that were not previously disclosed or evaluated.

The proposal does not demonstrate that tree removal has been treated as a genuine last resort, and it is not clear that all alternative design responses have been fully explored. While it is acknowledged that we are not experts in golf course design, the site has operated successfully under its existing constraints for decades. Constraints alone do not justify the scale of canopy loss proposed, and it would be appropriate for alternatives to be examined more thoroughly. Options such as landscape screening, tee realignment, path adjustments, strategic bunker placement, pruning, understorey management, or wildlife-friendly netting may offer ways to address safety concerns while retaining more mature trees.

It is acknowledged that the majority of the trees now on the site were planted by the Club over the years, and that contribution is genuinely appreciated. However, the fact that the Club planted these trees does not diminish their current environmental, aesthetic, or community value, nor does it provide grounds for their removal now that they have matured into significant canopy assets.

Furthermore, we now know that the four clumps of *Casuarina cunninghamiana* comprise 69 individual trees. When these are counted accurately, the total number of trees proposed for removal is in fact well over 100. This reinforces the need for a more cautious and environmentally responsible approach.

The Club’s proposed revegetation program is acknowledged and appreciated. Planting in the order of 300 new trees is a positive commitment and will contribute to the long-term health of the site. However, new plantings cannot compensate for the immediate and substantial loss of mature canopy. The environmental, climate, and habitat benefits provided by large established trees take many decades to replace, and the community will bear that loss in the interim. Replanting is important, but it is not equivalent.

The argument that many of the trees are exotic species does not diminish their value to residents, the environment and our wildlife, including Carnaby’s Cockatoos, which rely on exotic species as a food source (including the *Casuarina cunninghamiana*). Mature canopy—regardless of species origin—provides essential environmental and community benefits.

Given the scale of canopy loss, potential alternative approaches, and the City's clear environmental responsibilities, the proposal does not meet the standard of stewardship expected by the community or required by the City's strategic direction.

Notwithstanding this, as a Council we must remain open to consider an alternative Stage 3 proposal that substantially reduces the removal of large, healthy trees and habitat, addressing safety concerns through methods other than tree removal wherever possible.

For these reasons, consent for the Stage 3 Works as currently proposed should not be granted and your support of this alternative motion is requested.

COUNCIL DECISION

0226/018

Moved: Mayor Greg Milner

Seconded: Councillor André Brender-A-Brandis

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

CARRIED (8/0)

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

Against: Nil.

COUNCIL DECISION

0226/019

Moved: Mayor Greg Milner

Seconded: Councillor André Brender-A-Brandis

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 (8/0)

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

Against: Nil.

Alternative Motion**Moved:** Councillor Kathy Lees**Seconded:** Councillor Jacqueline Raison

That Council:

1. Does not consent to the Royal Perth Golf Club's application dated 27 January 2026 (as shown in **Attachment (d)**) for the Stage 3 Works on Crown Reserve 10250, pursuant to clause 6.3 of the Lease with the City of South Perth; and
2. Requests the Chief Executive Officer to advise the Royal Perth Golf Club that Council would be prepared to consider an alternative Stage 3 proposal that:
 - prioritises the retention of large, healthy trees and the associated habitat, ensuring that removal is considered only as a last resort, consistent with the Council's strategic framework, including relevant strategies; and
 - seeks to address safety concerns through methods other than tree removal wherever possible.

LOST (3/5)**For:** Councillors André Brender-A-Brandis, Kathy Lees and Jacqueline Raison.**Against:** Mayor Greg Milner, Councillors Blake D'Souza, Tim Houweling, Hayley Prendiville and Bronwyn Waugh.

During debate on the Item, Councillor Bronwyn Waugh foreshadowed the Officer Recommendation.

Officer Recommendation AND COUNCIL DECISION**0226/020****Moved:** Councillor Bronwyn Waugh**Seconded:** Councillor Hayley Prendiville

That Council approves the Royal Perth Golf Club Inc's application dated 27 January 2026 (as shown in **Attachment (d)**) for the Stage 3 Works on Crown Reserve 10250, pursuant to clause 6.3 of the Lease with the City of South Perth. The approval is subject to:

1. The Royal Perth Golf Club Inc's carrying out the agreed revegetation activities in accordance with the Vegetation Management Plan as a condition of consent under clause 6.3 of the Lease. This includes the planting of a further 8,000 trees and shrubs in 2028-2029 in the Melville Parade Corridor.
2. The Royal Perth Golf Club Inc to keep records of the agreed revegetation activities and to provide a written report to the City of South Perth upon reasonable request and at the end of each financial year.

CARRIED (5/3)

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

Against: Councillors André Brender-A-Brandis, Kathy Lees and Jacqueline Raison.

Background

The City is the relevant management body of Reserve 10250, a class C Crown Reserve comprising Lot 1162 on Deposited Plan 220915 in Certificate of Crown Land Title Volume LR3116 Folio 857 and more commonly known as Royal Perth Golf Club.

The management order (J106947) gives the City the power to lease the Reserve for 50 years, subject to the prior written consent of the Minister for Lands under section 18 of the *Land Administration Act 1997*.

The current purpose of the Reserve is public recreation, and it has historically been leased to the Royal Perth Golf Club Inc. (RPGC) for use as an 18-hole golf course.

RPGC's adjoining clubhouse is situated on a parcel of land adjoining the Reserve (Lot 1 on Diagram 73690 in Certificate of Title Volume 1838 Folio 606) which is owned in freehold by RPGC.

On 29 April 2004, the City in its capacity as lessor and the RPGC entered into a lease of the whole of the Reserve for a term of 50 years commencing on 1 July 2004 and expiring on 30 June 2054 (**Lease**).

The City had prior to this leased the Reserve to the RPGC for the purposes of *Golf Club* by a deed dated 24 July 1987 for a period ending on 31 December 2010. The 1987 lease was surrendered upon commencement of the 2004 lease.

On 24 December 2024, the City provided its consent to RPGC for the Stage 1 and Stage 2 works on the Reserve, as shown on **Attachment (a)**.

Stage 1 was undertaken in 2024 and involved renovation works to the 1st, 2nd, 3rd, 4th and 16th greens.

Stage 2 was undertaken in 2025 and involved renovation works to the 7th, 8th, 13th, 14th, 18th and 19th greens and the Short Game Practice Green.

On 11 February 2025, the Department of Lands and Heritage advised the RPGC:

“As we discussed and previously advised, the golf course land is Crown land reserved Parks and Recreation - restricted public access under the Metropolitan Region Scheme (MRS) and any development would typically require approval by the Western Australian Planning Commission (WAPC) under Clause 16 of the MRS. Some minor works may not meet the threshold for “development” as defined in the Planning and Development Act 2005 and, therefore, do not require approval under the MRS. There is an element of degree before works or land use reach the stage of being “development”. We consider matters such as scale, consistency with the MRS reserve and any relevant policies, the location of the land and adjacent uses and potential impacts on local amenity.

The proposed upgrades and alterations are part of the golf course on-going land use and, I understand, are approved by the City of South Perth as management body of the Crown reserve. After considering all factors, I can advise that the proposed works (as attached) are unlikely to have regional implications that would concern the WAPC in the context of the MRS.

10.4.1 Royal Perth Golf Club Inc. Stage 3 Works

Therefore, on this basis a development application is not required under the principles of 'de minimis' (minor requiring no regional oversight). The WAPC has taken this approach on similar matters, however, it remains up to the club as to whether it is also comfortable with this approach."

On 20 October 2025, RPGC requested the City's written consent under the Lease at **Attachment (b)**, to proceed with the Stage 3 works on the Reserve which comprised of:

- (a) replacement, removal and repositioning of various greens and tees;
- (b) the relocation of the maintenance driveway to a new position approximately 100m south, opposite the Glyde Street Labouchere Road intersection; and
- (c) the removal of 76 mature trees.

On 27 November 2025, the RPGC wrote to the City regarding the Stage 3 works, at **Attachment (c)**.

On 27 January 2026, the RPGC provided a letter to the City with an amended proposal for the Stage 3 works at **Attachment (d)**, which amongst other changes, reduced the number of trees proposed to be removed from 76 to 39.

Comment

The RPGC accepting the advice of the Department of Lands and Heritage, has not lodged a development application.

The RPGC is seeking the consent for the Stage 3 works pursuant to their Lease with the City. Consent is sought pursuant to clause 6.3 and 1.2.3 of the Lease. Consent is not required pursuant to clause 4.5 of the Lease.

Clause 6.3 of the Lease provides:

*"6.3 Alterations and Improvements
The Golf Club must obtain the written consent of the City before:
6.3.1 making any major alterations or improvements to the Reserve
6.3.2 installing any major fixtures or equipment in or on the Reserve."*

Clause 1.2.3 of the Lease provides the City cannot unreasonably withhold its consent to the request:

"Unless expressly stated otherwise in this Agreement, where the Golf Club is required to do something to the satisfaction of the City, or requires the consent of the City before doing something, the City will exercise its discretion on the requirement in a manner that is reasonable in all circumstances. "

The law requires that each party (to a lease) to do all that is reasonably necessary to secure performance of the lease (*Masters Home Improvement Aust Pty Ltd v Aventus Cranbourne Thompsons Road Pty Ltd* [2019] VSC 428).

When considering whether to approve the Stage 3 Works, the following are considered relevant considerations for Council's consideration:

1. The golf course land is Crown land reserved Parks and Recreation.
2. The Stage 1 and 2 Works were approved by the City and have been undertaken by RPGC. The Stage 3 Works form a necessary component of and represent the culmination of the wider comprehensive course renewal program developed by RPGC under its masterplan for the Reserve.

10.4.1 Royal Perth Golf Club Inc. Stage 3 Works

3. The Stage 3 Works are consistent with the permitted use under the Lease and the current reserve purpose of Public Recreation.
4. RPGC have advised that the Stage 3 Works will provide for improved safety and movement of the golf course. A copy of the safety and design improvements are contained in appendix on in **Attachment (b)**, pages 7 to 10.

“Phase 3 represents a critical step in improving on-site safety. Given the property's 33-hectare area with restricted dimensions and boundary constraints, enhanced mitigation of internal and external safety risks is essential to prevent property damage and serious personal injury resulting from errant golf shots. Detailed safety analysis is provided in Appendix One”.

“A primary objective of this project is to mitigate internal and external safety risks. To achieve improved safety outcomes in 2026, it is necessary to redirect play and traffic patterns to alternative areas. To implement these safety improvements, Royal Perth Golf Club seeks the City's written consent to remove specific endemic and non-endemic trees, in conjunction with an extensive replanting program as detailed in our Vegetation Management Plan”.

5. The loss of tree canopy.

The original application was to remove 76 trees/ 5% of the total number of trees on the site. The revised application is to remove 39 trees including 4 clumps of Casuarinas (see page 11 of **Attachment (d)**).

Attachment (b) on pages 11-12, shows the changes between the original and revised application, and shows which trees are now proposed to be retained.

The following are relevant considerations for Council:

- The RPGC does not require the City's consent under the Lease for the removal of any mature trees that have not been entered on the City's Register of Tree Preservation Orders.
- The trees in question are not “significant trees”.
- The majority of the trees that are proposed to be removed are exotic varieties rather than species endemic to Western Australia.
- LPP3.2 and the City's Urban Greening Strategy are not matters or issues that arise under the Lease and therefore do not require consideration.
- The Club has identified approximately 29,000m² of irrigated mown turf that is surplus to golfing requirements. These areas will be turned into naturalised *“native vegetation, comprising ground flora and understorey species that reinstate a native Banksia vegetation community and associated habitat”.*
- The Vegetation Management Plan includes a Revegetation and Enhancement Program as summarised below:

Current Activities 2024–2025	Committed Program by 2028	Committed program in 2028/2029
68 trees planted	308 Trees	Revegetation of Melville Parade corridor including 8,000 additional trees and shrub plantings
500 native shrubs planted <i>(sourced from the City of South Perth Nursery)</i>	8,150 shrubs	
2,100 native wallaby grasses and groundcover plantings established	10,590 native grasses and monocots = 18,982 plantings	

Conditional Approval

The lease does not expressly allow the City to impose conditions when providing its consent under the lease. However, section 50(2)(b) of the *Interpretation Act 1984* (which applies to the lease pursuant to clause 1.2.4) provides where there is a power to grant approval, such power includes the power to impose *reasonable conditions* subject to which the approval may be granted.

The City can impose an obligation on RPGC to carry out the agreed revegetation activities in accordance with the Vegetation Management Plan as a condition of its consent under clause 6.3 of the Lease.

If RPGC fails to carry out the revegetation activities of the type, number and timeframes specified in the Vegetation Management Plan (as required by the condition), the City's consent to the Stage 3 Works becomes invalid and the resulting works carried out under the Stage 3 Works will not be in accordance with clause 6.3 of the Lease.

It would then be open to the City issue a default notice to RPGC for contravention of clause 6.3 (which could lead to the City electing to terminate the Lease in the event that RPGC had not complied with the condition on or before the expiry of that default notice).

Consultation

Elected Members were advised of the proposed Stage Three works in the Councillor Bulletin dated 31 October 2025.

RPGC presented revised plans for the Stage 3 works at an Elected Member Briefing on 29 January 2026.

Elected Members were offered a tour of the golf course by the RPGC to explain the proposed stages on site. Councillors Lee and Raison attended this tour on Tuesday 10 February 2026.

Policy and Legislative Implications

Interpretation Act 1984

Financial Implications

If the RPGC believes that the City has acted unreasonably in withholding its consent, RPGC could seek relief against the City, which could include a declaration that the City has breached clause 1.2.3 in withholding its consent.

Key Risks and Considerations

Risk Event Outcome	Financial Loss An adverse monetary impact on the City as a consequence of a risk event occurring. A grading is assigned to different levels of potential loss relative to the significance of the impact on the City's ongoing operations and its ability to deliver expected services.
Risk rating	Low
Mitigation and actions	If the officer recommendation is followed, then the risk of Litigation is removed.

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): Consent for Stage 1 and 2 Works dated 24 December 2024
- 10.4.1 (b): Request to undertake Stage 3 Works dated 20 October 2025
- 10.4.1 (c): Letter from RPGC dated 27 November 2025
- 10.4.1 (d): Amended Request to undertake Stage 3 works dated 27 January 2026
- 10.4.1 (e): Letter of Advice (*Confidential*)

10.4.4 Meeting Attendance Fees for Independent Committee Members

File Ref: D-26-4169
Reporting Officer(s): Liz Ledger, Chief Executive Officer

Summary

For Council to review the meeting attendance fee payable to independent members of the Audit, Risk and Improvement Committee following a variation to the Local Government Chief Executive Officers and Elected Members Determination No. 1 of 2025.

