

# MINUTES

## Ordinary Council Meeting

24 March 2026

Mayor and Councillors

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



ANITA AMPRIMO  
ACTING CHIEF EXECUTIVE OFFICER

2 April 2026

# Acknowledgement of Country

Kaartdjinin Nidja Nyungar Whadjuk Boodjar Koora Nidja Djining Noonakoort kaartdijin wangkiny, maam, gnarnk and boordier Nidja Whadjuk kura kura.

We acknowledge and pay our respects to the traditional custodians of this land, the Whadjuk people of the Noongar nation and their Elders past and present.

## Our Guiding Values



## Disclaimer

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

# Contents

<b>1.</b>	<b>DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS</b>	<b>5</b>
<b>2.</b>	<b>DISCLAIMER</b>	<b>5</b>
<b>3.</b>	<b>ANNOUNCEMENTS FROM THE PRESIDING MEMBER</b>	<b>5</b>
<b>4.</b>	<b>ATTENDANCE</b>	<b>6</b>
	<b>4.1 APOLOGIES</b>	<b>6</b>
	<b>4.2 APPROVED LEAVE OF ABSENCE</b>	<b>6</b>
<b>5.</b>	<b>DECLARATIONS OF INTEREST</b>	<b>7</b>
<b>6.</b>	<b>PUBLIC QUESTION TIME</b>	<b>8</b>
	<b>6.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</b>	<b>8</b>
	<b>6.2 PUBLIC QUESTION TIME: 24 MARCH 2026</b>	<b>8</b>
<b>7.</b>	<b>CONFIRMATION OF MINUTES AND TABLING OF NOTES OF BRIEFINGS</b>	<b>8</b>
	<b>7.1 MINUTES</b>	<b>8</b>
	7.1.1 Ordinary Council Meeting Held: 24 February 2026	8
	<b>7.2 CONCEPT BRIEFINGS</b>	<b>9</b>
	7.2.1 Concept Briefings and Workshops	9
	7.2.2 Council Agenda Briefing - 17 March 2026	9
<b>8.</b>	<b>PRESENTATIONS</b>	<b>10</b>
	<b>8.1 PETITIONS</b>	<b>10</b>
	<b>8.2 PRESENTATIONS</b>	<b>10</b>
	<b>8.3 DEPUTATIONS</b>	<b>10</b>
<b>9.</b>	<b>METHOD OF DEALING WITH AGENDA BUSINESS</b>	<b>10</b>
<b>10.</b>	<b>REPORTS</b>	<b>12</b>
	<b>10.1 STRATEGIC DIRECTION 1: COMMUNITY</b>	<b>12</b>
	10.1.1 RFQ 14/2025 - Provision of Minor Changeroom Upgrades at Various City Sites	12
	<b>10.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)</b>	<b>17</b>
	10.3.1 Local Heritage Survey Place Specific Review	17
	10.3.2 Local Planning Policy Policy P351.14 Cygnia Cove Residential Design Guidelines - Revocation	24
	10.3.3 RFT 13/2025 - Provision of Survey Services	28
	10.3.4 Proposed Tree Damaging Activity to Regulated Trees - Lot 2 (No.23) Monk Street, Kensington	32

<b>10.4 STRATEGIC DIRECTION 4: LEADERSHIP</b>	<b>41</b>
10.4.1 Delegation DC690 Local Planning Scheme No.7	41
10.4.2 Budget Review for the Period up to 31 January 2026	55
10.4.3 Design Review Panel - Appointment of Members	67
10.4.4 Annual General Meeting of Electors 2024/25	71
10.4.5 Listing of Payments - February 2026	73
10.4.6 Monthly Financial Statements - February 2026	76
<b>11. APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>80</b>
<b>12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>81</b>
12.1 NOTICE OF MOTION - TRANSPORT ADVOCACY	81
<b>13. QUESTIONS FROM MEMBERS</b>	<b>85</b>
13.1 RESPONSE TO PREVIOUS QUESTIONS FROM MEMBERS TAKEN ON NOTICE	85
13.2 QUESTIONS FROM MEMBERS	85
<b>14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING</b>	<b>86</b>
<b>15. MEETING CLOSED TO THE PUBLIC</b>	<b>88</b>
<b>16. CLOSURE</b>	<b>88</b>
<b>APPENDIX</b>	<b>89</b>
<b>DISCLAIMER</b>	<b>102</b>

# Ordinary Council Meeting - Minutes

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

## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 6.01pm.

## 2. DISCLAIMER

The Presiding Member read aloud the City's Disclaimer.

## 3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

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

Date	Subject
25 February 2026	Presentation from Local Government Inspector Tony Brown and Monitor Gail McGowan
4 March 2026	Meeting with Monitor Gail McGowan
4 March 2026	Ordinary Council Meeting
8 March 2026	Manning Laneway Festival
10 March 2026	Audit, Risk and Improvement Committee Meeting
11 March 2026	Meeting with Monitor Gail McGowan and CEO Liz Ledger
11 March 2026	Meeting with Monitor Gail McGowan and CEO Liz Ledger
12 March 2026	Old Mill Theatre Annual General Meeting
13 March 2026	Meeting with Geoff Baker MLA
17 March 2026	Council Agenda Briefing
18 March 2026	Meeting with Mayor Karen Vernon
19 March 2026	Sod Turning Ceremony at Collier Park Golf Course
20 March 2026	Hensman Street Elementary Fundraiser
21 March 2026	Sounds of Bunuru community concert
24 March 2026	Ordinary Council Meeting

Prior to Item 9, the Mayor read out the following statement:

*“Tonight is the last Council Meeting for Kira Digwood, who is the Governance Administration Officer and has been serving the City for a number of years. On behalf of the City of South Perth, it has been an absolute pleasure working with you. Thank you so much for your time, support and everything that you have done for the City and its residents. We wish you all the very best in your next exciting adventure.”*

#### **4. ATTENDANCE**

Mayor Greg Milner (Presiding Member)

##### Councillors

Como Ward	Councillor Kathy Lees
Manning Ward	Councillor Blake D’Souza
Manning Ward	Councillor André Brender-A-Brandis
Mill Point Ward	Councillor Jacqueline Raison
Mill Point Ward	Councillor Tim Houweling
Moresby Ward	Councillor Stephen Russell
Moresby Ward	Councillor Hayley Prendiville

##### Officers

Director Development and Community Services	Ms Donna Shaw
Director Infrastructure Services	Ms Anita Amprimo
Manager Customer, Communications & Engagement	Ms Danielle Cattalini
Manager Finance	Mr Abrie Lacock (Retired at 9.06pm)
Legal and Governance Coordinator	Ms Jessica Guy
Marketing and Communications Coordinator	Ms Sonya Kimbar (Retired at 8.20pm)
Governance Officer	Ms Jane Robinson
Governance Administration Officer	Ms Kira Digwood

##### Guests

Local Government Monitor	Ms Gail McGowan PSM
--------------------------	---------------------

##### Gallery

There were approximately 16 members of the public present.

#### **4.1 APOLOGIES**

- Councillor Bronwyn Waugh

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

Nil.

## 5. DECLARATIONS OF INTEREST

- Mayor Greg Milner - Impartiality Interest in Item 10.3.1 as 'I know a number of the members of the Royal Perth Golf Club.'
- Councillor Kathy Lees – Impartiality Interest in Item 10.3.1 as 'Prior to my election, as a ratepayer I made a request to the City that 49 Forrest St South Perth which is the subject of a place specific review be considered for heritage listing. I also have friends who are members of the Royal Perth Golf Club which is the subject of a place specific review. As a consequence, there may be a perception that my impartiality on the matter may be affected. However, I declare that I will consider the matter on its merits and vote accordingly.'
- Councillor Jacqueline Raison – Impartiality Interest in Item 10.3.1 as 'One of my children attended Wesley College and in recent years I participated in Strategy Think Tanks at Wesley College with other business leaders. Prior to today no property or heritage matters have been discussed with me by anyone at Wesley. Today I was contacted by a representative of Wesley and we had a general discussion about this item. I am comfortable that I do not have any conflict of interest and can consider this agenda item impartially.'
- Councillor Hayley Prendiville – Impartiality Interest in Item 10.3.1 as 'there is a member of the Royal Perth Golf Club who is known to me.'
- Councillor Tim Houweling - Impartiality Interest in Item 10.3.1 as 'up and until December 2025 I was a member of Raise Me Up Incorporated. In October 2025 following the City of South Perth withdrawing its support for the Home Karawara Food Relief program, the Association took over arranging and delivering meals and food packages to 263 disadvantaged members of our community per week. This work has been generously supported by a donation from another organisation from outside the City of South Perth. On 12 March 2026 I understand the Association received an unsolicited offer for surplus funds from the Royal Perth Golf Charity Day. Further, on 14 March 2026 I attended the Wesley Ball having my firm having sponsored and paid for a table, this was also attended by Bronwyn Waugh the Deputy Chair of Penrhos, and other members of that board, having donated to and attended the event I make this declaration, and finally, I have attended a Baptism at St Columbus.'
- Councillor Kathy Lees – Impartiality Interest in Item 10.3.4 as 'I am a co-founder of the South Perth Tree Canopy Advocates and a co-founder and committee member of the WA Tree Canopy Advocates and I note the application involves removal of 3 trees. As a consequence, there may be a perception that my impartiality 'on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.'
- Councillor Kathy Lees – Impartiality Interest in Item 10.4.3 as 'I know and have worked with some of the candidates. As a consequence, there may be a perception that my impartiality on the matter may be affected. However, they are not closely associated persons and I declare that I will consider the matter on its merits and vote accordingly.'
- Councillor Tim Houweling – Impartiality Interest in Item 12.1 as 'I know Steve Martin, I do and will considered every item on their merits.'

