

MINUTES

Ordinary Council Meeting

30 June 2026

Mayor and Councillors

Here within are the Minutes of the Ordinary Council Meeting of the City of South Perth Council held Tuesday 30 June 2026 in the City of South Perth Council Chamber, corner Sandgate Street and South Terrace, South Perth.



ANITA AMPRIMO
ACTING CHIEF EXECUTIVE OFFICER

14 July 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 30 June 2026.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 6.14pm.

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:

'As announced by the City, Councillors Hayley Prendiville, Tim Houweling, and Bronwyn Waugh have resigned from their positions as Councillors of the City of South Perth. On behalf of the City of South Perth, I would like to thank Councillors Prendiville, Houweling, and Waugh for their service and contribution to the Council and the City during their time in office.

Councillors, would you please join me in thanking them for their service and in wishing them well for the future.'

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

Date	Subject
27 May 2026	Meeting with Brett Jackson
28 May 2026	Budget Workshop 4
30 May 2026	Opening Ceremony for Swancon 50
2 June 2026	State Funeral Service for the Hon Bill Grayden AM
2 June 2026	Meeting with Monitor Gail McGowan and Cr Tim Houweling
4 June 2026	Meeting with Monitor Gail McGowan
4 June 2026	Botanic Garden and Parks Authority: Opening of Lightscape 2026
7 June 2026	Gala Reopening of Old Mill Theatre
8 June 2026	Meeting with Geoff Baker MLA
8 June 2026	Urban Greening Grant Photoshoot
8 June 2026	South Perth Lawn Tennis Club photoshoot
8 June 2026	Citizenship Ceremony

11 June 2026	Meeting with Mayor Karen Vernon
12 June 2026	WALGA Training
13 June 2026	Thrive Luminous Gala Ball 2026
14 June 2026	City of South Perth Tree Planting Event with the Salter Point Community Group and Como Rotary
16 June 2026	Special Council Meeting
16 June 2026	Audit, Risk and Improvement Committee Meeting
17 June 2026	WALGA South-East Metropolitan Zone Meeting
18 June 2026	Special Council Meeting
19 June 2026	South Perth Lions Club Changeover Dinner
23 June 2026	Council Agenda Briefing
24 June 2026	City of South Perth Speak with Confidence Awards
25 June 2026	Rotary Club of Como Changeover Dinner
27 June 2026	Rotary Club of Mill Point Changeover Dinner
30 June 2026	Ordinary Council Meeting

4. ATTENDANCE

Mayor Greg Milner (Presiding Member)

Councillors

Como Ward

Manning Ward

Manning Ward

Moresby Ward

Councillor Kathy Lees

Councillor Blake D'Souza

Councillor André Brender-A-Brandis

Councillor Stephen Russell

Officers

Acting Chief Executive Officer

Acting Director Corporate Services

Acting Director Development and Community Services

Acting Director Infrastructure Services

Manager Finance

Acting Manager Governance

Governance Officer

Ms Anita Amprimo

Ms Donna Shaw

Ms Fiona Mullen

Ms Olaya Lope

Mr Abrie Lacock (Retired at 7.22pm)

Mr Morgan Hindle

Ms Jane Robinson

Gallery

There were approximately 13 members of the public present.

4.1 APOLOGIES

- Councillor Jacqueline Raison

4.2 APPROVED LEAVE OF ABSENCE

Nil.

5. DECLARATIONS OF INTEREST

- Mayor Greg Milner – Impartiality Interest in Item 10.1.1 as ‘over the years, I have developed positive working relationships with many local sporting organisations and community clubs that have (or potentially have) an interest this Item.’
- Councillor Kathy Lees – Impartiality Interest in Item 10.1.1 ‘as this item has the potential impact on significant trees, I declare an interest due to my association with the South Perth and WA Tree Canopy Advocates and confirm that I will consider the matter on its merits and vote accordingly.’
- Councillor Kathy Lees – Impartiality Interest in Item 10.3.5 ‘as this item includes removal of a regulated tree, I declare an interest due to my association with the South Perth and WA Tree Canopy Advocates and confirm that I will consider the matter on its merits and vote accordingly.’
- Councillor Kathy Lees – Impartiality Interest in Item 10.5.2 as ‘I declare an interest due to my association with the South Perth and WA Tree Canopy Advocates and confirm that I will consider the matter on its merits and vote accordingly.’
- Councillor Kathy Lees – Impartiality Interest in Item 10.5.3 as ‘I declare an interest due to my association with the South Perth and WA Tree Canopy Advocates and confirm that I will consider the matter on its merits and vote accordingly.’
- Mayor Greg Milner – Financial Interest in 10.5.3 as ‘this Item proposes revisions to Policy P649 (Mayoral Vehicle).’
- Mayor Greg Milner – Impartiality Interest in Item 12.1 as ‘I know a number of the members of the South Perth Senior Citizens Centre.’

6. PUBLIC QUESTION TIME

6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

6.2 PUBLIC QUESTION TIME: 30 JUNE 2026

The Presiding Member opened Public Question Time at 6.18pm.

Written questions were received prior to the meeting from:

- Ms Bronwyn David of South Perth.

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

There being no further questions, the Presiding Member closed Public Question Time at 6.21pm.

7. CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS

7.1 MINUTES

7.1.1 Ordinary Council Meeting Held: 26 May 2026

Officer Recommendation AND COUNCIL DECISION

0626/121

Moved: Councillor Kathy Lees

Seconded: Councillor André Brender-A-Brandis

That the Minutes of the Ordinary Council Meeting held 26 May 2026 be taken as read and confirmed as a true and correct record.

CARRIED (5/0)

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

Against: Nil.

7.1.2 Special Council Meeting Held: 16 June 2026

Officer Recommendation AND COUNCIL DECISION

0626/122

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Kathy Lees

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

CARRIED (5/0)

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

Against: Nil.

7.1.3 Special Council Meeting Held: 18 June 2026

Officer Recommendation AND COUNCIL DECISION

0626/123

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Kathy Lees

That the Minutes of the Special Council Meeting held 18 June 2026 be taken as read and confirmed as a true and correct record.

CARRIED (5/0)

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

Against: Nil.

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
28 May 2026	Budget Workshop 4	Mayor Greg Milner and Councillors André Brender-A-Brandis, Tim Houweling, Kathy Lees, Jacqueline Raison, Stephen Russell, Blake D'Souza, Hayley Prendiville.

Attachments

Nil.

7.2.2 Council Agenda Briefing - 23 June 2026

Officers of the City presented background information and answered questions on Items to be considered at the June Ordinary Council Meeting at the Council Agenda Briefing held 23 June 2026.

Attachments

7.2.2 (a): Briefing Notes

Officer Recommendation AND COUNCIL DECISION

0626/124

Moved: Councillor André Brender-A-Brandis

Seconded: Mayor Greg Milner

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

- 7.2.1 Concept Briefings and Workshops
- 7.2.2 Council Agenda Briefing - 23 June 2026

CARRIED (5/0)

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

Against: Nil.

8. PRESENTATIONS

8.1 PETITIONS

Nil.

8.2 PRESENTATIONS

Nil.

8.3 DEPUTATIONS

Deputations were heard at the Council Agenda Briefing held 23 June 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 23 June 2026:

- Item 14.1 Local Government Extraordinary Elections

The Acting Chief Executive Officer confirmed all the report items were discussed at the Council Agenda Briefing held 23 June 2026, with the exception of Item 14.1.

The Acting Chief Executive Officer advised that Item 10.5.3 Policy Review was withdrawn from the Ordinary Council Agenda. The following statement was provided:

'In recognition that we only have five Council members here tonight and there's a Financial Interest declared in Item 10.5.3 Policy Review, that would require the member to leave the Chamber. We would be left with four in the Chamber and we would not have a quorum to consider this item.'

ITEMS WITHDRAWN FOR DISCUSSION

- | | |
|--------|---|
| 10.1.1 | Challenger Reserve Concept Design / Masterplan Project - Alternative Concepts and Cost Estimates |
| 10.3.3 | Proposed Change of Use - Single House to Unhosted Short-Term Rental Accommodation - Lot 1 (No. 5) Eric Street, Como |
| 10.3.4 | Proposed Change of Use - Multiple Dwelling to Unhosted Short -Term Rental Accommodation - Lot 6 (No. 106/29) Melville Parade, South Perth |
| 10.3.5 | Proposed Tree Damaging Activity to a Regulated Tree - Lot 17 (No. 22) Pitt Street, Kensington |
| 10.4.3 | Response to Notice of Motion - Financial Sustainability Strategy |
| 10.3.7 | Response to Petition - Waterford Estate Entry Statement |
| 10.5.2 | Annual Review of Council Delegations |
| 10.5.4 | Corporate Business Plan - Minor Review |

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

Officer Recommendation AND COUNCIL DECISION

0626/125

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Kathy Lees

- 10.3.1 Scheme Amendment No. 5 to Local Planning Scheme No. 7 - Schedule C: ACR 2 - South Perth Activity Centre Additional Centre Requirements
- 10.3.2 Local Planning Policy 5.2 - Student Accommodation Facility in ASR8 (Revocation)
- 10.3.6 Proposed Illuminated and Non-Illuminated Signage - Lot 1 (No. 1/2) Meadowvale Avenue, South Perth
- 10.3.8 WLG000010 Civil Construction - Urban Rivers Catchment Program, Stage 1
- 10.4.1 Listing of Payments - May 2026
- 10.4.2 Monthly Financial Statements - May 2026
- 10.5.1 Minutes of the Audit, Risk and Improvement Committee Meeting held on 16 June 2026

CARRIED (5/0)

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

Against: Nil.

10. REPORTS

10.1 STRATEGIC DIRECTION 1: COMMUNITY

Mayor Greg Milner and Councillor Kathy Lees disclosed an Impartiality Interest in Item 10.1.1.

10.1.1 Challenger Reserve Concept Design / Masterplan Project - Alternative Concepts and Cost Estimates

File Ref: D-26-12311
Reporting Officer(s): Fiona Mullen, Acting Director Development and Community Services
Anita Amprimo, Acting Chief Executive Officer

Summary

This report provides the outcomes on the alternative concepts and cost estimates for the Challenger Reserve Concept Design/Masterplan as required by the Council decision at its meeting held 16 December 2025.

Following analysis of the options, it is recommended that funding be allocated in the 2026/27 mid-year budget review for the detailed design of a new Challenger Reserve Pavilion, to provide for the future demolition and redevelopment of Challenger Pavilion only for the reasons outlined in this report.

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

That Council:

1. Notes the outcome of the stakeholder engagement, alternative concepts and cost estimates for the Challenger Reserve Concept Design/Masterplan.
2. Considers an allocation of \$700,000 during the 2026/27 mid-year budget review for detailed design of a new Challenger Reserve Pavilion.
3. Requests the Chief Executive Officer seek to minimise tree removal as part of the detailed design of a new Challenger Reserve Pavilion.
4. Notes that the Manning Memorial Bowling Club seeks refurbishments and enhancements to the existing clubhouse and associated facilities.
5. Requests the Chief Executive Officer engage with the Manning Memorial Bowling Club on the information provided in their deputation presented at the 23 June 2026 Agenda Briefing Session, and provide feedback to Elected Members on opportunities to deliver the infrastructure.

Reasons for Change

- The proposed site of the Challenger Reserve Pavilion is surrounded by a number of significant large trees that are highly valued by many in our community and provide important amenity and environmental benefits.

It is therefore appropriate that the need to minimise tree removal as part of the works is clearly established.

- The deputation from Mr Dolton on behalf of the Manning Memorial Bowling Club at the Agenda Briefing on 23 June 2026 clearly demonstrated that the Club has carefully considered its current and future facility needs. Their presentation showed a proactive approach to planning and a strong commitment to the long-term sustainability of the Club and its role within the community. Further information is needed to assess feasibility, likely advantage and disadvantages, and financial implications. However, it is appropriate that the City continues to work with the Club to explore refurbishment and enhancement options that meet their needs while aligning with future community recreation facility planning, supporting the best long-term outcomes for both the Club and the wider community.

During debate on the Item, Councillor Blake D'Souza proposed that paragraph 3 be voted on separately. In accordance with Clause 17.3 of the City of South Perth Standing Orders Local Law 2007, the Presiding Member put the motion to the vote as follows:

COUNCIL DECISION

0626/126

Moved: Councillor Kathy Lees

Seconded: Councillor André Brender-A-Brandis

That Council:

1. Notes the outcome of the stakeholder engagement, alternative concepts and cost estimates for the Challenger Reserve Concept Design/Masterplan.
2. Considers an allocation of \$700,000 during the 2026/27 mid-year budget review for detailed design of a new Challenger Reserve Pavilion.
4. Notes that the Manning Memorial Bowling Club seeks refurbishments and enhancements to the existing clubhouse and associated facilities.
5. Requests the Chief Executive Officer engage with the Manning Memorial Bowling Club on the information provided in their deputation presented at the 23 June 2026 Agenda Briefing Session, and provide feedback to Elected Members on opportunities to deliver the infrastructure.

CARRIED (5/0)

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

Against: Nil.

0626/127

3. Requests the Chief Executive Officer seek to minimise tree removal as part of the detailed design of a new Challenger Reserve Pavilion.

CARRIED (4/1)

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

Against: Councillor Blake D'Souza.

Officer Recommendation

That Council:

1. Notes the outcome of the stakeholder engagement, alternative concepts and cost estimates for the Challenger Reserve Concept Design/Masterplan.
2. Considers an allocation of \$700,000 during the 2026/27 mid-year budget review for detailed design of a new Challenger Reserve Pavilion.

Post Agenda Briefing Comment

Since the Agenda Briefing an Attachment to show the Alternative Concepts has been added to the report, and an additional comment to show the costing of the component of Option 3 to the Recommendation section in the report.

Background

At its 10 December 2024 Ordinary Meeting, Council considered a report seeking Council endorsement to progress two priority community recreation infrastructure projects, including a full options assessment for Challenger Reserve and resolved in part to:

“That Council requests the Chief Executive Officer to develop a full options assessment for Challenger Reserve, including the following options:

- (i) Maintain the existing facilities for existing users.*
- (ii) Enhance the existing facilities for existing users.*
- (iii) Replace the existing facilities with comparable, or enhanced facilities broadly consistent with the current site configuration; and*
- (iv) Co-located facilities to include existing and other reasonably identifiable complementary potential users and to be designed:*
 - (a) with existing user groups that agree in principle to be part of any co-located facility, and*
 - (b) to meet the existing and future foreseeable requirements (e.g. storage space, permanent display and function areas, bar and kitchen) of the existing users and the reasonably identifiable complementary potential users.”*

The City presented Council with a report outlining the options as requested by Council in accordance with the December 2024 resolution and at its 27 May 2025 Ordinary Meeting, Council resolved as follows:

“That Council:

- 1. Notes the Challenger Reserve Options Assessment and the feedback provided by the user groups outlining their operational facility requirements.*

10.1.1 Challenger Reserve Concept Design / Masterplan Project - Alternative Concepts and Cost Estimates

2. *Requests the Chief Executive Officer to prepare and undertake stakeholder consultation on a revised Challenger Reserve Concept Design/Masterplan that incorporates:*
 - (i) *Enhancement of the existing tennis facilities for the Manning Tennis Club; and*
 - (ii) *Provision of a multi-purpose building to accommodate both exclusive use and shared spaces for Manning Memorial Bowling Club, South Perth United Football Club, South Perth Junior Cricket Club and South Perth Bridge Club.*
3. *Requests the Chief Executive Officer to present a report to Council on the revised Challenger Reserve Concept Design/Masterplan, including costings, and the outcomes of the stakeholder consultation by no later than December 2025.”*

In fulfilling Council’s resolution above - part 2 (i) and (ii), the City engaged a consultant and progressed to prepare a revised Concept Design/Masterplan and undertake community and stakeholder engagement.

At its 16 December 2025 Ordinary Meeting, Council considered a report providing the outcomes on the revised Challenger Reserve Concept Design/Masterplan, including costings and the outcomes of the stakeholder engagement as required by the Council resolution, and resolved as follows:

“That Council:

- i. *Notes the outcome of the community and stakeholder engagement, staging and cost estimates for the Challenger Reserve Concept Design/Masterplan.*
- ii. *Requests the Chief Executive Officer to undertake a Councillor workshop to determine parameters for:*
 - a. *The essential, discretionary or excluded components which can comprise of a combination of renewal, upgrade or new assets; and*
 - b. *Establish the capital budget to provide the financial constraint for this project.*
- iii. *Requests the Chief Executive Officer to engage with the consultant to provide alternative concepts with cost estimates as part of a scoping review, based on the outcomes of the workshop. Residual unspent project budget available from the Design/Masterplan is to be applied for the engagement with the project consultant.*
- iv. *Requests the Chief Executive Officer to undertake a Councillor workshop to present the results of the consultants work with alternative concepts and cost estimates for consideration as soon as practical.*
- v. *Notes, Capital expenditure proposed for the Challenger Reserve Masterplan, will be considered as part of the Annual Budget workshop process.”*

In fulfilling Council’s resolution above – parts (ii) and (iii), a Councillor workshop was held on 3 February 2026, following which the City engaged a consultant to prepare the alternative concepts and cost estimates. A further Councillor workshop was held on 12 May 2026 to address part (iv) of Council’s resolution; this report presents the outcomes of the alternative concepts and cost estimates.

Comment

Alternative Concepts and Cost Estimates

The following table is a summary of options and estimated costs as at May 2026, excluding escalation, professional fees and contingencies. The alternative concepts are available as **Attachment (a)**.

Option	Details	Estimated Cost
Option 1A - Single storey multi-purpose building	Develop a new single-storey multi-purpose building (to accommodate Manning Memorial Bowling Club and South Perth United Soccer Club) with a function space on the south-west portion of the building, and demolish the existing Challenger Reserve Pavilion. The Manning Tennis Club will remain in-situ with no allowance for refurbishment. The South Perth Junior Cricket Club will be provided with access to on-site storage and public toilet facilities. The South Perth Bridge Club are not included in the proposal.	\$21,118,796
Option 1B - Single storey multi-purpose building	Develop a new single-storey multi-purpose building (to accommodate Manning Memorial Bowling Club and South Perth United Soccer Club) with a function space within the southern portion of the building, and demolish the existing Challenger Reserve Pavilion. The Manning Tennis Club will remain in-situ with no allowance for refurbishment. The South Perth Junior Cricket Club will be provided with access to on-site storage and public toilet facilities. The South Perth Bridge Club are not included in the proposal.	\$21,283,747
Option 2 – Retain and refurbish	Retain and refurbish/upgrade both the Manning Memorial Bowling Clubhouse and the Challenger Reserve Pavilion, with users remaining in the respective buildings. The Manning Tennis Club will remain in-situ with no allowance for refurbishment. The South Perth Junior Cricket Club will be provided with access to on-site storage and public toilet facilities. The South Perth Bridge Club are not included in the proposal.	\$14,769, 846
Option 3 – Retain, refurbish and replacement	Retain and refurbish/upgrade the Manning Memorial Bowling Clubhouse; and demolish the existing Challenger Reserve Pavilion and replace with new pavilion of similar scale, for use of the South Perth United Soccer Club.	\$15,963,045

	The Manning Tennis Club will remain in-situ with no allowance for refurbishment. The South Perth Junior Cricket Club will be provided with access to on-site storage and public toilet facilities. The South Perth Bridge Club are not included in the proposal.	
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Analysis

The following table provides an analysis of the options, as well as further commentary below as to the City's recommendation.

Option	Comment
Option 1A - Single storey multi-purpose building	Whilst the City recognises that Option 1 would provide for Manning Bowling Club, South Perth United Football Club, storage needs of South Perth Junior Cricket Club as well as function spaces that could be used by the community when not in use by clubs, this option is not considered appropriate for the following reasons: • Current and emerging inflation pressures, keeping underlying price risks high. • Cost pressures and escalation • Ongoing shortage of skilled labour and capacity to delivery a project of this scale • Current lack of available external funding, which would typically be available from State funding sources for co-located multi-purpose community infrastructure • Current Community Facilities Reserve funding being insufficient to cover the cost of this option, excluding future additional funds required for cost escalation and contingencies • Use of limited municipal funds to provide predominantly for bowling in the absence of co-location with multiple additional users, given there is an oversupply of bowling rinks within the City of South Perth.
Option 1B - Single storey multi-purpose building	As above.
Option 2 – Retain and refurbish	Whilst Option 2 will ensure the current buildings meet contemporary standards in respect to building code and access and inclusion considerations, as well as improved amenity for users, the costs compared to the likely benefits to the community of this option is not considered a prudent use of limited municipal funds given the age of the existing infrastructure (70-year-old Manning Memorial Bowling Club building and 60 year-old Challenger Pavilion).

	It is not considered that refurbishment of these buildings will meet current or future community expectations as to the standard of community infrastructure within the City of South Perth.
Option 3 – Retain, refurbish and replacement	Whilst Option 3 will ensure the Manning Memorial Bowling Club will meet contemporary standards in respect to building code and access and inclusion considerations, as well as improved amenity for users, this part of this option is not considered a prudent use of limited municipal funds given the age of the Memorial Bowling Club building. Further, it is considered more appropriate that any modifications and associated expenditure to this building beyond necessary asset renewal would cater for future co-location of multiple users. Consistent with Option 1, use of limited municipal funds to provide predominantly for bowling in the absence of co-location with multiple additional users, given there is an oversupply of bowling rinks within the City of South Perth, is not considered appropriate. The City recognises the current poor condition of Challenger Pavilion, and the growing demand for soccer, particularly with growing female participation. Demolition and replacement of the Challenger Pavilion is supported.

The Community Recreation Facilities Plan 2019-2033 (CRFP) provided for the redevelopment of a multi-purpose community building at Challenger Reserve to accommodate exclusive use and shared spaces for Manning Bowling Club, South Perth United Football Club, Manning Tennis Club and South Perth Junior Cricket Club. Further, it recommends demolition of Challenger Pavilion.

Whilst a multi-purpose facility providing for co-location of various user groups is the ultimate preferred option for Challenger Reserve, the City considers that risks associated with inflation, cost escalation and capacity to deliver a project of this scale in the current economic climate are such that this option is inappropriate at this point in time.

Notwithstanding, the City recognises the need to provide appropriate community infrastructure at Challenger Reserve. Demolition and redevelopment of Challenger Pavilion is considered appropriate given it is within the capacity of the existing Community Recreation Facility reserve to accommodate, the need for accessible and upgraded facilities and the growing demand for soccer.

The City appreciates the request for facilities upgrades at the Manning Memorial Bowling Club and given the age of the existing infrastructure, that significant refurbishment and/ or replacement of the building will be required in future. As part of its asset management program, works to the building have been undertaken to increase the remaining life in the asset, including upgrades to the kitchen, toilet facilities, HVAC and cool-room. The City has previously made minor repairs to the roof in response to requests from the Club in respect to leaks and can further review this matter should the issue persist.