Officer Recommendation AND COUNCIL DECISION

0226/021

Moved: Councillor André Brender-A-Brandis
Seconded: Councillor Kathy Lees

That Council approves a meeting fee of \$450 for independent committee members of the Audit, Risk and Improvement Committee in accordance with section 5.100 of the *Local Government Act 1995*.

CARRIED BY EXCEPTION RESOLUTION (8/0)

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

Against: Nil.

Background

The Audit, Risk and Improvement Committee (ARIC) is comprised of an independent presiding member and independent deputy presiding member. This structure is in accordance with the proclamation of sections 86 to 90 of the *Local Government Amendment Act 2024* on 1 January 2026.

In 2024, the *Local Government Act 1995* (Act) was amended to provide for independent committee members to receive meeting attendance fees. The Salaries and Allowances Tribunal (Tribunal) annually determines a range of fees and local governments are to set a fee within the range (section 5.100 of the Act).

On 19 March 2024, Council approved a meeting fee of \$305 for independent ARIC members. At the time, this was the maximum payable to independent committee members of a band 2 local government.

Comment

On 19 December 2025, the Tribunal issued a variation to the amount payable to independent ARIC members under the Local Government Chief Executive Officers and Elected Council Members Determination No 1 of 2025 (Determination). The timing of this variation aligns with recent reforms to the Act requiring ARICs to have an independent presiding member and independent deputy presiding member.

Independent ARIC per meeting fees		
Bands	Independent ARIC Member	
1 – 4	Min	Max
	\$105	\$1,215

Prior to the variation, the range set by the Tribunal was \$0 - \$450.

In recognition of the role and contribution of the independent presiding member and deputy presiding member, the City is recommending that Council resolves to increase the meeting attendance fee from \$305 to \$450 per meeting.

Consultation

Nil.

Policy and Legislative Implications

Local Government Act 1995

Salaries and Allowances Tribunal Local Government Chief Executive Officers and Elected Members Determination No. 1 of 2025

Financial Implications

There are sufficient funds within the 2025/26 Governance budget to accommodate the proposed increase to meeting attendance fees.

Key Risks and Considerations

Risk Event Outcome	Legislative Breach Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision-making bodies within the collective organisation.
Risk rating	Low
Mitigation and actions	The City receives email notification from the Salaries and Allowances Tribunal when there is a new Determination or Variation issued.

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.

10.4.7 Listing of Payments - December 2025 and January 2026

File Ref: D-26-4173
Reporting Officer(s): Bree Websdale, Director Corporate Services

Summary

This report presents to Council:

- the list of accounts paid under delegated authority between 1 December 2025 to 31 January 2026.
- purchase card transactions between 1 November 2025 to 31 December 2025.

Officer Recommendation AND COUNCIL DECISION

0226/022

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Kathy Lees

That Council receives the Listing of Payments for the month of December 2025 and January 2026 as detailed in **Attachments (a) and (b)** and notes all payments made by the Chief Executive Officer under Delegation DC602.

CARRIED BY EXCEPTION RESOLUTION (8/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison 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 December 2025 is included in **Attachment (a)** and shows the following payments:

EFT Payments to Creditors	358	\$9,805,063.73
EFT Payments to Non-Creditors	35	\$39,770.43
Cheque payments to Non-Creditors	6	\$5,063.21
<i>Total EFT & Cheque Payments</i>	399	\$9,849,897.37
Credit Card Payments	68	\$17,483.34
Fleet Card Payments	28	\$2,540.21
Total Payments	495	\$9,869,920.92

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

EFT Payments to Creditors	441	\$6,268,371.43
Cheque payments to Creditors	1	\$228.20
EFT Payments to Non-Creditors	44	\$58,260.29
Cheque payments to Non-Creditors	15	\$12,863.31
<i>Total EFT & Cheque Payments</i>	501	\$6,339,723.23
Credit Card Payments	40	\$10,250.23
Fleet Card Payments	30	\$1,988.39
Total Payments	571	\$6,351,961.85

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.

10.4.7 Listing of Payments - December 2025 and January 2026

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

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

10.4.7 (a):	Listing of Payments December 2025
10.4.7 (b):	Listing of Payments January 2026

10.4.8 Monthly Financial Statements December 2025

File Ref: D-26-4174
Reporting Officer(s): Bree Websdale, Director Corporate Services

Summary

To present to Council the Financial Statements for December 2025.

Officer Recommendation AND COUNCIL DECISION

0226/023

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Kathy Lees

That Council notes the Financial Statements and report for this financial year to 31 December 2025, as shown in **Attachments (a)–(i)**.

CARRIED BY EXCEPTION RESOLUTION (8/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison 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 2025/2026 budget, Council determined the material variance reporting threshold as \$10,000 or 10%.

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

- The Consumer Price Index (CPI) inflation was 3.8% for the 12 months to December 2025, compared to 3.4% in the 12 months to November 2025.
- Headline inflation remains higher than the target rate.
- At its 4 November 2025 and 9 December 2025 meetings the Board (RBA) decided to leave the cash rate on hold at 3.60%.
- The RBA Monetary Policy Board released the following statement on the 9 December 2025: *“While inflation has fallen substantially since its peak in 2022, it has picked up more recently. The Board’s judgement is that some of the recent increase in underlying inflation was due to temporary factors and there is uncertainty about how much signal to take from the monthly CPI data given it is a new data series. Nevertheless, the data do suggest some signs of a more broadly based pick-up in inflation, part of which may be persistent and will bear close monitoring.”*
- Banks have been offering improved average interest rates of 4.23% for investments under 12 months.

Comment

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

Category	Variance
Revenue from operating activities	Favourable variance of \$767,523 (\$77,214,364 in comparison to budget of \$76,446,841)
Expenditure from operating activities	Favourable variance of \$128,960 (\$40,215,772 in comparison to budget of \$40,344,732)
<i>Net Operating Position</i> (See Attachment (c))	Favourable variance of \$896,483 (\$36,998,592 is comparison to budget of \$36,102,109)
Capital Revenue	Unfavourable variance of \$303,818 (\$1,379,068, comparison to budget of \$1,682,886)
Capital Expenditure (See Attachment (e))	Favourable by \$4,656,587 (\$6,941,484 in comparison to the budget of \$11,598,071)

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	\$44,217,766 (44.04%)
Reserves	\$56,183,144 (55.96%)
	\$100,400,910.
Total invested (various institutions)	\$98,001,161
Interest earned (as at 31 December 2025)	\$1,937,714

As at 31 December 2025, the City held 33.54% of its investments in institutions that do not provide fossil fuel lending.

Policy and Legislative Implications

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*.

Relates to the City of South Perth 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

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

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

10.4.9 Monthly Financial Statements January 2026

File Ref: D-26-4175
Reporting Officer(s): Bree Websdale, Director Corporate Services

Summary

To present to Council the Financial Statements for January 2026.

Officer Recommendation AND COUNCIL DECISION

0226/024

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Kathy Lees

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

CARRIED BY EXCEPTION RESOLUTION (8/0)

For: Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison 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 2025/2026 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 Consumer Price Index (CPI) inflation was 3.8% for the 12 months to December 2025, compared to 3.4% in the 12 months to November 2025.
- Headline inflation remains higher than the target rate.
- At its 4 November 2025 and 9 December 2025 meetings the Board (RBA) decided to leave the cash rate on hold at 3.60%.
- The RBA Monetary Policy Board released the following statement on the 9 December 2025: *“While inflation has fallen substantially since its peak in 2022, it has picked up more recently. The Board’s judgement is that some of the recent increase in underlying inflation was due to temporary factors and there is uncertainty about how much signal to take from the monthly CPI data given it is a new data series. Nevertheless, the data do suggest some signs of a more broadly based pick-up in inflation, part of which may be persistent and will bear close monitoring.”*

- Banks have been offering improved average interest rates of 4.23% for investments under 12 months.

Financial Statements

The Financial Statements represent the 2025/2026 operations to 31 January 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 \$978,612. (\$78,823,740 in comparison to budget of \$77,845,128)
Expenditure from operating activities	Unfavourable variance of \$19,426 (\$46,430,667 in comparison to the budget of \$46,411,241)
<i>Net Operating Position (See Attachment (c))</i>	Favourable variance of \$959,186 (\$32,393,073 in comparison to budget of \$31,433,887)
Capital Revenue	Unfavourable variance of \$528,712 (\$1,722,561, in comparison to budget of \$2,251,273)
Capital Expenditure <i>(See Attachment (e))</i>	Favourable by \$6,556,871. (\$8,236, 802 in comparison to the budget \$14,793, 673)

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	\$42,115,577
Reserves	\$56,228, 437
	<i>\$98,344,014</i>
Total invested (various institutions)	\$96,576,916
Interest earned YTD (as at 31 January 2026)	\$2,399,931

As at 31 January 2026, the City held 29.35% 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

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

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

ADJOURNMENT

At 11.18pm, following consideration of Item 10.4.1, the Presiding Member moved a motion that the meeting be adjourned to Wednesday 4 March 2026 at 6.00pm, pursuant to clauses 11.1(c) and 11.7 of the Standing Orders Local Law 2007:

COUNCIL DECISION

0226/025

Moved: Mayor Greg Milner

Seconded: Councillor André Brender-A-Brandis

That the meeting now adjourn to Wednesday 4 March 2026 at 6.00pm.

CARRIED (8/0)

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

Against: Nil.

The meeting was adjourned at 11.19pm.

MEETING RECONVENED

DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting adjourned on Tuesday 24 February 2026 at 11.19pm as reconvened on Wednesday 4 March 2026 at 6.00pm. The Presiding Member extended a warm welcome to the Local Government Monitor, Ms Gail McGowan PSM.

ATTENDANCE

Mayor Greg Milner (Presiding Member)

Councillors

Como Ward
Como Ward
Manning Ward
Manning Ward
Mill Point Ward
Mill Point Ward
Moresby Ward

Councillor Kathy Lees
Councillor Bronwyn Waugh (Retired at 6.47pm)
Councillor Blake D'Souza
Councillor André Brender-A-Brandis
Councillor Jacqueline Raison
Councillor Tim Houweling
Councillor Hayley Prendiville

Officers

Chief Executive Officer
Director Corporate Services
A/Director Development and Community Services
Director Infrastructure Services
Manager Customer, Communications & Engagement
Manager Governance
Governance Officer
Governance Administration Officer
Legal and Governance Officer

Ms Liz Ledger (Retired at 6.47pm)
Ms Bree Websdale
Ms Fiona Mullen (Retired at 8.01pm)
Ms Anita Amprimo (Retired at 8.23pm)
Ms Danielle Cattalini (Retired at 8.01pm)
Ms Toni Fry
Ms Jane Robinson
Ms Kira Digwood
Ms Jessica Guy

Guests

Local Government Monitor

Ms Gail McGowan PSM

Gallery

There were approximately four members of the public present.

APOLOGIES

- Councillor Stephen Russell

APPROVED LEAVE OF ABSENCE

Nil.

10.4.2 Delegation DC690 Local Planning Scheme No.7

File Ref: D-26-4166
Reporting Officer(s): Donna Shaw, Director Development and Community Services

Summary

This report presents amendments to Council Delegation DC690 Local Planning Scheme No.7 which are intended to ensure functions in the Planning and Development (Local Planning Schemes) Regulations 2015 are prescribed in delegation for Council oversight.

COUNCIL DECISION

0226/026

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

That Council defer Item 10.4.2 Delegation DC690 Local Planning Scheme No.7 to the Ordinary Council Meeting to be held 24 March 2026.

Reasons

This is an important matter for the City, the scope of this delegation. I appreciate that it is very important that we have the delegation put in place. In most cases, I probably could be in a position to look at the amendment quite quickly but there are a number of things, including the scope of the delegation, particularly on the last page. I have had a look at who this is delegated to, and I would need to look into. In the interest of good governance, it is important that something that is significant is carefully considered and that we have an adequate amount of time to review it.

CARRIED (8/0)

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

Against: Nil.

Officer Recommendation

That Council adopt amended Council Delegation DC690 Local Planning Scheme No.7 as contained in **Attachment (b)**.

Absolute Majority Required.

Background

The *Local Government Act 1995* (the Act) recognises the importance of the demarcation between the administration and the Council, with Council deciding what should be done for the community as a whole, and the administration implementing those decisions.

Essential to good governance is a set of clearly defined, understood and accepted rules for governing the local government. If the rules are properly understood and adhered to, the scope for ignoring or breaching them is reduced.

Separation of the administration and Council is critical, ensuring that good governance is applied to the functioning of both the Council and the administration. Delegations play an integral role in this separation of functions, as it clearly delineates responsibility for determining applications.

Delegated authority refers to the giving or assigning authority to someone to carry out specific activities. Section 5.42 of the Act provides for Council to delegate to the Chief Executive Officer (CEO) the exercise of any of its powers or the discharge of any of its duties under the Act, other than a small number of functions which may not be delegated.

There are several related Acts which authorise the CEO and designated officers to perform specific enforcement functions including those under the *Planning and Development Act 2005* (PD Act). As it relates to planning, the activities typically permitted under delegated authority enable the administration to carry out day to day statutory planning functions, such as determining development applications.

Whilst Council has a strategic oversight role, where there is ineffective delegation, this may result in:

- Additional costs associated with administrative resources (e.g. preparing reports to Council).
- Slower decision making and associated holding costs for applicants.
- Risk of not meeting statutory timeframes for determinations prescribed in the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations).
- Agendas predominantly comprising of individual development applications, as opposed to items related to the strategic vision and aspirations of the local government; and
- Risk that decisions made by Council may not adhere to the requirements of quasi-judicial decision making, which is a requirement in planning decision making.

Notwithstanding, a balance of delegation is required to ensure that Council fulfills its oversight role under Act and therefore it is recommended that Council retains decision making powers for specific types of planning proposals which are deemed to be of significance to the community.

Delegations related to planning functions pertaining to the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) are currently contained under Delegation DC690 - Local Planning Scheme 7 (LPS 7) (DC690) contained as **Attachment (a)**, which were amended by Council at its meeting held 26 March 2024 and further reviewed as part of the Annual Review of Council Delegations at its meeting held 25 March 2025.

The administration is seeking to further amend DC690 as contained in **Attachment (b)**, as discussed in this report.

CommentDelegation DC690 - Local Planning Scheme 7

DC690 currently provides for the exercise of any of the administration's powers or the discharge of any of the administration's duties under the Regulations, 'other than this power of delegation'. The conditions of delegation only relate to matters pertaining to development applications, and the administration seeks to expand the delegations to explicitly prescribe other functions under the Regulations to ensure Council has oversight as to functions being exercised. The administration also seeks to update existing conditions of delegation for clarity and to ensure consistency in application.