## 6. PUBLIC QUESTION TIME

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

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

### 6.2 PUBLIC QUESTION TIME: 24 MARCH 2026

The Presiding Member opened Public Question Time at 6.07pm.

Written questions were received prior to the meeting from:

- Dr Mark Brogan of Kensington.
- Ms Joanne Ord of Como.
- Ms Bronwyn David of South Perth.
- Ms Lena Jaetschmann of South Perth.

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

Some questions were taken on notice. The answers to these questions will be made available in the April 2026 Agenda.

There being no further questions, the Presiding Member closed Public Question Time at 6.22pm.

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

### 7.1 MINUTES

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

##### Officer Recommendation AND COUNCIL DECISION

0326/040

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

**Seconded:** Councillor Jacqueline Raison

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

**CARRIED (8/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison and 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
23 February 2026	Strategic Risk Workshop	Councillors André Brender-A-Brandis, Tim Houweling, Kathy Lees, Jacqueline Raison, Bronwyn Waugh.
9 March 2026	Policy Review Workshop	Mayor Greg Milner and Councillors André Brender-A-Brandis, Tim Houweling, Kathy Lees, Jacqueline Raison, Stephen Russell.

### 7.2.2 Council Agenda Briefing - 17 March 2026

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

#### Attachments

7.2.2 (a): Briefing Notes

#### Officer Recommendation AND COUNCIL DECISION

0326/041

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

**Seconded:** Councillor Blake D'Souza

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

- 7.2.1 Concept Briefings and Workshops
- 7.2.2 Council Agenda Briefing - 17 March 2026

**CARRIED (8/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison and 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 17 March 2026.

## 9. METHOD OF DEALING WITH AGENDA BUSINESS

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

The Presiding Member advised that the following Agenda Item was a new report and was not presented to the Council Agenda Briefing held 17 March 2026:

- 10.3.4 Proposed Tree Damaging Activity to Regulated Trees - Lot 2 (No.23) Monk Street, Kensington

The Director Infrastructure Services confirmed all the report items were discussed at the Council Agenda Briefing held 17 March 2026 with the exception of Item 10.3.4.

### ITEMS WITHDRAWN FOR DISCUSSION

- 10.3.1 Local Heritage Survey Place Specific Review
- 10.3.4 Proposed Tree Damaging Activity to Regulated Trees - Lot 2 (No.23) Monk Street, Kensington
- 10.4.1 Delegation DC690 Local Planning Scheme No.7
- 10.4.2 Budget Review for the Period up to 31 January 2026

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

### **COUNCIL DECISION**

**0326/042**

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

**Seconded:** Councillor Hayley Prendiville

10.1.1 RFQ 14/2025 - Provision of Minor Changeroom Upgrades at Various City Sites

10.3.2 Local Planning Policy Policy P351.14 Cygnia Cove Residential Design Guidelines - Revocation

10.3.3 RFT 13/2025 - Provision of Survey Services

10.4.3 Design Review Panel - Appointment of Members

10.4.4 Annual General Meeting of Electors 2024/25

10.4.5 Listing of Payments - February 2026

10.4.6 Monthly Financial Statements - February 2026

**CARRIED (8/0)**

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

**Against:** Nil.

## 10. REPORTS

### 10.1 STRATEGIC DIRECTION 1: COMMUNITY

#### 10.1.1 RFQ 14/2025 - Provision of Minor Changeroom Upgrades at Various City Sites

File Reference: D-26-7018

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

##### Summary

This report recommends Council accept a proposal from West to West Carpentry Services Pty Ltd (trading as West to West Group) for the Provision of Minor Changeroom Upgrades at Various City Sites.

##### Officer Recommendation AND COUNCIL DECISION

0326/043

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

**Seconded:** Councillor Hayley Prendiville

That Council:

1. Accepts the tender submitted by West to West Carpentry Services Pty Ltd (trading as West to West Group) for the Provision of Minor Changeroom Upgrades at George Burnett Park, Challenger Reserve, Bill Grayden Reserve, Collier Reserve and Morris Mundy Reserve, as shown in **Confidential Attachment (a)**; and
2. Authorises the Chief Executive Officer to execute a contract with West to West Carpentry Services Pty Ltd (trading as West to West Group) for the Provision of Minor Changeroom Upgrades at George Burnett Park, Challenger Reserve, Bill Grayden Reserve, Collier Reserve and Morris Mundy Reserve.

**CARRIED BY EXCEPTION RESOLUTION (8/0)**

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

**Against:** Nil.

##### Background

Pursuant to RFT 11/2024, the City sought submissions to create a panel of three to undertake a range of planned and reactive building maintenance services, including future minor building works for the City.

This panel was established in anticipation of future changerroom upgrades at George Burnett Park, Challenger Reserve, Bill Grayden Reserve, Collier Reserve and Morris Mundy Reserve.

The scope of work at each facility varies, depending on the current arrangement and layout of the facilities, however as a general indication they are small scale improvements to increase amenity of existing change room facilities and include:

- Where there are open toilets - Provide Individual, toilet cubicles.
- Where there are urinals - Remove & Replace urinals with pans in change room toilets. Where possible, these will be replaced with a WC and a cubicle. If it isn't possible to provide a WC due to the arrangement of the facility the area where the WC was removed, will be made good.
- Where there are open showers - Provide individual lockable shower cubicles with changing seats inside each cubicle, to enhance safety and privacy for users.
- Mirror/vanity/shelving for personal items.
- Power points for accessories adjacent to wash basins.
- Provision of a fold away baby change table at each site (within the existing UAT Facilities).
- Where provided, umpire/referee change rooms should also be designed to be female friendly and in recognition that some sports often have a mix of female and male referees/umpires officiating a single game/event. Full height partitions to be installed in these areas.
- Make good of any surfaces that have been disturbed.

These do not trigger statutory compliance, rather they are 'like for like' replacements.

At the Ordinary Council Meeting on 10 December 2024 (resolution 1224/223), Council accepted the appointment of the following panel members:

- Hoskins Investments Pty Ltd ATF M R Hoskins Family Trust T/A AE Hoskins Building Services.
- Oban Group Pty Ltd; and
- West to West Carpentry Services Pty Ltd T/A West to West Group.

Regulation 24AJ of the *Local Government (Functions and General) Regulations 1996* allows the City to enter into contracts with panel members for the changerroom upgrades at the sporting reserves:

*24AJ. Contracts with pre-qualified suppliers*

- (1) *The local government may enter into a contract, or contracts, for the supply of goods or services with a pre-qualified supplier who is part of a panel of pre-qualified suppliers for the supply of those particular goods or services.*
- (2) *A contract referred to in subregulation (1) must not –*
  - (a) *be for a term exceeding 12 months; or*
  - (b) *contain an option to renew or extend its term.*

However, as regulation 24AJ has not been delegated from Council to the CEO this now requires Council approval.

A new Delegation will be presented for Council adoption in future to address this oversight.

### Comment

The City sought the submission of a lump sum fee quotation to deliver the five change room upgrades from each of the three panel members. This is known as a restricted request for quote in accordance with the buying rules of Minor Building Works Panel arrangement RFT 11/2024.