Although the South Perth Bridge Club is not a current user, relocation of the Club remains an action in the CRFP, and the City maintains that the Club is a compatible and aligned activity to the Manning Memorial Bowling Club. Inclusion of the Club would also enable the City to consider future options for their current site at 2 Brittain Street, Como.

Redevelopment of the Manning Memorial Bowling Club is therefore recommended in future subject to available funding and with co-location of compatible users.

Recommendation

It is recommended that Council does not proceed with the Options as detailed above and only proceeds with part of Option 3 at this point in time, being the demolition and redevelopment of Challenger Pavilion only. The cost of part of this option is estimated as \$4,140,246, and includes demolition of the existing pavilion, construction of a new pavilion, constructing the service road to the new pavilion and general minor landscaping.

A new Challenger Pavilion could be used by the South Perth United Soccer Club, with a licence over the respective parts of the reserve/sporting fields and changeroom facilities – subject to restrictions on times as the ground will otherwise be publicly accessible. This arrangement would reflect the seasonal nature of the sport, and to ensure public access to reserve is available outside of training/game times.

Future Stages

Should Council proceed with development of a new Challenger Pavilion, additional stages are required to be undertaken to facilitate implementation of the project as detailed below:

Detailed Design

The purpose of the detailed design phase is to refine the detail provided as part of the option to address constructability and building code compliance matters to inform construction. The materials, fixtures and finishes both internally and externally are also determined. Further consultation with clubs with respect to their specific requirements will be discussed during this process.

The proportion of professional fees to design and document the next stage of the project ready for the detailed design tender is in the order of \$700,000, including the City's project management and contingency costs. Given the estimated value of the professional fees associated with design documentation, a tender process is required, which will require a separate decision of Council to appoint.

Implementation

Further, allocation of funds would be required in subsequent annual budgets towards the project given construction would need to occur over several years.

Should Council proceed to deliver a new Challenger Pavilion in future, the City could plan to minimise disruption to the clubs and surrounding residents where possible and would liaise with the clubs with respect to staging required and any alternative accommodation requirements.

A tender process will also be required for construction.

Consultation

Previous consultation was undertaken as follows:

- Between 20-22 August 2025, the City met with five clubs, considered significant users of proposed facilities at Challenger Reserve. This included Manning Memorial Bowling Club, Manning Tennis Club, South Perth United Football Club, South Perth Junior Cricket Club and South Perth Bridge Club (previously considered in the prior Concept Plan and early engagement).
- On 7 October 2025, the City presented the draft Masterplan to the user groups to seek feedback on the draft revised Masterplan.

10.1.1 Challenger Reserve Concept Design / Masterplan Project - Alternative Concepts and Cost Estimates

- On 5 November 2025, at the request of the South Perth Bridge Club, a further meeting was held with the Club to discuss the project. With the exception of consulting with the Manning Memorial Bowling Club and South Perth United Football Club, as the primary affected users of the alternative concepts, no further community or stakeholder consultation was undertaken.
- On 8 October 2025, the City met with representatives from the Salter Point Community Group and Manning Community Association to present and discuss the draft Masterplan.
- On 20 October 2025, a drop-in session was held between 6.00pm – 7.30pm at the Manning Memorial Bowling Club for the community to view and discuss the draft Masterplan, which was attended by 65 people. Feedback was gathered from this session.
- The draft Masterplan was communicated for public comment between 9-27 October 2025.

With the exception of consulting with the Manning Memorial Bowling Club and South Perth United Football Club, as the primary affected users of the alternative concepts, no further community or stakeholder consultation was undertaken as part of the review of options.

An Elected Member briefing was held 12 May 2026 to present the alternative concepts and cost estimates.

Policy and Legislative Implications

Nil.

Financial Implications

The Community Facilities Reserve in the 2025/26 adopted Annual Budget provides \$18,551,340. The Community Facilities Reserve in the draft 2026/27 Annual Budget provides \$20,876,341.

The 2025/26 budget includes an allocation of \$350,000 for the project consultancy costs. The consultancy cost of preparing the initial draft Masterplan was \$61,765 ex GST. The consultancy cost of alternative concepts and cost estimates was \$67,670 ex GST.

In respect to timing, should Council proceed with the redevelopment of Challenger Pavilion, the City does not consider it has capacity in light of existing and proposal capital projects to manage the detailed design stage until Q3 or Q4 of the 2026/27 financial year and as such, is not recommending a budget allocation for this purpose as part of considering the draft 2026/27 Annual Budget. It is instead recommended this be considered as part of the 2026/27 mid-year budget review.

During the 2025 State Government Election campaign, Geoff Baker MLA announced several commitments for local clubs that operate from City property or commitments directly for the City, including \$90,000 for the Manning Bowling Club for greens and lighting upgrades. Given future redevelopment of the Manning Memorial Bowling Club could impact on the location of the greens, it is not recommended that a municipal contribution be made towards the conversion of a green to a synthetic green at this point in time, and that the Club liaise with Geoff Baker MLA to modify the purpose of this funding.

There are no Federal or State Government funding opportunities currently available that could assist with the funding the Challenger Reserve project. Since resolving to progress with the project, the former Community Sporting and Recreation Facilities Fund (CSRFF) to provide financial assistance to community groups and local governments to undertake sport and recreation infrastructure projects has been placed on hold. The State Government has not given an indication of if or when this funding source would become available in future.

Any capital project brings risks in relation to contingencies and over runs against original design. The capital cost estimates are based on concept designs and will differ if further detailed designs are undertaken for the project. Further, cost escalations will impact the ultimate cost of redevelopment.

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.
	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 Medium
Mitigation and actions	Funding through subsequent budget processes and appropriate feasibility and planning to ensure community infrastructure is delivered.

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

10.1.1 (a): Alternative Concepts

10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)

10.3.1 Scheme Amendment No. 5 to Local Planning Scheme No. 7 - Schedule C: ACR 2 - South Perth Activity Centre Additional Centre Requirements

File Ref: D-26-12314

Reporting Officer(s): Fiona Mullen, Acting Director Development and Community
Services

Summary

The purpose of this report is for Council to consider Scheme Amendment No. 5 to Local Planning Scheme No. 7 to amend the wording of element 8.2.4(a) under Schedule C – Additional Centre Requirements (ACR2 – Land subject to the South Perth Activity Centre Plan).

Officer Recommendation AND COUNCIL DECISION

0626/128

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 prepare amendment No. 5 Local Planning Scheme No. 7 by:
 - a. Modifying the wording of Clause 8.2.4(a) under ACR2 – Land subject to the South Perth Activity Centre Plan, contained in Schedule C – Additional Centre requirements, by removing the word ‘trust’ and replacing with ‘reserve’.
2. Considers the scheme amendment is basic under the provisions of Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:
 - a. The amendment will result in the correction of an administrative error;
 - b. The amendment is not required to be referred to the Environmental Protection Authority under section 81 of the *Planning and Development Act (2005)* (Act), because of section 81(2) of the Act; and
 - c. The amendment will not result in any changes to the operation of the scheme.
3. Notes that 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 basic amendment.

CARRIED BY EXCEPTION RESOLUTION (5/0)

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

Against: Nil.

Background

Local Planning Scheme No.7 (LPS 7) contains Schedule C – Additional Centre Requirements (ACR), which include development standards specific to particular areas throughout the City.

The amendment concerns a specific provision in ACR 2 – Land subject to the South Perth Activity Centre Plan (SPACP) (ACR 2). The intent of ACR 2 is to embed built form provisions relating to the SPACP into LPS 7, so that these provisions have statutory weight, as the SPACP is a 'due regard' document.

The preparation of the SPACP was originally undertaken in conjunction with a scheme amendment (Amendment 61) to the City's previous local planning scheme, Town Planning Scheme No. 6 (TPS 6). The SPACP was endorsed by the Western Australian Planning Commission (WAPC) on 21 December 2021, and Amendment 61 to TPS 6 was published in the Government Gazette on 24 December 2021.

Appendix 3 of the SPACP contains the Community Benefit Contribution Framework (CBCF) in support of the SPACP. Part 8 of Appendix 3 outlines the management of funds, which states the following:

8.1 Community Benefits Fund

8.1.1 The City will establish and maintain a dedicated South Perth Activity Centre Contribution Fund and all community benefit contributions shall be deposited into this fund.

8.1.2 The South Perth Activity Centre Community Benefit Contribution Fund is a reserve account in accordance with the Local Government Act 1995. All community benefit contributions within the South Perth ACP Area shall be paid from it. The purpose of this reserve account and the use of money in it is limited to the application of funds for delivery of community benefits within the ACP area in accordance with the provisions of the ACP.

8.1.3 Interest earned on contributions credited to the South Perth Activity Centre Community Benefits Fund reserve account may only be applied in the ACP Area.

Prior to gazettal, Amendment 61 was modified by the WAPC; the modified wording of element 8.2.4(a) provided by the WAPC is the version that was gazetted and inserted into TPS 6, and is as follows:

8.2.4 a public benefit contribution, calculated in accordance with clause 8.3, is:

- (a) paid to the City of South Perth, and held in trust, to be expended in accordance with the ACP; or*
 - (b) delivered onsite in accordance with the ACP;*
- to the satisfaction of the City of South Perth.*

The above wording from TPS 6 was transferred to LPS 7 without modification.

The trust account has not been created, as no community benefit contributions have been received. A reserve account for the South Perth Community Benefit Contribution has been included in the draft 2026/27 Annual Budget, which can occur separate to the scheme amendment process.

Comment

Proposed Scheme Amendment No. 5 to Local Planning Scheme No. 7

The proposed amendment seeks to amend LPS 7, modifying element 8.2.4(a) in ACR 2 to replace the word 'trust' with the word 'reserve', to read as follows:

8.2.4 a public benefit contribution, calculated in accordance with clause 8.3, is:

- (c) paid to the City of South Perth, and held in reserve, to be expanded in accordance with the ACP; or*
 - (d) delivered onsite in accordance with the ACP;*
- to the satisfaction of the City of South Perth.*

Use of the word 'reserve' is consistent with the terminology contained within the CBCF adopted as part of the SPACP.

Administration of 'trust' and 'reserve' accounts

Funds held in reserve are treated differently to those held in trust.

In accordance with the *Local Government (Financial Management) Regulations 1996* (Regulations), a payment may only be made from a trust fund:

- if the local government has delegated to the CEO the exercise of its power to make payments from those funds, by the CEO; or
- Otherwise, if the payment is authorised in advance by a Council resolution.

The Regulations require that a reserve account clearly identify the purpose for which the money is set aside. A reserve account outlines the purpose for which the funds are received.

Conclusion

The City considers the basic amendment to alter the wording for element 8.2.4(a) under ACR 2 appropriate for the following reasons:

- This amendment will create a reserve account to receive community benefit contributions.
- The adopted SPACP and CBCF outline that funds should be received into a reserve account, not a trust account.
- The amendment will not alter the way proposed developments are assessed under the City's local planning framework, nor does it alter any development requirements.

Consultation

Planning and Development (Local Planning Schemes) Regulations 2015

Division 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) outlines the process for basic amendments to local planning schemes.

Regulation 57 provides that a proposed basic amendment to a local planning scheme need not be advertised. If Council endorse the proposed scheme amendment, it will be provided to the WAPC for consideration, who will prepare a recommendation for the Minister for Planning. Once approved by the Minister, the scheme amendment will be published in the Government Gazette and will be operational from that date.

Notwithstanding the above, the Minister, under Regulation 61, may direct that the basic amendment be advertised. Should this occur, the City will advertise the basic amendment as instructed.

As part of the preparation of the scheme amendment, the City has liaised with the Department of Planning, Lands and Heritage (DPLH) on the proposed scheme amendment. The DPLH advised that it could support the proposed scheme amendment, provided that the reserve account and use of funds are limited to the delivery of community benefits within the SPACP area.

Policy and Legislative Implications

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."*

The proposed amendment is considered as a basic amendment as:

1. The amendment will result in the correction of an administrative error;
2. The amendment is not required to be referred to the Environmental Protection Authority under section 81 of the *Planning and Development Act (2005)* (Act), because of section 81(2) of the Act; and
3. The amendment will not result in any changes to the operation of the scheme.

Financial Implications

The administration of trust and reserve accounts is regulated by the *Local Government (Financial Management) Regulations 1996*. The scheme amendment will change the administrative process for dealing with funds received and reporting requirements.

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	Consider the Scheme Amendment and Resolution 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

Nil.

10.3.2 Local Planning Policy 5.2 - Student Accommodation Facility in ASR8 (Revocation)

File Ref: D-26-12315
Reporting Officer(s): Fiona Mullen, Acting Director Development and Community Services

Summary

The purpose of this report is for Council to consider the revocation of Local Planning Policy 5.2 - Student Accommodation Facility in ASR8.

Officer Recommendation AND COUNCIL DECISION

0626/129

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

That Council, pursuant to Schedule 2, Part 2, Clause 6 of the Planning and Development (Local Planning Schemes) Regulations 2015, revokes Local Planning Policy 5.2 - Student Accommodation in ASR8.

CARRIED BY EXCEPTION RESOLUTION (5/0)

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

Against: Nil.

Background

Local Planning Policies (LPPs) assist local governments in making planning decisions under the local planning scheme by outlining acceptable development standards and establishing clear expectations for applicants on how local governments are likely to exercise discretion. The City reviews its Local Planning Policies on an ongoing basis to ensure it has a planning framework that is contemporary, consistent with State planning frameworks, reflects the community's aspirations on planning-related matters, and to support and implement Local Planning Scheme No. 7 (LPS 7).

Local Planning Policy 5.2 - Student Accommodation Facility in ASR8 (LPP 5.2) was adopted by Council at its 26 May 2020 Ordinary Meeting to guide matters relating to the design and function of the land as a student accommodation facility within ASR8.

ASR8 is the term provided in LPS 7 for the additional site requirements (ASR) for the area of land containing 12 residential lots, being Lots 25-28 Garvey Street, Lots 18-20 and 29 Keaney Place and Lots 21-24 McKay Street, Waterford (adjoining Curtin University). Additional provisions for this area were also included in the former Town Planning Scheme No. 6 via Scheme Amendment No. 60, which was gazetted on 8 May 2020. These provisions were included in LPS 7, contained in Schedule B – Additional Site Requirements (ASR8).

Council most recently adopted minor amendments to LPP 5.2 at its 25 July 2023 Ordinary Meeting to reflect the City's new approach to naming and formatting conventions for LPPs. As no new provisions were proposed, advertising of these modifications was not required.

LPP 5.2 contained within **Attachment (a)** is proposed for revocation as the matters it addresses are sufficiently covered by the existing LPS 7 provisions and the Department of Planning, Lands and Heritage's (DPLH) Position Statement - Purpose-built student accommodation, published in March 2026. It is also noted the land has largely been developed for its intended purpose.

Comment

Development Status

LPP 5.2 seeks to encourage an integrated development across the site through lot amalgamation and a coordinated development design, as demonstrated within Appendix A: Annotated Concept Plan of the policy document.

Whilst an LPP can be used to encourage or provide provisions seeking coordinated development across several lots, amalgamation and subdivision is a separate process determined by the Western Australian Planning Commission. Additionally, whilst regard is given to LPPs, it is open to decision makers (e.g. State Development Assessment Unit or Development Assessment Panel) to depart from the requirements of the Policy following due regard of its provisions.

Since the adoption of LPP 5.2, two separate purpose-built student accommodation (PBSA) developments have been approved and have commenced construction at ARS8, including:

1. Yugo Perth University Campus (Nos. 1 – 7 Keaney Place) - A PBSA including three buildings up to eight storeys in height with a total of 628 student rooms and associated amenities, three café/restaurants, a shop and basement parking. The proposal was approved by the State Development Assessment Unit on 1 November 2021, and a further extension of time was granted on 11 May 2023. The location of the proposal is outlined in blue in Figure 1 below.
2. No. 2 Garvey Street - A four-storey PBSA including ground floor communal facilities and parking with a total of 30 studio rooms. The proposal was originally approved by the Development Assessment Panel on 30 April 2021 with subsequent amendments approved by the City on 12 October 2022 and 21 May 2024. The location of the proposal is outlined in red in Figure 1 below.



Figure 1: Aerial Map of ASR8 (outlined in yellow) noting the location of development approvals.

Nos. 4 and 4A, and 6, 6A and 6B Garvey Street, were not part of previous development applications for student accommodation. These sites can be considered for residential development in accordance with the Residential R100 coding of the land, subject to LPS 7 provisions, or further PBSA.

Position Statement Purpose-built Student Accommodation (Position Statement)

On 30 March 2026, the DPLH published the Position Statement, which outlines how PBSA should be considered and assessed in the Western Australian planning system.

When LPP 5.2 was originally developed, there was limited State Government direction on the assessment and expectations of PBSA. Since this time, the Position Statement provides a contemporary and State-wide understanding of the expected outcomes and design considerations for student accommodation. The Position Statement includes and builds upon many of the same objectives, and provisions of LPP5.2; the adoption of the Position Statement has resulted in an unnecessary duplication of planning considerations. The Position Statement would be referred to for any PBSA application received by the City.

Local Planning Framework

LPS7 requirements

The primary built form and development controls of ASR8, to which LPP 5.2 applies are contained within LPS 7, and not within the policy itself which includes 'objective' based provisions.

Site specific built form and development provisions for ASR8 is contained within Schedule B of LPS 7, including requirements for setbacks, building heights, internal design, and streetscape appeal. Future development within ASR8 will be required to be designed in accordance with these provisions.

Design Review Panel

The City coordinates design review through its Design Review Panel. This independent evaluation process promotes built form quality design and alignment with State Planning Policy 7.0 (SPP 7.0) and relevant local and state planning framework. The design of any future PBSA applications within ASR8 will be considered by the Design Review Panel to ensure it achieves the ten design principles contained within SPP 7.0.

Consultation

In accordance with the Regulations, consultation on the revocation of an LPP is not required.

Policy and Legislative ImplicationsPlanning and Development (Local Planning Schemes) Regulations 2015

In accordance with the Regulations, an LPP may be revoked:

- (a) *by a subsequent local planning policy that;*
 - (i) *is prepared in accordance with this Part; and*
 - (ii) *expressly revokes the local planning policy; or.*
- (b) *by a notice of revocation:*
 - (i) *prepared by the local government; and;*
 - (ii) *published by the local government in accordance with clause 87.*

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	Revocation of the Policy in accordance with the requirements of the 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

10.3.2 (a):	Local Planning Policy - Student Accommodation Facility in ASR8
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10.3.3 Proposed Change of Use - Single House to Unhosted Short-Term Rental Accommodation - Lot 1 (No. 5) Eric Street, Como

Location:	Lot 1, No. 5 Eric Street, Como
Ward:	Como Ward
Applicant:	Mrs Cassie L Brooks
Owner:	Mrs Cassie L Brooks, Mr Stuart A Brooks
File Reference:	D-26-12316
DA Lodgement Date:	26 March 2026
Reporting Officer(s):	Fiona Mullen, Acting Director Development and Community Services
Previous Reference:	Nil.
Delegation:	DC690 – Local Planning Scheme No.7
Council Role:	Quasi - Judicial

Summary

The purpose of this report is to consider an application for development approval for a Change of Use from a Single House to Unhosted Short-Term Rental Accommodation on Lot 1, No. 5 Eric Street, Como.

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

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

Officer Recommendation AND COUNCIL DECISION

0626/130

Moved: Councillor Stephen Russell

Seconded: Councillor André Brender-A-Brandis

That pursuant to the provisions of the City of South Perth Local Planning Scheme No. 7 and the Metropolitan Region Scheme, this application for development approval for a Change of Use from a Single House to Unhosted Short-Term Rental Accommodation on Lot 1, No. 5 Eric Street, Como be approved subject to the following conditions:

1. A maximum of nine guests are permitted on site at any one time.
2. The Management Plan received on 14 May 2026 shall be implemented and adhered to at all times, to the satisfaction of the City of South Perth.
3. The approval is valid for a period of 12 months only from the date of the determination. The applicant will be required to lodge a subsequent application to extend the term of the approval and in determining such an application, the City of South Perth will have regard to the performance of the Unhosted Short-Term Rental Accommodation over the previous period.

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

CARRIED (5/0)

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

Against: Nil.

1.0 Details

Metropolitan Region Scheme - Zone/Reserve	Urban
Local Planning Scheme - Zone/Reserve	Residential (R100)
Activity Centre Plan	N/A
Activity Centre Land Use Designation	N/A
Use Class and Permissibility	Unhosted Short-Term Rental Accommodation – 'A' use
Lot Size	478m ²
Existing Land Use	Single House
Heritage	N/A
Bushfire Prone Area	N/A

2.0 Proposal

On 26 March 2026, the City received an application for a Change of Use from a Single House to Unhosted Short-Term Rental Accommodation (USTRA) on Lot 1, No. 5 Eric Street, Como. The application was subsequently accepted on 31 March 2026 following receipt of requested further information.

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

- A maximum of nine guests at any one time;
- Minimum stay of two nights;
- Two car parking bays are provided on site, with a maximum of two vehicles permitted;
- Check-in after 3:00pm and check-out by 10:00am;
- Parties and events are prohibited;
- Quiet hours enforced between 10:00pm and 7:00am; and
- Two USTRA manager contacts are provided to guests and neighbours and are available 24/7 to respond to matters.

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

3.0 Background

Site Context

The subject site is zoned Residential and has a density coding of R100. The dwelling abuts the Preston Street Neighbourhood Centre to the west and is opposite Comer Reserve. The site is approximately 150 metres from the Como Beach Bridge and Como Beach Jetty.

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

4.0 Legislation and Policy

Legislation

Planning and Development Act 2005

Short Term Rental Accommodation Act 2024

Metropolitan Region Scheme (MRS)

Planning and Development (Local Planning Schemes) Regulations 2015

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

Local Planning Policies

Local Planning Policy 2.5 – Unhosted Short-Term Rental Accommodation

Local Planning Policy 6.1 – Advertising of Planning Proposals

5.0 Consultation and Referrals

Public Consultation

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

The application was advertised for a period of 14 days between 28 April 2026 and 12 May 2026 in the following manner:

- A total of 101 letters were sent to adjoining landowners and occupiers; and
- A copy of the application was made available for review on the City's website.

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

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

Matter	Comment
Management of excessive noise	The Management Plan specifies that the two USTRA managers are contactable 24/7 by neighbours and will respond to issues within the hour. The Code of Conduct outlines that parties and large gatherings are strictly prohibited, and that quiet hours are enforced between 10:00pm and 7:00am. The applicant has also outlined a guest screening process, and a minimum 2-night stay to deter any parties/events.