The following table outlines the proposed new delegations within DC690 related to other functions in the Regulations:

Matter	Function
Development Applications	<p>The authority to undertake all functions and processes outlined in Schedule 2, Part 7, Part 8 and Part 9 of the Deemed Provisions.</p> <p>These matters relate to functions such as providing written planning advice as to whether a proposal complies with the 'deemed-to-comply' requirements of the Residential Design Codes, accepting an application for development approval, requesting further information from an applicant, advertising a proposal, including consultation with other authorities and consideration and determination of an application by the local government.</p>
Discretion to Modify Development Standards	<p>The authority to modify development standards under clause 34 of LPS 7 unless in the opinion of the Delegated Officer, an application generates significant concern and may negatively impact on the amenity of the locality, the application will be referred to the Council for determination. This clause in LPS 7 requires consideration of planning matters within the Regulations and orderly and proper planning.</p>
Structure Plans	<p>The determination under Clause 17(1) of the Deemed Provisions as to whether a structure plan complies with the requirements of Clause 16(1), or if further information is required before the structure plan can be accepted for assessment and advertising.</p> <p>The advertising of a structure plan under Clause 18(2) of the Deemed Provisions.</p> <p>The provision of advice and assistance to the Western Australian Planning Commission under Clause 23 of the Deemed Provisions.</p> <p>The approval of further details of a structure plan under clause 24(1A) of the Deemed Provisions.</p> <p>The determination that advertising of an amendment to a structure plan is not required, where it is minor in nature, under Clause 29(3) of the Deemed Provisions.</p>

	The preparation of a report and recommendation on an amendment to a structure plan, under Clause 20 of the Deemed Provisions, where it is determined that the amendment is minor in nature and advertising is not required.
Local Development Plans	<p>The determination not to advertise a Local Development Plan under Clause 50(3) of the Deemed Provisions.</p> <p>The determination to require modifications to a Local Development Plan under Clause 52(1)(b) of the Deemed Provisions.</p> <p>The determination to amend an approved Local Development Plan under Clause 59(1) of the Deemed Provisions.</p> <p>The determination to require further details of any development included in the Local Development Plan under Clause 53(1) and Clause 53(2) of the Deemed Provisions.</p> <p>The determination to extend the period of approval of a Local Development Plan, if there are no changes to the terms/content of the plan or the conditions attached to the approval.</p>
Local Planning Policies	The determination to amend a local planning policy without advertising the amendment if, in the opinion of the local government, the amendment is a minor amendment under Clause 5(2) of the Deemed Provisions.
Heritage	<p>The determination under Clause 11 of the Deemed Provisions to require a Heritage Assessment to be carried out prior to the approval of any development proposed in a heritage area or a place on a heritage list.</p> <p>The determination under Clause 12 (1-3) of the Deemed Provisions to vary site or development requirements, subject to undertaking public consultation to preserve the heritage values of a heritage area or a place on a heritage list or on the Register of Heritage Places.</p> <p>The determination under Clause 13 (1-6) of the Deemed Provisions to issue a heritage conservation notice for a place on a heritage list that is not being properly maintained and to give a person who is the owner or occupier of the heritage place a written notice requiring specified repairs to the heritage place, or extend or revoke a notice.</p>

Conditions on Delegation DC690 - Local Planning Scheme 7

Council has the ability to impose conditions of delegation, which otherwise limit the exercise of delegation. For example, whilst the administration may be delegated the power to determine development applications, certain types of land uses could only be determined by Council rather than the administration under delegated authority. This again ensures Council can fulfill its oversight role under the Act and ensure certain applications which may be contentious or of interest of the community can be determined

by Council. The administration is recommending two conditions of delegation related to land use and application type, and advertising as detailed below:

Land Use and Application Type

The granting of Development Approval does not extend to the following land uses and application types:

- (a) Child Care Premises.
- (b) Fast Food Outlet.
- (c) Hotel.
- (d) New Residential Aged Care Facilities.
- (e) Nightclub.
- (f) Place of Worship.
- (g) Residential Building.
- (h) Tavern.
- (i) Telecommunications Infrastructure that is not classified as a low-impact facility under the *Telecommunications Act 1997*.
- (j) Non-residential 'A' uses within the Residential zone, where objections are received during advertising.
- (k) Use not listed.
- (l) Change to a Non-Conforming Use.
- (m) Residential development comprising five (5) or more dwellings.
- (n) Applications which require an assessment of significant obstruction of views in accordance with Local Planning Policy 5.1 – Salter Point Escarpment or Local Planning Policy 7.2 – Significant Views.
- (o) Applications which involve tree damaging activity to a regulated tree in accordance with Local Planning Policy 3.2 – Tree Retention.
- (p) Applications for Heritage Listed properties or within a Heritage Area except where, in the opinion of the delegated officer, the proposal is minor in nature and will not detract from the heritage significance of the place.
- (q) Applications on or involving City owned or managed land by a private entity which propose significant works or a change of land use.
- (r) Applications for illuminated and/ or digital content signage opposite (directly or diagonally) to or adjoining a residential zone.
- (s) Applications previously considered by Council, unless, in the opinion of the Delegated Officer, the application is of a minor nature and in the opinion of the Delegated Officer, the proposal is consistent with the objectives and intent of Local Planning Scheme No.7 and any Local Planning Policy, as well as the principles of orderly and proper planning.
- (t) Development where the requirements of the Local Planning Scheme, State Planning Policies and/or Local Planning Policies have not been complied with except where, in the opinion of the delegated officer:
 - (i) the proposal is consistent with the objectives of the Local Planning Scheme and relevant Policy;

10.4.2 Delegation DC690 Local Planning Scheme No.7

- (ii) the proposal would not have a detrimental impact on the streetscape or any other property; or
- (iii) the variation is minor in nature; or
- (iv) the variation can be overcome by imposing a condition(s) on any development approval granted.

Advertising

Where advertising of the application is required, the granting of Development Approval may only occur where:

- (a) Consent, no objection or no response is received from those consulted; or
- (b) Any objection received can be overcome by imposing a condition(s) on any a development approval granted, or modifying the design of the development; or
- (c) The objection does not relate to valid planning and development considerations associated with the proposal.

Consultation

An Elected Member workshop was held on 3 February 2026 to present and discuss draft delegations.

Policy and Legislative Implications

Local Government Act 1995

Section 5.42 of the Act provides for Council to delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under the Act, other than a small number of functions which may not be delegated.

Planning and Development (Local Planning Schemes) Regulations 2015

In accordance with Schedule 2, Part 10, cl.82. of the Regulations, the local government may, by resolution, delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties under this Scheme other than this power of delegation.

A resolution must be by absolute majority of the Council of the local government.

Financial Implications

Nil.

Key Risks and Considerations

Risk Event Outcome	<p>Business Interruption</p> <p>Incorporates the impact of events which impinge upon the Administration '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> <p>Legislative Breach</p> <p>Refers to failure to comply with statutory obligations in the manner in which the Administration, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.</p>
Risk rating	Low
Mitigation and actions	<p>The administration seeks to ensure planning applications are assessed within statutory timeframes prescribed by the Regulations, including presenting reports to Council where no delegation on the matter is provided.</p> <p>Review of delegations occurs annually.</p>

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):	Current Council Delegation DC690 - Local Planning Scheme No.7
10.4.2 (b):	Draft Delegation DC690 - Local Planning Scheme No.7

10.4.3 Council Member, Committee Member and Candidate Code of Conduct

File Ref: D-26-4167
Reporting Officer(s): Bree Websdale, Director Corporate Services
Liz Ledger, Chief Executive Officer

Summary

Local governments are required to adopt by 1 April 2026 an updated Model Code of Conduct following amendments to the *Local Government (Model Code of Conduct) Regulations 2021*.

This report presents an amended Councillor Code of Conduct for adoption by Council.

Officer Recommendation AND COUNCIL DECISION

0226/027

Moved: Mayor Greg Milner
Seconded: Councillor Kathy Lees

That Council:

1. Adopts the Council Member, Committee Member and Candidate Code of Conduct as contained in **Attachment (a)**.

CARRIED BY ABSOLUTE MAJORITY (8/0)

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

Against: Nil.

Background

On 27 April 2021, Council adopted the Councillor Code of Conduct as required by section 5.104 the *Local Government Act 1995 (Act)* and prescribed by the *Local Government (Model Code of Conduct) Regulations 2021 (Regulations)*. The Code as introduced to guide decisions, actions and behaviours of Council members, committee members and candidates in local government elections.

The Code comprises the following divisions:

1. Preliminary Provisions;
2. General Principles to guide behaviour of Council Members, Committee Members and Candidates;
3. Standards of behaviour which reflect the principles; and
4. Rules of conduct that relate to the principles and behaviours.

10.4.3 Council Member, Committee Member and Candidate Code of Conduct

On 1 January 2026, the Regulations were amended by the *Local Government Regulations Amendment (Local Government Amendment Act 2024) Regulations 2025 (Amendment Regulations)* to provide for the commencement of the Local Government Inspector.

As a result, local governments are required to adopt an updated Model Code of Conduct consistent with the amended Model Code by 1 April 2026. The following are required changes to the Model Code:

- New subclauses 11(4)-(6) requiring the referral of a complaint to the Inspector if the person subject of the complaint has been found on at least 2 previous occasions to have committed a behavioural breach.
- New clause 14A which enables the Inspector to appoint a monitor to assist a local government to deal with matters raised by a complaint.
- New clause 14B which provides that findings on behavioural complaints can be determined by either:
 - The Council; or
 - A Committee comprising of Council Members only authorised for that purpose; or
 - An independent person authorised by absolute majority of Council who is not:
 - A Council Member at any local government;
 - A member of any regional subsidiary;
 - An employee of any local government or regional subsidiary;
 - An employee of WALGA or LG Professionals; or
 - A member of any local government advocacy body.

The new provisions do not apply to complaints made before 1 January 2026.

Comment

Amendments cannot be made to Divisions 2 or 4 of the Code.

Amendments can be made to Division 3 of the Code. This is provided any additions are consistent with the Model Code (s. 5.104(3) of the Act). The administration has reviewed the Code and is suggesting the following insertions to Division 3 to ensure the City aligns with best practice in Work Health and Safety.

The amendments will demonstrate Council’s commitment to Work Health and Safety and to a safe place of work for Council members, committee members and local government employees in connection with the performance of their official duties. The amendments will enhance and promote integrity, transparency and accountability at the City.

Addition	Officer’s Comments
Retitling the document from “Councillor Code of Conduct” To “Code of Conduct for Council Members, Committee Members and Candidates”	This is the title given to the Code by the Regulations, emphasising its application to committee members and candidates as well as Council members.

<p>The addition of paragraph 8(2)(c):</p> <p>A council member or committee member — <i>(c) must ensure they are as informed as reasonably possible about matters relating to their role.</i></p>	<p>To promote informed and responsible decision-making.</p>
<p>Additions at paragraph 9 (as shown in underline):</p> <p>A council member, committee member or candidate —</p> <p>(a) must not <u>intimidate, threaten</u> bully or harass another person in any way; and</p> <p>(b) <u>must not cause a psychosocial hazard or psychological harm to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and</u></p> <p>(c) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and</p> <p>(d) must not use offensive or derogatory language when referring to another person; and</p> <p>(e) must not disparage, <u>belittle and/or denigrate</u> the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and</p> <p>(f) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.</p>	<p>To address conduct that may not amount to bullying or harassment but is unacceptable behaviour.</p> <p>WorkSafe Australia defines psychosocial hazard is anything that could cause psychological harm (e.g. harm someone's mental health).</p> <p>The City is required to eliminate psychosocial risks, or if that is not reasonably practicable, minimise them so far as is reasonably practicable.</p>

<p>Extending Clause 10 to include agenda briefing, concept forum or workshop. It currently only refers to Council or committee meetings.</p>	<p>It is important that the requirements of proper and respectful behaviour apply in all Council business including respect of agenda briefing, concept forum or workshops.</p>
<p>Additions at paragraph 10(a) (as shown in underline):</p> <p>When attending a council or committee meeting, a council member, committee member or candidate —</p> <p>(a) must not act in an <u>intimidating, abusive or threatening manner towards another person; and</u></p>	<p>To address conduct that may not amount to bullying or harassment but is unacceptable behaviour.</p> <p>This insertion mirrors the insertion at clause 9(a).</p>
<p>Additions at clause 10(d) (as shown in underline).</p> <p>(d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings, <u>or any other procedures adopted by council in relation to such meetings</u></p>	<p>To make a connection between the Code and other procedures adopted by Council relating to such meetings i.e. Council Policies and Committee Terms of Reference.</p>
<p>Additions at clause 10(g) (as shown in underline):</p> <p>When attending a council or committee meeting, a council member, committee member or candidate —</p> <p><i>(g) must base decisions on relevant and factually correct information.</i></p>	<p>To promote good governance and responsible decision-making.</p>
<p>Amending clause 10A(2) to require a new council member or committee member to disclose their membership or employment of a political party within 14 days of their election or appointment.</p>	<p>On 24 May 2022, Council amended the Code to insert clause 10A requiring Elected Members and Committee Members to disclose:</p> <ul style="list-style-type: none"> • Membership of a political party; and • Employment of a political party. <p>This addition is to clarify that new council members and committee members are to disclose their association with a political party within 14 days of their election.</p>

The revised Code, with the proposed changes shown in tracking, is provided at **Attachment (a)** for Council's consideration.

Consultation

Nil.

Policy and Legislative Implications

Local Government Act 1995
Local Government (Model Code of Conduct) Regulations 2021
 P630 - Workplace Health and Safety

Financial Implications

Nil.

Key Risks and Considerations

Risk Event Outcome	Legislative Breach This refers to a failure to comply with statutory obligations in the manner in which the City, its officers or Elected Members conduct its business or make decisions and determinations. This embraces a broad spectrum of legal, ethical, and social obligations and responsibilities across all service areas and decision making bodies representing the collective organisation.
Risk rating	Low
Mitigation and actions	Council is required to incorporate the changes from the Amendment Regulations into its Code by 1 April 2026.

Strategic Implications

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

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

Attachments

- 10.4.3 (a):** City of South Perth Code of Conduct for Council Members, Committee Members and Candidates

10.4.5 Metro Inner Development Assessment Panel

File Ref: D-26-4170
Reporting Officer(s): Donna Shaw, Director Development and Community Services

Summary

This report seeks the appointment of an Elected Member to the Metro Inner Development Assessment Panel as an alternate member for the period 27 January 2026 to 26 January 2028.