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

#### Qualitative Criteria

Qualitative Criteria	Weighting %
<p><b>1. Demonstrated Understanding of the Requirements and Proposed Methodology:</b></p> <p>Respondents must demonstrate a clear understanding of the changerooms upgrade scope and provide a detailed outline of their proposed approach. Include:</p> <p>(a) Key steps and sequencing of works</p> <p>(b) Site management and minimisation of disruption</p> <p>(c) Safety and compliance measures</p>	35%
<p><b>2. Relevant Experience:</b></p> <p>Have you successfully undertaken similar upgrades?</p> <p>Respondents must provide evidence of experience in similar minor building works, particularly changerooms or sports facility upgrades.</p>	30%
<p><b>3. Project Timeline:</b></p> <p>Respondents must provide a Gantt chart or similar project timeline showing key milestones and completion by the earliest date achievable (within the first half of 2026). Include:</p> <p>(a) Estimated start and finish dates per Site</p> <p>(b) Major phases of work</p> <p>(c) Weekday works only with provision to re-instate access on weekends (where safe &amp; reasonable)</p> <p>(d) Any dependencies or risks to schedule</p> <p>All works to be programmed for weekdays, with the Change rooms returned to a safe, clean, usable state for all weekends/ game days (all Sites). unless otherwise advised by the City.</p>	35%
<b>Total</b>	<b>100%</b>

The officer recommendation is that the submission from West to West Carpentry Services Pty Ltd (Trading as **West to West Group**) be accepted by Council.

West to West Group is a leading construction company specialising in construction, fit out, and building maintenance services.

Having regard to the evaluation criteria, pricing outcomes, and overall risk assessment, the Panel determined that the submission from West to West Group represents the best value for money outcome for the City.

Specifically, the West to West Group submission:

- Satisfies all mandatory and technical requirements;
- Exceeds the minimum qualitative threshold;
- Demonstrates an adequate understanding of the project requirements supported by an appropriate methodology;
- Presents no material compliance issues or unacceptable delivery risks; and
- Provides a lower tendered price that is closer to the approved project budget.

Accordingly, the Evaluation Panel determined that:

- West to West Group's submission is conforming and capable of delivering the required works;
- Awarding the contract to West to West Group represents a reasonable, proportionate, and economically sound decision that delivers the best value for money to the City.

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

### **Consultation**

A site briefing was held at 10:00 am (AWST) on Thursday, 11 December 2025. All three panel members were in attendance.

### **Policy and Legislative Implications**

All legislative and policy requirements have been adhered to.

*Local Government Act 1995.*

*Local Government (Functions and General) Regulations 1996*

The following Council Policies also apply:

- Policy P605 - Purchasing
- Policy P611 - Pre-qualified Supplier Panels

### **Financial Implications**

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

The contract price is within the Pre-Tender construction estimate proposed for the works. The price basis for the contract is fixed for the duration of the contract.

### Key Risks and Considerations

<b>Risk Event Outcome</b>	<p><b>Business Interruption</b></p> <p>Incorporates the impact of events which impinge upon the City's capacity to deliver expected services to the community. These interruptions can range from minor inconvenience requiring an alternative method of service delivery being employed through to forced loss of ability to provide multiple services to all or some of the community. Knowledge loss, technological failure and property damage will also contribute to this outcome.</p> <p><b>Project Cost</b></p> <p>This relates to any project exceeding the project budget. Ranging and exceeding the budget by up to 10% to 30% and over.</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	<p>The contract is required to be awarded promptly to ensure the City meets grant funding milestones.</p> <p>The contract is a fixed fee which reduces risk of budget overrun.</p>

### Strategic Implications

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

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

### Attachments

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

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

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

#### 10.3.1 Local Heritage Survey Place Specific Review

File Ref: D-26-7019

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

##### Summary

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

The outcome of these place specific reviews is presented to Council for consideration.

##### Alternative Motion

**Moved:** Councillor Hayley Prendiville

**Seconded:** Councillor Blake D'Souza

That Council:

1. Notes the outcome of the place specific reviews of the following places:
  - Place No. 86, 39 Anstey Street, South Perth.
  - Place No. 36, 40 Coode Street, South Perth (Wesley College).
  - Place No. 39, 25 Forrest Street, South Perth (St Columba's Church Group).
  - Place No. 50, Labouchere Road, South Perth (Royal Perth Golf Club (course)).
  - Place No. 85, 49 Forrest Street, South Perth (fmr. 44 Angelo Street).
2. Requests the Chief Executive Officer prepare and present to Council an updated Local Heritage Survey to reflect the outcomes of the place specific reviews, including the creation of new and modified place records where required, subject to modifications to the following Classification of Significance:
  - Place No. 85, 49 Forrest Street, South Perth (fmr.44 Angelo Street) (Category 2 to Category 3).

##### Reasons for Change

1. The original owners of this property Place No. 85 strongly objected the classification change and the property would have likely remained a Category 3 had the owner been afforded the right to due process to object against such a reclassification.

2. All other private property owners who were impacted by the original classification changes had the opportunity to be included in the amendment to Council's Local Heritage Survey Motion (Item 10.3.1 in the Council Meeting Agenda for 24 June 2025) to have the proposed changes to their property classification repealed. In these instances, the council took into account the concerns around individual private property rights and the right for owners to object to proposed LHS classifications, in making the decision to pass the amendment in relation to the property of those who had objected.
3. Now in March 2026 following place specific reviews we heard from the new owners of Place No. 85. We hear the same plea, to allow them to make this decision regarding their own home. A person's home is often their main asset, with the current economic climate, interest rates rising and uncertainty in the air, who are we to decide to apply possible future restrictions on this family's home.
4. I do not wish to make these owners lives more difficult and costly, nor do I wish to risk unilaterally causing a fall in the value of their home.
5. I understand the need to preserve local heritage and character and will support our history where appropriate. We have heard from a variety of community members who believe that a heritage listing can in fact benefit a home owner but we do not have hard evidence to prove that, no one can make that statement with pure certainty, and I am not willing to take that risk on someone else's home.
6. It's quite simple, your home, your choice.

**LOST (3/5)**

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

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

During debate on the Item, Councillor Kathy Lees foreshadowed the Officer Recommendation.

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

**0326/044**

**Moved:** Councillor Kathy Lees

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

That Council:

1. Notes the outcome of the place specific reviews of the following places:
  - Place No. 86, 39 Anstey Street, South Perth.
  - Place No. 36, 40 Coode Street, South Perth (Wesley College).
  - Place No. 39, 25 Forrest Street, South Perth (St Columba's Church Group).
  - Place No. 50, Labouchere Road, South Perth (Royal Perth Golf Club (course)).

- Place No. 85, 49 Forrest Street, South Perth (fmr. 44 Angelo Street).
2. Requests the Chief Executive Officer prepare and present to Council an updated Local Heritage Survey to reflect the outcomes of the place specific reviews, including the creation of new and modified place records where required.

**CARRIED (5/3)**

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

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

### Background

The *Heritage Act 2018* requires local governments to prepare a Local Heritage Survey (LHS) to identify and record places that are, or that might become, of cultural heritage significance. The LHS assists the City in making decisions that impact heritage places and supports the creation of a Heritage List or heritage areas, which provide for statutory protection of places under the local planning scheme.

In preparing the current LHS in 2024/25, where requests to change the Category of Significance of a place were received during the consultation period, an independent heritage consultant reviewed the requests. At its 24 June 2025 Ordinary Meeting, Council adopted the draft Local Heritage Survey subject to modifications to the Classifications of Significance to various places.

The Heritage List is an instrument that is afforded powers under the *Planning and Development Act 2005* and therefore carries statutory weight when determining development outcomes for heritage places. Places on the Heritage List require development approval for all demolition, alterations or other development affecting the cultural heritage significance of the place unless identified as exempt under the deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations).

In considering the draft Heritage List for adoption, at its 28 October 2025 Ordinary Meeting, Council resolved as follows:

*“That Council:*

1. *Adopts the draft Heritage List subject as contained in Attachment (a), to deletion of the following places:*
  - *Place No. 86, 39 Anstey Street, South Perth.*
  - *Place No. 36, 40 Coode Street, South Perth (Wesley College).*
  - *Place No. 39, 25 Forrest Street, South Perth (St Columba’s Church Group).*
  - *Place No. 50, Labouchere Road, South Perth (Royal Perth Golf Club (course)).*
2. *Requests the Chief Executive Officer undertake place specific reviews (including consideration of built form) of the following places in the Local Heritage Survey and where relevant, ensuring the Statement of Significance is consistent with the State Register of Heritage Places.*
  - *Place No. 36, 40 Coode Street, South Perth (Wesley College).*
  - *Place No. 39, 25 Forrest Street, South Perth (St Columba’s Church Group).*
  - *Place No. 50, Labouchere Road, South Perth (Royal Perth Golf Club (course)).*

### 10.3.1 Local Heritage Survey Place Specific Review

- *Place No. 86, 39 Anstey Street, South Perth.*
- *Place No. 85, 44 Angelo Street, South Perth.”*

*Note - Place No. 85, 44 Angelo Street has since had its street address changed to 49 Forrest Street, South Perth.*

In November 2025 the City engaged an independent heritage consultant to undertake place specific reviews in accordance with the resolution of Council, the outcome of which forms the basis of this report.