	These noise management practices are considered to be consistent with the requirements of LPP 2.5, and the City does not consider any further noise mitigation or monitoring measures to be necessary.
Car parking	It is noted that the application was advertised with a parking shortfall of two car parking spaces in lieu of three minimum, as required for the maximum of 10 guests originally proposed. The City informed the applicant that a parking shortfall would not be supported, and the maximum number of guests was reduced to 9 (which requires 2 parking spaces). The number of on-site parking spaces is now compliant with the requirements of LPP 2.5 and sufficient for the proposed number of guests. The Code of Conduct also outlines that guests are to park on site.

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

6.0 Assessment

Short Term Rental Accommodation Act 2024

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

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

Planning and Development (Local Planning Schemes) Regulations 2015

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

Clause 67(2) Matter	Comment
(m) The compatibility of the development with its setting, including – (i) the compatibility of the development with the desired character of its setting; and (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely	There is no change to the existing built form and no works are proposed, ensuring the development remains consistent with its setting.

	effect of the height, bulk, scale, orientation and appearance of the development.	
(n)	The amenity of the locality including the following – (i) environmental impact of the development; (ii) the character of the locality; and (iii) social impacts of the development.	A Management Plan has been provided outlining amenity mitigation measures including 'quiet hours' (10:00pm to 7:00am). Parties, and events are prohibited. Additionally, the use will be required to comply with the requirements of the Environmental Protection (Noise) Regulations 1997. The proposed development is considered satisfactory subject to compliance with the submitted Management Plan, which has been recommended as a condition.
(y)	Any submissions received on the application.	Details of the submission received is contained within the consultation section of this report.

Local Planning Scheme No. 7 (LPS 7)

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

Zone Name	Objectives	Comment
Residential	To provide for a range of housing and a choice of residential densities to meet the needs of the community.	N/A
	To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.	N/A. There is no change to the existing built form and no works are proposed.
	To provide for a range of non-residential uses, which are compatible with and complementary to residential development.	Subject to compliance with the Code of Conduct and Management Plan provided, the land use is considered compliant and complementary to residential development.

Local Planning Policy 2.5 – Unhosted Short Term Rental Accommodation

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

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

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

7.0 Conclusion

USTRA is a land use that can be considered for approval in the Residential zone. It is also considered that the proximity of the subject site to the Como Beach Jetty, Preston Street Neighbourhood Centre and frequent bus services makes USTRA appropriate for this location, consistent with the objectives of LPP 2.5 which seeks to encourage USTRA near attractions, activity centres and areas of high tourism value.

Conditions of development approval are recommended to ensure the operation of the proposed USTRA does not adversely impact the amenity of the locality. Accordingly, subject to the inclusion of appropriate conditions, including a 12-month time limited approval condition as required by LPP 2.5, the application is recommended for approval.

Financial Implications

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

Key Risks and Considerations

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 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and the local planning framework.

Strategic Implications

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

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

Attachments

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

10.3.4 Proposed Change of Use - Multiple Dwelling to Unhosted Short -Term Rental Accommodation - Lot 6 (No. 106/29) Melville Parade, South Perth

Location: 106/29 Melville Parade, South Perth
Ward: Mill Point Ward
Applicant: Keith Baird
Owner: P Garvey Pty Ltd
File Reference: D-26-12317
DA Lodgement Date: 21 April 2026
Reporting Officer(s): Fiona Mullen, Acting Director Development and Community Services
Previous Reference: Nil.
Delegation: DC690 – Local Planning Scheme No.7
Council Role: Quasi-Judicial

Summary

The purpose of this report is to consider an application for development approval for a Change of Use from a Multiple Dwelling to Unhosted Short-Term Rental Accommodation on Lot 6 (No. 106/29) Melville Parade, South Perth.

The item is referred to Council as the proposed land use falls outside the delegation to Officers.

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

Officer Recommendation AND COUNCIL DECISION

0626/131

Moved: Councillor Stephen Russell

Seconded: Councillor André Brender-A-Brandis

That pursuant to the provisions of the City of South Perth Local Planning Scheme No. 7 and the Metropolitan Region Scheme, this application for development approval for a Change of Use from a Multiple Dwelling to Unhosted Short-Term Rental Accommodation on Lot 6 (No. 106/29) Melville Parade, South Perth **be approved** subject to the following conditions:

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

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

CARRIED (5/0)

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

Against: Nil.

1.0 Details

Metropolitan Region Scheme - Zone/Reserve	Urban
Local Planning Scheme - Zone/Reserve	Centre
Activity Centre Plan	South Perth Activity Centre Plan
Lot Size	73m ²
Existing Land Use	Multiple Dwelling
Heritage	N/A
Bushfire Prone Area	N/A

2.0 Proposal

On 21 April 2026, the City received an application for a Change of Use from a Multiple Dwelling to Unhosted Short-Term Rental Accommodation (USTRA) on Lot 6 (No. 106/29) Melville Parade, South Perth. The application was subsequently accepted on 28 April 2026 following receipt of requested further information.

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

- A maximum of two guests;
- Minimum stay of two nights;
- One exclusive use car parking bay provided on site;
- Check-in between 10:00am and 9:00pm and check-out by 10:00am;
- Parties and events are prohibited;
- Quiet hours enforced between 9:00pm and 7:00am; and
- USTRA manager contacts are provided to guests and neighbours.

The combined Management Plan, Code of Conduct, Property Information, and Site Plan for the development are contained in **Attachment (a)**.

3.0 Background

Site Context

The subject site is zoned Centre and has a density coding of R-AC0. The site is located 200m from the South Perth foreshore, 420m to Mends Street and 430m to the Old Mill.

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

4.0 Legislation and Policy

Legislation

Planning and Development Act 2005

Short Term Rental Accommodation Act 2024

Metropolitan Region Scheme (MRS)

Planning and Development (Local Planning Schemes) Regulations 2015

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

South Perth Activity Centre Plan

Local Planning Policies

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

Local Planning Policy 6.1 – Advertising of Planning Proposals

5.0 Consultation and Referrals

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

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

- A total of 77 letters were sent to landowners and occupiers within the multiple dwelling complex; and
- A copy of the application was made available for review on the City's website.

At the close of the consultation period, three objections were received.

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

Matter	Comment
Car parking	The application permits a maximum of two guests per booking for the unit. One dedicated vehicle parking bay is provided on site for the unit. The proposal satisfies the relevant car parking provisions of LPP 2.5.
Waste disposal and management	The Management Plan provided states a guest guide will be provided to each guest including instructions of how to dispose of general rubbish and recycled goods in accordance with the usual practice at the property and that excess rubbish must not be left in a public area. Additionally, the Management Plans notes the Manager will be responsible for general cleaning, bin collection, laundry and general maintenance, ensuring the property is kept in a clean manner and to a high standard.

Strata rules and issues	Issues surrounding strata and its rules are between the landowner and the strata management/council. It is noted that the Strata Management has not provided a letter of support for the proposal as required by LPP 2.5.
Too many USTRA uses within complex and area	The proposal is located within a Centre zone and therefore can be considered for development approval in accordance with LPP 2.5 and is capable of consideration and approval under LPS 7.
Poor guest behaviour and management	The Management Plan includes a process for guest screening, noise complaints, house rules, and strict rules around behaviour. This assists in ensuring guests behave in an appropriate manner within a multiple dwelling complex with shared spaces.

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

6.0 Assessment

Short Term Rental Accommodation Act 2024

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

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

Planning and Development (Local Planning Schemes) Regulations 2015

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

Clause 67(2) Matter	Comment
(m) The compatibility of the development with its setting, including – (i) the compatibility of the development with the desired character of its setting; and (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale,	There is no change to the existing built form and no works are proposed, ensuring the development remains consistent with its setting. It is also considered the sites location within an Activity Centre and nearby proximity to the Old Mill, Mends Street, and the South Perth foreshore, as well as public transport options including frequent bus and ferry services makes USTRA appropriate for this location, consistent with the objectives of LPP 2.5 which seeks to encourage USTRA near

orientation and appearance of the development.	attractions, activity centres and areas of high tourism value.
(n) The amenity of the locality including the following – (i) environmental impact of the development; (ii) the character of the locality; and (iii) social impacts of the development.	The development is not considered to result in any increased environmental impact as no works are proposed, and car parking is limited to one vehicle which is consistent with the existing residential use. The development is not considered to result in any change to the character of the locality, given the number of guests and vehicles permitted on site is consistent with the existing land use. Subject to compliance with the Code of Conduct, the development is unlikely to have any adverse social impacts.
(y) Any submissions received on the application.	Details of submissions received are contained within the consultation section of this report.

Local Planning Scheme No. 7 (LPS 7)

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

Local Planning Policy 2.5 – Unhosted Short Term Rental Accommodation

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

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

Matter	Comment
<u>5.2 Operation and Management</u> 5.2.1 All applications for USTRA, where the development is located in a strata title, then such application shall be accompanied by a letter from the Strata Manager or Strata Management Company indicating its support for the proposed use.	The City requested a letter from the Strata Manager or Strata Management Company on 1 May 2026 in accordance with clause 5.2.1. The Owner responded on 8 May 2026 advising that the Strata Management were not willing to provide any comment on the proposal. The response from the Strata Management stating:

	<i>“ The Council of Owners does not have the authority to issue a ‘no objection’ statement in this manner.</i> <i>Approval for the proposed works is governed by the relevant local government planning and building legislation, which takes precedence over any view of the strata company.</i> <i>Accordingly, any indication of support or objection from the Council would have no legal effect on the approval process.”</i> The proposal is therefore non-compliant with this requirement as a letter of support from the Strata Management has not been received, albeit a response has been provided by way of explanation. Notwithstanding, it should be noted that the Strata Titles Act 1985 is separate legislation to the requirements of the planning framework and therefore cannot be considered as part of this application, however any bylaws pertaining to the Strata Scheme are required to be complied with.
<u>5.6 Location Requirements</u> 5.6.4 In locations where objections to the development is received from neighbours, any approval granted must first be a time limited approval for 12 months, to properly assess the impact on the neighbours and amenity.	Three objections were received during the consultation period. For this reason, a condition is recommended to limit the approval validity to a maximum of 12 months in accordance with the Policy.

7.0 Conclusion

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

Accordingly, subject to the inclusion of appropriate conditions, including a 12-month time limited approval condition as required by LPP 2.5, the application is recommended for approval. Applying a 12-month time limited approval will also enable the Strata Management to consider any impacts, noting that a letter of support has not been provided in support of this application.

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 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and the local planning framework.

Strategic Implications

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

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

Attachments

10.3.4 (a):	Combined Management Plan
10.3.4 (b):	Aerial and Zoning Map
10.3.4 (c):	Schedule of Submissions

Councillor Kathy Lees disclosed an Impartiality Interest in Item 10.3.5.

10.3.5 Proposed Tree Damaging Activity to a Regulated Tree - Lot 17 (No. 22) Pitt Street, Kensington

Location: 22 Pitt Street, Kensington
Ward: Moresby Ward
Applicant: ABN Residential WA Pty Ltd
Owner: Mr A Mohammed & F Anzal
File Reference: D-26-12318
DA Lodgement Date: 27 May 2026
Reporting Officer(s): Fiona Mullen, Acting 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 17 (No. 22) Pitt Street, Kensington.

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

COUNCIL DECISION

0626/132

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

That pursuant to the provisions of the City of South Perth Local Planning Scheme No. 7 and the Metropolitan Region Scheme, this application for development approval for Tree Damaging Activity to a Regulated Tree on Lot 17 (No. 22) Pitt Street, Kensington 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.

Reasons for Change

- The removal of the tree will result in a notable reduction of the existing canopy on the site and in the neighbourhood.
- While a new tree will take decades to replace the existing canopy, it is appropriate that one be planted to help offset the loss arising from the tree removal and contribute to positive long-term environmental and amenity outcomes in the neighbourhood.
- By imposing a condition requiring the planting of a tree, Council and the community can have some certainty that canopy replacement will occur and that long-term environmental and amenity benefits are again realised.

CARRIED (5/0)

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

Against: Nil.

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 Tree Damaging Activity to a Regulated Tree on Lot 17 (No. 22) Pitt Street, Kensington be approved.

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	795m ²
Existing Land Use	Single House
Heritage	N/A
Bushfire Prone Area	N/A

2.0 Proposal

The applicant seeks approval to undertake Tree Damaging Activity to a Regulated Tree, specifically, the removal of:

- A Queensland Box tree (*Lophostemon Confertus*) – the tree has a height of 15.3m, average canopy diameter of 5m and a trunk circumference of 68.4cm measured 1.4m off the ground.
- The tree is not included on a State or local weed register.
- The Queensland Box tree is located in the middle of the lot.

Photographs and details of the tree and location of the tree on site are contained in the Arborist Report submitted by the applicant in support of the application as contained as **Attachment (a)**.

The applicant's justification for removing the tree is to accommodate a future single storey single house and is contained as **Attachment (b)**. The City engaged an Arborist to peer review the proposal, the advice is contained in **Attachment (c)**.

3.0 Background

The following outlines the background to the application:

- On 26 August 2025, Council adopted Local Planning Policy 3.2 – Tree Retention (LPP 3.2).
- On 9 March 2026, the City received a development application for a single storey single house and removal of a Regulated Tree (as one application).
- The City commenced its assessment of the application, including advertising. The plans as part of the application showed trees to be removed (to the front, middle and rear of the site).
- The City then requested the application be separated into two separate development applications on 27 May 2026 for the following reasons:
 - A single house is a ‘prescribed single house development’ in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 (which occurred as part of the Planning and Development (Local Planning Schemes) Regulations 2024 (the Regulations)). In accordance with the Regulations, determination of prescribed single house development must be performed by the local government Chief Executive Officer or authorised employee, and the function cannot be performed by the Council of the local government.
 - Proposed removal of a Regulated Tree is considered tree damaging activity for the purposes of LPP 3.2 and is inconsistent with the objectives of the Policy.
 - In accordance with Delegation DC690 – Local Planning Scheme No. 7, in relation to developments involving the exercise of a discretionary power, applications which, in the opinion of the delegated officer, represent a significant departure from Local Planning Policies that requires Council determination.
 - As such, the City is required to determine the ‘prescribed single house development’ portion of the proposal (the single house) but does not have delegation to consider removal of the Regulated Tree. The City therefore requested the applicant submit a development application to enable separate decisions.
- The development application for the removal of the Regulated Tree was submitted on 28 May 2026 and forms the basis of this report.

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 thus ‘development’, is always context dependant, 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 LPP 3.2 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.

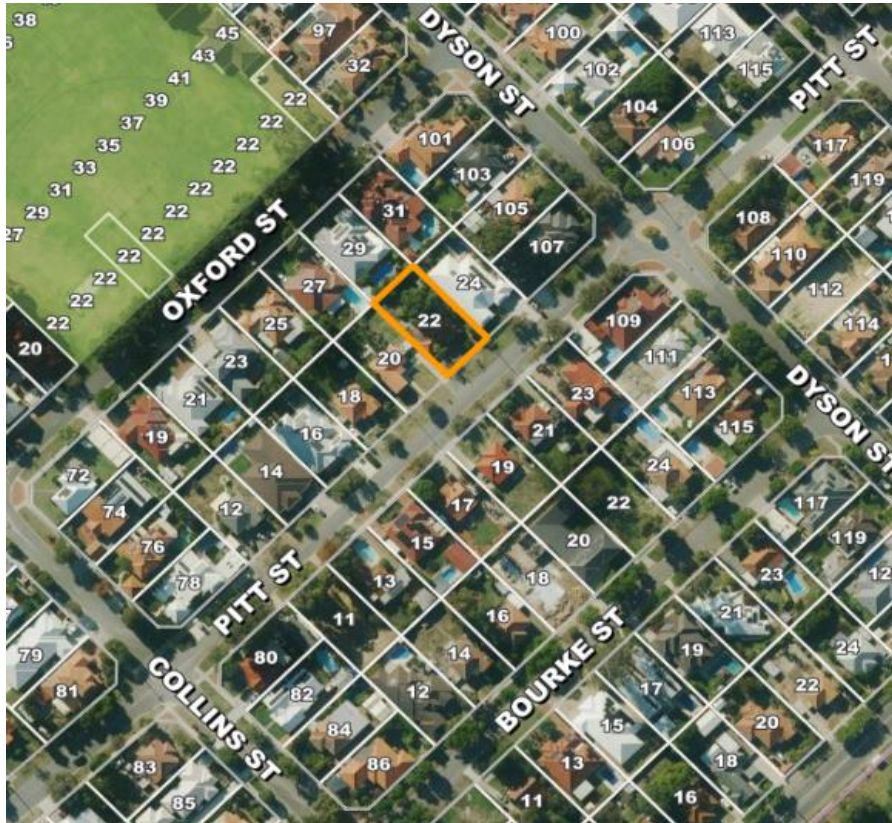
The tree the subject of the application meets the definition of a Regulated Tree.

Site Context

The subject site is zoned 'Residential R15' under the Local Planning Scheme No.7 (LPS 7) with a site area of 795m².

The site is close to the northern end of Pitt Street between Dyson Street and Collins 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:



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.

The application was advertised for a period of 14 days between 29 April 2026 and 15 May 2026. No submissions were received.

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 some 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;	Whilst loss of the tree would adversely impact the amenity of the locality, the tree is located in the middle of the site and therefore less prominent in the streetscape. It is considered reasonable that a residential lot should accommodate the development of a single house and given the siting of the tree in the centre of the site, it is less feasible to develop the site for this purpose otherwise.
(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 notes that the subject regulated 'Queensland Box' tree has been previously topped but that the tree maintains good vigour. There is no apparent soil disturbance around the base of the tree, there is however evidence of poor previous pruning with a previous topping at approximately 3.0m from the ground level showing the entire canopy as being epicormic growth.

	There is visual evidence of previous minor and major failures present with minor hangers within the canopy. Rope is imbedded into structural limbs suggesting it has been there for an extended period. Whilst there are other trees to be removed on the subject site an existing street tree is to be retained. Landscaping will occur as part of works to the property with a new tree proposed to be planted to the north-west corner of 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 there is negligible impact on the community given the location of the tree within the middle of the site and the proposal for a new tree to be planted on the site near to the existing.

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.

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

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

Requirement	Assessment
Objectives	
4.2 Prioritise the retention, protection, and the provisions of trees on private land and adjacent reserves in the planning process.	The removal of the tree does not prioritise the retention, protection and the provision of trees on private land.
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.	The tree is located to the middle of the lot with some current footpath paving uplift. The location in the middle of the lot impacts the built form of the proposed single house with its orientation to the south-west of the lot and with an aim to opening up its north-eastern orientation which contains habitable rooms to northern light.
4.4 Preserve and enhance neighbourhood amenity, character and sense of place.	The proposed location and size of the tree in the middle of the lot results in it being visible in the streetscape and the removal of the tree will not preserve or enhance neighbourhood amenity or character or sense of place.
4.5 Mitigate the urban heat island effect, reduce air pollution, improve groundwater quality and contribute to biodiversity and other environmental benefits.	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.
Development applications	
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: (a) The regulated tree is unhealthy, based on the recommendations of an Arborist Report; (b) The regulated tree causes safety risks to people, infrastructure or buildings based on recommendations on	The applicant's Arborist Report states that the tree has good vigour. In addition, the report states that that the tree has been excessively lopped at approximately 3m from ground level therefore the epicormic growth is the main canopy of the tree. Epicormic growth can be considered unstable and has proven to fail under normal and adverse weather conditions. The tree protection zone (TPZ) outlined in the Arborist report of 8m will be considerably encroached during demolition and construction phases. The structural root zone (SRZ) at 3m

an Arborist Report and/or Structural Engineering Report; (c) In the opinion of the City, the redesign of the development to accommodate the regulated tree is unfeasible.	may also be heavily impacted during both demolition and construction phases therefore posing as a hazard. The Arborist engaged by the City advised that in relation to how close construction can occur to the tree without any detrimental impact is dependent upon the protection measures implemented during the construction process. With tree protection measures, the Notional Root zone (NRZ), listed in the Arborist Report as the TPZ, can be offset by 30%. However, it is noted that the long-term interaction between the tree and the proposed structure together with the value of the tree is considered, as it can require significant protection and ongoing maintenance to minimise the impact to the tree. The City does not consider the redesign of the proposed dwelling to be feasible given the presence of the tree; the siting of the proposed dwelling has been designed to the south-western boundary of the lot away from the north-eastern boundary to orientate the dwelling for sunlight and ventilation and enhanced energy efficiency.
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7.0 Conclusion

The application is inconsistent with the aim of LPS 7 to protect tree canopy, and some of the objectives and provisions of LPP 3.2. Whilst it is acknowledged that the tree provides environmental and amenity benefits, its siting in the centre of the lot impacts the feasibility to construct a single house on the lot.

The applicant has provided appropriate justification and evidence in support of the removal of the tree, and it is recommended the application be approved.

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	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	As outlined in the Financial Implications. 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.

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):	Applicant's Arborist Report
10.3.5 (b):	Development Plans and Applicant's Supporting Information
10.3.5 (c):	Independent Arborist Review

10.3.6 Proposed Illuminated and Non-Illuminated Signage - Lot 1 (No. 1/2) Meadowvale Avenue, South Perth

Location:	Lot 1 (No. 1/2) Meadowvale Avenue, South Perth
Ward:	Mill Point Ward
Applicant:	JCONN Planning
Owner:	Nowarange Holdings Pty Ltd
File Reference:	D-26-12319
DA Lodgement Date:	18 February 2026
Reporting Officer(s):	Fiona Mullen, Acting Director Development and Community Services
Previous Reference:	Nil.
Delegation:	DC690 – Local Planning Scheme No.7
Council Role:	Quasi-Judicial

Summary

The purpose of this report is to consider an application for development approval for illuminated signage on Lot 1 (No. 1/2) Meadowvale Avenue, South Perth.

The item is referred to Council as applications for illuminated and/or digital content signage opposite (directly or diagonally) to or adjoining a residential zone are outside the delegation to Officers.

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

Officer Recommendation AND COUNCIL DECISION

0626/133

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Kathy Lees

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 Signage on Lot 1 (No. 1/2) Meadowvale Avenue, South Perth **be approved** subject to the following conditions:

1. This decision constitutes development approval only and is valid for a period of two years from the date of determination. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plans. In the event of any inconsistency, conditions of development approval prevail over the approved plans.
3. The signage shall not contain any flashing or moving light, audio, animation or movement in its design or structure; reflective, retro-reflective or fluorescent materials in its design structure to the satisfaction of the City of South Perth.

4. The illuminated sign luminance levels shall be set based on site specific requirements, including the orientation of the sign and shading around the sign, to the satisfaction of the City of South Perth.

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

CARRIED BY EXCEPTION RESOLUTION (5/0)

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

Against: Nil.