Officer Recommendation AND COUNCIL DECISION

0226/028

Moved: Mayor Greg Milner

Seconded: Councillor Blake D'Souza

That Council:

1. Nominates Councillor Jacqueline Raison as alternate member of the Metro Inner Development Assessment Panel for the period 27 January 2026 to 26 January 2028.
2. Requests the Chief Executive Office advise the Minister for Planning and Lands of the nomination of the City of South Perth's Development Assessment Panel alternate member for the period 27 January 2026 to 26 January 2028.

CARRIED (8/0)

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

Against: Nil.

Background

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

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

10.4.5 Metro Inner Development Assessment Panel

The City of South Perth is required to nominate four members for appointment by the Minister for Planning and Lands, being two members and two alternative members. At its meeting held 28 October 2025, Council resolved as follows:

- “1. That Council nominates Councillor Bronwyn Waugh as a member of the Metro Inner Development Assessment Panel for the period 27 January 2026 to 26 January 2028.*
- 2. That Council nominates Councillor Kathy Lees as a member of the Metro Inner Development Assessment Panel for the period 27 January 2026 to 26 January 2028.*
- 3. That Council nominates Councillor Tim Houweling as the alternate member of the Metro Inner Development Assessment Panel for the period 27 January 2026 to 26 January 2028.*
- 4. That the Minister for Planning and Lands be advised of the nomination of the City of South Perth’s Development Assessment Panel members and alternate member for the period 27 January 2026 to 26 January 2028.”*

As such, this report seeks a nomination and appointment for a second alternate member.

Comment

The role as a local government DAP Member is independent of the role of a Local Government Elected Member and is covered by different legislation. Members are not bound by any previous decision or resolution of the local government. All DAP Members are required to exercise independent judgment in relation to any DAP application before them and consider the application on its planning merits.

Before an Elected Member can sit on a DAP meeting, the Elected Member must complete the DAP member training run by the DAP Secretariat, or if the training has previously been completed, the DAP Executive Director will consider time since it was completed and/or since the Elected Member last participated on a DAP meeting to determine whether refresher training is required before participating on another DAP meeting.

As of January 2026, the DAP Secretariat will be holding regular training sessions that will be extended to those who have not received training and are expected to be required on an upcoming DAP meeting. Once the Minister for Planning and Lands registers the local government DAP members, the DAP Secretariat will contact those who are within a local government district where there is a current DAP application that will require a DAP meeting within the next 3-4 months.

The sitting fees are as per schedule 2 of the Planning and Development (Development Assessment Panels) Regulations 2011. For a local government DAP Member, they are currently as follows:

- Per meeting to determine DAP applications (Form 1) - \$425
- Per meeting to determine DAP applications to amend or cancel determination (Form 2) - \$100
- Attendance at a State Administrative Tribunal proceeding - \$425
- DAP Member training - \$400
- DAP member re-training - \$200

Consultation

Nil.

Policy and Legislative Implications

Pursuant to Regulation 25 of the Planning and Development (Development Assessment Panels) Regulations 2011, nominations for four Elected Members to sit as DAP members for the City of South Perth. The nominations must include two members who will be the primary local government DAP Members for the district and two alternate members whom the DAP Secretariat can invite if either of the primary members are unavailable.

Financial Implications

Nil.

Key Risks and Considerations

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

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.

Councillor Kathy Lees disclosed an Impartiality Interest in Item 10.4.6.

10.4.6 Urban Greening Advisory Group

File Ref: D-26-4172
Reporting Officer(s): Liz Ledger, Chief Executive Officer

Summary

This report recommends the establishment of an Urban Greening Advisory Group.

Officer Recommendation AND COUNCIL DECISION

0226/029

Moved: Mayor Greg Milner
Seconded: Councillor Hayley Prendiville

That Council:

1. Supports the establishment of an Urban Greening Advisory Group.
2. Endorses the Terms of Reference for the Urban Greening Advisory Group as provided at **Attachment (a)**.
3. Appoints the following Elected Members to the Urban Greening Advisory Group:
 - i. Councillor Kathy Lees
 - ii. Councillor André Brender-A-Brandis
 - iii. Councillor Tim Houweling

CARRIED (8/0)

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

Against: Nil.

Background

The City of South Perth's Urban Greening Strategy (Strategy) was adopted by Council at the 22 July 2025 Ordinary Council Meeting.

The Strategy provides long-term guidance for creating a resilient, healthy and diverse green liveable place for people, fauna and flora. The Strategy considers a wide range of greening initiatives, including green corridors, urban parks and foreshores, community education and incentive programs, policy and advocacy efforts, and sustainable funding mechanisms.

The Strategy is guided by four pillars. Each pillar includes goals and objectives to guide action to achieve the City's urban greening vision.

10.4.6 Urban Greening Advisory Group

Council Policy P112 Community Advisory Groups provides for the establishment and operation of Community Advisory Groups. The purpose of a Community Advisory Group is to provide advice to Council and City staff in regard to particular areas of interest as determined by Council. Community Advisory Groups perform a purely advisory function and do not have any power to make decisions.

It is proposed to establish an Urban Greening Advisory Group to advise and make recommendations on the achievement of the goals and objectives of the Strategy.

Policy P112 provides:

- Council may resolve to establish a Community Advisory Group for a particular purpose as described in the resolution.
- The resolution must include terms of reference and may include details of representation but shall not nominate individual members, except where representatives from Council are required for membership of the group.
- Upon a Council resolution to establish a Community Advisory Group, the Chief Executive Officer shall initiate a process of appointment and appoint the members in accordance with Management Practice M112.
- A report detailing the Terms of Reference, activities and achievements for each Community Advisory Group is to be included in the City's Annual Report.

Community Advisory Groups are not Committees established under section 5.8 of the *Local Government Act 1995*. An advisory group has no delegated powers or authority of Council.

Comment

Draft Terms of Reference for the Urban Greening Advisory Group are provided at **Attachment (a)**. The Terms of Reference propose:

- Objective: to advise and make recommendations on the achievement of the goals and objectives of the City of South Perth Urban Greening Strategy.
- Membership:
 - A minimum of one City of South Perth Elected Member
 - A minimum of one and maximum of five Community Members who are electors of the District
 - City Officers as determined by the Chief Executive Officer
- The term of membership is two years aligned with local government ordinary elections.
- The Advisory Group shall meet quarterly per calendar year.

In accordance with Management Practice M112, the CEO will seek community representative nominations. At the conclusion of the nomination period the CEO will review the nominations received and make the necessary appointments.

Council is asked to support the establishment of the group, endorse the terms of reference and appoint Elected Members to the Group.

Consultation

Community representative nominations will be sought through:

- the City’s marketing channels, and where appropriate
- relevant community groups or associations will be approached requesting a nominee.

Policy and Legislative Implications

Council Policy P112 Community Advisory Groups
 Urban Greening Strategy

Financial Implications

The creation of this Advisory Group will require staff time to attend and prepare for meetings.

Key Risks and Considerations

Risk Event Outcome	Environmental Damage Includes any detrimental impact upon the natural environment within the City. This includes pollutant spillages and leakages, failure to maintain or enhance the natural environment within the City or its connections with its natural or municipal neighbours.
Risk rating	Low
Mitigation and actions	Urban Greening Strategy Establishment of Urban Greening Advisory Group

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: 4.1 Engaged community
 Strategy: 4.1.1 Engage, educate, inform, consult and listen to our community to understand and deliver on identified priorities

Attachments

10.4.6 (a): Terms of Reference - Urban Greening Advisory Group

11. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Mayor Greg Milner disclosed an Impartiality Interest in Item 12.1.

Councillor Blake D'Souza left the meeting at 7.09pm and returned at 7.11pm.

Council adjourned debate on Item 12.1 Notice of Motion – Mayoral Reporting at the Ordinary Council Meeting held 16 December 2025. Prior to the adjournment, the mover and seconder did not speak.

12.1 NOTICE OF MOTION - MAYORAL REPORTING

File Ref: D-26-4178

Reporting Officer(s): Bree Websdale, Director Corporate Services

Summary

Councillor Tim Houweling submitted a Notice of Motion prior to the Council Agenda Briefing held 9 December 2025.

At the Ordinary Council Meeting held on 16 December 2025, as per resolution 1024/2024, Council adjourned debate on this item until the February Ordinary Council Meeting.

Moved: Councillor Tim Houweling

Seconded: Councillor Bronwyn Waugh

That consistent with the Mayor's statutory duty under section 2.8 and related provisions of the *Local Government Act 1995* to foster good relations between Councillors, the Mayor provide a report to the next Ordinary Council Meeting identifying:

- (a) the actions undertaken to improve relations between Councillors during 2024 and 2025;
- (b) the tangible outcomes achieved; and
- (c) the plan and timeframe for continuing this work and how he has involved other Councillors in this;

and that such reporting occur quarterly thereafter.

COUNCIL DECISION

0226/030

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 (8/0)

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

Against: Nil.

During debate on the Item, it was suggested that the motion be amended to the Suggested Officer Recommendation (on page 142).

With the agreement of the mover and seconder, the Suggested Officer Recommendation was adopted to the motion as follows:

Amended Substantive Motion

Moved: Councillor Tim Houweling

Seconded: Councillor Bronwyn Waugh

That Council:

1. Endorses the Mayor (or Deputy Mayor acting in the position of the Mayor) providing a written report for attaching to the minutes, under Item 3, including:
 - a. The Mayoral engagements and meetings attended by the Mayor in his / her capacity as Mayor, since the last Council Meeting.
 - b. A summary of the events attended and persons met with by the Mayor in his/her capacity as Mayor, since the last Council Meeting, specifically noting interactions with members of the community relevant to matters that have been or are likely to come before Council.
 - c. An overview of the key issues, initiatives, and matters that the Mayor has been addressing in his/her capacity as Mayor since the last Council Meeting.
 - d. Action/s taken “to promote, facilitate and support positive and constructive working relationships among Council Members”, since the last Council Meeting.

LOST (4/4)

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

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

Casting Vote Against: Mayor Greg Milner

During debate on the Item, Councillor André Brender-A-Brandis foreshadowed an Alternative Motion.

Moved: Councillor André Brender-A-Brandis
Seconded: Councillor Kathy Lees

That Council resolves that:

- i. At each Ordinary Council Meeting, the Mayor (or Deputy Mayor acting in the position of the Mayor) will not present a report of the Mayoral engagements and meetings attended by the Mayor in capacity as Mayor, since the last Council Meeting; and
- ii. The Chief Executive Officer be requested to prepare for the inclusion in each Ordinary Council Meeting Agenda a table of the Mayor's formal engagements, meetings and events attended in his capacity as Mayor since the previous Ordinary Council Meeting. The format should be consistent with the Concept Briefings and Workshops disclosures as set out in the current meeting agendas.

Reasons for Change

1. The review of comparable local governments reveals that no other local government mandates that the presiding member present "the report of mayoral engagements and meetings attending by the mayor."
2. Any benefits to council or the community from the Mayoral Report do not justify the amount of time the mayor is required to devote to preparing the Mayoral Report, or the time consumed at Ordinary Council Meetings by the presentation of the Mayoral Report.

Amendment

0226/031

Moved: Councillor Tim Houweling
Seconded: Councillor Hayley Prendiville

That the words 'Chief Executive Officer' be replaced with 'Mayor' before the words be requested' in recommendation ii.

Reasons for Change

It is the role of the Mayor to provide to the Council information to enable the Councillors themselves to carry out their functions, duties and responsibilities. This is not unusual, as has been suggested. This is a simple report that can be prepared in short periods of time and if Councillors requested further information, I am sure that they could make contact. It assists Councillors in carrying out their role - if they know when the Mayor is meeting with certain persons, what the nature of those meetings might be, and what is being done in respect of those particular meetings. It has served the Council well since October 2024. I think that the Mayor should be the person, and therefore it is the Mayor that ought to do that task.

The amendment was put and declared CARRIED (5/3) and formed part of the substantive motion.

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

Against: Mayor Greg Milner, Councillors André Brender-A-Brandis and Kathy Lees.

COUNCIL DECISION

0226/032

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Kathy Lees

That Council resolves that:

- i. At each Ordinary Council Meeting, the Mayor (or Deputy Mayor acting in the position of the Mayor) will not present a report of the Mayoral engagements and meetings attended by the Mayor in capacity as Mayor, since the last Council Meeting; and
- ii. The Mayor be requested to prepare for the inclusion in each Ordinary Council Meeting Agenda a table of the Mayor's formal engagements, meetings and events attended in his capacity as Mayor since the previous Ordinary Council Meeting. The format should be consistent with the Concept Briefings and Workshops disclosures as set out in the current meeting agendas.

CARRIED (7/1)

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

Against: Councillor Tim Houweling.

Background

Councillor Tim Houweling's reasons for the Notice of Motion are as follows:

The statutory function of the Mayor to foster good relations between Councillors. This has been stated repeatedly in monthly reports particularly at the end of 2024, without any tangible detail and certainty without any reputable outcomes.

Given that this is an express responsibility of the Mayor under the Local Government Act, Council is entitled to receive structured reporting on what actions have been undertaken, what outcomes have been achieved, and what the plan is going forward, if it is sufficient to report as part of the regular reports it is also important to transparently report the actions fallen and outcomes achieved.

This is about governance, integrity and accountability.

If the matters are sufficient to have regularly been part of the Mayor's monthly reports then Council ought to understand and know how the Mayor is performing his role in this area.

12.1 Notice of Motion - Mayoral Reporting

This item was adjourned to the February Ordinary Council Meeting in line with resolution 1225/247.

Moved: Councillor Kathy Lees

Seconded: Councillor Hayley Prendiville

That Council, in accordance with Clause 11.6 of the City of South Perth Standing Orders Local Law 2007, adjourn debate on Item 12.3 Notice of Motion - Councillor Tim Houweling - Mayoral Reporting to the Ordinary Council Meeting to be held 24 February 2026.

Comment

Clause 5.2 of the City’s Standing Orders Local Law 2007 provide unless otherwise decided by the Council, the order of business at any Ordinary Council Meeting is to include Announcements from the Presiding Member at Item 3.