#### **Comment**

##### Cultural Heritage Significance

The *Heritage Act 2018* refers to a ‘place’ as meaning a defined or readily identifiable area of land. This area of land may include any number of contiguous or non-contiguous parts, any number of lots, in separate titles and in different ownerships, and include as much of the land beneath the surface whether it is covered by water or not.

The following list provides a summary of things that are in, on or over this area of land:

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

##### Place Specific Review - Methodology

The independent heritage consultant appointed by the City was requested to undertake the place specific reviews in accordance with the Department of Planning, Lands and Heritage’s (DPLH) Guidelines for Local Heritage Surveys and:

- Undertake a review of the current LHS place record for each place (including built form), and where applicable, recommended amendments to ensure alignment with the State Register;
- Where permitted by the owners, undertake physical inspections of each place in accordance with the DPLH Guidelines for Establishing a Heritage List. These inspections were to include the internal parts of each relevant building to:
  - Identify the extent of cultural heritage significance; and
  - Provide an accompanying plan to reflect cultural heritage significance; and
- Make recommendations on whether any place records under review should be separated into multiple place records.

##### Recommended Place Record Modifications

The following table identifies where the independent heritage consultant has recommended amendments to the existing LHS place records. The independent heritage consultant’s report and summary table is contained at **Attachment (a)** and **Attachment (b)** respectively.

Address	2025 LHS Review – Proposed Category of Significance	2025 LHS Review - Heritage consultant recommendation	2026 Place Specific LHS Review – Heritage consultant recommendation
Place No. 36, Wesley College No. 40 Coode Street, South Perth	Category 1	Not subject to heritage consultant review.	Category 1 Inclusion of additional buildings in place record. Consider areas of cultural heritage significance.
Place No. 39, 25 Forrest Street, South Perth (St Columba's Church Group)	Category 1	Not subject to heritage consultant review.	Category 1 – 25 Forrest Street and 16 York Street Recommended separate place records for each to reflect separate ownership, notwithstanding place is one site on the State Register.
Place No. 50, Royal Perth Golf Club (Golf Course) Labouchere Road, South Perth	Golf Course – Category 2 Clubhouse – Category 4	Not subject to heritage consultant review.	Category 2 – Golf Course Category 4 - Clubhouse Recommended separate place record for each to reflect separate land parcels.
Place No. 85, Residence: No. 49 Forrest (fmr. 44 Angelo Street), South Perth	Category 3	Classification of Significance be amended from Category 3 to Category 2.	Category 2. Include details to extend significance to elements of the interior.
Place No. 86, 39 Anstey Street, South Perth	Category 4	Classification of Significance be amended from Category 4 to Category 3. Note: The Classification of Significance was erroneously entered in as a Category 2 in the LHS.	Category 2. The place is the only remaining building developed in the 1920's along Anstey Street. It has minimal exterior changes with original colour scheme to its weatherboard and iron roof. As a result, the place has a high degree of external integrity and authenticity.

### Process

Should Council seek to update the LHS to reflect the recommendations of the independent heritage consultant, the City can prepare an updated LHS, including new and amended place records for Council to consider for advertising.

### 10.3.1 Local Heritage Survey Place Specific Review

Upon adoption of an amended LHS following advertising, the City can review the Heritage List to determine whether it requires updating to reflect the changes in the LHS. It is noted that there are separate consultation requirements that must occur in accordance with the Regulations, prior to any amendments to the Heritage List being adopted by Council.

#### Consultation

##### Inspections

The City sought landowner permission to undertake inspections of each place with the independent consultant, including interiors, by email and letter on 2 December 2025 as outlined in the following table.

Address / Place name	Inspection
Sisters of St Joesph's Convent	Inspection declined by landowners.
St Columba Church	Inspection held 18 December 2025 Internal inspection of Presbytery and St Columba's Catholic Primary School did not occur.
Royal Perth Golf Club	Inspection held 19 January 2026
Wesley College	Inspection held 15 December 2025
Residence: 49 Forrest Street, South Perth (fmr 44 Angelo Street)	Inspection held 11 February 2026
Residence: 39 Anstey Street, South Perth	No response has been received from landowner in response to the request.

#### Policy and Legislative Implications

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

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

- (a) Provide the Heritage Council of Western Australia with a copy of the LHS; and
- (b) Make the LHS available to the public.

#### Financial Implications

The City sought review of the place record for each of the five (5) places from an independent qualified heritage consultant.

**Key Risks and Considerations**

<b>Risk Event Outcome</b>	<p><b>Legislative Breach</b></p> <p>Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	The City has an adopted LHS. Should Council resolve as such, the City can present an updated LHS for Council to consider for advertising.

**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: 1.1 Culture and community  
 Strategy: 1.1.3 Celebrate, support and value heritage and culture within the City for present and future generations

**Attachments**

- 10.3.1 (a): Independent Heritage Consultant Report
- 10.3.1 (b): Independent Heritage Consultant Table of Recommendations

### 10.3.2 Local Planning Policy Policy P351.14 Cygnia Cove Residential Design Guidelines - Revocation

File Ref: D-26-7021  
Reporting Officer(s): Donna Shaw, Director Development and Community Services

#### Summary

This report proposes the revocation of Policy P351.14 Cygnia Cove Residential Design Guidelines as all lots the subject of the Policy have either been developed or subject to development approval.

Revocation of redundant local planning policies will ensure the City of South Perth's local planning framework is contemporary and fit for purpose.

#### Officer Recommendation AND COUNCIL DECISION

0326/045

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

**Seconded:** Councillor Hayley Prendiville

That Council, in accordance with the provisions of Schedule 2, Clause 6 of the Planning and Development (Local Planning Schemes) Regulations 2015, revokes Policy P351.14 Cygnia Cove Residential Design Guidelines as contained as **Attachment (a)**.

#### CARRIED BY EXCEPTION RESOLUTION (8/0)

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

**Against:** Nil.

#### Background

Local Planning Policies (LPPs) are used to assist local governments in making planning decisions under the local planning scheme by outlining acceptable development standards and establishing clear expectations to applicants on how decision-makers are likely to exercise discretion.

The City consistently reviews its suite of LPPs to ensure its local planning framework is contemporary, consistent with State planning frameworks, reflects the aspirations of the community on planning related matters, and to support and implementation of Local Planning Scheme No.7.

Policy P351.14 was adopted in July 2011 to guide residential development applications within the Cygnia Cove Estate located in Waterford. A copy of Policy P351.14 is contained as **Attachment (a)**.

Council previously considered a report to revoke various LPPs, including Policy P351.14 Cygnia Cove Residential Design Guidelines, at its 25 July 2023 Ordinary Meeting. Council resolved to retain the Policy, on the basis that the area should be fully developed prior to revocation of the Policy.

### Comment

#### Development Status

The Cygnia Cove Estate is nearing completion only two vacant lots undeveloped, both of which have received development approval for single houses. All other lots have either substantially commenced or completed construction.

#### Restrictive Covenant

A Restrictive Covenant applies to all lots within the Cygnia Cove Estate which formalises an agreement between the developer, Richard Noble and previous landowners, the Christian Brothers, with prospective developers within the estate. The Restrictive Covenant is set to expire in 2030, and effectively establishes design criteria (materials, colours, height limits, sustainable design, rainwater tanks etc.) to the satisfaction of the developer, prior to submission of a development application.

Landowners must design dwellings in accordance with the requirements of the Restrictive Covenant. A copy of the Restrictive Covenant is contained as **Attachment (b)**.

#### Revocation

Policy P351.14 is suitable for revocation for the following reasons:

- It includes general information on the Cygnia Cove Estate which is not required in discretionary decision making;
- Policy P351.14 currently outlines the requirement to obtain developer endorsement prior to lodging an application for development approval. This requirement is inconsistent with the ability to lodge a development application in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) and is not suitable for an LPP;
- Further, the design requirements of the restrictive covenant are duplicated in the Policy;
- Policy P351.14 includes a sustainable living section and various energy efficiency requirements, which references out of date Building Code of Australia requirements. As these are covered by separate legislation, they are not suitable for consideration in a planning instrument and are otherwise assessed at the building permit stage in any instance;
- Policy P351.14 includes 'EnviroDevelopment' certification requirements, energy, water use, community and garden design provisions which are enforceable through an external certification body. As the City cannot enforce the requirements of an external certification body, these requirements should be removed. Furthermore, these matters are otherwise addressed via the Restrictive Covenant and or/ conditions of development approval where there is a planning purpose; and

### 10.3.2 Local Planning Policy Policy P351.14 Cygnia Cove Residential Design Guidelines - Revocation

- The Policy also includes various matters related to public safety and amenity as well as built form and materials, which are now otherwise addressed via the Residential Design Codes and Clause 67 of the Regulations. Given the majority of the Cygnia Cove Estate is fully developed, and the Residential Design Codes and Regulations can guide remaining development, P351.14 is no longer required and is recommended for revocation.