1.0 Details

Metropolitan Region Scheme - Zone/Reserve	Urban
Local Planning Scheme - Zone/Reserve	Neighbourhood Centre – R60
Activity Centre Plan	N/A
Activity Centre Land Use Designation	N/A
Use Class and Permissibility	N/A
Lot Size	302m ²
Existing Land Use	Liquor Store - Large
Heritage	N/A
Bushfire Prone Area	No

2.0 Proposal

On 18 February 2026, the City received an application for the addition of illuminated signage to an existing Liquor Store – Large on Lot 1 (No. 1/2) Meadowvale Avenue, South Perth (the subject site). Upon an initial review of the application, on 19 February 2026 the City advised the applicant that the application was incomplete and requested additional information be provided.

The requested information was subsequently received on 2 April 2026, and the application was accepted for assessment by the City on 3 April 2026. Upon completion of an initial assessment, on 13 April 2026 the City requested further information relating to clarification and amendments regarding details of the proposed illuminated signage and multiple other existing wall signs affixed to the property, which was received on 29 April 2026.

The application relates to a total of four signs, consisting of three non-illuminated and one illuminated wall sign. Details of the signs to be considered as part of this application are provided below:

Sign 3 – Proposed illuminated wall sign

- Proposed Sign 3 is an illuminated wall sign and is the only illuminated sign proposed for this tenancy. The sign will be affixed to the Meadowvale Avenue frontage and will replace an existing (unapproved) non-illuminated wall sign.
- Height of 1.261m and width of 0.731m.
- Illumination is proposed during trading hours for the tenancy, plus one hour prior to and one hour after trading times. The earliest illumination will be 8:00am Monday-Saturday and 9:00am Sunday and the latest illumination will be 10:00pm on Friday-Saturday and 9:00pm Sunday-Monday.
- The proposed sign will have a total of eight static image slots, rotating and will advertise only products and services applicable to or available at the associated tenancy.
- The sign is proposed to be affixed to the north-east facing elevation of the tenancy and will be located approximately 40m from the nearest residential property.
- The proposed sign will have a typical brightness of 3500 nits, with a peak of 4000 nits. The luminance levels of the sign are proposed to comply with Australian Standard 4282.

Signs 4, 5 and 6 – Existing (unapproved) non-illuminated wall signs

- Signs 4, 5 and 6 are three existing non-illuminated wall signs that have been installed without the benefit of development approval and approval of these signs is therefore being considered retrospectively. These signs will be affixed to the Meadowvale Avenue frontage.
- Each sign is 1.189m high and 0.841m wide and are non-illuminated.
- Each sign will display only products and services applicable to or available at the tenancy.

There is one existing awning sign (Sign 1) and one existing wall sign (Sign 2), both of which are non-illuminated, which have been previously approved by the City or are of a class specified as not requiring development approval and therefore do not form part of this application.

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

3.0 Background

Site Context

The development application relates to a single tenancy (Unit 1) within the Meadowvale Shopping Centre complex at the corner of Mill Point Road to the south and Meadowvale Avenue to the east. The subject tenancy is the southern-most tenancy in the complex. The prevailing development surrounding the subject site comprises other commercial tenancies within the complex and further north-west along Meadowvale Avenue, single houses east of Meadowvale Avenue and south of Mill Point Road, and multiple dwellings directly to the west.

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

4.0 Legislation and Policy

Legislation

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Planning and Development (State Planning Policies) Regulations 2024

Metropolitan Region Scheme (MRS)

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

Local Planning Policies

Local Planning Policy 6.1 – Advertising of Planning Proposals

Local Planning Policy 7.1 – Advertising Signage

5.0 Consultation and Referrals

Public Consultation

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

The application was advertised for a period of 14 days between 5 May 2026 and 19 May 2026 in the following manner:

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

At the close of the consultation period, no submissions were received.

6.0 Assessment

Local Planning Policy 7.1 – Advertising Signage (LPP 7.1)

The purpose of LPP 7.1 is to provide development requirements for a range of advertising signage and to specify advertising signage that does not require development approval.

The City has undertaken an assessment of the site and identified a total of five existing wall signs and one awning sign currently affixed to the Meadowvale Avenue frontage of the tenancy. An assessment of the four signs (Sign 3 and Signs 4, 5 and 6) subject to this application has been undertaken and the following variations to the requirements of LPP 7.1 identified, as detailed below:

Sign Type	Requirement	Comment
5.2 Illuminated and Digital Content	<i>5.2.1 Advertising signage subject to illumination (e.g., backlit or spotlight) or with digital content shall not:</i> <i>(b) Adversely impact neighbouring sites or the amenity of the surrounding area via light spill.</i>	The proposed illuminated signage (sign 3) is considered to have negligible amenity impact to nearby residential properties subject to compliance with the recommended condition, given that the sign is proposed only to be illuminated during opening

		hours, plus one hour before and after, and is located approximately 40m from the nearest dwelling.
<u>Table 2</u> 8. Wall Sign	1) <i>Must not exceed more than two wall signs per street frontage.</i>	A total of five wall signs are proposed to be affixed to the Meadowvale Avenue frontage. Notwithstanding, the aggregate area of all five wall signs is considered proportionate to the tenancy façade and compatible with its setting, as outlined below.
	2) <i>Must not exceed 25% in aggregate area on any one façade, excluding glazed portions, to a maximum of 8m², whichever is the lesser size.</i>	The aggregate area of all wall signs is 8.61m ² , which occupies approximately 22% of the façade (excluding glazing), which results in a variation of 0.61m ² Notwithstanding, the proposed signage is well-integrated into the design of the building and is compatible with its setting in the Neighbourhood Centre zone. It is considered that, albeit a minor variation to aggregate size, the signage is proportionate and will not appear dominant or inconsistent with the façade.
	3) <i>Should not project beyond the extent of the wall to which it is affixed.</i>	The illuminated wall sign projects 0.168m forward of the wall to which it is affixed and does not obstruct the adjoining pedestrian access away.

The proposal is considered to satisfy the objectives of LPP 7.1 as follows:

Objectives	Comment
4.1 To ensure advertising signage is compatible with the desired character of the area.	The proposed signage is located within the Neighbourhood Centre zone. The signage has been assessed against the relevant zone objectives and is considered to be compatible the desired character of the area.
4.2 To limit the proliferation of advertising signage on individual sites and across the City, and to support the rationalisation of signage on a lot.	The proposed signage is located within the Meadowvale Shopping Centre complex which consists of multiple individual tenancies. The proposed signage is considered to be of a scale and number proportionate to the façade of the specific tenancy to which it is affixed. The signage is therefore not considered to constitute a proliferation of signage on this site.
4.3 To ensure advertising signage support architectural elements of and where possible, integrated into the design of the building.	The proposed signage is affixed to extensive blank walls of the tenancy. The proposed signage is appropriately spaced along the façade, and it is considered will not detract from the design of the building.
4.4 To ensure advertising signage does not adversely impact on the level of safety for the public and road users.	If managed in accordance with Australian Standard 4282, the illuminated signage is considered to pose negligible safety risk for the public and road users. As such, a condition is recommended to be imposed to ensure compliance with AS 4282.

Local Planning Scheme No. 7 (LPS 7)

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

Zone Name	Objectives	Comment
Neighbourhood Centre	Provide services for the immediate neighbourhoods, that are easily accessible, which do not adversely impact on adjoining residential areas.	The proposed development is for wall signage (including one illuminated) affixed to the external façade of an existing Liquor Store – Large. The non-illuminated wall signs are considered to have negligible adverse amenity impact on nearby residences.

		If managed to comply with the Australian Standard 4282 and hours of luminance are restricted as proposed, the proposed illuminated signage is unlikely to have a detrimental amenity impact to the nearby residential.
	To provide for daily and weekly household shopping needs, community facilities and a small range of other convenience services.	N/A
	Encourage high quality, pedestrian-friendly, street-orientated development.	The proposed signage will be affixed to the front façade of the tenancy and is of a scale proportionate to the façade, will be legible and of a professional standard typically associated with commercial tenancies. The signage will not be obstructive Pedestrian movement.
	To provide for a range of quality residential development opportunities, to meet the diverse needs of the community.	N/A

Planning and Development (Local Planning Schemes) Regulations 2015)

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

Requirement	Comment
(a) The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area.	The proposal is consistent with the requirements of LPS 7 and satisfies the applicable policy objectives where relevant.
(m) The compatibility of the development within its setting including – (i) the compatibility of the development with the desired future character of its setting; and (ii) the relationship of the development to development	The development is consistent with the prevailing and future development context, which is commercial in the immediate area with nearby residential typologies consisting of Single Houses and Multiple Dwellings. The proposed signage is consistent with existing signage at other tenancies within its setting (Meadowvale Shopping Centre).

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.	The signage will be affixed to an otherwise blank wall of the specific tenancy. The development is not considered to have an adverse impact to development on adjoining land. The proposed signage will have low to no visibility from the other commercial tenancies within the complex. With due regard given to scale of the proposed signage and distance to the two residential properties that directly front this section of Meadowvale Avenue, it is considered that the signage will also have low visibility, which is further reduced by several mature street trees in the respective verges between the residential properties and subject site. Subsequently, there is considered to be negligible visual amenity impact to the nearby residential properties.
(r) The suitability of the land for the development taking into account the possible risk to human health or safety.	If luminance levels of the proposed illuminated signage are managed in accordance with AS 4282, the risk of distraction to drivers, cyclists and pedestrians is considered to be negligible and unlikely to result in any detrimental risk to human health or safety. The remaining signs are affixed flush to the façade of the tenancy such that they do not encroach onto the pedestrian footpath and are not illuminated. It is therefore considered that the non-illuminated signage component of the development will also not present any detrimental risk to human health or safety.

7.0 Conclusion

The proposed development is consistent with the applicable local planning framework as discussed in this report. The proposed illuminated signage is compatible with its setting in the Neighbourhood Centre zone and will not have a detrimental amenity impact to the nearby residential zone.

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

Financial Implications

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

Key Risks and Considerations

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 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and the local planning framework.

Strategic Implications

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

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

Attachments

10.3.6 (a):	Development Plans
10.3.6 (b):	Applicant Cover Letter
10.3.6 (c):	Aerial image and Zoning Map

10.3.7 Response to Petition - Waterford Estate Entry Statement

File Ref: D-26-12320
Reporting Officer(s): Olaya Lope, Acting Director Infrastructure Services

Summary

This report provides a response to the Waterford Entry Statement petition, received at the 24 February 2026 Ordinary Council Meeting, and recommends the creation of a Council Policy on entry statements to ensure a coordinated approach to proposals for entry statements in future.

Officer Recommendation

Moved: Councillor Blake D'Souza
Seconded: Mayor Greg Milner

That Council requests the Chief Executive Officer prepare and present for adoption a Council Policy – Entry Statements.

LOST (2/3)

For: Mayor Greg Milner, Councillor Blake D'Souza.

Against: Councillors André Brender-A-Brandis, Kathy Lees and Stephen Russell.

Post Agenda Briefing Comment

The City acknowledges since this report was prepared and included in the agenda, Council resolved to fund the Waterford Entry Statement as part of the adoption the 2026/27 Annual Budget.

The City will therefore proceed to consultation with the community, design and construction in accordance with the Council resolution.

Background

The Waterford Estate entry statement previously located at the corner of Waterford Avenue and Manning Road was located on private property and subsequently removed from Lot 1 (No.14) Killaloe Place, Waterford as part of the property sale completed on 26 March 2024.

At the 24 February 2026 Ordinary Meeting, Council received a petition on entitled 'Waterford Entry Statement'. The text of the petition read:

'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.'*

Council subsequently resolved as follows:

"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."

The City's response to the petition forms the basis of this report.

Comment

Estate entry statements typically comprise signage, landscaping and/or structural elements positioned at key entry points to define neighbourhood identity. Their effectiveness is often influenced by the surrounding streetscape context and how well they integrate with the broader urban environment.

Poorly integrated treatments may have the potential to detract from local character and contribute to visual clutter, particularly where multiple treatments occur across a broader network. As such, a coordinated approach to the placement of entry statements is recommended.

Policy

Whilst provisions related to applications for signage on zoned land are provided in Local Planning Policy 7.1 – Advertising Signage, entry statements are typically located on reserved land (i.e. within the road reserve) and do not advertise services and/ or products.

The City does not have a Policy position on entry statements; however, consideration should be given to:

- ownership and maintenance;
- streetscape integration and character;
- location and safety considerations; and
- landscaping and public realm design.

These matters, as well as the proposal for an estate entry statement at Waterford, are further as discussed below.

Ownership and Maintenance

A key consideration for the City relates to the long-term ownership and maintenance of entry statements. Design complexity is generally associated with higher costs, particularly where features such as irrigation systems, feature lighting, and detailed materials are incorporated, increasing long-term maintenance and renewal requirements.

While such features are often installed by developers on completion of new residential estates for marketing purposes, they are typically transferred to the City as public assets. This transfer may result in ongoing obligations associated with:

- lifecycle costs;
- maintenance responsibilities; and

- durability requirements.

Entry statements are considered optional enhancements rather than essential infrastructure, and once transferred, may introduce additional assets requiring ongoing management over their full lifecycle.

Accordingly, the City generally seeks to discourage overly complex structures or may require design refinements prior to acceptance, with a view to supporting long-term sustainability, minimising asset risk and maintaining cost efficiency.

Streetscape Integration and Character

Maintaining a cohesive and high-quality streetscape is reflective of the character of the City of South Perth. Entry statements are therefore typically assessed having regard to:

- compatibility with the surrounding built environment;
- scale and visual prominence;
- material selection and quality; and
- potential impacts on key views and visual corridors.

Poorly integrated treatments may have the potential to detract from local character and contribute to visual clutter, particularly where multiple treatments occur across a broader network. This also has the potential to diminish the effectiveness and clarity of essential traffic control devices and reducing overall visual legibility within the road network.

Notwithstanding the above, well-designed entry statements can support visual amenity, placemaking and a sense of identity within a suburb.

Location and Safety Considerations

Entry statements are considered roadside assets and are required to comply with applicable safety and infrastructure requirements, including engineering standards. This includes consideration of:

- safe sightlines, particularly at intersections and along higher-speed approaches;
- clear zones and road offsets;
- potential conflicts with underground services within the verge; and
- safe access for pedestrians and maintenance activities.

Physical gateway elements may present fixed-object hazards, particularly where located within road reserves or clear zones. Inappropriate siting or design may also affect:

- safe sightlines;
- driver perception; and
- visibility of regulatory signage.

All works within the road reserve are required to comply with the City's requirements, with safety and operational performance generally taking precedence over aesthetic considerations.

Landscaping and Public Realm Design

Landscaped entry treatments (including landscaping to support other entry statements) are expected to be aligned with relevant landscape guidelines and to:

- utilise waterwise and sustainable planting; and
- integrate with verge and public space design.

Given that landscaping can be a driver of ongoing maintenance costs, design outcomes are generally encouraged to prioritise simplicity, durability and reduced irrigation demand where possible.

Proposed Waterford Entry Statement

Replacement of an entry statement in generally the same location (i.e. abutting the newly constructed fence at Lot 1 (No.14) Killaloe Place, Waterford) is not supported at this point in time as it is first recommended that Council consider adopting a Policy for a coordinated approach for entry statements, to ensure consistency in design, branding and asset management.

Should Council consider reconstructing an entry statement, consideration should be given to the above requirements as well as costs associated with traffic management, development approvals (where relevant) and annual maintenance costs.

Consultation

Nil.

Policy and Legislative Implications

Nil.

Financial Implications

General entry statements

The construction of a new estate entry statement represents an upfront capital investment. While site-specific costs can vary depending on design, materials, and services, comparable local government projects indicate that a typical entry statement may cost in the order of \$30,000 to \$150,000 or more to construct (indicative only).

The estimated annual maintenance cost for a maintained suburb entry statement is shown in the table below:

Table 1 – Annual maintenance cost for suburb entry statements

Cost Component	Typical Activities	Estimated Annual Cost
Landscaping & Grounds	Mowing, pruning, weeding, mulching, plant replacement	\$2,000 - \$5,000
Irrigation System	Seasonal adjustment, repairs, water use	\$300 - \$1,200
Lighting & Electrical	Power, lamp replacement, minor faults	\$300 - \$1,000
Sign / Structure	Cleaning, repainting, graffiti removal, minor repairs	\$300 - \$1,500
Inspection & Reactive Maintenance	Routine inspections, vandalism, storm damage	\$300 - \$1,000
Total Estimated Annual Maintenance Cost (per item)		\$3,200 - \$9,700

The cost estimate is based on landscaped, electrified and irrigated entry statements with standard suburban planting, no water features or complex engineering elements, routine maintenance and Perth metro labour costs and water cost conditions.

Site-specific (Waterford) entry statement

For the specific location on the southern side of the intersection of Manning Road, Kent Street and Waterford Avenue, a preliminary cost estimate has been prepared for the reinstatement of an entry statement similar in form to the previously constructed feature. This estimate is approximately \$63,500, noting that this includes traffic management requirements associated with works within a high-volume and complex road intersection. Traffic management represents a significant proportion of the total cost due to the constraints and safety requirements of the site.

As an alternative, addition of a 'Waterford' sign to the existing wall located within the median of Waterford Avenue has been identified by the City. This option has a substantially lower preliminary cost estimate of approximately \$5,000. However, it would provide a more limited outcome in terms of visibility and presence compared to a standalone entry statement.

It is noted that both cost estimates are preliminary and exclude allowances for landscaping, irrigation, electrical works (including lighting), water supply and any relocation of services. Inclusion of these elements would increase the overall capital cost depending on design and site conditions.

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.
	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 Medium
Mitigation and actions	Adopt a clear policy and standardised approach to estate entry statements that prioritises safety, limits long-term liabilities, and ensures consistent design and asset management.

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.

10.3.8 WLG000010 Civil Construction - Urban Rivers Catchment Program, Stage 1

File Reference: D-26-12321

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

Summary

This report recommends Council accept a proposal from MMM Civil Construction (WA) Pty Ltd for the Civil Construction - Urban Rivers Catchment Program, Stage 1.

Please note that following adoption, the Tender price will be available on the Tender Register on the City's website.

Officer Recommendation AND COUNCIL DECISION

0626/134

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Kathy Lees

That Council:

1. Accepts the tender submitted by MMM Civil Construction (WA) Pty Ltd for the Civil Construction - Urban Rivers Catchment Program, Stage 1, as shown in **Confidential Attachment (a)**; and
2. Authorises the Chief Executive Officer to execute the contract with MMM Civil Construction (WA) Pty Ltd for Urban Rivers Catchment Program, Stage 1.

CARRIED BY EXCEPTION RESOLUTION (5/0)

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

Against: Nil.

Background

Stage 1 of the URCP project is centred around the Coode Street Foreshore and will start in July 2026. It will involve realigning the existing pedestrian path further inland, away from the river. Two new headlands will also be constructed to protect the foreshore from anticipated sea and river level rises. This work will create an opportunity to regrade the existing river beaches and reconnect the river with nearby foreshore wetland areas, providing improved habitat for native wildlife such as the Rakali and the Fairy Tern.

The beaches near where the summer South Perth StrEATs event is held and where Funcats is located will be retained and regraded. As well as providing greater habitat connectivity and refuges for the native species, the realignment of the pedestrian footpath will also enhance the experience of visitors and create more space for pedestrian movement around the Funcats area and the Boatshed Café.

Prompted by the need to stabilise the Swan River riverbank, the Urban Rivers and Catchments Program grant will enable us to protect the habitat values of the foreshore and deliver additional improvements to make this already popular precinct an even more beautiful, active space while also achieving environmental outcomes.

The Works will involve redevelopment of the Coode St foreshore. Stage 1 of the Works shall extend approximately 150m west of the Sir James Mitchell Park Flagpole to the Coode Street Jetty.

Comment

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

TABLE A – Tender Submissions

Tender Submissions	
1.	MMM Civil Construction (WA) Pty Ltd
2.	Advanteering Civil Engineers
3.	Natural Area Consulting Management Services

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. Demonstrated Knowledge and Experience	20
2. Demonstrated Understanding of the Principal's Requirements	20
3. Proposed Personnel's Experience working with Local Government Authorities	25
4. Demonstrated experience in delivering complex or high-risk civil construction projects of a similar nature, scale or environment	35
Total	100%

Based on the assessment of all submissions received for Tender WLG000010 Civil Construction (WA) Pty Ltd for Urban Rivers Catchment Program, Stage 1, it is recommended that the tender submission from MMM Civil Construction (WA) Pty Ltd be accepted by Council.

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*.

Tender WLG000010 Civil Construction for Urban Rivers Catchment Program, Stage 1 was advertised on the WALGA Portal 5 May 2026 and closed at 2pm on 19 May 2026.

Tenders were invited as a Lump Sum Contract.

The contract is for the period six months.

A mandatory site briefing was held at 10am on Tuesday 5 May 2026.

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

The cost of the works is included in the draft 2026/27 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. Project Cost This relates to any project exceeding the project budget. Ranging and exceeding the budget by up to 10% to 30% and over. Project Time This relates to any project exceeding the project deadline. Ranging from exceeding the deadline by up to 10% to 30% and over.
Risk rating	Medium
Mitigation and actions	Approval of the tender report at the June 2026 Ordinary Council Meeting will enable timely contract award and reduce the risk of non-compliance with the Risk event outcome. It will also ensure all design, procurement, and construction activities are aligned with agreed project objectives.

Strategic Implications

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

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

Attachments

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

10.4 STRATEGIC DIRECTION 4: LEADERSHIP

10.4.1 Listing of Payments - May 2026

File Ref: D-26-12322

Reporting Officer(s): Donna Shaw, Acting Director Corporate Services

Summary

This report presents to Council:

- the list of accounts paid under delegated authority between 1 May 2026 to 31 May 2026.
- purchase card transactions between 1 April 2026 to 30 April 2026.

Officer Recommendation AND COUNCIL DECISION

0626/135

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Kathy Lees

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

CARRIED BY EXCEPTION RESOLUTION (5/0)

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

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 May 2026 is included in **Attachment (a)** and shows the following payments:

EFT Payments to Creditors	406	\$5,541,629.04
Cheque payments to creditors	2	\$511.30
EFT Payments to Non-Creditors	36	\$50,572.71
Cheque payments to Non-Creditors	11	\$15,332.09
<i>Total EFT & Cheque Payments</i>	455	\$5,608,045.14
Credit Card Payments	62	\$14,188.78
Fleet Card Payments	108	\$17,204.30
Total Payments	625	\$5,639,438.22

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

The report records payments are classified as:

- Creditor Payments

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

- Non-Creditor Payments

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

- Purchase Cards

Purchase card payments are included in the listing of payments as required by the amended Regulations. The amended Regulations requires the City to prepare a list of the payments made with each card and to present it to Council.

Due to the time lag between receiving the statements and the successful acquittal of transactions in the City’s system this listing will always be for the month preceding the month for which creditor and non-creditor payments are being reported.