Since November 2024, the Mayor has included at Item 3 the following information, in accordance with Resolution 1024/200 from the Ordinary Council Meeting on 22 October 2024:

1. *At each Ordinary Council Meeting, the Mayor (or Deputy Mayor acting in the position of the Mayor) will present a report of the Mayoral engagements and meetings attended by the Mayor in his / her capacity as Mayor, since the last Council Meeting.*
2. *Such reports to include:*
 - a. *A summary of the events attended and persons met with by the Mayor in his/her capacity as Mayor, since the last Council Meeting, specifically noting interactions with members of the community relevant to matters that have been or are likely to come before Council.*
 - b. *An overview of the key issues, initiatives, and matters that the Mayor has been addressing in his/her capacity as Mayor since the last Council Meeting;*
3. *Such reports will be presented at Item 3 (Announcements from the Presiding Member) on the Ordinary Council Meeting agenda in accordance with the City of South Perth Standing Orders Local Law, Clause 5.2(1) Order of Business.*

The administration has reviewed mayoral and councillor reporting at other metropolitan local governments (not exclusive) and the following occurs:

Local Government	Requirement	Process
City of Armadale	Clause 3.6 of Standing Orders Local Law 2016 provides: At any meeting of the Council or a committee the person presiding may announce or raise any matter of interest or relevance to the business of the Council or committee, or propose a change to the order of business.	Summary of meetings and events attended by the Mayor as well as other announcements are included within the minutes at Item 8 – Announcements by the person presiding without discussion.
City of Gosnells	Clause 4.3 of Standing Orders Local Law 2016 provides: At any meeting of the Council the Presiding Member may announce or direct attention to any matter of relevance to the business of the Council,	Minutes include Item 4 – Announcements by the Presiding Member without discussion and Item 5 – Reports of Delegates (council members) without discussion.

	however no discussion on the matter shall take place.	
City of Cockburn	The City's Standing Orders Local Law 2016 does not provide for Mayoral announcements at council meetings.	A list of events attended by the Mayor is published each month on the City's website.
City of Kwinana	Clause 3.9 of Standing Orders: At any meeting of the Council the presiding member may announce or direct attention to any matter of relevance to the business of the Council, however no discussion on the matter shall take place.	Included within the minutes at Item 24 - Mayoral Announcements. Announcements made by the Mayor are summarised including congratulations and report on events attended.
City of Kalamunda	Standing Orders do not expressly provide for announcements by the presiding person. The order of business for council meetings "must be determined by the Council from time to time".	The Order of Business presently includes Item 7 – Announcements by Presiding Member without discussion.
City of Mandurah	Clause 3.6 of Standing Orders Local Law 2016: At any meeting of Council or Committee the presiding member may announce or raise any matter of interest or relevance to the Council or the Committee as the case may be. The presiding member may allow in his or her absolute discretion a presentation or announcement to the Council or Committee by an Elected Member.	Included within minutes at Item 14 - Announcements by the Presiding Member without discussion. Includes a summary of events attended by the Mayor and Elected Members.
City of Vincent	As per Standing Orders, unless otherwise decided by Council, announcements from the presiding member will be considered at Item 7 of the Order of Business	Mayor's announcements are summarised in minutes and hyperlink to the livestream included to listen to the entire announcement.
City of Stirling	Meeting Procedures Local Law 2021 clause 4.4: Announcements by the Presiding Member or a person nominated by the Presiding Member must – be limited to informing the meeting of official duties performed, or functions attended, by a member or employee, or of other matters of importance to the meeting, of which it has not previously been informed; be as brief and concise as practicable; and unless the meeting resolves otherwise, be completed within 10 minutes.	Council members invited to make announcements in relation to matters relevant to Council. Only included in the Order of Business in the minutes if announcements are made.

City of Perth	Clause 4.6 of the Standing Orders Local Law provides: At any meeting of the Council the Lord Mayor may announce or raise any matter of interest or relevance to the business of the Council.	Item 4 – Announcements by Lord Mayor. Minutes summarise announcements or provide ‘Nil’ if no announcements made.
City of Subiaco	Clause 2.8 of the City of Subiaco Meeting Procedures Local law 2013 provides announcements by the presiding member are— to inform the council of official duties performed or functions attended by the mayor or of other matters of importance to the council of which the council has not previously been informed; to be brief and concise; and to be completed within ten minutes.	Included in Item 9 of the minutes – Announcements by the Presiding Member
Shire of Mundaring	Clause 4.9 of the Meeting Procedures Local Law 2015 provides: At any meeting of the Council the presiding member may announce or raise any matter of interest or relevance to the local government and there is not to be any discussion on the matter, unless the Council resolves otherwise.	Included in Item 2 of the minutes – Announcements by Presiding Member without discussion
Town of Cambridge	Clause 3.9 of the Town of Cambridge Meeting Procedures Local Law 2019 provides: Subject to clause 3.9(2), at any meeting of the Council or a Committee the Presiding Member may, without discussion, announce or raise any matter of interest or relevance to the business of the Council or Committee. The Council or Committee may resolve, without debate, to discuss the matter so raised by the Presiding Member under clause 3.9(1).	Item 9 of the minutes includes Announcements by the Mayor without discussion.
Town of Victoria Park	Unless otherwise decided by Council, announcements from the presiding member will be considered at Item 2 of the Order of Business	Item 2 of the Order of Business. Minutes note meetings and events attended by the Mayor, announcements and congratulations.
Town of Claremont	Clause 5.2 of the Meeting Procedures Local Law 2018 provides Announcements by the Presiding Person will be Item 14 of the Order of Business.	At the Mayor’s invitation, Elected Members provide update on events they have attended. Announcements are summarised in the minutes.

Consultation

Nil.

Policy and Legislative Implications

Local Government Act 1995

Section 2.8(1)(d) of the Act provides:

2.8. Role of mayor or president

(1) The mayor or president –

(a) provides leadership and guidance to the council and council members, including guidance as to the roles of the council and council members; and

(b) acts as the principal spokesperson for the local government, and carries out civic and ceremonial duties on behalf of the local government, at all times acting consistently with council decisions; and

(c) presides at meetings of the council, ensuring that meetings are orderly and held in accordance with this Act; and

(d) promotes, facilitates and supports positive and constructive working relationships among council members; and

(e) liaises with the CEO on the local government's affairs and the performance of its functions.

Section 2.10(1)(d) of the Act provides:

2.10. Role of councillors

(1) A councillor –

(a) represents the interests of the electors, ratepayers and residents of the district and takes account of the interests of other persons who work in, or visit, the district; and

(b) participates in the deliberation and decision-making of the local government at council and committee meetings; and

(c) facilitates communication with the community about council decisions; and

(d) facilitates and maintains good working relationships with other councillors, the mayor or president and the CEO; and

(e) acts consistently with section 2.7(3) to (5); and

(f) maintains and develops the requisite skills to effectively perform their role.

City of South Perth Standing Orders Local Law 2007

Councillor Code of Conduct. The Councillor Code of Conduct requires all Elected Members to foster positive working relationships.

Financial Implications

Nil.

Key Risks and Considerations

Risk Event Outcome	NA
Risk rating	
Mitigation and actions	Additional reporting by the Mayoral does not present any known risks.

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

Suggested Officer Recommendation

That Council:

1. Endorses the Mayor (or Deputy Mayor acting in the position of the Mayor) providing a written report for attaching to the minutes, under Item 3, including:
 - a. The Mayoral engagements and meetings attended by the Mayor in his / her capacity as Mayor, since the last Council Meeting.
 - b. A summary of the events attended and persons met with by the Mayor in his/her capacity as Mayor, since the last Council Meeting, specifically noting interactions with members of the community relevant to matters that have been or are likely to come before Council.
 - c. An overview of the key issues, initiatives, and matters that the Mayor has been addressing in his/her capacity as Mayor since the last Council Meeting.
 - d. Action/s taken "to promote, facilitate and support positive and constructive working relationships among Council Members", since the last Council Meeting.

Reason for Alternative Recommendation

Whilst the Notice of Motion includes actions and outcomes from 2024 and 2025, it is not recommended that the Mayor be required to report retrospectively.

Attachments

Nil.

Councillor Bronwyn Waugh retired at 7.13pm during consideration of Item 12.2.

Councillor Jacqueline Raison disclosed an Impartiality Interest in Item 12.2.

12.2 NOTICE OF MOTION - REVIEW OF THE CITY'S FORESHORE STRATEGY AND MANAGEMENT PLAN

File Ref: D-26-4179

Reporting Officer(s): Liz Ledger, Chief Executive Officer

Summary

Councillor Jacqueline Raison submitted the following Notice of Motion prior to the Council Agenda Briefing held 17 February 2026.

Notice of Motion Recommendation AND COUNCIL DECISION

0226/033

Moved: Councillor Jacqueline Raison

Seconded: Councillor Kathy Lees

That Council requests the CEO to commence a review of the City's Foreshore Strategy and Management Plan 2015 (**Plan**), which will result in a report to Council by the end of September 2026 that summarises:

1. How the Plan is tracking in terms of implementation.
2. Whether there have been any unintended outcomes and the financial and / or social impact of those outcomes.
3. Whether there have been any outcomes that have not been able to be achieved and why.

CARRIED (7/0)

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

Against: Nil.

Background

Councillor Jacqueline Raison submitted a Notice of Motion regarding progress made on the implementation of the South Perth Foreshore Strategy and Management Plan and a review of relevance of the actions in the current context. The reasons for the Notice of Motion are as follows:

The current South Perth Foreshore Strategy and Management Plan was adopted in 2015 following extensive stakeholder engagement. While the document does not have an expiry date per se, over the past decade there have been significant changes in density and development which directly impact the foreshore, particularly on the South Perth peninsula.

These changes have also had a knock-on effect for other areas in the City. In addition, there have also been:

- *Shifts in community and stakeholder needs and expectations.*
- *Legislative changes to the scope of matters that need to be considered in Council decision making and strategic planning.*
- *Significant community concerns about safety in and around the foreshore.*
- *Increased legislative and community focus on environmental issues including planning for extreme weather events.*

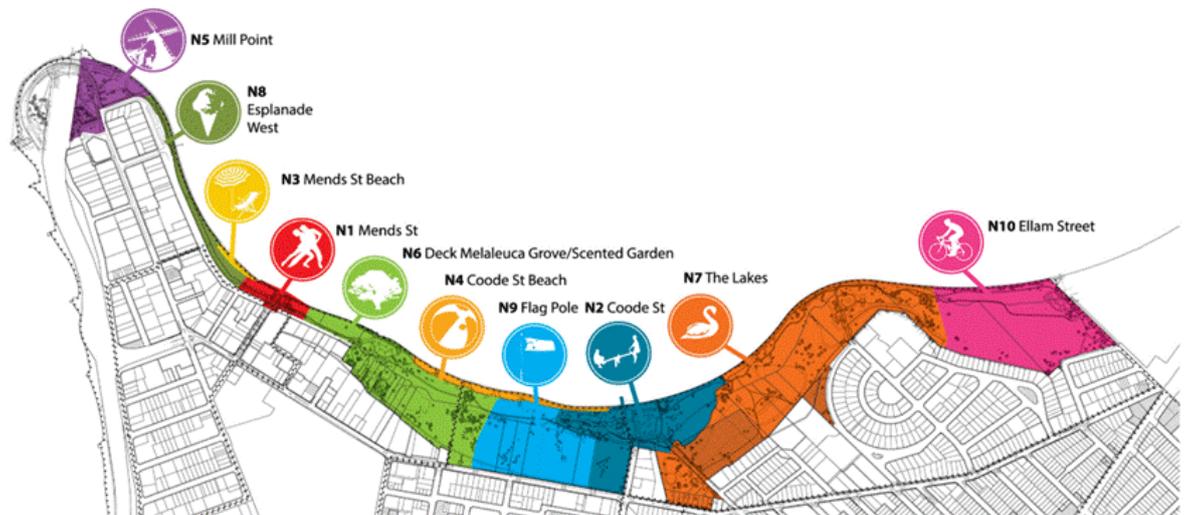
In light of these developments and in the interests of our growing community, it may be appropriate for Council to revisit this strategy as it is a key directional document for the management, preservation and enhancement of this precinct. It is also important to have transparency in relation to the outcomes of the Plan to date. Accordingly, a review and report to Council would be timely and appropriate.

Comment

The Plan was adopted in 2015 following extensive stakeholder engagement. It does not have an expiry date and was considered a framework for delivery over the long-term.

The Plan identifies ten nodes, each with distinctive characteristics, opportunities and management issues, and strategies for each. The Node Strategies have been listed in order of the priority ranking attributed to each node during the feedback period, from Node N1 Mends Street to Node 10, Ellam Street.

Image: The Ten Nodes – Foreshore Strategy and Management Plan



Since 2015, many of the strategies have been fully implemented or have commenced. Node 1 (Mends Street) has undergone a significant upgrade, the public toilets at Coode Street (Node 2) are nearing completion and the design for both the Coode Street foreshore restoration (from the beaches – Node 4 – to Djirda Miya in Node 7) are substantially progressed.

To provide full transparency for Council and the community, an internal report summarising the actions and progress of each can be developed and provided to Council.

This will include:

1. How the Plan is tracking in terms of implementation.
2. Whether there have been any unintended outcomes and the financial and / or social impact of those outcomes.
3. Whether there have been any outcomes that have not been able to be achieved and why.

It is envisaged that this review will be undertaken internally and can be completed within the timeframe of end of September 2026.

Consultation

The Plan was developed based on community consultation, and further engagement has undertaken for specific projects along the way.

Policy and Legislative Implications

Not applicable.

Financial Implications

If the proposed recommendation is endorsed by Council, existing internal resources would be used to action.

Key Risks and Considerations

Risk Event Outcome	Reputational Damage Deals with adverse impact upon the professional reputation and integrity of the City and its representatives whether those persons be appointed or elected to represent the City. The outcome can range from a letter of complaint through to a sustained and co-ordinated representation against the City and or sustained adverse comment in the media.
Risk rating	Low
Mitigation and actions	Should Council support the recommendation, it will be implemented taking account of all the risks.

Strategic Implications

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

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

Attachments

Nil.

12.3 NOTICE OF MOTION - FINANCIAL SUSTAINABILITY STRATEGY

File Ref: D-26-4180

Reporting Officer(s): Bree Websdale, Director Corporate Services

Summary

Councillor Jacqueline Raison submitted a Notice of Motion prior to the Agenda Briefing on 17 February 2026.

Moved: Councillor Jacqueline Raison

Seconded: Councillor Kathy Lees

That Council requests the CEO to develop and deliver a report to Council by 30 June 2026 that outlines options for strengthening the City's finances including:

- Identifying non ratepayer (alternative) sources of revenue.
- Strengthening the City's Long-Term Financial Plan.
- Strategies for optimising rate revenue.

Amendment

Moved: Councillor Blake D'Souza

Seconded: Councillor Hayley Prendiville

That the motion removes the words 'Strategies for optimising rate revenue' in point three.

Reasons for Change

I thank Councillor Raison for bringing this important motion and I have had numerous conversations with her about trying to settle potential wording, so we would not have an amendment but we have a difference of opinion. That is fine, I thought I would bring the amendment. This is in no way a reflection of Councillor Raison, who I commend her attention to this issue. My concern with point three is I feel it is too broadly worded and there are two key reasons.