#### Consultation

In accordance with the Regulations, consultation on the revocation of an LPP is not required. Notwithstanding, the City has previously notified Richard Noble regarding the proposed revocation of P351.14 with no objection provided.

#### Policy and Legislative Implications

##### Planning 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

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

<b>10.3.2 (a):</b>	Policy P351.14 Cygnia Cove Residential Design Guidelines
<b>10.3.2 (b):</b>	Cygnia Cove Estate - Restrictive Covenant - Document Covenant Plan O770684

### 10.3.3 RFT 13/2025 - Provision of Survey Services

File Reference: D-26-7022  
Reporting Officer(s): Anita Amprimo, Director Infrastructure Services

#### Summary

This report recommends Council to accept a proposal from BCE Surveying Pty Ltd for the Provision of Survey Services.

#### Officer Recommendation AND COUNCIL DECISION

0326/046

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

**Seconded:** Councillor Hayley Prendiville

That Council:

1. Accepts the tender submitted by BCE Surveying Pty Ltd for the Provision of Surveying Services in accordance with Tender Number 13/2025 for the initial period of 3 years inclusive, with two options to extend the contract for an additional one year at the City's sole discretion.
2. Authorises the Chief Executive Officer to execute the contract with BCE Surveying Pty Ltd for the Provision of Surveying.

**CARRIED BY EXCEPTION RESOLUTION (8/0)**

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

**Against:** Nil.

#### Background

The City invited suitably qualified individuals, companies and organisations to submit tenders for RFT 13/2025 - Provision of Survey Services within the City of South Perth. This will replace the existing agreement, which expired in December 2025.

The services will include full feature surveys, cadastral surveys, and GPS data collection to support the design and capture of engineering, drainage, and other nominated assets.

The survey service requirements include:

- Full feature surveys
- Cadastral surveys
- GPS data collection for engineering, drainage and other nominated assets
- New road survey
- New stormwater drainage survey
- Existing stormwater drainage survey

- New pathway survey.

**Comment**

At the close of the tender advertising period a total of five tender submissions were received from the following organisations, tabled in alphabetical order below:

TABLE A – Tender Submissions

Tender Submissions	
1.	BCE Surveying Pty Ltd
2.	HR Surveyors
3.	JJ Ryan Consulting Pty Ltd
4.	McMullen Nollan Group Pty Ltd
5.	Veris Australia Pty Ltd

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

TABLE B - Qualitative Criteria

Qualitative Criteria	Weighting
1. Demonstrated relevant experience in similar projects	40%
2. Key Personnel, Skills & Resources	20%
3. Demonstrated understanding of the requirements and technical specifications	40%
<b>Total</b>	<b>100%</b>

Based on the assessment of all submissions received for Tender 13/2025 for the Provision of Surveying Services, it is recommended that the tender submission from BCE Surveying 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*.

A Request for Tender (RFT) 13/2025 for the Provision of Surveying Services was advertised in The West Australian on 22 October 2025 and closed at 2.00 pm on 6 November 2025.

Tenders were invited as a Schedule of Rates / Lump Sum Contract.

The contract is for the period three years. The Contract includes two options to extend the contract, each being for an additional 12 months exercisable at the sole discretion of the City.

### 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 full cost of the annual works is included in the 2025/26 budget.

The supply costs for the subsequent years will be sought in the future City operational budgets for the life of the contract.

### Key Risks and Considerations

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

### Strategic Implications

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

Strategic Direction:	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): Recommendation Report (*Confidential*)

*Councillor Kathy Lees disclosed an Impartiality Interest in Item 10.3.4.*

### 10.3.4 Proposed Tree Damaging Activity to Regulated Trees - Lot 2 (No.23) Monk Street, Kensington

Location:	Lot 2 (No.23) Monk Street, Kensington
Ward:	Moresby Ward
Applicant:	Amerex Pty Ltd
Owner:	Robert Murray and Charlotte Barrett
File Reference:	D-26-6874
DA Lodgement Date:	5 February 2026
Reporting Officer(s):	Donna Shaw, Director Development and Community Services
Previous Reference:	Nil.
Delegation:	DC690 – Local Planning Scheme No.7
Council Role:	Quasi-Judicial

#### Summary

The purpose of this report is for Council to consider a development application for proposed Tree Damaging Activity to Regulated Trees at Lot 2 (No.23) Monk Street, Kensington.

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

#### Alternative Motion AND COUNCIL DECISION

0326/047

**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 Regulated Trees on Lot 2 (No.23) Monk Street, Kensington be approved subject to the following condition:

1. Three (3) trees must be planted on site. The trees must be a minimum of 250 litre pot size at the time of planting and both the trees, and the tree growth zones, must be retained and maintained to the satisfaction of the City of South Perth.

#### Reasons for Change

- The proposed development will result in a notable reduction of the existing tree canopy on the site.
- The owners have indicated their willingness to plant three 250-litre trees within the property. These replacement trees will help offset the loss of canopy and contribute to positive long-term environmental outcomes in the neighbourhood.
- By imposing a condition requiring the planting of these trees, Council and the community can have certainty that the canopy replacement will occur and the resulting long term environmental benefits will be realised.

CARRIED (6/2)

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

**Against:** Councillors Blake D'Souza and Tim Houweling.

### 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 Regulated Trees on Lot 2 (No.23) Monk 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	759m <sup>2</sup>
Existing Land Use	Single House
Heritage	N/A
Bushfire Prone Area	No

## 2.0 Proposal

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

- A Weeping Bottlebrush (*Callistemon viminalis*) - the tree has a height of 6.0m, average canopy diameter of 7.0m and a trunk circumference of 26.63cm measured 1.4m above the ground;
- A Weeping Bottlebrush (*Callistemon viminalis*) - the tree has a height of 6.0m, average canopy diameter of 7.0m and a trunk circumference of 20cm measured 1.4m above the ground;
- A Jacaranda tree (*Jacaranda mimosifolia*) - the tree has a height of 5.0m, average canopy diameter of 5.0m and a trunk circumference of 45.28cm measured 1.4m above the ground;
- The trees are not included on a State of local weed register; and

#### 10.3.4 Proposed Tree Damaging Activity to Regulated Trees - Lot 2 (No.23) Monk Street, Kensington

- The Weeping Bottlebrush are located to the rear of the dwelling, and the Jacaranda Tree is located at the front of the dwelling.

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

It is noted that the City undertook a site inspection to confirm whether the trees were Regulated Trees, given the above specification of the Jacaranda tree does not meet the definition of a Regulated Tree contained within Local Planning Policy 3.2 – Tree Retention (LPP 3.2). The City’s measurements of the trees are as follows:

- A Weeping Bottlebrush (*Callistemon viminalis*) - the tree has a height of 6.0m, average canopy diameter of 7.0m and a trunk circumference of 26.63cm measured 1.4m above the ground;
- A Weeping Bottlebrush (*Callistemon viminalis*) - the tree has a height of 6.5m, average canopy diameter of 7.0m and a trunk circumference of 20cm measured 1.4m above the ground; and
- A Jacaranda tree (*Jacaranda mimosifolia*) - the tree has a height of 5.0m, average canopy diameter of 6.5m and a trunk circumference of 45.28cm measured 1.4m above the ground.

The applicant’s justification for removing the trees is to accommodate redevelopment of the site to renovate and extend the dwelling and install a swimming pool and is contained as **Attachment (b)**.

### 3.0 Background

The following outlines the background to the application:

- A privately certified application for a Building Permit for a Swimming Pool was lodged on 6 August 2025 which was subsequently issued by the City on 8 August 2025. The location of the Swimming Pool was over what is now a Regulated Tree; however, LPP 3.2 was not in effect at this time.
- On 26 August 2025, Council adopted LPP 3.2.
- A privately certified application for a Building Permit for Additions and Alterations to the dwelling was lodged on 2 October 2025 and issued on 13 October 2025.
- This permit included modifications to the existing dwelling and a proposed carport, with the plans also showing Regulated Trees on site (based on average canopy). As there was a variation to the setback requirements for the carport and Regulated Trees on site which otherwise required development approval, the carport component and notation for the removal of the Regulated Trees was removed from the Building Permit prior to it being issued. The Building Permit issued removed the carport and showed the Regulated Trees as retained.
- On 15 December 2025, the City accepted a development application for the carport and removal of the Regulated Trees (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 and rear of the site, otherwise unaffected by the proposed carport location).
- Following consideration of the regulatory requirements as detailed in this report, the City considered the most appropriate approach to otherwise enable determination of the carport, notwithstanding separate requirements related to Regulated Trees.