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

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

The payments of bank fees, such as merchant service fees which are directly debited from the City’s bank account in accordance with the agreed fee schedules under the contract for provision of banking services, are also not provided in this report.

Consultation

Nil.

Policy and Legislative Implications

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

Policy P602 Authority to Make Payments from the Municipal and Trust Funds.

Financial Implications

The payment of authorised amounts is within existing budget provisions.

Key Risks and Considerations

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

10.4.1 (a):	Listing of Payments May 2026
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10.4.2 Monthly Financial Statements - May 2026

File Ref: D-26-12323
Reporting Officer(s): Donna Shaw, Acting Director Corporate Services

Summary

To present to Council the Financial Statements for May 2026.

Officer Recommendation AND COUNCIL DECISION

0626/136

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Kathy Lees

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

CARRIED BY EXCEPTION RESOLUTION (5/0)

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

Against: Nil.

Background

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

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

Comment

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

- CPI dropped driven by transport relief from a federal fuel excise cut, however underlying inflation continue to edge upwards. The national Consumer Price Index (CPI) inflation was 4.2% for the 12 months to April 2026 and Perth was 3.9% for the same period, compared to 4.6% nationally and for Perth in the 12 months to March 2026.
- At its 16 June 2026 meeting the Board (RBA) decided to leave the cash rate target unchanged at 4.35%.
- The RBA Monetary Policy Board released the following statement on the 16 June 2026: *"Inflation picked up materially in the second half of 2025, and information since the beginning of this year confirms that some of the increase reflected greater capacity pressures. The latest data show that headline and underlying inflation are still too high."*

Oil prices have eased in recent weeks, although energy and most related commodity prices remain higher than they were prior to the conflict in the Middle East. There are signs that some firms experiencing cost pressures are increasing the prices of their goods and services and others are looking to do so. Short-term measures of inflation expectations have eased but remain higher than earlier in the year.”

- Banks have been offering improved average interest rates of 4.95% for investments under 12 months.

Financial Statements

The Financial Statements represent the 2025/26 operations to 31 May 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 \$770,972. (\$85,264,887 in comparison to budget of \$84,493,915)
Expenditure from operating activities	Favourable variance of \$1,609,432 (\$73,507,067 in comparison to the budget of \$75,116,499)
<i>Net Operating Position</i> <i>(See Attachment (c))</i>	Favourable variance of \$2,380,404 (\$11,757,820 in comparison to budget of \$9,377,415)
Capital Revenue	Unfavourable variance of \$798,484 (\$3,809,399 in comparison to budget of \$4,604,884)
Capital Expenditure <i>(See Attachment (e))</i>	Favourable by \$6,932,624. (\$15,871,375 in comparison to the budget \$22,803,999)

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	\$25,852,575
Reserves	\$55,799,342
<i>Total</i>	<i>\$81,651,917</i>
Total invested (various institutions)	\$76,920,017
Interest earned YTD (as at 31 May 2026)	\$3,719,421

As at 31 May 2026, the City held 33.34% 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

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

10.4.3 Response to Notice of Motion - Financial Sustainability Strategy

File Ref: D-26-12327

Reporting Officer(s): Anita Amprimo, Acting Chief Executive Officer

Summary

This report presents the response to a Notice of Motion from Councillor Jacqueline Raison titled 'Financial Sustainability Strategy.' It outlines the City's current revenue base, identifies opportunities to diversify and optimise non-rate income, and confirms that long-term financial sustainability will continue to require a balanced approach to revenue, expenditure, asset renewal and service levels.

Officer Recommendation AND COUNCIL DECISION

0626/137

Moved: Councillor Kathy Lees

Seconded: Mayor Greg Milner

That Council notes the information presented in the report with respect to:

1. Current sources of revenue including rates, fees and charges, grants;
2. Identifying non ratepayer (alternative) sources of revenue; and
3. Strategies for optimising revenue.

CARRIED (5/0)

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

Against: Nil.

Background

In response to a Notice of Motion from Councillor Jacqueline Raison, at its meeting held 24 February 2026, Council resolved as follows:

"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."*

In response to the Notice of Motion, the City advised that 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.

This report presents the outcome of the above review.

The report is framed around the practical reality that non-rate revenue opportunities are important and should be actively pursued, but they are unlikely to materially replace the need for a stable and sustainable rates base. Financial sustainability therefore depends on optimising all available revenue sources while continuing to manage expenditure, service levels and asset renewal obligations.

Comment

Financial Sustainability

The *Local Government Act 1995* (the Act) provides for a system of local government that in part provides a framework for the administration and financial management of local governments and for the scrutiny of their affairs. Further, the general function of a local government must be performed having regard to the need to promote the economic, social and environmental sustainability of the district.

While financial sustainability is not defined in the Act, the City's long-term financial performance and position is considered sustainable when planned service levels, infrastructure levels and standards are met without undue reliance on:

- a very limited number of revenue streams;
- uncontrollable, temporary or highly variable revenue sources;
- large variations in rates increases; or
- unplanned cuts to services.

Several years ago, Council and the City's administration identified continuing operating deficits as a significant risk to long-term financial sustainability. Persistent deficits reduce the City's capacity to fund asset maintenance and renewal as infrastructure reaches the end of its useful life.

Operating Sources of Revenue

The City's sources of revenue as per the 2025/26 Budget:

- Rates Revenue (63%)
- Operating grants, subsidies and contributions (3%)
- Fees and charges (28%)
- Interest revenue (5%)
- Other revenue (1%)

The above figures exclude underground power service charges because they are charged on a full cost-recovery basis for specific schemes and are not recurring operating revenue. This approach ensures the City does not subsidise scheme participants and does not place additional cost pressure on other ratepayers.

Non-ratepayer (Alternative) Sources of Revenue

Consistent with the City's broader financial sustainability approach, non-rate revenue has been reviewed as one part of the overall revenue strategy. These sources can supplement rates revenue, reduce pressure on ratepayers and support specific services or projects; however, their reliability, recurrence and scale vary significantly.

The following section distinguishes between operating grants, capital grants, cost-recovery arrangements, fees and charges, commercial income and other income streams. This distinction is important because not all non-rate revenue improves the City's underlying operating position.

Grants subsidies and contributions

Grants, subsidies and contributions may be operating or capital in nature. Most grants are non-recurring and must be matched to the objectives and eligibility requirements of the relevant funding body. The City continues to identify opportunities to align eligible projects with available grant programs. The 2025/26 Annual Budget provides for \$2,068,700 in operating grants, subsidies and contributions and \$3,399,299 in capital grants, subsidies and contributions. Examples of this funding stream include:

- Financial Assistance Grants (operating), Local Government Financial Assistance Grants are recurring and are funded by the Commonwealth Government and distributed among all the local governments in Western Australia each year. The 2025/26 Budget estimated the City will receive approximately \$1.76m in Financial Assistance Grants, by far the largest operating grant.
- Main Roads Western Australia Black Spot Program (capital). The Black Spot Program directly targets roads with a proven crash history, or locations identified as high-risk. Funding for the program is mainly focused on the most cost-effective treatment of hazardous road locations.
- Swan-Canning River Contiguous Local Authorities Group (operating). The City is part of a collaborative partnership with the Cities of Canning, Melville and Perth sharing common mosquito problems, designed to manage mosquito-borne public health risks across regional boundaries, and received funding from the Department of Health. The City received \$11,334 in the 2025/26 financial year for this purpose.
- Lotterywest grant funding can be operating or capital (approx. \$34,000 per annum for community events).
- National Australia Day Council, typically operating (approx. \$15,000 per annum for Australia Day community event).
- Alcohol and Drug Foundation typically operating (approx. \$20,000 per annum for public health campaigns).
- Sponsorship towards events typically operating (e.g. Emerging Artist Award).
- Capital grants, such as the \$5.5 million Recreation Aquatic Facility milestone payment received from the Federal Government. The City was able to retain these funds and redirect it toward the upgrade of its changeroom and sport lighting facilities.
- An example of a contribution is the South Perth Activity Centre Plan that provides for a community benefit contribution framework where applicable development exceeds primary height and plot ratio requirements. The amount and timing of contributions (infrastructure or monetary contribution) is dependent on individual developments.
- Another example of a contribution is Local Planning Policy 6.3 – Public Art that provide the basis of the imposition of conditions on development approvals requiring contributions towards the provision of public art, which may be in the form of cash-in-lieu of art.

Fees and charges

The 2025/26 Annual Budget provided for \$21,445,010 in fees and charges.

Some fees and charges, such as planning and environmental health services, are determined by legislation or regulation, with an upper limit set by legislation. Fixed fees and charges determined by State Government legislation are of particular concern due to the lack of indexation, the frequency of review, and the transparency of fee-setting processes. In some instances, automatic indexation occurs for fees expressed as a percentage of development cost. The City can continue to advocate in this area.

Setting non-statutory fees and charges is a core local government function and a deliberative decision of Council. In setting these fees, Council considers cost recovery, affordability, service levels and community access. Fees and charges are reviewed annually and generally adjusted to reflect cost movements, including CPI or higher cost increases where applicable, so that the revenue base is not eroded over time. The largest contributors to fees and charges are Collier Park Golf Course, waste charges and parking.

Collier Park Golf Course

Approximately 80% of golf course patronage comes from outside the City of South Perth. In the 2023/24 financial year, the City implemented a new flexible charging regime, under which the operator determines charges within a set range of \$10 to \$50 depending on demand for tee times. This range remained unchanged for the previous financial year. For the 2025/26 financial year, a minor increase at the top of the range is proposed, setting the range at \$10 to \$55. This initiative continues to result in an increased yield per player and increased revenue return for the City. A similar charging regime applies to the mini golf course, with the range unchanged between \$6 and \$55 for the 2025/26 financial year.

Interest Revenue

The 2025/26 Annual Budget provides for \$4,333,538 in interest revenue. Interest revenue is directly dependent on the balance of funds available for investment and current market interest rates. Substantially, the City's interest revenue is used to ensure its specific purpose reserve accounts retain their purchasing power. In accordance with Policy P603 Investment of Surplus Funds, the City aims to manage investments to achieve the highest possible return within the confines of the Local Government Act and Regulations as they pertain to investments.

Other Revenue

The 2025/26 Annual Budget provided for \$539,000 in other revenue. Examples of other revenue also include:

- Successful prosecutions. The City receives revenue as a result of successful prosecutions. For example, costs of \$37,609 were awarded for a successful prosecution under the *Food Act 2008* (including costs). The City incurred \$8,576.31 in legal costs.
- Commercial leases – rental and recovery income in accordance with leases for City owned properties.
- Shire of Derby West-Kimberly Memorandum of Understanding

The City provides planning services (general enquiries and assessment of development applications) to the Shire of Derby West-Kimberley in accordance with the terms set out in the agreement between the local governments, which expires on 31 December 2026. The MoU is currently under review due to change of staff and capacity at the Shire, and may cease prior to the expiration.

Planning Services are charged at \$115 per hour (inclusive of all costs). Revenue generated in the 2024/25 financial year and 2025/26 financial year (to end of April) was, \$28,967.40 and \$25,834.75 respectively. The City has been approached by other regional local governments seeking assistance in planning services however, has not entered into any further agreements given current staffing capacity and prioritisation of the City's planning service requirements.

- Nursery plant sales, the City's nursery cultivates for and sells plants to other local governments on order.

Strategies for Optimising Revenue

The following section outlines potential strategies for optimising revenue. It is noted that the Local Government (Functions and General) Regulations 1996 include anti-avoidance provisions that effectively require a local government acting as a business to avoid anti-competitive conduct unless that conduct can be justified as a public benefit. Local governments must avoid anti-competitive behaviour in business activities and maintain competitive neutrality, which may limit the City's ability to generate revenue.

As indicated above, the City has made ongoing efforts to identify, realise and optimise revenue sources.

Land Utilisation

The City's land assets have direct bearing on the City's budget, financial performance, ability to generate non-rate revenue sources and ongoing asset management cost. The cost to own and maintain underutilised/surplus land may impose a financial burden on the City due to holding costs including maintenance and insurance

Council could consider opportunities for supplementing and developing a range of assets that provide sustainable income streams that support their continued management and considers financial benefits that may be derived from developing new asset lines, or properties where Council has the capacity to financially support a diversifying property portfolio in the future.

Disposing surplus or underutilised land and building assets, or rationalising assets, provide various benefits including improving the City's fiscal position, reducing public liability risk and generating significant revenue. Whilst there would be an initial cost to investing, the City may also generate revenue by actively seeking the acquisition of new income producing land assets e.g. drainage sumps in freehold, modified and/or still required can be a source of sales revenue and ongoing rates revenue. In respect to drainage sumps, it is noted that drainage studies are required to determine whether they can be utilised for a different purpose, including development. Rationalising the number of buildings is also considered disposing surplus or underutilised assets.

Under the Act, disposing of property includes selling, leasing or otherwise disposing of the whole or part of a local government's interest in property. This enables the City to consider ground leases, where a tenant leases vacant land to develop, build or operate on it. While a ground lease may generate a lower annual return than some commercial leases, it can be more cost-effective to administer, may generate rates revenue where no charitable exemption applies, and preserves City ownership of the land for future generations. For developers, the model can avoid the upfront cost of acquiring land in desirable locations and, subject to lease duration and terms, may support project financing. For the City, it can provide a reliable long-term income stream while retaining the underlying asset.

Projects can be presented to Council at the point in time that funding is required, and at the point in time where acquisition, disposal or development is proposed.

Parking

Through the implementation of an integrated parking strategy that seeks to identify more paid parking opportunities, simplify the time restrictions and fees as well as greater compliance and demand management (churn of bays).

Avoidance of Expenditure

A strategy is the avoidance of expenditure (i.e. carefully considering adding new infrastructure) as this requires not only direct capital expenditure, but also ongoing maintenance and in most cases operational costs.

When prioritising the allocation of funding, preference should be given to the maintenance and renewal of existing infrastructure that is serving a community need prior to committing funds to the creation of new infrastructure which brings with it an added renewal cost.

Project budgets should also include an analysis which determines the future maintenance, operational and annualised renewal cost and Council approval be for all three elements not just for the capital cost of acquiring or constructing the new asset (which is a liability).

Utilisation of existing City Services or Infrastructure

The City has also identified opportunities to make better use of existing services and infrastructure, including the City's Nursery, Animal Care Facility and Recycling Centre. The Nursery and Animal Care Facility have expanded service offerings to other local governments and may be considered for further development, subject to efficiency and capacity constraints. The Recycling Centre has also been improved to expand services to residents, redirect waste and reduce disposal costs. These examples demonstrate that revenue optimisation can include both additional income and avoided costs.

Commercial Advertising and Sponsorship

The City could consider expanding commercial advertising on City owned assets. For example, Council has previously accepted a tender for the supply, installation and maintenance of bus shelters with advertising space for an initial 10-year period, with a licence fee for Category 1 restrictions of \$115,000 per annum.

Developer Contributions

Community benefit contribution frameworks and development contribution plans can provide a planning framework for development contributions for the provision of infrastructure in new and established urban areas, and the form, content and process to be followed. The establishment and review of the frameworks is in accordance with the requirements of *the Planning and Development (Local Planning Scheme) Regulations 2015* for the applicable planning framework, and Minister for Planning approval.

It is noted that the above arrangements are separate to conditions of development approval that may otherwise require a developer to deliver or contribute towards infrastructure. For such conditions to be supported, they must:

- be imposed for a planning purpose;
- fairly and reasonably relate to the development for which permission is being given; and
- be reasonable.

Such conditions may be subject to review by the State Administration Tribunal.

'Adoption' Programs

The San Francisco Public Utilities Commission launched the Adopt a Drain Program in 2016, providing an opportunity for community members to help their neighbourhoods, the City, and the environment by keeping storm drains clear of leaves and rubbish.

Similar programs existing for 'adopt a tree', where community members can participate by monitoring and watering street trees, as well as making a monetary contribution towards 'naming rights' and a 'certificate of adoption' to otherwise offset municipal funds required for the maintenance of trees.

Careful consideration would be required for this option when considering the potential benefit against the administrative costs of such a program.

Differential Rates

Although not an alternative revenue source the imposition of differential rates can be considered and evaluated. In accordance with the *Local Government Act 1995*, a local government may impose differential general rates according to any, or a combination, of the following characteristics —

- (a) the purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the *Planning and Development Act 2005*; or
- (b) a purpose for which the land is held or used as determined by the local government; or
- (c) whether or not the land is vacant land; or
- (d) any other characteristic or combination of characteristics prescribed.

Differential rates are required to be advertised.

The City has predominantly residential zoned land. Imposing a differential rate based on zoning of land (i.e. residential and commercial where a higher rate in the dollar is charged for commercial land) can provide for the lessee to transfers the cost to the business, who may claim a tax deduction against their business (assuming profit based). Given the limited number of commercial properties, the gain would likely be minimal.

Similarly, a higher rate in the dollar could be charged on vacant land as a means of stimulating development, however, the City has few vacant properties.

Strengthening the City's Long-Term Financial Plan

Strengthening the City's Long-Term Financial Plan requires continued focus on both revenue and expenditure. The objective is to achieve reasonable and sustainable operating surpluses that provide capacity for asset renewal, support value for money and promote intergenerational equity. While this report focuses primarily on revenue and revenue sources, expenditure control remains equally important. An expanding asset base, including additional or improved community facilities, also creates additional operating and renewal costs. Ideally, new service or asset commitments should be supported by growth, productivity improvements or identified revenue sources.

Operating expenditure is directly linked to service levels, asset condition and community expectations. Through the integrated planning process, Council can continue to consider the services the City delivers, the level at which those services are provided, and the distinction between essential and discretionary services. This will assist in ensuring that services remain affordable and sustainable over the long term.

Conclusion

The City has a significant asset base and provides a wide range of services that require a strong and reliable revenue base. Alternative and non-rate revenue opportunities should continue to be pursued and optimised where they are financially sound, lawful and aligned with community outcomes. However, these opportunities are unlikely to replace the need for a stable rates base. Long-term financial sustainability will therefore depend on maintaining appropriate rates revenue, optimising fees and charges, pursuing grants and other income where available, and continuing disciplined expenditure and asset management.

Consultation

Nil.

Policy and Legislative Implications

Local Government Act 1995

P601 Long Term Financial Planning

P603 Investment of Surplus Funds

Financial Implications

Nil. This report does not authorise additional expenditure or commit the City to a specific revenue initiative. Any future proposal arising from the options identified in this report would be subject to separate financial assessment and Council consideration.

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 support financial sustainability, including long-term financial planning, annual budget review processes, revenue optimisation, cost control and ongoing asset management planning.

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:	4.3.2 Diversify and optimise non-rate income

Attachments

Nil.

10.5 MATTERS REFERRED FROM COMMITTEE MEETINGS

10.5.1 Minutes of the Audit, Risk and Improvement Committee Meeting held on 16 June 2026

File Ref: D-26-12329

Reporting Officer(s): Donna Shaw, Acting Director Corporate Services

Summary

This report recommends Council receive the minutes of the Audit, Risk and Improvement Committee meeting held 16 June 2026.

Officer Recommendation AND COUNCIL DECISION

0626/138

Moved: Councillor André Brender-A-Brandis

Seconded: Councillor Kathy Lees

That Council:

1. Receives the unconfirmed minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held on 16 June 2026 as contained in **Attachment (a)**.
2. Adopts all recommendations contained within the unconfirmed ARIC minutes, except where a specific ARIC related matter is included as a separate report on this Ordinary Council Meeting agenda, in which case the Council determination on that report shall prevail.

CARRIED BY EXCEPTION RESOLUTION (5/0)

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

Against: Nil.

Background

An Audit, Risk and Improvement Committee meeting was held on Tuesday 16 June 2026.

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

In accordance with the Committee's Terms of Reference:

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

Comment

The ARIC were presented with nine reports being:

- Item 6.1 Audit Register - Quarterly Report
- Item 6.2 Corporate Business Plan - Quarterly Report
- Item 6.3 Risk Management, Business Continuity And Work Health And Safety - Quarterly Report
- Item 6.4 Business Continuity Plan
- Item 6.5 Annual Review of Council Delegations
- Item 6.6 Policy Review
- Item 6.7 Corporate Business Plan - Minor Review
- Item 6.8 Council Resolution Tracking
- Item 6.9 Council Decision 0426/091 - Tabling Of Documents

Items:

- 6.5 Annual Review of Council Delegations
- 6.6 Policy Review
- 6.7 Corporate Business Plan - Minor Review

are presented as a stand-alone report in this Agenda as the Committee's recommendation requires a resolution of Council.

All other Committee recommendations are for noting by Council.

Consultation

Nil.

Policy and Legislative Implications

Local Government Act 1995

Financial Implications

Nil.

Key Risks and Considerations

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 minutes are provided in full and those requiring further consideration or decision of Council can be elevated separately.

Strategic Implications

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

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

Attachments

10.5.1 (a): Minutes

Councillor Kathy Lees disclosed an Impartiality Interest in Item 10.5.2.

10.5.2 Annual Review of Council Delegations

File Ref: D-26-12330

Reporting Officer(s): Donna Shaw, Acting Director Corporate Services

Summary

Council has a statutory obligation under the *Local Government Act 1995* to review its delegations each financial year.