The first reason is it diverges from the strategies we already have on the books. Page 23 of our Strategic Community Plan 2024 already covers this. If you go to item 4.3.2 off that plan, it says diversify and optimise non-rate revenue and 4.3.3 says we should maintain a culture of fiscal efficiency. I have no issues with points 1 and 2 because they are already largely covered but point 3, I think, is treading new ground and it is a divergence from the strategies that we have on our books.

The second reason that I am opposed to the third dot point of Councillor Raison's motion is, I think, it risks sending the wrong signal to the community and the administration about potentially increasing residential rates. Now I am not saying that is anyone's intent. I am saying that the way the third point is drafted. It does not give me sufficient comfort to support that.

I have been a supporter of diversifying revenue away from residential rates for my entire time on Council. A few years ago we had a discussion around bus shelter advertising which I was a strong supporter of. So I think we have made some good wins in that area, and we can continue to do so. But I just think the wording of that dot point is a bit too broad and I think we already have a specific provision in our Strategic Community Plan, which covers diversification of revenue away from rate revenue. So for those reasons I am moving this amendment and I encourage you to support it.

The amendment was put and declared LOST (3/4)

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

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

Notice of Motion Recommendation AND COUNCIL DECISION

0226/034

Moved: Councillor Jacqueline Raison

Seconded: Councillor Kathy Lees

That Council requests the CEO to develop and deliver a report to Council by 30 June 2026 that outlines options for strengthening the City's finances including:

- Identifying non ratepayer (alternative) sources of revenue.
- Strengthening the City's Long-Term Financial Plan.
- Strategies for optimising rate revenue.

CARRIED (5/2)

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

Against: Councillors Blake D'Souza and Tim Houweling.

Background

Councillor Jacqueline Raison's reasons for the Notice of Motion are as follows:

Like many local governments in Western Australia, the City is facing ongoing pressures that require prudent financial stewardship.

The combination of growing and diverse community needs, high service expectations, aging infrastructure and cost escalation in construction, requires strong oversight and strategic consideration. As the recent Challenger Reserve costings and the construction costs for the Coode Street toilets and change rooms have shown, the City needs to prioritise growing our revenue base to enable us to continue to meet the needs of our community and visitors.

Improving financial sustainability usually requires a mix of revenue reform, cost control, asset management, and governance improvements. It is due to this that the City needs to consider developing a financial sustainability strategy that includes options for growing non-ratepayer revenue.

12.3 Notice of Motion - Financial Sustainability Strategy

This is an important strategic issue which may have a significant impact on the scope of the services the City can provide and the rates which members of our community are asked to pay. Accordingly, a report to Council would be helpful and appropriate.

Comment

A report can be prepared and presented to Council by 30 June 2026 providing information on:

1. Current sources of revenue including rates, fees and charges, grants.
2. Identifying non ratepayer (alternative) sources of revenue.
3. Strategies for optimising revenue.

Consultation

Nil.

Budget workshops

Policy and Legislative Implications

Local Government Act 1995

P601 Long Term Financial Planning

P603 Investment of Surplus Funds

Financial Implications

Nil.

Key Risks and Considerations

Risk Event Outcome	Financial Loss An adverse monetary impact on the City as a consequence of a risk event occurring. A grading is assigned to different levels of potential loss relative to the significance of the impact on the City's ongoing operations and its ability to deliver expected services.
Risk rating	Low
Mitigation and actions	The City has a number of measures in place to ensure financial sustainability.

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:	4.3.4 Maintain a culture of continuous improvement

Attachments

Nil.

13. QUESTIONS FROM MEMBERS

13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE

Responses to questions from members taken on notice at the December 2025 Ordinary Council Meeting can be found in the **Appendix** of these Minutes.

13.2 QUESTIONS FROM MEMBERS

- Councillor Blake D'Souza
- Councillor Kathy Lees
- Councillor Tim Houweling
- Councillor André Brender-A-Brandis
- Councillor Jacqueline Raison
- Mayor Greg Milner

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 Chief Executive Officer advised that there is a matter for discussion on the Agenda for which the meeting may be closed to the public, in accordance with section 5.23(4)(g) of the *Local Government Act 1995*.

15.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

The meeting was closed to members of the public at 8.01pm.

Mayor Greg Milner and Councillor André Brender-A-Brandis disclosed an Impartiality Interest in Item 15.1.1.

Councillor André Brender-A-Brandis left the meeting at 8.03 and returned at 8.34pm during consideration of Item 15.1.1.

Councillor André Brender-A-Brandis left the meeting at 8.37pm during consideration of Item 15.1.1. Councillor André Brender-A-Brandis returned to the meeting at 8.46pm following consideration of Item 15.1.1.

15.1.1 Councillor Code of Conduct

*This item is considered **confidential** in accordance with section 5.23(4)(g) of the Local Government Act 1995 as it contains information relating to "a complaint that alleges a behavioural breach under the local government's adopted code of conduct (as defined in section 8A.2(1)) and any information relating to the complaint, in accordance with Regulation 4A(b) of the Local Government (Administration) Regulations 1996"*

File Ref: D-26-1119
Reporting Officer(s): Bree Websdale, Director Corporate Services
Liz Ledger, Chief Executive Officer

Moved:
Seconded:

That Council defer Item 15.1.1 Councillor Code of Conduct to the Ordinary Council Meeting to be held 24 March 2026.

Reasons for Change

I would like more time to consider this matter.

LOST (2/4)

At 8.23pm, the meeting was adjourned.

COUNCIL DECISION

0226/035

That the meeting be adjourned for 10 minutes.

CARRIED (6/0)

Against: Nil.

At 8.32pm the meeting reconvened.

COUNCIL DECISION

0226/036

That Council suspends Part 7 – Questions from Members of the City of South Perth Standing Orders Local Law 2007, to ensure compliance with section 5.105(4) of the *Local Government Act 1995*

- The complainant and then the respondent are afforded the opportunity to be heard by Council.
- Each may speak for up to 5 minutes.
- No questions from members.

CARRIED (5/1)

COUNCIL DECISION

0226/037

CARRIED (6/0)

Against: Nil.

Officer Recommendation AND COUNCIL DECISION

0226/038

That Council:

1. notes the recommendation contained within **Confidential Attachment (g)**.
2. takes no further action in relation to this complaint.
3. requests the CEO to offer training to all councillors on respectful communication and workplace behaviours.
4. requests the CEO to offer to all councillors' access to independent informal resolution mechanisms when disagreement arises prior to considering lodging a complaint.

CARRIED (6/0)

Against: Nil.

COUNCIL DECISION

0226/039

Moved: Mayor Greg Milner

Seconded: Councillor Kathy Lees

That the meeting be reopened to the Public.

CARRIED (7/0)

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

Against: Nil.

In accordance with section 5.23(8)(f) of the *Local Government Act 1995*, the meeting was closed to the public for consideration of Item 15.1.1 only, and after the consideration of Item 15.1.1, the meeting was reopened at 8.46pm.

16. CLOSURE

The Presiding Member thanked everyone for their attendance and closed the meeting at 8.47pm.

APPENDIX

6.2 PUBLIC QUESTION TIME: 24 FEBRUARY 2026

1 Dr John Bassett, Como Received: 23 February 2026	Responses provided by Liz Ledger – Chief Executive Officer
<p><i>[Preamble] The item referred to Council is a Heritage listed property, I understand that is the reason it was referred to Council. The acoustic report makes a series of recommendations that include using blinds and retractable awnings, roof awning and attachment of sound absorbent panelling to exposed walls. Particularly, the sound absorbent panelling is important. However, the response from Lands and Heritage only addresses the proposed awning and glazing. Placement of acoustic panels on the building exterior and the use of blinds will significantly alter the way the building is read visually.</i></p>	
<p>1. Does Council take a holistic approach to assessment that recognises the impact of one aspect of the development on other aspects of the same development or is everything dealt with in silos?</p>	<p>Yes, the City considers various matters in the assessment of a development application, including amenity, heritage values, built form, the advice from external government agencies and the local planning framework.</p>
<p>2. While the acoustic report is reasonably extensive, residents have pointed out that some sensitive receivers have not been fully captured in the report. That is recognised in the recommendation that directs that an amended acoustic report be provided that addresses those concerns in more detail. Why is this item before Council when there is clearly more work to be done on the proposal before it can be properly considered by the Councillors?</p>	<p>The City is of the view that any likely mitigation measures would not require material alternation to the proposed development. Conditions have therefore been recommended that support what has been applied for. For example, if a revised Acoustic Report recommended thicker glazing to offset noise, this would not substantially alter the facade of the building. A Noise Management Plan may recommend music is not amplified, or certain activities are not undertaken on the alfresco. This will be a matter for the Acoustic consultant to recommend demonstrating compliance, should Council include the conditions on the determination.</p>

<p>3. At the October Council Meeting where the draft heritage List was adopted by Council. An amendment was put by Cr Houweling that, in part, requested “the Chief Executive Officer undertake place specific reviews (including consideration of built form) of the following places in the Local Heritage Survey and where relevant, ensuring the Statement of Significance is consistent with the State Register of Heritage 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, 44 Angelo Street, South Perth. In light of applications before Council that may have an impact on the heritage values of some of these properties, can Council advise whether the site specific reviews have been completed? If so, are the details available to residents? If not, will any application relating to the above properties be paused until the completion of that review?</p>	<p>The site-specific reviews have been completed, however, the City is awaiting the final report to be provided by the independent heritage consultant. The City intends to present a report for Council to consider at the March round of meetings, and the outcome of the review will be available to the public.</p> <p>The site-specific reviews relate to the Local Heritage Survey, and not the Heritage List. Inclusion on the Local Heritage Survey is not a criterion under the definition of a ‘heritage-protected place’ under the Planning and Development (Local Planning Schemes) Regulations 2015 that otherwise warrants consideration in the assessment of a development application.</p> <p>The site-specific reviews will not ‘pause’ the assessment of a development application.</p>
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<p>2 Mr Andrew McLean, South Perth Received: 22 February 2026</p>	<p>Response provided by Liz Ledger – Chief Executive Officer</p>
<p>1. Some of this might have been covered by Dr Bassett’s questions. Council removal of some noted Heritage listings in South Perth. Why and within what process, has the City removed the Royal Perth Golf Club’s grounds from our City’s Heritage List, along with other places such as St Joseph’s Convent (part of the newly named ‘St Columba’s Group’), Wesley College, etc., when it is very clear that the community wants them to remain on our City’s Heritage List and the community has not been informed of these removals?</p>	<p>At its October 2025 Ordinary Council Meeting, Council resolved to adopt the draft Heritage List subject to the removal of four places, which included the Royal Perth Golf Course (Club).</p> <p>With respect to process, the local government determines places on its Heritage List. The Planning and Development (Local Planning Schemes) Regulations 2015 do not prescribe which places are to be included in the Heritage List.</p> <p>The minutes are publicly available on the City’s website as is a copy of the adopted Heritage List.</p>

3 Ms Suellen Murdoch, South Perth Received: 22 February 2026	Response provided by Liz Ledger – Chief Executive Officer
<p>1. Why is the City actively recommending our Council approve damage to our natural environment; and in so doing, failing to work in accordance with the adopted Urban Greening Strategy, our Tree Protection Policy, and the community’s clearly communicated needs, by actually seeking to significantly reduce our tree canopy, environmental, heritage, and wildlife assets?</p>	<p>Item 10.4.1 is a report for Council to consider the Royal Perth Golf Club’s request for approval of Stage Three Works on Crown Reserve 10250 pursuant to clause 6.3 and 1.2.3 of a lease with the City.</p> <p>The officer recommendation is that consent should be provided for the Works pursuant to the Lease with the following revegetation condition:</p> <p><i>The Royal Perth Golf Club Inc’s carrying out the agreed revegetation activities in accordance with the Vegetation Management Plan as a condition of consent under clause 6.3 of the Lease. This includes the planting of a further 8,000 trees and shrubs in 2028-2029 in the Melville Parade Corridor.</i></p>

4 Ms Heidi Schmidt, South Perth Received: 23 February 2026	Responses provided by Liz Ledger – Chief Executive Officer
<p><i>[Preamble] Since December 2025, the Royal Perth Golf Club has repeatedly changed the number of trees it proposes to remove, which demonstrates some disorganisation. First it was 75, then 80, and now '39 trees plus four clumps of Casuarina'. Let's be clear, every tree matters. Casuarina are a recognised genus of tree, they are actually trees. The community's gone and had a look and we are estimating 70 even up to 105. The city of South Perth defines environmental damage as any detrimental impact on the natural environment, including failure to maintain or enhance it.</i></p>	
<p>1. Please provide details as to why the City is recommending that our Council approves an action that will damage our natural environment, fail to maintain it, and erode a valued community asset – when it directly contradicts the City's own publicly stated Strategies and Policies, and the community's clearly-stated expectations?</p>	<p>The City is recommending approval of Stage Three Works, pursuant to the lease with the Royal Perth Golf Course, including a condition regarding revegetation.</p>
<p>2. Given the importance of ensuring that our Councillors are fully informed about matters relating to tree removals, as well as planting on public land - will the City now include the topic and issue of tree removals on public land in the upcoming Councillor workshop (that deals with tree planting on public land) – if not, please provide details as to why not?</p>	<p>A workshop, in accordance with the Council resolution is planned for 14 April of this year.</p>
<p>1. With regard to tree removal on public land being included in the Councillor Workshop about tree planting on public land, will the City and Council, therefore, prudently defer consideration of Item 10.4.1 until after the imperative tree planting and removal workshop has been delivered and attended by our Councillors?</p>	<p>The Administration is not intending to defer or propose the deferral of this item.</p>

5 Ms K Poh, Como Received: 23 February 2026	Responses provided by Liz Ledger – Chief Executive Officer
<p><i>[Preamble] During last Tuesday’s Council meeting, Councillor Prendiville asked me, along with other community members, for our views on the location of the proposed changerooms at Collier Reserve. On behalf of Friends of Collier Reserve, I shared that we have not received any opposition to the location, and that community feedback consistently highlights how outdated the existing facilities are and that the proposed upgrades are welcomed.</i></p>	
<p>1. To provide Councillors with further assurance, could the City explain why this location was chosen, including factors such as accessibility, proximity to the existing pavilion facilities, underground services and lease boundaries?</p>	<p>The proposed building location avoids impacts to existing sporting user group field boundaries and required run-off distances as per discussions with the clubs.</p> <p>The building is located to avoid the established Tree Protection Zones along the Thelma Street boundary and minimise impact with existing site services.</p> <p>The building is located to stay within the City’s management order boundary and to not extend over the adjacent Collins Reserve, which is Crown land and leased to Wesley College.</p>
<p>2. Could the City outline what amenities will be provided within the small kiosk and how these are expected to benefit the clubs, patrons, and wider community using Collier Reserve?</p>	<p>This will be up to the Clubs how they use it. It is likely include sale of goods such as food and beverage, and club merchandise.</p>
<p>3. Noting that timely award of the contract is required to meet grant funding milestones (with appreciation for the efforts of Director Amprimo and her team in bringing this project to this stage). Could the City outline the anticipated implementation timeline should Council endorse the tender this evening, including key stages such as commencement of works and practical completion?</p>	<p>The commencement date is intended to be 30 March 2026, with the practical completion date anticipated to be September 2026.</p>

6 Ms Bronwyn David, South Perth Received: 23 February 2026	Responses provided by Liz Ledger – Chief Executive Officer
<i>[Preamble] Fair to say that we have a tree canopy crisis in Perth. The polyphagous shot-hole borer, development. The loss of canopy threatens not only our lifestyle, but the lives of native animals, especially some species of black cockatoos. Our entire ecosystem is impoverished when we lose trees.</i>	
1. The architects of the golf course proposal are a Sydney firm and a London firm. Both of these cities have vastly different environments and ecologies to Perth. Neither city has a Polyphagous shot-hole borer infestation, and both cities are much wetter than Perth. Is the City concerned that this lack of local expertise has resulted in recommendations that are not idea for our climate?	No.
2. Given that we know there are bird and animal species roosting and feeding at the Golf Course, why has the City failed to seek an independent wildlife audit from the Royal Perth Golf Club, to accompany the Club's application to remove trees? Especially in circumstances where the Club has had to opportunity for a 'do-over' of their plans.	An independent wildlife audit was not required to be provided by the Royal Perth Golf Course as part of the request for approval, pursuant to the Lease.
3. Can the City now request a wildlife audit?	Any condition imposed by the City on the approval must be reasonable.