#### 10.3.4 Proposed Tree Damaging Activity to Regulated Trees - Lot 2 (No.23) Monk Street, Kensington

- As such, the City then requested the application be separated into two separate development applications on 4 February 2026 for the following reasons:
  - A carport 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) Amendment (Single House Development) 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 the Regulated Trees 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 carport) but does not have delegation to consider removal of the Regulated Trees. The City therefore requested the applicant submit two separate development applications to enable separate decisions.
- The original development application was modified to exclude the Regulated Trees as part of the proposed works, and simply retain the carport component of the proposal, with the updated plans submitted on 6 February 2026 and determined (approved) on 9 February 2026.
- The development application for the removal for the Regulated Trees was submitted on 5 February 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 is thus 'development', is always context dependent, and that in a residential context, *de minimis* arises for consideration as to whether an application for development approval should be sought.

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

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

#### **Site Context**

The subject site is zoned 'Residential R15' under Local Planning Scheme No.7 (LPS 7) with a site area of 860m<sup>2</sup>.

The site is mid-block between South Terrace and Mabel 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

##### 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 17 February 2026 and 3 March 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.	The City does not consider the amenity of the locality will be adversely impacted given the size of the trees. Two of the trees are located to the rear of the dwelling and will not impact the streetscape.
(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 trees 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.	Other vegetation on the site, including smaller citrus trees and a Jacaranda Tree, are being retained. Landscaping will occur as part of the works to the property, including installation of the swimming pool.  The applicant has also advised that the owners are willing to plant 3 x 250L trees on the property.

(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 size of the trees and location of the trees to the rear of the dwelling.
--	---

#### Local Planning Policy 3.2 – Tree Retention

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

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

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

Requirement	Assessment
<p><b>Objectives</b></p> <p>4.2 Prioritise the retention, protection, and the provisions of trees on private land and adjacent reserves in the planning process.</p>	<p>The removal of the trees does not prioritise the retention, protection and the provisions of trees on private land.</p>
<p>4.3 Promote and facilitate tree preservation at the earliest possible stage in the planning and development process, balancing with the desired built form and land use outcomes.</p>	<p>As detailed in the background section of this report, a Building Permit for the swimming pool was issued prior to adoption of LPP 3.2.</p>

<p>4.4 Preserve and enhance neighbourhood amenity, character and sense of place.</p>	<p>The City does not consider the trees enhance the character and amenity of the locality given the size of the trees, and the location of two of the trees to the rear of the dwelling.</p>
<p>4.5 Mitigate the urban heat island effect, reduce air pollution, improve groundwater quality and contribute to biodiversity and other environmental benefits.</p>	<p>The removal of the trees will not mitigate the urban heat island effect, reduce air pollution, improve ground water quality or contribute towards biodiversity and does not have any environmental benefits.</p>
<p><b>Development applications</b></p> <p>7.2 Tree damaging activity to a regulated tree may be considered if the following relevant information and/or technical reports are provided to demonstrate:</p> <ul style="list-style-type: none"> <li>(a) The regulated tree is unhealthy, based on the recommendations of an Arborist Report;</li> <li>(b) The regulated tree causes safety risks to people, infrastructure or buildings based on recommendations on an Arborist Report and/or Structural Engineering Report;</li> <li>(c) In the opinion of the City, the redesign of the development to accommodate the regulated tree is unfeasible.</li> </ul>	<p>The applicant has demonstrated that they have reviewed alternate locations for the swimming pool.</p> <p>The City does not consider the redesign of the location of the swimming pool to be feasible or appropriate given that the Building Permit was granted prior to adoption of LPP 3.2.</p>

## 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.

Notwithstanding, given the Building Permit for the swimming pool was issued prior to adoption of LPP 3.2, and the applicant has provided appropriate justification and evidence in support of removal of the trees, 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

<b>Risk Event Outcome</b>	<p><b>Financial Loss</b></p> <p>An adverse monetary impact on the City as a consequence of a risk event occurring. A grading is assigned to different levels of potential loss relative to the significance of the impact on the City's ongoing operations and its ability to deliver expected services.</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	<p>As outlined in the Financial Implications.</p> <p>If the applicant were to make an application for review of the decision, the City may need to seek representation at the State Administrative Tribunal.</p>

### Strategic Implications

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

Strategic Direction:	Environment (Built and Natural)
Aspiration:	Sustainable, liveable, diverse and welcoming neighbourhoods that respect and value the natural and built environment
Outcome:	3.3 Enhanced environment and open spaces
Strategy:	3.3.2 Enhance the City's urban forest on public and private land

### Attachments

10.3.4 (a):	Arborists Report
10.3.4 (b):	Applicant's Justification Letter

## 10.4 STRATEGIC DIRECTION 4: LEADERSHIP

Item 10.4.1 Delegation DC690 Local Planning Scheme No.7 was deferred to the March Ordinary Council Meeting at the Ordinary Council Meeting held 24 February 2026 and reconvened on 4 March 2026.

*Councillor Jacqueline Raison left the meeting at 7.43pm and returned at 7.45pm during consideration of Item 10.4.1.*

*Councillor Blake D'Souza left the meeting at 8.15pm and returned at 8.18pm during consideration of Item 10.4.1.*

### 10.4.1 Delegation DC690 Local Planning Scheme No.7

File Ref: D-26-7023

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

#### Summary

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

This report was deferred to this meeting by Council at the February Ordinary Council Meeting (Resolution 0226/026).

**Moved:** Councillor Tim Houweling

**Seconded:** Councillor Blake D'Souza

That Council adopt amended Council Delegation DC690 Local Planning Scheme No. 7 as tabled at **Attachment (c)**.

#### Reasons for Change

"Delegated Authority" refers to the giving or assigning of authority to someone else—such as Administration officers—to carry out specific activities, while the person or body delegating the authority retains ultimate responsibility. This is a standard practice in local government (Report of the Panel of Inquiry into the City of Canning page 295).

In so far as the delegation register includes staff, rather than the CEO this could give the impression that Council does not appreciate the limits of clause 82 of the Regulations. The CEO maintains oversight over the exercise of powers, and can delegate to staff unless the power must be exercised personally. For that reason there is no ostensible head of power to delegate to a Director.

For that reason I am clarifying this. What I am seeking to do is clean it up. Delegations are important, describing the limits and powers of delegation. They are a mechanism to ensure that Council can focus on strategic matters, while development approvals are dealt with according to clear parameters contained within policy.

Why it is Necessary from a Governance Perspective:

- Enables Strategic Focus: Proper delegations ensure that simple regulatory applications are approved by the Administration. This prevents the Council from being burdened with operational tasks and allows Councillors to focus their time and energy on matters of a strategic nature (Report of the Panel of Inquiry into the City of Canning page 295).
- Improves Efficiency and Timeliness: Allowing administrative staff to process routine applications speeds up service delivery. For example, local government best practice (set by WALGA) states that a Council should review less than 10% of development applications. However, due to inadequate delegations, the Canning Council was burdened with reviewing 43% of all items and 32% of all development applications (Report of the Panel of Inquiry into the City of Canning page 295). Once revised delegations were properly implemented, the number of planning reports presented to the Council dropped from 483 in 2011 to just 96 in 2013, with the number of development applications processed by delegated authority rising from 60% to around 90% (Report of the Panel of Inquiry into the City of Canning page 296).
- Maintains Clear Roles and Boundaries: Delegations help maintain the separation of responsibilities between the Council and the Administration. When a Council lacks confidence in the Administration, it often fails to use delegations adequately, which leads to the Council impermissibly interfering in day-to-day administrative and operational duties (Report of the Panel of Inquiry into the City of Canning page 296).
- Distortion of the planning framework without a clear policy framework: Anyone who joins the Council and has had exposure to other Local Governments will be a little surprised at policy gaps. When there are gaps, outdated or policies that are poorly worded then the whole system collapses. This undermines the Councils confidence to delegate in accordance with a framework, does not provide the administration the necessary decision-making guidance, and enable a distortion of the planning process so that personalities rather than policy drives outcomes. In such a system proponents need to meet with key stakeholders to achieve favour for their proposal rather than be able to rely on a clear strategic planning framework. In such a system the first casualty is integrity. Decisions become personality focussed, individuals start to drive planning, rather than the policy and legislative framework, and who you know rather than the framework becomes the driver to achieve outcomes. Then persons who are part of the governing framework may be tempted to be involved in operational decision making, this is expressly forbidden. For that regrettably the policy framework at the City requires work.
- Policy framework: The City has a policy framework that needs improvement. A review of 30 policies was conducted between July 2023 to July 2024, but not all of the work had been completed. This flurry of amendment in 2024 was largely associated with the adoption of the new Local Planning Scheme in March 2024. However, since that time not much further review has been undertaken. During an October 2024 meeting, while discussing an outdated land development policy (P687) that was drafted in the early 2000s, CEO Mike Bradford explained the problem with the old approach: "that was when we used to review all of the policies all

at once and so now that we've actually started reviewing policies in lot batches we're actually able to put a lot more effort into individual policy so we actually probably missed it two years ago"

- In the main up to October 2024 much of the review of policies was to simply update the policy to reflect the new Planning Scheme. However, since October 2024 work on policy review did not speed up and very few planning policies have been reviewed. These are the policies that have since been reviewed.