Officer Recommendation AND COUNCIL DECISION

0626/139

Moved: Mayor Greg Milner

Seconded: Councillor Blake D'Souza

That Council, in accordance with section 5.46(2) of the *Local Government Act 1995*, it:

1. Adopts the 'minor changes' to the following Delegations shown at **Attachment (a)**:

DC370	Approve or Refuse Granting of a Building Permit
DC371	Approve or Refuse Granting of a Demolition Permit
DC372	Grant, or Refuse to Grant, Occupancy Permits or Building Approval Certificates
DC373	Approve or Refuse an Extension of the Duration of Occupancy Permits or Building Approval Certificates
DC378	Inspections and Copies of Building Records
DC602	Authority to Make Payments from the Municipal and Trust Funds
DC665	Cats – Local Government Functions
DC677	<i>Bushfires Act 1954</i> – Local Government Functions
DC679	Administer the City's Local Laws
DC692	Enforcement and Legal Proceedings – Illegal Development
DC703	Minor Amendments to Delegations Register and Policies
DC704	<i>Food Act 2008</i> – Determine Compensation
DC706	Food Business Registrations
DC707	Food Businesses List – Public Access
DC708	<i>Food Act 2008</i> – Prohibition Orders and Certificates of Clearance
DC709	Authorised Persons to Perform Specified Functions Under the <i>Local Government Act 1995</i> and <i>Local Government (Miscellaneous Provisions) Act 1960</i>
DC710	Appoint Authorised Officers and Designated Officers – Food Act 2008
2. Adopts the 'substantive changes' to the following Delegations shown at **Attachment (b)**:

DC374	Appoint Authorised Officers for the purposes of the Building Act 2011
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DC375	Issue or Revoke Building Orders
DC377	Referrals and Issuing Certificates
DC379	Private Pool Barrier – Alternative and Performance Solutions
DC401	Graffiti Vandalism Act – Local Government Functions
DC511	Partial Closure of Thoroughfares
DC603	Investment of Surplus Funds
DC607	Tenders/E-Quotes/Common Use Agreements
DC609	Leases
DC612	Disposal of Surplus Property
DC617	Granting Discounts, Concessions, Fee Waiver and Debt Write Off
DC618	Commence a Prosecution for an Offence
DC664	Dogs – Local Government Functions
DC685	Inviting Expressions of Interest
DC690	Local Planning Scheme No.7
DC705	<i>Food Act 2008</i> – Debt Recovery and Prosecutions

3. Revokes the following Delegations as shown at **Attachment (c)**:

DC376	Infringement Notices Under the Building Regulations 2012
DC642	Appointment of Acting CEO
DC684	Sealed Documents
DC711	Appoint Authorised Officers And Designated Officers – <i>Food Act 2008</i> - List Of Officers Issuing Infringements
DC712	Appoint Authorised Officers and Designated Officers - <i>Food Act 2008</i> – List Of Officers (Administration Of Infringement Notices

4. Adopts the following ‘new’ Delegations as shown at **Attachment (d)**:

DC380	Smoke Alarms – Alternative Solutions
DC512	Obstruction of Public Footpaths and Thoroughfares
DC513	Public Thoroughfare - Dangerous Excavation
DC514	Crossing - Construction, Repair and Removal
DC515	Private Works on, over or under Public Places
DC624	Powers of Entry
DC625	Declare Vehicle is an Abandoned Wreck
DC626	Confiscated or Uncollected Goods
DC627	Disposal of Sick or Injured Animals
DC619	Rate Record Amendment
DC620	Rate Record Objections
DC621	Agreement as to Payment of Rates and Service Charges
DC622	Recovery of Rates or Service Charges
DC623	Panels of Pre-Qualified Suppliers for Goods and Services
DC713	Appoint Authorised Officer or Approved Officer (Asbestos)
DC714	Designate Authorised Officers - <i>Public Health Act 2016</i>
DC715	Appoint Designated Officer – Information Sharing
DC716	Enforcement Agency Reports to the Chief Health Officer
DC717	Give Enforcement Orders and Issue Clearance Certificates
DC718	Enforcement Orders - Implement and Recover Costs
DC719	Dealing with Seized Items

CARRIED BY ABSOLUTE MAJORITY (5/0)

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

Against: Nil.

Background

Section 5.42 of the *Local Government Act 1995* (the Act) provides that Council may 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 those referred to in section 5.43.

In addition to the powers and duties that can be delegated under the Act and its subsidiary legislation, other legislation such as the *Food Act 2008* and *Bush Fires Act 1954*, allow for the delegation of powers and duties to the CEO.

Delegations assist the City's administration to efficiently deal with a wide range of operational matters that are administrative in nature. By incorporating certain conditions into delegations, such as limiting the use of when a delegation can be exercised, Council can set parameters to the extent in which its decision-making powers can be exercised by delegates.

Section 5.44 of the Act allows the CEO to delegate or sub-delegate any of their powers to another employee and to place conditions on any delegations. This is separate from Council's delegation power.

Section 5.46 of the Act requires delegations to be reviewed by the delegator at least once every financial year for delegations made under the Act. This also presents an opportunity to review delegations made under other legislation.

The last annual review of delegations was presented to the Committee at its 11 March 2025 meeting and endorsed by Council at the 25 March 2025 Ordinary Council Meeting.

Comment

A detailed review of the Delegated Authority Register (**Register**) has been undertaken against the WALGA Template Delegations Register and applicable legislation to consider the operational effectiveness of current delegations, whether they remain relevant and appropriate and whether legislative amendments necessitate any revisions.

Separately to Council's review, a review of the CEO's delegations and sub-delegations to employees will be undertaken. These delegations will also be incorporated into the Register to provide a centralised source for all delegations.

The following global changes have been applied to the Register to improve clarity and readability including:

- Inclusion of the Delegator, which could be Council or the CEO.
- Including the title of each relevant legislative provision, rather than referencing section or regulation numbers only.
- Inclusion of reference to the express power for the CEO to sub-delegate a power or duty where permitted by legislation.

For the purposes of this review, delegations are presented in the following categories:

- (a) Amended Delegations (Minor)
- (b) Amended Delegations (Substantive)

10.5.2 Annual Review of Council Delegations

(c) Revoked Delegations

(d) New Delegations

Amended Delegations (Minor)

The delegations listed below and included in **Attachment (a)** have been amended to include the global changes detailed above. As these changes are considered to be minor administrative changes, no explanatory notes have been provided.

- DC370 Approve or Refuse Granting of a Building Permit
- DC371 Approve or Refuse Granting of a Demolition Permit
- DC372 Grant, or Refuse to Grant Occupancy Permits or Building Approval Certificates
- DC373 Approve or refuse an Extension of the Duration for Occupancy Permits or Building Approval Certificates
- DC378 Inspection and Copies of Building Records
- DC602 Authority to Make Payments from the Municipal and Trust Funds
- DC665 Cats – Local Government Functions
- DC677 Bush Fires Act 1954 – Local Government Functions
- DC679 Administer the City's Local Laws
- DC692 Enforcement and Legal Proceedings – Illegal Development
- DC703 Minor Amendments to Delegations Register and Policies
- DC704 *Food Act 2008* – Determine Compensation
- DC706 Food Business Registrations
- DC707 Food Businesses List – Public Access
- DC708 *Food Act 2008* – Prohibition Orders and Certificates of Clearance
- DC709 Authorised Persons to Perform Specified Functions Under the Local Government Act 1995 and Local Government (Miscellaneous Provisions) Act 1960
- DC710 Appoint Authorised Officers and Designated Officers - *Food Act 2008*

Amended Delegations (Substantive)

The delegations listed below and included in **Attachment (b)** are proposed to be amended in addition to the global changes. The proposed amendments are detailed in the below table and shown by tracked changes in the attachment.

Delegation	Details
DC374 Appoint Authorised Officers for the purposes of the <i>Building Act 2011</i>	It is proposed that the powers currently contained within DC376 relating to the appointment of authorised officers for the issuing of infringement notices under the <i>Building Act 2011</i> be incorporated into DC374 for clarity and ease of reference by locating all powers relating to the appointment of authorised officers under this legislation within a single delegation.

DC375 Issue or Revoke Building Orders	The following functions are proposed to be deleted from the delegation for the reasons provided in italics below: - Authority to specify a way in which an outward facing side of a particular close/boundary wall must be finished off. <i>This falls under the power already granted by point 1 of the delegation to issue Building Orders requiring certain action.</i> - Authority to initiate a prosecution for non-compliance with a building order. <i>The CEO is delegated authority under point 5 of this delegation to take court action for non-compliance with a building order.</i>
DC377 Referrals and Issuing Certificates	It is recommended that an additional power be included in this delegation in line with the WALGA template register to delegate the authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the location is located within the City's District.
DC379 Private Pool Barrier – Alternative and Performance Solutions	It is recommended that the following functions be deleted from DC379 for the reasons provided in italics below: - Authority to use alternative requirements for a barrier to a pre-May 2016 private swimming pool. <i>Covered by point 1 of the delegation.</i> - Authority to arrange for an authorised person to inspect. <i>This comes under the power to appoint authorised officers for this function.</i>
DC401 Graffiti Vandalism Act – Local Government Functions	In addition to the global changes, the proposed amendments to DC401 explicitly detail the specific powers that can be exercised by a local government under the <i>Graffiti Vandalism Act 2016</i> and in keeping with the WALGA template register. A new condition is proposed to require that obliterating graffiti on private property is subject to exercising Powers of Entry.
DC511 Partial Closure of Thoroughfares	This delegation is proposed to be expanded in line with the WALGA template register to detail all applicable sections of the Act and confirm via the conditions that the delegation relates to temporary road closures only, with permanent road closures requiring referral for Council decision.

DC603 Investment of Surplus Funds	The conditions on this delegation are proposed to be amended to: • Update condition (a) to replace the specific list of permitted Authorised Deposit-taking Institutions (banks, building societies and credit unions) with a requirement that all investments comply with regulation 19C of the <i>Local Government (Financial Management) Regulations 1996</i>, which sets out authorised institutions and investment requirements for local governments. • Include a new condition which formalises current practice to present a report on the investment portfolio in the monthly financial report to Council.
DC607 Tenders/E-Quotes/Common Use Agreements	This delegation has been amended to align with the WALGA template including: • Reordering the powers delegated to be in sequential order. • Addition of the following delegated powers: ○ Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely there is more than one supplier, determine to contract directly with a suitable supplier. ○ Authority to vary a tendered contract, after it has been entered into. ○ Authority to exercise a contract extension option that was included in the original tender specification and contract. • Addition of the following conditions regarding contract renewals and variations: ○ A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term and the contractor's performance has been reviewed evidencing the rationale for entering into the extended term. ○ A decision to vary a contract before entry into the contract must include evidence that the variation is minor in comparison to the total goods or services that tenderers were invited to supply. ○ A decision to vary a contract after entry into the contract must comply with Council Policy P701 Variations to Contract and must include evidence that the variation is necessary and does not change the scope of the contract.

DC609 Leases	This delegation permits the CEO to enter into lease agreements with certain types of tenants including Not for Profit Sporting Organisations and Community Associations. The organisations detailed at condition d) of this delegation are proposed to be updated to align exactly with the organisations specified in Policy P609 Management and Sale of City Property. All new commercial leases are required to be brought to Council for consideration.
DC612 Disposal of Surplus Property	Condition 2 of this delegation is proposed to be amended to clarify that DC612 does not relate to the disposal of land by way of lease which is provided for by DC609. Existing condition 3 is proposed to be replaced by new condition 4 in line with the WALGA template, providing guidance on considerations when determining the method of disposal of property.
DC617 Granting Discounts, Concessions, Fee Waiver and Debt Write-Off	This delegation has been amended to: • Adjust the wording of the powers delegated to align with the relevant provisions of the Act and the WALGA template delegation. • Adjust the wording of the conditions to cover the entire delegation and not only write-offs. • Remove the condition requiring recordkeeping of exercise of delegation. This is a legislative requirement under section 5.46(3) of the Act.
DC618 Commence a Prosecution for an Offence	The power delegated to the CEO is proposed to be amended as shown below consistent with the WALGA template delegation: <i>1. Authority to initiate authorise persons to commence prosecutions for offences on behalf of the Local Government under the Local Government Act 1995, all Regulations made under the Local Government Act 1995 and City of South Perth Local Laws <u>[s.9.24(1)(c) and (2)(b)]</u>.</i>
DC664 Dogs – Local Government Functions	Section 10AA(3) of the <i>Dog Act 1976</i> provides: <i>“The delegation may expressly authorise the delegate to further delegate the power or duty.”</i> It is proposed that DC664 be amended to expressly permit the Chief Executive Officer (CEO) to sub-delegate powers and duties to employees.

DC685 Inviting Expressions of Interest	A new condition is proposed to be inserted providing that Expressions of Interest may only be called where there is an adopted annual budget for the proposed goods or services. This is consistent with existing practices and provides additional clarity.
DC690 Local Planning Scheme No.7	This delegation was reviewed by Council at the Ordinary Council Meeting held 24 March 2026. A further amendment to this delegation is proposed in relation to regulated trees and single house developments. Division 2A of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (Performance of development approval functions in relation to single houses) establishes a statutory framework that: • mandates that prescribed single house applications are to be determined by the CEO; and • removes these applications from Council determination, subject to limited exceptions. Prescribed single house development means development that consists of: (a) the erection of, or alterations or additions to, a single house; or (b) the erection or installation of, or alterations or additions to, any of the following that is ancillary or incidental to a single house — (i) an ancillary dwelling; (ii) an outbuilding; (iii) an external fixture; (iv) a boundary wall or fence; (v) a patio; (vi) a pergola; (vii) a verandah; (viii) a deck; (ix) a garage; (x) a carport. In relation to Regulated Trees, DC690 provides condition (xv): <i>Applications which propose tree damaging activity to a regulated tree in accordance with 7.2(c) of Local Planning Policy 3.2 – Tree Retention (i.e. where the redesign of the development to accommodate the regulated tree is unfeasible).</i> Given tree damaging activity to a Regulated Tree can be considered development to which approval is required, it is

	recommended that condition (xv) is updated to clarify that it does not apply to applications involving prescribed single house development as follows: <i>Except for applications involving ‘prescribed single house development’, applications which propose tree damaging activity to a regulated tree in accordance with 7.2(c) of Local Planning Policy 3.2 – Tree Retention (i.e. where the redesign of the development to accommodate the regulated tree is unfeasible).</i> This will ensure that applications for prescribed single house development that include a Regulated Tree can be determined by the CEO as one application.
DC705 <i>Food Act 2008 – Debt Recovery and Prosecutions</i>	The following condition is proposed to be deleted from this delegation: <i>Exercise of the power under s.54 is confined to the Chief Executive Officer, Director Development and Community Services, and Manager Development Services.</i> as the above positions are listed as delegates within the “Delegated To” section of the delegation.

Revoked Delegations

The five delegations listed below and provided at **Attachment (c)** are recommended for revocation. Explanatory notes are provided in the table below.

Delegation	Details
DC376 Infringement Notices	This delegation is proposed to be revoked and merged with ‘DC374 Appoint Authorised Officers for the purposes of the <i>Building Act 2011</i>’ as detailed above.
DC642 Appointment of Acting CEO	This delegation provides the CEO with “authority to appoint a Director as Acting CEO when absent on annual leave” under section 5.39(1a)(a) of the Act. However, this section of the Act deals with contracts for acting CEOs providing: <i>(1) Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.</i> <i>(1a) Despite subsection (1) —</i> <i>(a) an employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which the employee is acting;</i> Section 5.39(1a)(a) does not contain a power capable of being delegated.

	Section 5.39C of the Act requires Council to adopt a policy setting out “the appointment of an employee to act in the position of CEO for a term not exceeding 1 year”. Council adopted Policy P639 CEO Recruitment, Performance and Termination in April 2021 which presently deals with the appointment of an Acting CEO by Council in the event the CEO becomes incapacitated or leaves the City but not acting appointments during periods of leave. P639 is considered the appropriate mechanism for dealing with the appointment of an Acting CEO when the CEO is on leave and has been presented for review on this basis within Item 6.6.
DC684 Sealed Documents	This delegation provides the CEO with authority under section 9.49A(2) of the Act to “affix the Common Seal of the City to any document that needs the City’s Common Seal to be legally effective”. Section 9.49A of the Act provides: <i>(2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.</i> <i>(3) The common seal of the local government is to be affixed to a document in the presence of –</i> <i>(a) the mayor or president; and</i> <i>(b) the CEO,</i> <i>each of whom is to sign the document to attest that the common seal was so affixed.</i> <i>(4) A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.</i> This delegation is not appropriate as subsection (3) explicitly provides the Common Seal is to be affixed in the presence of the Mayor and CEO. A Council Policy is recommended as the mechanism for Council to authorise the affixing of the Common Seal to documents, and to authorise the CEO and/or other employees to sign documents on behalf of the City. A new Execution of Documents Policy has been presented for consideration within Item 6.6.

DC711 Appoint Authorised Officers And Designated Officers – <i>Food Act 2008</i> - List Of Officers Issuing Infringements	The delegated authority for the CEO to appoint authorised officers for the purposes of issuing infringement notices under the <i>Food Act 2008</i> is delegated to the CEO in DC710. Sub-delegation of this power is not permitted. DC711 is not an instrument of delegation but rather a list of officers who have been authorised for the purpose of issuing infringements under the <i>Food Act 2008</i>. The list of authorised officers is appropriately detailed within the City's Authorisations Register. This delegation is therefore proposed to be revoked.
DC712 Appoint Authorised Officers and Designated Officers - <i>Food Act 2008</i> – list of officers (Administration Of Infringement Notices)	As above.

New Delegations

The delegations detailed below and at **Attachment (d)** are proposed for adoption. It is proposed these powers be delegated to the CEO as they are operational in nature.

Delegation	Details
DC380 Smoke Alarms - Alternative Solutions	This delegation has been drafted based on the WALGA template and provides authority under the <i>Building Regulations 2012</i> to: 1. Approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning. 2. Approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval.
DC512 Obstruction of Public Footpaths and Thoroughfares	This delegation proposes to delegate the following powers under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> (ULP Regulations) to the CEO: • Authority to serve notice on a person carrying out work near a local government footpath to require the footpath to be covered to prevent damage; • Authority to provide, or refuse to provide, permission for the obstruction of a public thoroughfare; • Authority to require an owner or occupier of land to remove any thing that has fallen from their land and obstructed a public thoroughfare; and

	Authority to require an owner or occupier to remove any part of a structure, tree or plant that is encroaching on a public thoroughfare.
DC513 Public Thoroughfare - Dangerous Excavation	Regulation 11 of the ULP Regulations provides a local government with powers in relation to dangerous excavations in or near public thoroughfares, being: - Authority to fill in or fence the excavation or require the owner or occupier of the land to take this action. - Authority to give permission or refuse to give permissions to make excavations in public thoroughfares.
DC514 Crossing - Construction, Repair and Removal	Regulations 12 and 13 of the ULP provisions provide local governments with authority to: - Determine applications for crossover constructions; - Determine the specifications for crossover constructions; - Give notice to a landowner or occupier requiring the person to construct or repair a crossover; and - Carry out works where a person fails to comply with a notice and recover 50% of the associated costs from the person.
DC515 Private Works on, over or under Public Places	Regulation 17 of the ULP provisions provides local governments with authority to: - Grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property; and - Impose conditions on such a permission.
DC624 Powers of Entry	This delegation proposes to delegate authority to the CEO under the Act to exercise powers of entry on private property.
DC625 Declare Vehicle is an Abandoned Wreck	This delegation proposes to delegate authority to the CEO under section 3.40A of the Act to declare that an impounded vehicle is an abandoned vehicle wreck. This will enable the administration to make decisions relating to impounded vehicles in a timely and efficient manner consistent with the requirements of the Act.
DC626 Confiscated or Uncollected Goods	This delegation proposes to delegate authority to the CEO under sections 3.46 - 3.48 of the Act to withhold or dispose of confiscated or uncollected goods.

DC627 Disposal of Sick or Injured Animals	This delegation proposes to provide the CEO with authority under section 3.47A of the Act to deal with sick or injured impounded animals where the animal's owner cannot be located.
DC619 Rate Record Amendment	This delegation proposes to provide the CEO with the power to determine amendments to the rate record for the 5 years preceding the current financial year as provided by section 6.39(2)(b) of the Act.
DC620 Rate Record Objections	This delegation proposes to provide the CEO with the power to consider objections to the rate record under section 6.76 of the Act.
DC621 Agreement as to Payment of Rates and Service Charges	This delegation proposes to provide the CEO with the power to make payment agreements for the payment of rates or service charges as permitted by section 6.49 of the Act.
DC622 Recovery of Rates or Service Charges	This delegation proposes to provide the CEO with authority to: • Recover rates or service charges in court proceedings. • Lodge and withdraw caveats in respect of land where rates or service charges are in arrears. • Take possession and sell or lease land to recover unpaid rates or service charges, where rates or service charges have remained unpaid for at least three years.
DC623 Panels of Pre-Qualified Suppliers for Goods and Services	Under the <i>Local Government (Functions and General) Regulations 1996</i>, a local government may establish panels of pre-qualified suppliers. Local governments intending to establish pre-qualified supplier panels must have a policy relating to panels. Council adopted Policy P611 Pre-Qualified Supplier Panels in 2019. This delegation proposes to delegate authority to the CEO under the Regulations to: • Invite submissions for pre-qualified supplier panels. • Evaluate submissions and: ○ Accept submissions where the total consideration under the panel arrangement is \$500,000 or less (consistent with the amount delegated to the CEO in respect of awarding tenders); or ○ Recommend Council establish a pre-qualified supplier panel. • Enter into contracts within pre-qualified supplier panels provided the term of the contract does not exceed 12 months.

Delegations under the <i>Public Health Act 2016</i>	The following new delegations are proposed under the <i>Public Health Act 2016</i> in preparation for the commencement of new provisions: 1. DC713 Appoint Authorised Officer or Approved Officer (Asbestos) 2. DC714 Designate Authorised Officers - <i>Public Health Act 2016</i> 3. DC715 Appoint Designated Officer – Information Sharing 4. DC716 Enforcement Agency Reports to the Chief Health Officer 5. DC717 Give Enforcement Orders and Issue Clearance Certificates 6. DC718 Give Enforcement Orders - Implement and Recover Costs 7. DC719 Dealing with Seized Items
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Consultation

The review of the Register was conducted by Governance in consultation with internal stakeholders.

The Annual Review of Delegations have been reviewed by the Audit, Risk and Improvement Committee and recommended to Council for adoption.

A copy of the Register is published on the City's website.

Policy and Legislative Implications

Section 5.46(2) of the Act requires delegations made under the Act to be reviewed at least once each financial year.

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	Annual reviews in place.

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

10.5.2 (a):	Minor Changes
10.5.2 (b):	Substantive Changes
10.5.2 (c):	Revoke
10.5.2 (d):	New

Item 10.5.3 Policy Review was withdrawn by the Acting Chief Executive Officer. The reviewed policies are to be considered at a future meeting.

Mayor Greg Milner disclosed a Financial Interest in Item 10.5.3.

Councillor Kathy Lees disclosed an Impartiality Interest in Item 10.5.3.

10.5.3 Policy Review

File Ref: D-26-12331

Reporting Officer(s): Donna Shaw, Acting Director Corporate Services

Summary

A number of policies were presented for consideration by the Audit, Risk and Improvement Committee for review and referred to Council for adoption.

Officer Recommendation

That Council:

1. Adopts the following revised policies as shown in **Attachment (a)**:
 - a. P605 Purchasing
 - b. P630 Workplace Health and Safety
 - c. P639 CEO Recruitment, Performance and Termination
 - d. P648 Motor Vehicles
 - e. P649 Mayoral Vehicle
 - f. P699 Breaches of the Councillor Code of Conduct
 - g. P700 Developers and Lobbyists
2. Adopts new Council Policy P704 Execution of Documents as shown in **Attachment (c)**.
3. Adopts new Council Policy P302 Development Fee Refunds as shown as **Attachment (d)**.

Absolute Majority Required for P639.

Background

Section 2.7 of the *Local Government Act 1995* (Act) provides:

(1) The Council

a) governs the local government's affairs; and

b) is responsible for the performance of the local government's functions.

(2) Without limiting subsection (1), the Council is to —

a) oversee the allocation of the local government's finances and resources; and

b) determine the local government's policies.

Council is responsible for determining the strategic direction of the City. This is assisted by the adoption of Council policies reflecting this direction and guiding the City's decision-making processes.