7 Ms Cristy Lowe, Como Received: 23 February 2026	Responses provided by Liz Ledger – Chief Executive Officer
<i>[Preamble] My questions relate to Item 10.4.1. The report states that 39 mature trees and four clumps of Casuarinas are proposed for removal. These trees provide important habitat and food sources for local wildlife, including common brushtail possums, ospreys, and endangered Carnaby’s Black Cockatoos, which rely on the seeds and insects associated with some of these trees.</i>	
1. The report refers to the removal of four clumps of Casuarinas, which are a key food source (via their seeds) for Carnaby’s Black Cockatoos. Can the City clarify how many individual Casuarina trees are contained within these four clumps?	I can confirm that the advice that I have been given is that there are 69 trees in total.
2. Has the City received or commissioned any independent environmental or ecological impact assessment to identify and quantify the potential impacts of the proposed tree removal on local wildlife?	Similar to the previous question, no.
3. The Stage 3 Works are justified in the report as being necessary for safety improvements; however, limited detail is provided. Can the City clarify what specific safety issues these trees present, and whether the City has independently verified the safety information provided by the Club?	The Royal Perth Golf Course have redesigned some greens and fairways which have resulted in the proposed tree removals. The City has not commissioned an independent review of the reports provided by the Royal Perth Golf Club.

8 Ms Cecilia Brooke, South Perth

Received: 23 February 2026

Responses provided by Liz Ledger – Chief Executive Officer

[Preamble] I refer to Item 10.1.2. I would like to commend the City employees for the design of the new changerooms to be built at Collier Reserve. As we have seen on many occasions in this Chamber, ratepayers making Deputations and showing pictures of just how busy this Reserve is with local people enjoying many different sports and people walking their dogs. This is what the reserve is for and this is truly a wonderful asset for the City of South Perth ratepayers and residents.

1. My question (you will not believe has been asked): If Council votes for the go ahead of the changerooms tonight, when would the expected start date be for the erection of the clubrooms by A.E. Hoskins Builders, and what is the anticipated date of finalisation of the building?

As mentioned, 30 March is our intended commencement date with practical completion in September.

2. With the Monitor having been appointed to the City, will she have the right to question the City of South Perth staff, as well as the Mayor and Councillors?

Yes, that she will.

<p>9 Ms Joanne Ord, Como Received: 23 February 2026</p>	<p>Responses provided by Liz Ledger – Chief Executive Officer</p>
<p><i>[Preamble] These questions are about the golf course.</i></p>	
<p>1. It's important for everyone to understand actual tree removal numbers from both proposals put forward by the Golf Course for Stage 3 Works. So could the City please provide the following information: the total number of individual trees (including individual casuarinas) that were to be removed under the first proposal in October; the total number of individual trees (including individual casuarinas) to be removed under the “proactive pivot” proposal in January?</p>	<p>The first round was 96 trees. The second round is 39 trees, plus the 69 casuarinas. 108.</p>
<p>2. I would also like some further clarification on the percentages asserted by the Golf Club. Could the City please advise if the following percentages are correct and if they are not correct, please provide the correct percentages? The first proposal asserted that only 5% of the trees on site were to be removed, is this correct given that you have said 96 – could you please clarify?</p>	<p>The City does not maintain a register of the trees on the Golf Course. Those figures are from the Golf Course, and we could only get that percentage worked out from them. The City cannot confirm the overall percentage.</p>
<p>3. It is imperative that proponents' assertions are scrutinised by the City and corrected wherever possible not those. What procedures and systems does the City follow to ensure the community is provided with accurate reporting and are reports reviewed by others internally before publishing?</p>	<p>Taken on notice.</p>

10 Ms Lynlea Miles. Waterford

Received: 23 February 2026

Response to question 1 provided by Liz Ledger – Chief Executive Officer

Response to question 2 provided by Anita Amprimo – Director Infrastructure Services

[Preamble]

My questions relate to a Petition that was recently submitted, regarding the Waterford entrance. It is not only very unappealing, but it is now an ugly eyesore.

1. Do the CEO, Mayor and Councillors believe that given Waterford Avenue, Manning Road and Kent Street intersection (which is a significant gateway into the City of South Perth) feel that the area in question gives a positive indication of what the City of South Perth stands for with regard to pride in our community?

This will be the subject of a report presented to Council. That will become part of the answer to your question.

2. When will the community know what plans the City has for the Waterford Entrance?

That would be ultimately be dependent on the outcome of the report that comes back to Council. Any works may be part of the budget discussions for 2026/27, if there are any recommendations to do any works there.

11 Mr Ross Drennan, South Perth

Received: 23 February 2026

Responses provided by Liz Ledger – Chief Executive Officer

[Preamble] My questions relate to the Station’s Development Application, which is for the construction of a lightweight pagoda out the front, and retrospective approval for a few panes of glass, we put into an already approved and operating part of the venue. Both of these minor adjustments to the venue will assist with acoustic performance. We were pretty blown away that we needed a full acoustic report in the first place, just to put up a little pagoda out the front of our venue. We are not proposing any changes at all to the already approved use of that venue. No changes are being made to the trading hours of patron capacity.

1. Can the Administration please confirm that this application does not propose any changes to the approved use, patron capacity, trading hours or operations of the venue and purely relates to the construction of an awning structure and glazing to an existing approved and operating areas of the venue?

The application does not propose any changes to patron numbers, trading hours or operations of the venue and purely relates to the construction of an awning structure and glazing to existing approved and operating areas of the venue.

2. Can the Administration clarify whether proposed Conditions 8 and 9 arise from any impact associated with the physical awning and glazing works themselves?

Yes. The awning and the glazing have the ability to impact how noise travels and is directed, and how it reverberates from the premises. Conditions 8 and 9 arise from the works currently being considered as part of the development application.

3. Are Conditions 8 and 9 considered essential to make these minor works acceptable, or are they discretionary additions?

The conditions are not considered essential in respect to the physical construction of the awning structure and glazing, however, once constructed, these structures have potential amenity impacts which the City has considered as part of its assessment of the application. The City has recommended the conditions to ensure noise is appropriately managed.

12 Mr Murray Rosenberg, Como <i>Received: 23 February 2026</i>	Responses provided by Liz Ledger – Chief Executive Officer
<p><i>[Preamble] Tree removal safety considerations are given as a primary objective of the Royal Perth Golf Club Stage 3 project (Refer copy of letter to the then CEO of City of South Perth dated 17th October 2025 in Part 2 Attachments to the Agenda). The letter refers to "detailed safety analysis" as provided in Appendix One. I have been unable to find Appendix One in the Agenda or Attachments.</i></p>	
<p>1. Can the public be supplied a copy of Appendix One which contains the 'detailed safety analysis'?</p>	<p>This document can be found in the Council Meetings section on the City's website as "Attachments - Part 2" from the 16 December 2025 Ordinary Council Meeting.</p>
<p>2. What are the safety concerns which necessitate the removal of trees at the Royal Perth Golf Club?</p>	<p>The detailed safety analysis addresses the Royal Perth Golf Course safety concerns.</p>
<p>3. How likely are these safety concerns to occur?</p>	<p>The Administration cannot answer this question.</p>

13 Mr Max Szmekura, South Perth Received: 23 February 2026	Responses provided by Liz Ledger – Chief Executive Officer
<p><i>[Preamble] This is addressing Item 10.4.1. As someone who is deeply concerned about the destruction of natural habitat of all flora and fauna, whether large or small. I am committed to tempering any activity that threatens species, particularly where there are no valid reasons for doing so, and that would be the case here.</i></p>	
<p>1. Is the City proposing to, or has the City already undertaken, a Wildlife Audit at the Royal Perth Golf Course?</p>	<p>As previously answered, No.</p>
<p>2. In the event that the City has not yet, or does not intend to undertake an audit to determine the extent and nature of the lost flora and fauna post tree removal, could an explanation be given as to why not?</p>	<p>The land is leased to Royal Perth Golf Course and they are required to present information to support their application for works.</p>
<p>3. Can it be confirmed that on completion of a Wildlife Audit (should there be one), will this document be shared publicly for the Community to be fully informed regarding the level of natural destruction the Council views as acceptable?</p>	<p>That would be for the Royal Perth Golf Course.</p>

14 Dr Louise Johnston, Como Received: 23 February 2026	Responses provided by Liz Ledger – Chief Executive Officer
<i>[Preamble] At this time of global warming and the critical significant role that trees play in the maintaining the local environmental balance and good health. It is extraordinary that we are even considering the removal of a single tree from our community.</i>	
1. By voting in favour of this Motion, is the Council proposing to ignore and abandon the considerable and most impressive work undertaken last year by the City in developing an urban greening policy and associated infrastructure to expand our urban canopy?	That would be a question for Council.
2. By voting in favour of this Motion, does the Council intend to step outside the environmental framework established by the Federal and State governments for protecting natural habitats and their inhabitants?	The answer is the same, it is a decision for Council.
3. has the Council provided the Royal Perth Golf Club with a copy of the South Perth urban greening policy and hence advised on its context thereby emphasising the lack of realism inherent in the Club's motion and its' excessive tree destruction goals?	Taken on notice.

15 Mr Oliver Crosthwaite, South Perth Received: 23 February 2026	Responses provided by Liz Ledger – Chief Executive Officer
<p><i>[Preamble] The Royal Perth Golf Club sits on a 74-acres, it is a private golf course. It is under the care, control and management of the City of South Perth. I understand that it has only around 1100 members and a significant number apparently live outside the City.</i></p>	
<p>1. Given that it had been asserted by the City that the Golf Course’s “...Conservation (is) essential... (and)...Reflects the highest level of local cultural heritage significance...(and is)...Very important to the heritage of the locality, is it not paramount that the City use all levers at its disposal to not only prevent the mature trees from being cut down but to support the Club’s proposal to plant more trees to ensure safety and increase canopy for the good of both the members and our residents?</p>	<p>Item 10.4.1 is a report for Council to consider the Royal Perth Golf Club request for approval of Stage Three Works on Crown Reserve, pursuant to clause 6.3 and 1.2.3 of a lease with the City. The matter must be considered by reference to the lease.</p>
<p>2. The Club has asserted that it is going to cut down around 100 mature trees for reasons of safety. Provides only one incident where a member has been hit by an errant ball. The Club has not noted any other available options or alternative to increase safety. Will the City postpone making its decision until after independent body/person has examined the issue with the objective of finding alternative solutions to resolving any safety issues?</p>	<p>This item is up for Council decision this evening.</p>
<p>3. It can be argued that the City’s power is not insignificant, given that the Club must consult with the City and that both must work together to resolve the situation. The Golf Club will suffer significant reputational damage if it were to go against the City’s recommendation to save the trees. Will the City reject the officer’s recommendation and take the proposal to remove the trees from the Royal Perth Golf Course back for further consideration and the clarification of the matters which provide a one-sided view of the proposal?</p>	<p>This item is up for Council decision this evening.</p>

16 Mr Aidan Carlsson, Karawara

Received: 23 February 2026

Responses provided by Liz Ledger – Chief Executive Officer

[Preamble] We understand the City did not have full visibility of tree removal within the Stage 3 Works at the time Stages 1 and 2 were endorsed by the City and indeed the Council. This is not in line with community expectation nor what we would expect as best practice.

1. What does the City consider to be best practice when considering approval of multi-stage proposals of works, particularly where later stages are dependent upon the earlier ones? Why did the City not seek a fuller understanding of the stage 3 works and in particular tree removals in line with the "Protect pillar" of the Urban Greening Strategy when reviewing and endorsing stages 1 & 2 of the Royal Perth Golf Course?

The City has reviewed the proposal as presented.
The Urban Greening Strategy was adopted after Stages 1 and 2.

2. Following a turbulent 12-month period, a local government monitor has been appointed to the COSP..." reads a WA Today article from Monday. 'The monitor will be providing support to the City on governance practices and decision-making process'. It is hard not to agree with the article and we welcome this oversight. Can the City provide details as to what Governance practices and Decision-making processes led to the appointment of the Local Government Inspector, so that we the Community stakeholders can understand the processes and procedures of concern?

The appointment of a monitor was by the Local Government Inspector. It would not be appropriate to speculate on his reasons for the appointment. That is done by the decision of the Inspector.

17 Mr John Ferguson, South Perth

Received: 24 February 2026

1. A large tree has been partly removed at 20 Karoo Street, was this activity approved by the Council?	Taken on notice.
2. If no, will the Council be pursuing the fine of \$200,000 for illegal removal of trees?	Taken on notice.
3. Will the tree be replaced with a similar tree (that tree was 30m tall and only the trunk remains)?	Taken on notice.