Meeting Date	Policies Amended	Policies Revoked
October 2024	P102 Community Funding Program P104 Community Awards P106 Use of City Reserves and Facilities P110 Financial Support of Community Organisations and Sporting Clubs P118 Library Collection Development P603 Investment of Surplus Funds P605 Purchasing P677 State Administrative Tribunal	P105 Cultural Services Activities P117 Library Services and Programs P119 City of South Perth Local History Collection P205 Tree Preservation P208 Ecologically Sustainable Building Design P687 Development of Council Owned Land
December 2024	P202 Energy Conservation P203 Ground Water Management P204 Chemical Use P210 Street Verges P211 Water Sensitive Urban Design P212 Waste Management P357 Right of Way (ROW) Maintenance and Development P510 Traffic Management P648 Motor Vehicle P688 Asset Management	<i>None</i>
March/April 2025	P210 Street Verges and Vegetation P672 Agenda Briefings and Concept Forums	P350.09 Significant Views P350.18 Short Term Accommodation
June 2025	P625 Equal Opportunity P665 Use of Council Facilities and Mayoral Regalia P667 Elected Member Entitlements	P403 Charity Clothing Bins on City Managed Land LPP 1.2 Building Height P350.01 Environmentally

	P674 Management of Corporate Records P702 Council Caretaker Policy	Sustainable Building Design
August 2025	LPP 6.3 Developer Contribution for Public Art and Public Art Spaces LPP 2.4 Child Care Premises	<i>None</i>
October 2025	P101 Public Art and Art Collections P624 Media Communications P677 State Administrative Tribunal P688 Asset Management	<i>None</i>

There has been little by way of policy review since 2024 to the Planning Policies.

This is highly relevant to delegations. Where governance strategic frameworks are in place then delegations are possible. Delegations must be clear, consistent with the language of the enabling Act, and certain. This is the reason I made amendments, the delegations as worded did not achieve this objective.

It is clear from a review of minutes and the policies that there was some intention to review and update policies in the past but this did not occur. This is a difficult and time-consuming task. Regrettably for whatever reason this has not been attended to for a period of time in many instances where the policy framework is either dated, does not refer to correct schemes or strategic documents, or no longer fit with the modern policy expectations.

This is creating a difficulty, however, I wish to delegate as much as possible so that Council can focus on strategic decision making. I am not interested in a patio, a house, a garage or a tree, those are plainly operational matters, unless we do not have confidence in our framework, or the staff to make delegated decisions.

I am interested in setting the strategic direction, ensuring we are involved in Structure Plans, identifying how our suburbs should cater for future needs and aspirations. For that reason I want the officers to deal with matters that they can, have a proper and clear delegation framework

Why it is Necessary from a Governance Perspective:

- Enables Strategic Focus: Proper delegations ensure that simple regulatory applications are approved by the Administration. This prevents the Council from
- energy on matters of a strategic nature (Report of the Panel of Inquiry into the City of Canning page 295).
- Improves Efficiency and Timeliness: Allowing administrative staff to process routine applications speeds up service delivery. For example, local government best practice (set by WALGA) states that a Council should review less than 10% of development applications. However, due to inadequate delegations, the Canning Council was burdened with reviewing 43% of all items and 32% of all development applications (Report of the Panel of Inquiry into the City of Canning page 295). Once revised delegations were properly implemented, the number of planning reports presented to the Council dropped from 483 in 2011 to just 96 in

2013, with the number of development applications processed by delegated authority rising from 60% to around 90% (Report of the Panel of Inquiry into the City of Canning page 296).

- **Maintains Clear Roles and Boundaries:** Delegations help maintain the separation of responsibilities between the Council and the Administration. When a Council lacks confidence in the Administration, it often fails to use delegations adequately, which leads to the Council impermissibly interfering in day-to-day administrative and operational duties (Report of the Panel of Inquiry into the City of Canning page 296).

**The Need for Oversight:** Delegations are made to the CEO as required by the Regulations. We are then able to have oversight over the CEO.

The amendments are mainly in form and further ensure that the Council is dealing with strategic matters rather than operational decision making, or dealing with matters that properly ought to be delegated. This was my reasoning for painstakingly going through the delegations and reviewing them as is our oversight role.

### COUNCIL DECISION

0326/048

**Moved:** Mayor Greg Milner

**Seconded:** Councillor Hayley Prendiville

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

**CARRIED (8/0)**

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

**Against:** Nil.

**Moved:** Councillor Tim Houweling

**Seconded:** Councillor Blake D'Souza

That Council adopt amended Council Delegation DC690 Local Planning Scheme No. 7 as tabled at **Attachment (c)**.

**LOST (3/5)**

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

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

During debate on the Item, Councillor Kathy Lees foreshadowed the following motion:

**Moved:** Councillor Kathy Lees  
**Seconded:** Councillor Stephen Russell

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

### **Reasons for Change**

Delegations play an important role in balancing operational efficiency with the community's expectations for clarity and transparency. Their importance is not in question. The purpose of the amendments here are to ensure the delegation framework remains clear, appropriate, and aligned with good governance.

It is acknowledged that a large number of the changes in Cr Houweling's proposed amendment were to improve clarity. While many of the proposed edits appear to be administrative rather than strategic, they are accepted and included here in the interests of collaboration and noting that the City's administration has confirmed they are workable.

Rationale for other aspects of the amendment are provided as follows:

#### Structure Plans and Local Development Plans

The removal of delegations for minor amendments to Structure Plans is accepted, noting that such amendments are rare. The proposed changes to remove delegation for later approval of details of development for Local Development Plans is also supported on this basis.

#### Local Planning Policies – Minor Amendments

The delegation for minor amendments to Local Planning Policies under Clause 5(2) proposed by the administration is supported, as these amendments typically involve terminology changes, naming updates, or alignment with recently adopted policies.

In the interests of delegating as much as possible and enabling Council to focus on strategic matters, it is appropriate for the City to retain this delegation. However, to provide additional clarity, the wording "inconsequential in nature" is proposed to be added, further ensuring the delegation is limited to non-substantive administrative updates.

#### Heritage Conservation Notices

It is proposed that the administration not have delegation in relation to the issuing of conservation notices, as suggested by Cr Houweling. Given the potential financial implications—particularly where a person fails to comply and the local government may undertake repairs and recover costs—it is considered more appropriate that such decisions remain with Council.

#### Tree Damaging Activity

Delegation in relation to tree damaging activity is supported in the instances where the Local Planning Policy provides specific and measurable guidance. However, delegation is not appropriate where removal is sought on the basis that a tree makes development "unfeasible", as this is subjective and warrants Council consideration.

In conclusion, the amendments aim to keep the delegations functioning as intended—supporting efficiency while ensuring Council remains focused on strategic decision-making. Several of Cr Houweling’s changes are accepted in the spirit of collaboration, while delegations are retained or adjusted where necessary to maintain good governance, transparency, and appropriate oversight. This approach provides a balanced and practical framework that meets both organisational and community expectations.

#### COUNCIL DECISION

**0326/049**

**Moved:** Mayor Greg Milner

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

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

**CARRIED (8/0)**

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

**Against:** Nil.

#### COUNCIL DECISION

**0326/050**

**Moved:** Councillor Kathy Lees

**Seconded:** Councillor Stephen Russell

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

**CARRIED BY ABSOLUTE MAJORITY (6/2)**

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

**Against:** Councillors Blake D'Souza and Hayley Prendiville.

#### Officer Recommendation

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

**Absolute Majority Required**

#### Background

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

#### 10.4.1 Delegation DC690 Local Planning Scheme No.7

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

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

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

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

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

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

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

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

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

**Comment**Delegation DC690 - Local Planning Scheme 7

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

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

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

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

#### Conditions on Delegation DC690 - Local Planning Scheme 7

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

*Land Use and Application Type*

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

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

#### 10.4.1 Delegation DC690 Local Planning Scheme No.7

- (iii) the variation is minor in nature; or
- (iv) the variation can be overcome by imposing a condition(s) on any development approval granted.

##### *Advertising*

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

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

##### **Consultation**

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

##### **Policy and Legislative Implications**

###### *Local Government Act 1995*

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

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

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

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

##### **Financial Implications**

Nil.