Council policies should:

- Not duplicate legislation. If a policy conflicts with legislation, the legislation prevails.
- Be clear and concise.
- Not be overly prescriptive but rather provide guiding principles.
- Provide the City with clear direction to respond to issues and act in accordance with Council decisions and direction.
- Enable Council Members to adequately manage enquiries from external stakeholders relating to the role of Council in particular situations.
- Be separate from administrative management and operational procedures (which need to evolve to ensure continuous improvement).

The Terms of Reference of the Audit, Risk and Improvement Committee (ARIC) include responsibility for reviewing the City's policies and making a recommendation to Council for adoption.

Comment

Policies are reviewed on a progressive basis during the calendar year separated by Directorate. The policy review timeline for 2026 has been scheduled as follows:

<u>Directorate</u>	<u>Meeting Cycle</u>
Corporate Services Directorate Development and Community Services Directorate	15 September ARIC Meeting
Infrastructure Services Directorate	9 November ARIC Meeting

Certain policies have been identified by the Administration for priority consideration by the ARIC and Council outside of the above review cycle.

The policies listed below and shown at **Attachment (a)** are recommended for review with amendments shown by track changes in each policy.

P605 Purchasing

Regulation 11A of the *Local Government (Functions and General) Regulations 1996* requires the City to adopt a purchasing policy in respect of purchases valued under \$250,000.00. Council Policy P605 – Purchasing (P605) was adopted in 2002 and last reviewed in October 2024.

This policy is a reference point for staff for all purchasing activities, and it is essential that it is easy to read and understand.

P605 has been reviewed and it is recommended to simplify and make clear what exemptions are available. Some exemptions were only listed, and others were in full paragraphs. No exemptions have been removed. The following exemptions are proposed to be added:

- Purchase of stock that is to be on sold (for example refreshments).

10.5.3 Policy Review

- Newspaper advertising (or online equivalent).
- Memberships, subscriptions and/or training courses that are of a unique nature.
- Annual services/software maintenance/support fees.
- Provision of utility services.
- Purchases for maintenance of equipment from Original Equipment Manufacturer (OEMs) and where warranty provisions may be void.
- This exemption replicates the Act: *“Purchases of urgent or unique nature or where exceptional circumstances arise and it is considered in the best interest of the City, an exemption may be granted by the CEO in writing.”*

Council Policy P607 – Tenders and Expressions of Interest and Delegation DC607 - Tenders /E-Quotes/Common Use Agreements apply in respect of tenders for goods and services valued over \$250,000.00.

P630 Work Health and Safety

P630 was adopted in July 2021 and last reviewed in November 2024.

It is being recommended that this policy be amended to ensure it captures Council's commitment to a healthy and safe working environment for all Workers (employees, contractors, consultants and volunteers and Council members) in order to achieve the City's strategic objectives.

P630 and the proposed amendments have been drafted to ensure the City remains compliant with and maintains its ISO 45001 Workplace Health and Safety accreditation.

P639 CEO Recruitment, Performance and Termination

Reforms to the Act in 2021 required Council to:

- Adopt standards to be observed by the City that incorporate the model standards as contained within Schedule 2 of the Regulations (section 5.39B).
- Adopt a policy addressing the temporary employment or appointment of a CEO for a term not exceeding 1 year (section 5.39C).

In April 2021, Council adopted Policy P639 which establishes the minimum standards and guidelines for the recruitment and selection, performance review and termination processes for the position of CEO. Council subsequently adopted Model Standards consistent with Schedule 2 of the Regulations in August 2022.

Policy P639 currently provides for the appointment of an Acting CEO where the CEO becomes incapacitated or ceases employment with the City. Arrangements for Acting CEO appointments during periods of annual leave are addressed under Delegation DC642 – Appointment of Acting CEO however DC642 does not cover other types of leave and a delegation is not considered the appropriate instrument for these arrangements. It is therefore proposed that Delegation DC642 be revoked (refer Item 6.5) and its provisions incorporated into Policy P639 as required by section 5.39C of the Act.

The proposed amendments to Policy P639 include:

- Updating references throughout the policy to ensure consistent references to the Model Standards.

- Including reference to the requirement under the Regulations for Council to certify, as soon as practicable, that CEO recruitment and termination processes have been conducted in accordance with the Model Standards.
- Incorporating provisions from Delegation DC642 to provide that Council consents to the appointment of a Director as Acting CEO during periods of CEO leave (including annual, personal and long service leave etc.) for periods not exceeding 20 working days, with any longer appointment requiring a Council resolution.

P648 Motor Vehicle

P648 was adopted in 2009 and last reviewed in December 2024. The policy outlines the principles for acquisition of the City's light vehicle fleet.

The policy is proposed to be amended to emphasise the City's preference to purchase hybrid or electric powered vehicles where possible and commitment to vehicles with a minimum 5-star ANCAP safety rating whilst focusing on operational suitability and fiscal responsibility.

P649 Mayoral Vehicle

Part 5, Division 8 of the Act provides for fees, reimbursements and allowances to elected members in relation to the performance of their duties.

Section 5.98(2) of the Act provides for the reimbursement of certain expenses incurred by Elected Members. Council Policy P667 - Elected Member Entitlements provides for the reimbursement of travel expenses where elected members use their private motor vehicle in the performance of their official duties.

Regulation 34AD(1) of the *Local Government (Administration) Regulations 1996* also permits the provision of a motor vehicle owned by the local government for use by the Mayor as an alternative means of meeting expenses for which an elected member may otherwise be reimbursed. Regulation 34AD(2) provides the local government and the council member must sign an agreement setting out the responsibilities of the council member in relation to the use of the vehicle.

The reimbursement of expenses or provision of a Mayoral vehicle is separate from the payment of allowances, including the Mayoral allowance and meeting attendance fees, as these entitlements are authorised under separate provisions of the Act.

Policy P649 – Mayoral Vehicle was adopted in May 2011 and last reviewed in March 2018. In accordance with P649, the City provides the Mayor with a vehicle for use in connection with the performance of the Mayoral duties. The policy provides:

- The Mayor shall, for the purposes of carrying out the functions of the Mayoral office be entitled to receive a fully maintained local government vehicle to the equivalent standard of that provided to the Chief Executive Officer.
- The Mayoral vehicle:
 - *Is provided in lieu of travel/mileage claims otherwise claimable by the Mayor for use of their personal vehicle;*
 - *Can be used for private purposes (and not for any commercial purpose) on the basis that the cost of that private use is fully reimbursed by the Mayor to the City;*

- *Will not occur at the reduction of the fees, allowances and reimbursement otherwise ordinarily payable to the Mayor's position as approved by Council accordance with the relevant provisions of the Act.*
- Calculation of the private use component to be reimbursed to the City by the Mayor is determined as follows:
 - *A logbook is to be kept of both official and private use of the vehicle;*
 - *On the basis that the predominant use of the vehicle will be for official purposes, only those vehicle costs of a 'variable' nature directly affected by the additional private use will be used for determining the payment for private use to be made by the Mayor. This includes fuel, vehicle servicing costs (and then only the additional servicing costs occasioned by the private use) and depreciation where it can be shown that the additional private use has negatively impacted on the trade value of the vehicle; and*
 - *At the conclusion of a log book period, the City will reimburse the Mayor for the private usage component via an equivalent increase in the Mayoral allowance (providing that the aggregate of the base allowance and the reimbursement amount remains less than the statutory maximum for the Mayoral allowance).*

Review of P667 is considered prudent as the policy is inconsistent with the legislation in that it provides for reimbursement to the Mayor for private use of the vehicle through an equivalent increase in the Mayoral allowance. In practice, this provision lacks clarity and as outlined above, reimbursements and allowances are separate matters. Pursuant to Policy P667, Council has determined the Mayoral allowance to be paid at the maximum amount within the range determined by the Salaries and Allowances Tribunal.

Mayor Vehicles – Metropolitan Local Governments

A review of the provision of Mayoral vehicles at other metropolitan local governments has been undertaken and is provided at **Attachment (b)** for reference. In summary:

- 8 of 15 Band 1 metropolitan local government's relevant policies provide for a Mayoral vehicle.
- Of the 8 Band 2 metropolitan local governments:
 - 6 do not publicly mention the provision of a Mayoral vehicle.
 - The City of Vincent provides an electric bicycle for all official duties connected to the office of Mayor.
 - The Town of Cambridge Council may resolve after each ordinary election to provide a suitable vehicle for the office of Mayor.
- No Band 3 or 4 metropolitan local governments provide a Mayoral vehicle.

Mayor Vehicle Options

The Mayor has a Toyota RAV4 Cruiser, purchased in August 2024 for \$45,192. Comparable vehicles within the City's fleet typically sell for \$2,000–\$5,000 below purchase price at five years of age.

For the purposes of calculating the costs associated with each option, the Administration has utilised the approximate 2024/25 vehicle costs and kilometres travelled for the full financial year being:

- 3,000 approx. business kilometres travelled (27%);
- 8,000 approx. private kilometres travelled (73%);
- Total vehicle costs for the period including fuel, servicing, registration and insurance of approximately \$2,200; and
- Reimbursement payable of approximately \$1,600, representing 73% of the total vehicle costs for the period.

The current reimbursement rate prescribed by section 30.6 of the *Local Government Officers' (Western Australia) Award 2021* is 67.72 cents per kilometre for travel within the metropolitan area using a vehicle with an engine displacement between 1600cc to 2000cc.

The Administration has outlined four options in the below table in relation to the Mayoral vehicle.

No.	Option	Details	Comment	Cost Implications
1.	Mayoral Vehicle – Private Use Reimbursed (Actual cost)	A Mayoral vehicle is provided with private use reimbursed proportionate to the running costs for the vehicle and the percentage of private kilometres travelled.	The calculation of the reimbursement for the private use is by way of a logbook in accordance with the of the Australian Taxation Office logbook method.	As outlined above, the estimated annual reimbursement to the City for this option is approximately \$1,600 subject to the number of kilometres travelled. Under this option, the City would continue to meet the operating costs of the vehicle, with reimbursement by the Mayor for private use calculated proportionately based on actual vehicle running costs.

2.	Mayoral Vehicle – Private Use Reimbursed (Award Rate)	A Mayoral vehicle is provided with private use reimbursed to the City at the rate specified in section 30.6 of the <i>Local Government Officers' (Western Australia) Award 2021</i> .	This option retains the current arrangement while updating the reimbursement calculation methodology to align with the rate specified in the Salaries and Allowances Tribunal determination.	Based on the above figures, and assuming all travel is within the metropolitan area, the estimated annual reimbursement payable to the City is \$5,417.60, subject to the number of private kilometres travelled. Under this option, the City would continue to meet the operating costs of the vehicle, with reimbursement by the Mayor for private use calculated in accordance with the Award rate.
3.	Mayoral Vehicle – Official Use Only	A Mayoral vehicle is provided for official use only. No private use is permitted.	This option would remove the ability for private use of the Mayoral vehicle. The policy would require amendment on this basis.	Under this option, the City would bear the full cost of the Mayoral vehicle, including all operating and associated expenses. No reimbursement would be payable by the Mayor for private use, as private use would not be permitted.

4.	No Mayoral Vehicle	No Mayoral vehicle is provided. The Mayor is reimbursed for authorised travel expenses in accordance with Council Policy P667 Elected Member Entitlements.	This option would be straightforward to administer and is consistent with the legislative framework and Salaries and Allowances Tribunal determination.	Assuming all travel is within the metropolitan area, the estimated annual cost to the City for reimbursement of authorised travel is \$2,031.60, subject to the number of kilometres travelled. No additional vehicle-related costs would be incurred by the City.
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Option 1 is recommended. Accordingly, the policy has been amended, as shown in the attachment, to:

- Simplify the structure of the policy to improve readability.
- Provide for the calculation of the reimbursement for private use in accordance with the Australian Tax Office Logbook method.
- Provide that the City will invoice the Mayor for reimbursement of private use once per financial year retrospectively.
- Confirm that the provision of a Mayoral vehicle:
 - is in lieu of travel/mileage claims otherwise claimable by the Mayor for the use of their personal vehicle; and
 - does not affect the fees and allowances approved by Council under sections 5.98, 5.98A, 5.99 and 5.99A of the Act.
- Provide that details of the arrangement for the provision, use and responsibilities of the motor vehicle are to be stipulated in an agreement between the City and the Mayor in accordance with regulation 34AD(2) of the *Local Government (Administration) Regulations 1996*.

It is recommended that this policy be reviewed again ahead of the next Mayoral election.

P699 Breaches of the Councillor Code of Conduct

This policy was adopted in April 2021 and establishes the framework for assessing complaints of alleged breaches of Division 3 of the Council Member, Committee Member and Candidate Code of Conduct (**Code**). Annexed to the policy is a Code of Conduct Breach Form.

Following Council's review of the Code in February 2026 in response to legislative reforms, Policy P699 has been reviewed to ensure consistency with the amended Code.

The proposed amendments include:

- Updating terminology to refer to parties as the "Complainant" and "Respondent" for improved readability.
- Aligning policy language with the revised Code.
- Incorporating legislative changes including:
 - The requirement that complaints involving a Council Member who has been found to have committed more than two behavioural breaches after 1 January 2026 be referred to the Local Government Inspector.
 - Clarification that, in accordance with s 5.105(4) of the Act, a Council Member who is party to a complaint must not participate in the discussion or decision-making procedure in relation to that complaint.
- Introducing a provision that complaints will ordinarily be dealt with in the order they are received.
- Requiring the external body engaged to assess the complaint to provide the Complainant with an opportunity to discuss the complaint, in addition to the existing requirement to provide the Respondent with an opportunity to respond.
- Updating the Code of Conduct Breach Form to include additional information requirements including the office held by the Respondent, the specific provisions of the Code alleged to have been breached and a designated email address for lodgement of complaints.

P700 Developers and Lobbyists

P700 was adopted in March 2022. The policy provides guidance to Elected Members on associations and interactions with developers and lobbyists, requiring prescribed contact to be disclosed and the CEO to maintain a register of disclosures of such interactions.

Policy P700 has been reviewed with the following changes proposed:

- Policy statement expanded to reflect the intention of the policy.
- Extension of the definition of Planning or Development Proposal to include a proposed Structure Plan, Local Development Plan or amendment to the City's Heritage List or the Metropolitan Region Scheme.
- Refinement of the provisions surrounding meeting with developers.

The policy listed below and shown at **Attachment (c)** is recommended for adoption by Council.

P704 Execution of Documents

Council Delegation DC684 - Sealed Documents currently provides the Chief Executive Officer with authority under section 9.49A(2) of the *Local Government Act 1995* (the Act) to affix the Common Seal of the City to any document that needs the City's Common Seal to be legally effective. This delegation is not considered appropriate as

section 9.49A(3) of the Act requires the affixing of the common seal to be authorised by the local government, rather than delegated.

Where a document is required to be executed under common seal, authorisation is typically provided through a resolution of Council. However, there are instances where documents are required to be executed without Council resolution by way of delegated authority or in the ordinary course of business.

To address this, a new Council Policy is proposed to govern the execution of documents by the City. The policy has been developed in accordance with the Act and outlines the types of documents the City may be required to execute, categorised as follows:

- Category 1 Documents - documents that require affixing of the Common Seal. Separated into two subcategories:
 - A. Documents requiring Council resolution i.e. Local Laws, Local Planning Schemes, land transaction documents; and
 - B. Documents that do not require a specific Council resolution i.e. Extensions of lease under the provisions of the original lease, loan documents where Council has resolved to raise the loan.
- Category 2 Documents - documents that require execution as a result of a Council resolution or a decision made under delegated authority or a legislative provision. This includes contracts for tenders, documents required in the management of land as landowner or under management order, documents prepared for registration at Landgate other than Category 1 Documents.
- Category 3 Documents - documents that are created in the normal course of business to enable employees to perform their duties consistent with City policies and Management Practices.

The policy articulates that Officers may only execute a document on behalf of the City where authorised to do so under delegated authority, statutory authority or operational authorisation.

Delegation DC684 - Sealed Documents is proposed to be revoked accordingly through the annual review of Council delegations.

The policy listed below and shown at **Attachment (d)** is recommended for adoption by Council.

P302 Development Fee Refunds

Whilst Council Delegation DC617 - Granting Discounts, Concessions, Fee Waiver and Debt Write-Off provides the Chief Executive Officer with authority to waive or grant a concession in relation to any amount of money and write off an amount of money which is owed to the City, it is considered appropriate to adopt a policy that informs the circumstances / principles to be applied when determining a refund.

To address this, a new Council Policy is proposed to set out these circumstances, which has been proposed to apply for applications for development approval for regulated tree(s) and heritage protected places.

It is noted that a condition on DC617 is that it is limited to individual or cumulative sums below \$2,000. Applications for tree damaging activity to a regulated tree incur a fee of \$147. Applications for works to a heritage protected place are based on the estimated cost of development.

Consultation

Some of the policies were discussed at the Council Policy Workshop held on 9 March 2026.

Each policy has been considered by the custodian business unit having the relevant technical expertise in relation to the policy content and subsequently by the Executive Management Team (EMT) representing each of the City's Directorates.

The Policies have been reviewed by the Audit, Risk and Improvement Committee and recommended to Council for adoption.

Policy and Legislative Implications

Local Government Act 1995

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	Review of all City policies on an annual basis.

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

10.5.3 (a):	Amended Policies - Tracked Changes
10.5.3 (b):	Comparison Table – Metropolitan Local Government Mayoral Vehicles
10.5.3 (c):	P704 Execution of Documents
10.5.3 (d):	P302 - Development Fee Refunds

10.5.4 Corporate Business Plan - Minor Review

File Ref: D-26-12334
Reporting Officer(s): Anita Amprimo, Acting Chief Executive Officer

Summary

This report presents the draft Corporate Business Plan 2025/26 – 2028/29 for consideration by Council.

Officer Recommendation AND COUNCIL DECISION

0626/140

Moved: Mayor Greg Milner
Seconded: Councillor Blake D'Souza

That Council adopts the Corporate Business Plan 2025/26 – 2028/29 as contained within **Attachment (a)**.

CARRIED BY ABSOLUTE MAJORITY (5/0)

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

Against: Nil.

Background

In accordance with *the Local Government Act 1995* (the Act) and the Local Government (Administration) Regulations 1996 (the Regulations), the City of South Perth (the City) has developed an Integrated Planning and Reporting Framework (IPRF). The objective of this framework is to guide the City's planning and reporting processes to ensure alignment to, and delivery of the community's expectations.

Section 5.56(1) of the Act states that a local government is to "*plan for the future of the district*", and section 5.56(2) states that the plans are to be made "*in accordance with any regulations made about planning for the future.*" Division 3, 19C and 19DA of the regulations require a local government to prepare two documents to address section 5.56(1):

- a. A 10-year strategic community plan that identifies the vision, aspirations and objectives of the community in the district (Regulation 19C).
- b. A four-year corporate business plan that sets out how the local government will respond to the vision, aspirations and objectives identified in the strategic community.

A major review of the City of South Perth's Strategic Community Plan (SCP), which included extensive community engagement was undertaken in 2021/22 and adopted by Council at its meeting held 14 December 2021. A minor review of the SCP was undertaken in early 2024 and a revised SCP was adopted by Council at its meeting held 23 April 2024.

The Department of Local Government Sports and Communities IPRF and Guidelines state that every two years, local governments are required to undertake a review of the SCP, alternating between a minor and major review. A minor review, according to the Departmental guidelines, is *“primarily a desktop exercise and usually focuses on resetting the Corporate Business Plan.”*

The Corporate Business Plan (CBP) 2024/25 – 2027/28 was adopted by Council at its meeting held 25 June 2024, and further reviewed and adopted at the 24 June 2025 Ordinary Meeting.

In accordance with Regulation 19DA(4) of the *Local Government (Administration) Regulations 1996* (the Regulations), the local government is to review the current CBP for its district every year. This report presents the CBP for adoption in accordance with the Regulations, and intended approach in light of legislative changes.

Comment

Typically, the annual review and reset of the CBP drives the annual budgeting process and ensures alignment of operational requirements with the SCP and other informing plans. Proposed modifications to the CBP to reflect changes in circumstances or delays that have occurred since the last review are otherwise presented for adoption as part of the CBP minor review.

As a result of legislative changes, the City is in the process of developing a Council Plan which will see the SCP and CBP be superseded during 2026/27. As part of the Council Plan development, a review of corporate projects and measures of success (KPIs) in the CBP was to take place concurrently. Due to temporary key personnel staffing arrangements and priorities over the preceding months, whilst some work has progressed on the review of projects and KPIs, this project has been delayed.

Quarterly reporting will continue to be presented to the Audit, Risk and Improvement Committee and Council, to ensure oversight of the delivery of the current CBP.

Whilst this report presents the CBP for adoption in accordance with Regulation 19DA(4), the City intends to provide a further CBP review (review of corporate projects and measures of success), following progression of the development of the Council Plan.

Council will be invited to a further Council Plan workshop in the second half of 2026 to verify projects and KPI's as workshopped in February 2026 and to provide feedback on the draft Council Plan prior to the City commencing a community engagement process. Through this process, the work completed to date on the minor review of the CBP will be presented for Council's consideration. It is anticipated that following the community engagement process, amendments may be required (where appropriate) to the draft Council Plan, and it is anticipated the draft Council Plan will then be provided to Council for adoption in late 2026.

Consultation

An Elected Member workshop was held in February 2026 with INK Consulting on the Council Plan development.

Since the February 2026 Council Workshops facilitated by INK Consulting on the Council Plan development, the City's Leadership Team attended a workshop with INK Consultants in early March 2026 to review and provide feedback on projects prioritised at the Council Workshops. Development of the Council Plan template commenced, and drafting has begun based on the Council identified projects and in line with the City's IPR Strategies and Plans Framework.

Policy and Legislative Implications

Local Government (Administration) Regulations 1996

Regulation 19DA requires a local government to prepare a corporate Business Plan covering a period of at least four financial years each financial year. The plan must contain priorities in line with the Strategic Community Plan, internal operations planning, resource management and other integrated matters relating to long term financial planning. Regulation 19DA (6) also requires Council to make a determination on the Business Plan via absolute majority.

Financial Implications

The CBP 2025/26 – 2028/29 will help guide the City's financial planning for the next four years and integrates with the City's Long Term Financial Plan and 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	Medium
Mitigation and actions	Undertake a yearly review of the CBP.

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

10.5.4 (a): Corporate Business Plan 2025/2026-2028/ 2029

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.

12.1 NOTICE OF MOTION - SOUTH PERTH SENIOR CITIZENS CENTRE

File Ref: D-26-12332

Reporting Officer(s): Donna Shaw, Acting Director Corporate Services

Summary

Councillor Kathy Lees submitted the following Notice of Motion prior to the Council Agenda Briefing held 23 June 2026.