13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE - OCM 16 December 2025

Councillor Tim Houweling	Responses provided by: Liz Ledger – Chief Executive Officer
<p>1. I ask that the administration looks at the Standing Orders and obtains advice on the clause (or the lack of a clause) and the legality of a Presiding Member doing so remotely before the next meeting so that we have clarity by way of legal advice?</p>	<p>Sections 5.6 and 5.34 of the <i>Local Government Act 1995</i> are provisions related to who presides at Council Meetings:</p> <p><u>Section 5.6</u></p> <p><i>(1) The mayor or president is to preside at all meetings of the council.</i></p> <p><i>(2) If the circumstances mentioned in section 5.34(a) or (b) apply the deputy mayor or deputy president may preside at a meeting of the council in accordance with that section.</i></p> <p><i>(3) If the circumstances mentioned in section 5.34(a) or (b) apply and –</i></p> <p><i>(a) the office of deputy mayor or deputy president is vacant; or</i></p> <p><i>(b) the deputy mayor or deputy president is not available or is unable or unwilling to perform the functions of mayor or president,</i></p> <p><i>then, the council is to choose one of the councillors present to preside at the meeting.</i></p> <p><u>Section 5.34</u></p> <p><i>When deputy mayors and deputy presidents can act</i></p> <p><i>If –</i></p> <p><i>(a) the office of mayor or president is vacant; or</i></p> <p><i>(b) the mayor or president is not available or is unable or unwilling to perform the functions of the mayor or president,</i></p> <p><i>then the deputy mayor may perform the functions of mayor and the deputy president may perform the functions of president, as the case requires.</i></p>

Regulation 14(c) of Local Government (Administration) Regulations 1996 is a provision related to electronic ‘attendance’ at meetings. It does not refer specifically to ‘chairing of a meeting’ electronically.

14C. Attendance at meetings by electronic means may be authorised (Act s. 5.25(1)(ba))

(1) In this regulation –

meeting means –

(a) an ordinary meeting of the council; or

(b) a special meeting of the council; or

(c) a meeting of a committee of the council;

natural disaster includes fire, flood, lightning, movement of land and storm;

relevant period, in relation to the proposed meeting referred to in subregulation (3), means the period of 12 months ending on the day on which the proposed meeting is to be held.

(2) A member of a council or committee may attend a meeting by electronic means –

(a) if –

(i) a public health emergency or state of emergency exists or a natural disaster has occurred; and

(ii) because of the public health emergency, state of emergency or natural disaster, the member is unable, or considers it inappropriate, to be present in person at the meeting; and

(iii) the member is authorised to attend the meeting by electronic means by the mayor, president or council;

or

(b) if the member is otherwise authorised to attend the meeting by electronic means by the mayor, president or council.

(3) The mayor, president or council cannot authorise a member to attend a meeting (the proposed meeting) under subregulation (2)(b) if the member's attendance at the proposed meeting under that authorisation would result in the member attending more than half of the meetings (including the proposed meeting) of the council or committee, in the relevant period, under an authorisation under subregulation (2)(b).

(4) Subregulation (3) does not apply to a member who is a person with a disability as defined in the Disability Services Act 1993 section 3.

(5) In deciding whether to authorise a member to attend a meeting by electronic means under subregulation (2), the mayor, president or council must have regard to whether the location from which the member intends to attend the meeting, and the equipment that the member intends to use to attend the meeting, are suitable for the member to be able to effectively engage in deliberations and communications during the meeting.

Conclusion

The administration's view is that attendance and/or chairing by electronic means by a member is permissible with the consent of the Mayor (or Council if an objection is raised by a Council member) following an assessment of the circumstances including those set out in the regulations and Policy P671 which include:

1. Whether the location from which the member intends to attend the meeting,
2. The equipment that the member intends to use to attend the meeting, are suitable for the member to be able to effectively engage in deliberations and communications during the meeting.
3. Confidentiality being maintained (for items behind closed doors).
4. Any other relevant and reasonable circumstances, such as technology available in chambers, IT requirements, administrative time required to enable electronic attendance.

<p>2. Is it possible to look to see all of the invoices in respect of the private use of the Mayoral Car over the years since it has been used?</p>	<p>On 8 December 2025 an invoice was issued to Mayor Greg Milner for the amount of \$1,601.86 for personal use of City vehicles for the period 5 July 2024- 30 June 2025. The invoice was paid on 9 December 2025.</p> <p>There has been no other invoices issued to the Mayor for use of a City vehicle.</p>
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13.2 QUESTIONS FROM MEMBERS OCM RECONVENED 4 March 2026

Councillor Blake D'Souza	Response provided by: Anita Amprimo- Director Infrastructure Services
<p>1. We received and tabled a Petition to seek Administration advice to upgrade the Waterford Entry Statement. Is there any indication on when a report back to Council will occur and whether funds can be set aside for this for discussion in the upcoming budget workshops?</p>	<p>I would anticipate that we would consider that in the budget workshops, before the report will come back. Just given the timing of budget workshops and Council will consider some options. As we will include them for Council's consideration. If I recall correctly, Council considered this in last year's budget workshops.</p>
Councillor Kathy Lees	Responses provided by: Anita Amprimo - Director Infrastructure Services
<p>3. At the Annual Electors' Meeting it was stated that more than 5700 trees—around 18% of the trees recorded in the City's database—are rated as having high or extreme species susceptibility to the Polyphagous shot-hole borer (PSHB). Am I correct in assuming that the database does not include all trees on City managed land, particularly those in bushland areas? If so, does the City have an estimate of the total number of trees on City owned and managed land, and can it extrapolate how many of these might fall into the high or extreme susceptibility categories based on the 18% figure?</p>	<p>Yes, you are correct that not all of the City's trees are contained within the tree database. We do not have an estimate on the total number of trees or their species; however, we are monitoring the technology available for aerial surveillance and assessment of the number of trees. When we believe that is cost effective, we would seek to pursue that method of assessing the canopy that we do not already have recorded.</p>
<p>4. To understand the extent of the problem and the risk that the City is faced with, can the City provide an estimate of how much it would cost to remove and replace 5700 trees?</p>	<p>The cost does vary depending on the location and size of the tree (accessibility to the tree and whether traffic management is required). As part of the development of the Urban Greening Strategy, we did prepare figures for guidance to the general public. If I use those figures for consistency, it works out at around \$14m for those trees (to remove and replace them). That is a very broad estimate because it would depend on the exact location of the tree.</p>

<p>5. What programs and actions are the City implementing or proposing to implement to manage and limit the spread of PSHB on City managed land, and what support is proposed to be provided to help private landowners address infestations?</p>	<p>The City has no dedicated funding related to the PSHB response, since that was transferred from DPIRD from the ‘eradicate’ to the ‘manage’ phase. It is currently undertaking minimal activities within the scope of existing operating budgets. The City does participate in DPIRD training, the WALGA working group and the Perth Inner-City Working Group on PSHB. Support for PSHB response on private property is available through the State Government Treebate Scheme for planting on private property. Other than that, the City does not provide any support for private property tree management.</p>
<p>6. Would the City support trapping as some other Councils are doing?</p>	<p>We are not currently doing trapping. The reason that DPIRD was doing trapping was to identify the areas that PSHB was active and the level of the activity. That was a tool that was primarily used to track the spread of it from the initial zone, as it moved out of the metropolitan area. I am aware that some other local governments are doing trapping. However, given that we know it is within our district, I would not really consider it the best use of our resources. I think there's other things that we can be doing, if we are allocating funds to it (because we know it's here). We do not really need to trap to know that it's within the district.</p>
<p>7. At the Annual Elector’s Meeting questions were asked about the use of the eBike the City procured for the rangers to use. Is the City administration able to explain the limited use of the eBike, with only 310km recorded on the odometer?</p>	<p>I believe a picture of the bike may have been distributed but it is not a traditional eBike. It is an eBike that has been customised in order to have a large container on it to carry the Ranger’s items.</p> <p>What that means is that it is incredibly difficult to ride and manoeuvre. I will distribute a photo to you if you have not seen it and that will explain the reluctance of the Rangers to use it. Some of them found it very difficult to manoeuvre.</p>

	The City is currently looking at the asset's future and whether we can repurpose it, sell it, use it in a different area, all those options.
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Councillor André Brender-A- Brandis	Responses to question provided by: Anita Amprimo- Director Infrastructure Services
<p>1. Following on from part one of last week's Ordinary Council Meeting, the report indicated that the City would be providing trees for the replacement for lost trees and for 2024/25 includes 68 trees and 500 native shrubs. Also for the 28-year program around about 308 trees and 8,150 native shrubs. Can the Administration please advise to what extent the Royal Perth Golf Course will be obtaining trees and vegetation from our nursery, and would it be at reasonable rates or commercial rates?</p>	<p>We get orders for them each year and they are charged the rates at which we charge other local governments for our plants. They are charged at the same rate as anyone else who is purchasing from the nursery.</p>

Councillor Jacqueline Raison	Response provided by: Fiona Mullen – A/Director Development and Community Services
<p>1. I have been receiving a lot of enquiries from members of the community in relation to the St. Joseph's convent site going on the market. The questions relate to the heritage status in terms of the site-specific survey that was to be undertaken. My question in that context is has that survey been done and when will that report likely to come to Council for consideration of our own heritage list?</p>	<p>All of the reviews have been undertaken in accordance with the October 2025 Ordinary Council Meeting. All the places have been reviewed. It is anticipated the report will be considered at the March round of meetings of Council. Notwithstanding, that particular property is on the State Heritage List of properties.</p>

Councillor Kathy Lees	Response provided by: Anita Amprimo - Director Infrastructure Services
<p>1. As part of correspondence and Deputations regarding the Collier Reserve Changerooms Tender item, several residents have requested tree planting around the perimeter of the Reserve. Could the City advise whether perimeter tree planting is included in this year's tree planting program at the reserve, and how this location ranks within the City's planting priorities? Bearing in mind that the planting would have been within this current budget, because it will commence before June?</p>	<p>We would not generally start a great deal of planting before the end of the financial year. We may start, we certainly would not do any planting there and whether we manage to get any done within this winter's planting season will depend on the timing of the other works in the area. Particularly the undergrounding of the power lines there. We would be able to accommodate some degree of planting (if the other works permit), in terms of the planting time window.</p>

Mayor Greg Milner	Responses provided by: Bree Websdale- Director Corporate Services
<p>1. In previous years, the City has considered an item relating to the mid-year budget review at the February Ordinary Council Meeting. It was not on the agenda this month, but will a similar item be raised at the March Ordinary Council Meeting, in respect of the 2025/26 mid-year budget review?</p>	<p>Yes, as per the email that the Administration has already sent to yourself, it is legislatively required to be considered before the 31 March. It will appear at the March meeting, as already confirmed.</p>
<p>2. The meeting papers for tonight and last week's meeting inclusive of the Confidential Attachments, the Confidential Agenda total over 950 pages. Is there any scope to reduce the size of meeting papers for future Council Meetings?</p>	<p>The job of the Administration is not to decide whether a report should go up or not. If a matter needs attention, it needs to be put in the agenda.</p>

Councillor Kathy Lees

1. Given the decision last week and given the City has been appointed to manage the land by the Crown, what measures will the City be taking to ensure that the Club complies with the environmental legislation such as the *Biodiversity Conservation Act*, the *Environmental Protection Act*, and the *Environmental Protection and Biodiversity Conservation Act*?

Not taken on notice in accordance with clause 8.14 of the Standing Orders Local Law 2007.

2. In the Vegetation Management Plan that the Golf Club submitted and they are now required to comply with, I am just wondering how the City will ensure compliance with some of the matters that they have said they would undertake (including protection of vegetation during construction, soil stockpiling and fencing etc, and pre-clearing surveys with ecologists on site to ensure that trees with hollows or nests would be flagged, and fauna encouraged to leave, and clearing supervision with ecologists capturing and relocating fauna). I am just wondering how the City is intending to police that?

Not taken on notice in accordance with clause 8.14 of the Standing Orders Local Law 2007.

Councillor Tim Houweling	Responses provided by: Bree Websdale - Director Corporate Services
<p>1. What was the total number of kilometres travelled by the Mayoral vehicle prior to its disposal and replacement in 2024?</p>	<p>The vehicle that was allocated to the Mayor and disposed of in 2024 had 32,125km recorded as travelled while it was allocated to the current Mayor. The City does not have a logbook or records of logbooks for the Mayoral vehicle prior to 5 July 2024.</p> <p>The City's records show Mayor Milner has had a City vehicle since about October 2019.</p>
<p>2. Of those kilometres, how many were recorded as:</p> <p>a) Official use; and</p> <p>b) Private use?</p>	<p>As above</p> <p>For the period 5 July 2024 to 30 June 2025, Mayor Milner recorded (as per the logbook):</p> <ul style="list-style-type: none"> • 7957 personal kilometres, • 3028 business kilometres, • 34kms unclear
<p>3. Has any former CEO requested that the Mayor reimburse the City for private use of the Mayoral vehicle?</p> <p>If yes, please provide:</p> <ul style="list-style-type: none"> • The date of the request; • The amount requested; and • Whether reimbursement was made. 	<p>The City cannot locate records of a request from the former CEOs to the Mayor Milner for private use of the Mayoral vehicle.</p> <p>On 8 December 2025 an invoice was issued to Mayor Milner for the amount of \$1,601.86 for personal use of vehicle registrations for the period 5 July 2024 - 30 June 2025. The invoice was paid on 9 December 2025.</p>
<p>4. Has the Mayor offered to pay for his private use of the motor vehicle provided by the ratepayers for the previous 6 years?</p>	<p>The City cannot locate records of any such request.</p>

<p>5. Did the Mayor maintain a logbook for the vehicle in accordance with the City of South Perth Policy governing the provision and use of the Mayoral vehicle?</p> <p>If so:</p> <ul style="list-style-type: none"> • can a summary of that be provided; and • Confirm whether the logbook complies with the requirements of that policy and any applicable taxation or governance obligations. 	<p>The City cannot locate records of a logbook prior to 5 July 2024.</p> <p>For the period 5 July 2024- 30 June 2025, the logbook shows</p> <ul style="list-style-type: none"> • the Mayor recorded 7957personal kilometres, • the Mayor recorded 3028 business kilometres, • 34kms unclear.
<p>6. What was the total number of kilometres recorded on the odometer at the time the vehicle was disposed of?</p>	<p>The vehicle that was allocated to the Mayor and disposed of in 2024 had 53,800km recorded on the odometer according to City records.</p>
<p>7. Under the City’s adopted policy, is the Mayoral vehicle intended primarily for:</p> <p>a) Official Mayoral duties; or</p> <p>b) Substantial private use;</p> <p>And was it used primarily for private or Local Government purposes.</p>	<p>Please refer to the terms of Policy P649.</p>

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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 24 March 2026

Signed _____

Presiding Member at the meeting at which the Minutes were confirmed