Notice of Motion Recommendation AND COUNCIL DECISION

0626/141

Moved: Councillor Kathy Lees

Seconded: Mayor Greg Milner

That Council requests the Chief Executive Officer to:

1. Invite the South Perth Senior Citizens Centre Inc. to participate in an Elected Member workshop, to discuss:
 - (i) The ongoing viability, future services offered and facility options;
 - (ii) The extent of City of South Perth support required; and
 - (iii) Intentions to exercise the option for renewal for the existing lease.
2. Should the South Perth Senior Citizens Centre Inc. agree to participate in an Elected Member workshop, schedule an Elected Member workshop by no later than 31 August 2026.
3. Advise Council of the outcomes of the above with the South Perth Senior Citizens Centre Inc.

CARRIED (5/0)

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

Against: Nil.

Background

Councillor Kathy Lees submitted a Notice of Motion regarding the South Perth Senior Citizens Centre. The reasons for the Notice of Motion are as follows:

- *The City currently has an Agreement with the South Perth Senior Citizens Centre Inc. (SPSCCI) to provide an operational subsidy that supports the engagement of contracted staff to deliver programs and services for local seniors. Prior to this Agreement the SPSCCI was provided with a City staff member to manage the Centre, consistent with the City's ongoing arrangement with the Manning Senior Citizens Centre.*

- *This Agreement commenced in 2021/22 with annual renewal options for four subsequent years (i.e. to 2025/26), subject to annual review and Council adoption of the subsidy through the Annual Budget.*
- *The existing five-year lease for the South Perth Centre is also approaching its renewal point, with SPSCCI holding an option for a further five-year term subject to conditions, commencing 1 October 2026.*
- *The SPSCCI has been a valued community organisation since 1959, with approximately 65 years of support from the City, demonstrating a long-standing and trusted partnership.*
- *The centre has played an important role in supporting the wellbeing, social connection, and quality of life of seniors across the district, and decisions affecting its future should acknowledge this contribution. Accordingly, any changes to funding or facility arrangements should be well informed, carefully considered, and approached with compassion and respect.*
- *During recent budget workshops, the ongoing funding of SPSCCI was discussed. The need for further engagement with the SPSCCI was recognised, in order to provide Council with a clear understanding of the organisation's ongoing sustainability, future service plans, and capacity to meet the evolving needs of local seniors. It is important that this consultation be undertaken to support evidence-based decision-making, ensure responsible use of ratepayer funds, and deliver outcomes that best meet community needs, noting the City's long association with the SPSCCI and its commitment to supporting local seniors.*

Comment

The South Perth Senior Citizens Centre is located at 53 Coode Street, South Perth, and is operated by the South Perth Senior Citizen's Centre Association Inc. (SPSCCI). The Centre has been operating since 1959.

The existing lease commenced on 1 September 2021 for a five (5) year term and is a peppercorn lease. The SPSCCI has the option of renewal for a further five (5) year term commencing 1 October 2026 exercisable by written notice to the City not more than six (6) months nor less than three (3) months before the expiration of the term.

Until 30 June 2026, there is a Community Partnership Agreement (Agreement) in place between the City and the SPSCCI to provide an operational subsidy to assist the SPSCCI to arrange Centre contracted staff to deliver senior's programs and services for people in the local community. The Agreement was created to provide for the equivalent funding for the part time salary costs of an Administrative Support Officer and Finance Support Officer, to reflect that the City no longer provided an employee to operate and manage the centre. The SPSCCI is required to submit an acquittal report for the funds, demonstrating programs and services for local seniors.

The draft 2026/27 Annual Budget included an allocation of \$72,000 ex GST for continuation of the operational subsidy arrangement with the SPSCCI. A clause in the lease currently includes an exclusion preventing the SPSCCI from exercising their further term option if the option of renewal is contingent on some form of payment (e.g. subsidy). The parties could mutually agree to vary the lease by way of a deed of variation which will require a resolution of Council, which will facilitate the subsidy being provided.

Consultation

The City will consult with the SPSCCI and advise Council of the outcome via the Elected Member bulletin. Should the SPSCCI agree to attending an Elected Member workshop, a workshop will be scheduled in accordance with the timeframe within the Notice of Motion, subject to SPSCCI availability.

Policy and Legislative Implications

Nil.

Financial Implications

Nil.

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 will liaise with the SPSCCI in accordance with the Notice of Motion.

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.

12.2 NOTICE OF MOTION - COMMUNITY CONSULTATION REGARDING POTENTIAL COLLABORATION AND FUTURE AMALGAMATION WITH THE TOWN OF VICTORIA PARK

File Ref: D-26-12333

Reporting Officer(s): Donna Shaw, Acting Director Corporate Services

Summary

Councillor Tim Houweling submitted the following Notice of Motion prior to the Council Agenda Briefing held 23 June 2026.

Notice of Motion Recommendation

That Council requests the Chief Executive Officer to:

1. Initiate discussions with the Chief Executive Officer of the Town of Victoria Park regarding the undertaking of a joint community survey and review process to ascertain community views concerning greater cooperation, resource sharing and potential future amalgamation between the two local governments. The survey and review are to consider, amongst other matters:
 - (i) opportunities to improve the efficiency and effectiveness of local government service delivery;
 - (ii) opportunities to reduce duplication of administration, governance and operational functions;
 - (iii) opportunities to improve the provision and maintenance of community infrastructure;
 - (iv) opportunities to improve access to sporting and recreational facilities for sporting clubs and community organisations across both local government districts;
 - (v) opportunities to improve strategic planning, economic development, environmental management and community services;
 - (vi) potential financial savings and efficiencies capable of being delivered to ratepayers through the consolidation of services and resources; and
 - (vii) community views regarding the potential amalgamation of the City of South Perth and the Town of Victoria Park.
2. Following discussions with the Chief Executive Officer Town of Victoria Park, prepare a report outlining the proposed methodology, timing and estimated cost of the survey process.
3. Subject to Council endorsing the report outlining the proposed methodology, timing and estimated cost of the community survey and review process, undertake a community survey and review process.

4. Subject to the community survey and review process being undertaken, present a report to Council on the outcomes.
5. Notes that the survey and review process is intended to form the first stage of determining whether there is sufficient community appetite to warrant more detailed investigations regarding the potential amalgamation of the City of South Perth and the Town of Victoria Park.

The motion lapsed for want of a mover and seconder.

Background

Councillor Tim Houweling submitted a Notice of Motion regarding community consultation to initiate discussions for amalgamating with the Town of Victoria Park. The reasons for the Notice of Motion are as follows:

Local governments throughout Western Australia are increasingly being required to deliver a broader range of services whilst managing increasing financial pressures, rising infrastructure costs and growing community expectations.

The City of South Perth has an estimated resident population of approximately 48,700 people. The Town of Victoria Park has an estimated resident population of approximately 42,300 people. Combined, the two local governments would serve in excess of 91,000 residents.

The current population of each local government is substantially smaller than a number of metropolitan local governments, including:

City of Stirling – approximately 250,000 residents;

City of Wanneroo – approximately 260,000 residents;

City of Joondalup – approximately 165,000 residents; and

City of Armadale – approximately 100,000 residents.

Many larger local governments are able to achieve economies of scale in administration, procurement, asset management, information technology, strategic planning and service delivery which may not be available to smaller local governments.

The City of South Perth and the Town of Victoria Park are geographically contiguous, share common transport networks, sporting infrastructure, community interests and economic linkages, and together form a significant portion of Perth's inner metropolitan area.

A properly conducted survey and review process would allow residents to consider whether greater collaboration, shared services or potential amalgamation could:

1. *reduce duplication of functions;*
2. *improve operational efficiency;*
3. *improve service delivery outcomes;*
4. *provide greater access to sporting and community facilities;*
5. *strengthen long-term financial sustainability;*
6. *increase the capacity to deliver major infrastructure projects; and*
7. *reduce administrative costs borne by ratepayers.*

Importantly, the proposed survey does not predetermine any future amalgamation proposal. Rather, it seeks to obtain evidence-based feedback from residents and stakeholders to determine whether further investigation is warranted.

Given the long-term significance of any potential structural reform to local government within the inner metropolitan area, it is appropriate that Council commence a fact-based discussion with the Town of Victoria Park and seek the views of the community before determining whether any further steps should be taken.

Comment

Background on Local Government Amalgamations

In February 2009, the Minister for Local Government announced a preference for reform of local governments in the State, with changes that may result in changes in four areas:

- A reduction in the number of elected members to between 6 and 9;
- Regional groupings of Councils for service delivery;
- Amalgamations of local governments; and Boundary changes.

At its 22 September 2009 Ordinary Meeting, Council endorsed the City's draft Local Government Reform Submission, which concluded that the City would be prepared to amalgamate with the Town of Victoria Park but only if the Town agreed. The Town of Victoria Park's preference was to remain as is.

The Minister appointed an independent expert panel in June 2011 to further review and report on local government reform. The Independent Metropolitan Governance Review Panel released an Issues Paper together with a series of questions in October 2011, inviting public submissions by 23 December 2011 to which the Council responded.

Following the consideration of submissions, the Panel released their draft findings in April 2012 seeking final comment by 25 May 2012 to which the Council also responded with a comprehensive submission. The 'Robson Report' (the Report) was presented to the Minister in June 2012 and the report was released to the sector on 25 October 2012 for comment by 5 April 2013.

Initially, the local governments within the South-East region combined to review alternative options as there was a general consensus that the Report did not arrive at a workable reform solution. Further, the majority of local governments within the metropolitan region strongly believed that the local government industry should take responsibility for its own actions and lodge a submission on behalf of the majority of metropolitan local governments. There was a similar view expressed by this group that the Report recommendations were neither appropriate nor realistic. Numerous proposals were presented as alternatives to the Report recommendations dependent upon the number of metropolitan Local governments, ultimately determined by the Minister.

At the 30 November 2012 meeting, Council considered an item on the 'Final Report of the Metropolitan Local Government Review' and resolved as follows:

"That the Council:

- (a) include a special four page Metropolitan Local Government Reform insert in the January 2013 Peninsula seeking the community's view on the Metropolitan Local Government Review Final Report and Recommendations; and*
- (b) consider this matter in February 2013 inclusive of community comment, with a final report to be prepared for Council consideration in March 2013."*

A Special Council Meeting was held on 2 April 2013 for Council to consider options of the Report following consultation, and Council resolves as follows:

“That

- 1) The City does not support Option A or B of recommendation 15(c) of the Robson report to either wholly or partly amalgamate with the City of Perth for the following reasons:*
 - a) There is no community of interest between the residents of the City of Perth and the City of South Perth;*
 - b) The City of Perth should remain with a ‘Capital City’ focus and not be side tracked on suburban issues;*
 - c) Assuming governance principles remain the same, the majority of elected members would be elected from south of the river – not the existing City of Perth area – which would be to the detriment of the CBD;*
 - d) The principles of the Local Government Advisory Board would be compromised in that there is no justification for the City of Perth to be extended south across the Swan river as it is a natural feature and provides an ideal Local Government boundary.”*

On 30 July 2013, the State Government issued a media released advising that the new local governments (including an amalgamated City of South Perth and Town of Victoria Park) would come into effect on July 2015, with commissioners at the helm from that date and elections held again in October 2015 to elect new Councillors.

Local government amalgamations in Western Australia effectively ended on February 9, 2015, when then Premier Colin Barnett officially ended the Government’s plans following multiple local governments voting against amalgamation proposals.

Community Survey and Review

Should Council support the motion, the City can liaise with the Town of Victoria Park as to undertaking a community survey and review consistent with the motion.

Consultation

Nil.

Policy and Legislative Implications

Local Government Act 1995

Schedule 2.1 of the *Local Government Act 1995* provides provisions about creating, changing the boundaries of and abolishing districts. Proposals can be made to the Advisory Board by an affected local government and is to:

- (a) set out clearly the nature of the proposal, the reasons for making the proposal and the effects of the proposal on local governments; and
- (b) be accompanied by a plan illustrating any proposed changes to the boundaries of a district; and
- (c) comply with any regulations about proposals.

Financial Implications

Should Council support the motion, the City can liaise with the Town of Victoria Park and further determine likely costs of a survey, including cost-sharing arrangements.

The cost of a direct letter mail-out to all City of South Perth residents is approximately \$40,000. Costs would be greater if distributing more comprehensive information and facilitating a survey.

There are currently no funds allocated in the 2026/27 Annual Budget for a community survey or a review.

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	Should Council adopt the motion, the proposal is likely to result in substantial public interest and news profile.

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.

13. QUESTIONS FROM MEMBERS

13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE

The responses to questions from members taken on notice at the May 2026 Ordinary Council Meeting can be found in the **Appendix** of these Minutes.

13.2 QUESTIONS FROM MEMBERS

- Councillor Stephen Russell
- Councillor Kathy Lees

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

At 7.22pm, prior to Item 14, Mayor Greg Milner moved a motion to adjourn the meeting for 10 minutes.

COUNCIL DECISION

0626/142

Moved: Mayor Greg Milner

Seconded: Councillor André Brender-A-Brandis

That the meeting be adjourned for 10 minutes.

CARRIED (5/0)

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

Against: Nil.

The meeting reconvened at 7.32pm.

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

The Presiding Member advised the meeting that the Acting Chief Executive Officer had a late Item to be tabled for consideration.

14.1 Local Government Extraordinary Elections

File Ref: D-26-12399

Reporting Officer(s): Anita Amprimo, Acting Chief Executive Officer

Summary

This report recommends acceptance of the Cost Estimate and Written Letter Agreement provided by the Western Australian Electoral Commission, which provides the authorisation for the Western Australian Electoral Commissioner to conduct the 2026 Local Government Extraordinary Elections on behalf of the City of South Perth.

The 2026 Extraordinary Election is comprised of two vacancies and is proposed to be conducted as a postal election.

Officer Recommendation AND COUNCIL DECISION

0626/143

Moved: Mayor Greg Milner

Seconded: Councillor André Brender-A-Brandis

That Council:

1. Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2026 extraordinary election, together with any other elections or polls which may be required.
2. Decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.
3. Accept the Estimate of Costs **Attachment (a)** and Written Agreement **Attachment (b)** as provided by the Western Australian Electoral Commission.
4. In accordance with Section 4.9(1)(b) of the *Local Government Act 1995* fix Thursday 24 September 2026 as the date for the City of South Perth extraordinary election to fill the vacant elected member positions.

CARRIED BY ABSOLUTE MAJORITY (5/0)

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

Against: Nil.

Background

Following the resignation of former Councillors Hayley Prendiville and Bronwyn Waugh, Council is required to conduct an extraordinary Local Government Election.

Subsequently the Chief Executive Officer (CEO) provided the resignations to the Department of Local Government, Industry Regulation and Safety (DLGIRS) confirming the extraordinary vacancies.

As the vacancies occur more than 12 months after the commencement of the Councillor's terms, they cannot be filled by appointment under Schedule 4.1A of the *Local Government Act 1995* (the Act) and must be filled by an extraordinary election.

Section 4.20(1) of the Act provides for the CEO to be the returning officer for the local government elections unless Council appoint another person. If Council appoint a person other than the CEO, the Western Australian Electoral Commissioner must approve that person.

Under section 4.20(4) of the Act, Council can determine that the Western Australian Electoral Commissioner be responsible for the election, including the appointment of a returning officer and other arrangements associated with the election.

The City received a letter from the Western Australian Electoral Commissioner **Attachment (a)** providing an estimate of the costs for the Western Australian Electoral Commission (WAEC) to conduct the 2026 extraordinary local government election as a postal election, on the City's behalf and any other polls that may be required in 2026.

Subsequent to the receipt of the cost estimate, and in accordance with section 4.20(4) of the Act the City received a Written Letter Agreement **Attachment (b)** from the WAEC for Council's consideration.

Former Councillor Tim Houweling also tendered his resignation. Schedule 4.1A and 4.1B of the Act provides for the filling of vacancies using backfilling provisions. As former Councillor Houweling was elected at the 18 October 2025 Ordinary Elections, the CEO will seek to fill this vacancy with the backfilling provisions.

Comment

In accordance with Section 4.61(1) of the Act, there are two methods for conducting local government elections, being postal voting or voting in person. The local government has the ability to decide to conduct the election as a postal election, by absolute majority in accordance with Section 4.61(2). All postal elections must be conducted by the Western Australian Electoral Commission. There are significant benefits for the elections to be conducted as a postal election:

- It increases the voter turnout.
- Having an external person appointed by the Electoral Commission as the returning officer creates separation and proves independence to the process.
- It is easier for electors to vote.

While the local government has the ability to choose the method of conducting its elections, in accordance with section 4.1C of the Act, the Governor may, on the recommendation of the Minister, by order provide that, until the order is revoked, each election for a specified local government must be conducted as a postal election. This applies despite section 4.61 of the Act.

Consultation

The City has engaged with the Western Australian Electoral Commission (the Commission) to seek advice on the conduct, timing, and cost of the required election. The WAEC has proposed an extraordinary election date of 24 September 2026, subject to Council adopting the required resolutions.

To meet the 24 September 2026 Local Government Extraordinary Elections, a resolution of Council is required to be provided to the Commission by 6 July 2026.

Policy and Legislative Implications

Division 1 of Part 4 of the *Local Government Act 1995*

Division 4 of Part 4 of the *Local Government Act 1995*

Section 4.9 provides for the election day for extraordinary election:

- “(1) Any poll needed for an extraordinary election is to be held on a day decided on and fixed —*
- (a) by the mayor or president, in writing, if a day has not already been fixed under paragraph (b); or*
 - (b) by the council at a meeting held within one month after the vacancy occurs, if a day has not already been fixed under paragraph (a).*
- (2) The election day fixed for an extraordinary election is to be a day that allows enough time for the electoral requirements to be complied with but, unless the Electoral Commissioner approves or section 4.10(b) applies, it cannot be later than 4 months after the vacancy occurs.*
- (3) If at the end of one month after the vacancy occurs an election day has not been fixed, the CEO is to notify the Electoral Commissioner and the Electoral Commissioner is to —*
- (a) fix a day for the holding of the poll that allows enough time for the electoral requirements to be complied with; and*
 - (b) advise the CEO of the day fixed.”*

In accordance with Section 4.61, the local government may decide to conduct the election as a postal election. An absolute majority is required in this respect.

Financial Implications

It is estimated that the cost for the WAEC to conduct the 2026 City of South Perth extraordinary local government election would be approximately \$83,000 (ex GST) for two vacancies. Note additional costs may be incurred for casual staff associated with the election which may materially increase the final costs.

Given the costs will be incurred early in the financial year, if identified savings cannot be made throughout the year to accommodate the costs, the budget will require adjusting in the mid-year budget review.

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	Extraordinary local government elections are to be run in accordance with the Act and regulations. Officers and the Western Australian Electoral Commission are aware of the obligations.

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

14.1 (a):	Estimate of Costs
14.1 (b):	Written Agreement

15. MEETING CLOSED TO THE PUBLIC

Nil.

16. CLOSURE

The Presiding Member thanked everyone for their attendance and closed the meeting at 7.38pm.

APPENDIX

6.2 PUBLIC QUESTION TIME: 30 June 2026

1 Ms Bronwyn David, South Perth Received: 29 June 2026	Responses provided by Fiona Mullen – Acting Director Development and Community Services
<i>[Preamble] I was pleased to see that at Item 10.4.3 that ‘successful prosecutions’ were listed as an example of other revenue. I hope one day soon a prosecution over the destruction of the enormous tuart tree at 41 South Terrace will also be a successful prosecution.</i>	
1. Could the City provide details of every prosecution undertaken in the last financial year, including the name of the policy that was contravened and the outcome, including the sums awarded to the City and the cost to the City of those prosecutions?	Since 1 July 2025, the City has completed one prosecution in relation to Local Planning Policy 3.2 Tree Retention. The fine imposed by the Magistrates Court was \$5000 with the accused ordered to pay costs of \$1,646.00. The cost to the City of this prosecution was \$2,666.44.
2. Are the results of these prosecutions reported publicly anywhere by the City, such as on your website, in newsletters etc, in accordance with the public interest in them?	No. In respect to promoting successful prosecutions, this may result in privacy breaches, or vigilante/ doxxing activity. Further, sharing inaccurate or defamatory information about a conviction could lead to defamation claims and therefore the City is not intending to publicise the outcome of prosecutions.
3. How many approvals and/ or refusals have been made in relation to Local Planning Policy 3.2 since its adoption?	136 development applications have been assessed under LPP 3.2 in total. Of these, 128 were approved, this included development applications where trees were retained, 15 of these decisions included the removal of regulated trees and 3 of these decisions approved pruning of regulated trees. 8 of the total number of development applications were refused for reasons associated with tree damaging activity.

13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE – OCM 26 MAY 2026

Councillor Stephen Russell	
1. Could the City advise how many short term rental accommodation properties exist within the district and the distribution between unhosted and hosted?	At the time of providing the response there were 47 registered properties within the City of South Perth offering hosted short stay accommodation, and 78 properties offering unhosted short stay accommodation.
2. Is it possible to include short term rental accommodation properties as part of a differential rate under the Act?	The <i>Local Government Act 1995</i> (Section 6.36) provides that a local government may impose a differential general rate (DGR) according to land zoning, land use, whether the land is vacant or not, or a combination of each characteristic. Council may resolve to treat Short Term Rental Accommodation properties as commercial properties for rating purposes, with the minimum rate and rate in the dollar for this category differing to that of residential rated. The % difference can be determined by Council. In accordance with section 6.36 of the <i>Local Government Act 1995</i>, the City is required to give local public notice of its intention to impose differential general rates prior to adopting its budget.

Councillor Blake D'Souza	
1. I have been in touch with the Manning Rippers Footy Club with regards to a potential project for them to build a new coaches box, and locations where they can do that. Has the City been in touch with them on this project or is that something that can be done?	The City has been in contact with Manning Rippers regarding proposed new coaches' box and a meeting is currently being arranged.

13.2 QUESTIONS FROM MEMBERS OCM 30 JUNE 2026

Councillor Stephen Russell	Response provided by: Anita Amprimo – Acting Chief Executive Officer
1. A couple of months ago, I raised questions regarding ACROD or disability car bays under City management and I think that the City response to that was needing to undertake an audit [to obtain that]. I am wondering where the City stands with that?	I do not believe that assessment has been undertaken yet.

Councillor Kathy Lees	Response provided by: Anita Amprimo - Acting Chief Executive Officer
1. I have been contacted by a number of residents who are concerned, as I am, about the extent of tree removal that has recently taken place at the Royal Perth Golf Course. Could the administration please advise what monitoring or oversight the City has undertaken to ensure that the works are being carried out, in accordance with the approval given to the Club?	Taken on notice.

DISCLAIMER

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

These Minutes were confirmed at the Ordinary Council Meeting held: Tuesday 28 July 2026

Signed _____

Presiding Member at the meeting at which the Minutes were confirmed