### Key Risks and Considerations

<b>Risk Event Outcome</b>	<p><b>Business Interruption</b></p> <p>Incorporates the impact of events which impinge upon the Administration 's capacity to deliver expected services to the community. These interruptions can range from minor inconvenience requiring an alternative method of service delivery being employed through to forced loss of ability to provide multiple services to all or some of the community. Knowledge loss, technological failure and property damage will also contribute to this outcome.</p> <p><b>Legislative Breach</b></p> <p>Refers to failure to comply with statutory obligations in the manner in which the Administration, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	<p>The administration seeks to ensure planning applications are assessed within statutory timeframes prescribed by the Regulations, including presenting reports to Council where no delegation on the matter is provided.</p> <p>Review of delegations occurs annually.</p>

### Strategic Implications

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

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

### Attachments

<b>10.4.1 (a):</b>	Current Council Delegation DC690 - Local Planning Scheme No.7
<b>10.4.1 (b):</b>	Draft Delegation DC690 - Local Planning Scheme No.7
<b>10.4.1 (c):</b>	Cr Tim Houweling – Proposed Amendments to DC690
<b>10.4.1 (d):</b>	Cr Kathy Lees – Proposed Amendments to DC690

At 8.20pm, following consideration of Item 10.4.1, the Presiding Member moved a motion to adjourn the meeting for 10 minutes.

**COUNCIL DECISION**

**0326/051**

**Moved:** Mayor Greg Milner

**Seconded:** Councillor Stephen Russell

That the meeting be adjourned for 10 minutes.

**CARRIED (8/0)**

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

**Against:** Nil.

*At 8.30pm, following consideration of Item 10.4.1, the meeting reconvened prior to consideration of Item 10.4.2.*

## 10.4.2 Budget Review for the Period up to 31 January 2026

File Ref: D-26-7024  
Reporting Officer(s): Bree Websdale, Director Corporate Services  
Liz Ledger, Chief Executive Officer

### Summary

To present to Council the outcome of the City's mid-year budget review for the period from 1 July 2025 to 31 January 2026 as required by the *Local Government (Financial Management) Regulations 1996 (the Regulations)*.

### COUNCIL DECISION

0326/052

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

**Seconded:** Councillor Stephen Russell

That Council:

1. Adopts the 2025-2026 Mid-Year Budget Review with the amendments contained in the Statement of Financial Activity in **Attachment (a)**, as well as the detailed changes contained in **Attachments (b), (c), (d) and (e)**.
2. Accumulates 2024/25-year end surplus funds identified, within the City's municipal funds, for consideration as part of the City's consolidated 2026/27 capital and operating budget. Deliberations of the 2024/25 outturn surplus are to be considered in conjunction with all financial parameters as part of the 2026/27 budget workshops to be held prior to 30 June 2026.

### Reasons for Change

Reasons for the amendment to Item 10.4.2 Budget Review for the Period up to 31 January 2026, of the proposed \$4,913,058 transfer to reserves are as follows:

1. Elected members have not been engaged with or had the opportunity to consider and deliberate on the proposed \$4.9m transfer to reserves from the 2024/25 surplus.
2. Elected members have not been provided with the scope or purpose of the proposed new Community Safety Reserve Fund nor the Environmental Sustainability Reserve Fund, or the application methodology or criteria to which these funds will be applied.
3. The Officers' Report does not provide a report providing justification or context to the proposed transfer of \$4.9m to the new Community Safety Reserve Fund, new Environmental Sustainability Reserve Fund, Parking Facilities Reserve Fund or Community Facilities Reserve Fund.

4. Three budget workshops are planned for the remainder of this financial year (2025/26). This process will ensure consideration of all financial impacts on the City and its ratepayers in the 2026/27 budget. This process will determine all financial decisions collectively not as isolated decisions without taking into consideration consequential impacts for other budget setting parameters, activities or projects.
5. Good financial governance adopted by Council requires informed decisions are to be made with access to all the relevant information, and the opportunity to deliberate budget matters in the impending three budget workshops.

**CARRIED BY ABSOLUTE MAJORITY (6/2)**

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

**Against:** Councillors Blake D'Souza and Tim Houweling.

### Officer Recommendation

That Council:

1. Adopts the 2025-2026 Mid-Year Budget Review with the amendments contained in the Statement of Financial Activity in **Attachment (a)**, as well as the detailed changes contained in **Attachments (b), (c), (d) and (e)**
2. Authorises the establishment of two Reserve accounts as follows:
  - a. Community Safety with the purpose “*to provide funds for community safety and crime prevention initiatives including assets and infrastructure within the district.*”
  - b. Environmental Sustainability with the purpose “*to provide funds for the protection of the natural environment including urban greening, natural resource management and protection*”.
3. Recognises the additional \$4,913,058 surplus from 2024-2025 and authorise the transfer of the following amounts:
  - (a) \$1,000,000 to the **new** Community Safety Reserve fund.
  - (b) \$1,000,000 into the **new** Environmental Sustainability Reserve fund.
  - (c) \$1,000,000 to the Parking Facilities Reserve fund.
  - (d) \$1,913,058 into the Community Facilities Reserve fund.

**Absolute Majority required**

## Background

Under the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*, a local government is required to review their Adopted Budget and consider its financial performance from 1 July.

In accordance with the Regulations, the City has undertaken a review of its performance from 1 July 2025 to 31 January 2026 as against:

1. Budget as adopted by Council at the 24 June 2025 Ordinary Council Meeting.
2. The carry forward capital expenditure adopted by Council at the 28 October 2025 Ordinary Council Meeting.

A detailed examination of all operating revenue and expenditure accounts along with capital revenue and expenditure has been undertaken to identify any amendments and to recommend budget amendments for Council's consideration.

## Comment

The Statement of Financial Activity at **Attachment (a)**, compares the Budget (column titled *Current Budget*) with the year-to-date (YTD) performance as at 31 January 2026 and illustrates the proposed amendments to budget (Column titled *Mid Year Revised Budget*).

## Operating Activities

The outcome of the review is that the Budgeted Net Operating surplus (before adjustment for non-cash items) is forecast to improve from \$2,446 to \$227,020.

### Revenue from Operating Activities

Operating Revenue is forecast to increase by a net amount of \$312,358. The table below provides the proposed adjustments in relation to Operating Revenue.

- (↓) This represents less revenue (or anticipated).
- (↑) This represents additional revenue (or anticipated).

Only significant or notable adjustments have been referred to in the comment column. See **Attachment (b)** for all movements.

### Expenditure from Operating Activities

Operating expenditure is forecast to increase by a nett amount of \$87,785. The table below provides the proposed adjustments in relation to Operating Expenditure.

- (↑) This represents savings or anticipated savings.
- (↓) This represents a request for additional funds.

Description	Adjustment (\$)		Comment
Rates Revenue	68,181	↑	On track slight increase in interim rates, no significant adjustments required
Grants, subsidies and contributions Revenue	36,400	↑	Increased Financial Assistance Grant - 55,000 Off set by minor adjustments to other grants- 18,600
Fees and Charges	35,285	↑	<p>Increased revenue</p> <ul style="list-style-type: none"> <li>- Hall Hire - 20,000</li> <li>- Parking fines- 50,000</li> <li>- Rates administrative and recovery fees – 21,000</li> <li>- Rubbish service charges 64,000</li> <li>- Health licences- 5,000</li> <li>- Ground hire- 50,000</li> <li>- Recycling Centre income- 10,000</li> <li>- Collier Park- Increased fees including Green Fees, Range Balls- 258,000</li> </ul> <p>Decreased revenue</p> <ul style="list-style-type: none"> <li>- Bus shelter advertising- 55,000</li> <li>- Development Application fees- 50,000</li> <li>- Building fees- 30,000</li> <li>- Parking meter revenue- 315,000</li> <li>- Impound fees- 7,000</li> <li>-</li> </ul>
Service Charges	11,251	↑	Underground Power, additional properties
Interest Revenue	219,541	↑	Nett increased interest revenue, due to higher balances and better than expected interest rates
Other revenue	(58,300)	↓	Due to lower nursery sales
<b>Sub Total</b>	<b>312,358</b>	<b>↑</b>	<b>Overall increase, in revenue</b>

Only significant or notable adjustments have been referred to in the comment column. See **Attachment (b)** for all movements.

Description	Adjustment (\$)		Comment
Employee Expenses	(353,684)	↓	Increased take up by employees of the City's Superannuation co-contribution scheme.  Underbudgeting of employee allowances.  Workers Compensation premium increase. Reallocation of funds to provide monitoring and patrols on the South Perth foreshore and Peninsula (December 2025 Ordinary Council Resolution).
Materials and Contracts	718,457	↑	Savings identified.  Reallocation of funds monitoring and patrols on the South Perth foreshore and Peninsula, December 2025 Ordinary Council Resolution. Include the adjustment of an additional \$30,000 expenditure, to cover replacement planting July 2025 Ordinary Council Resolution.
Utility Charges	79,800	↑	Reduced based on year to date spend.
Insurance Expenses	8,488	↓	Although a conservative budget was adopted. The final insurance premiums (other than workers compensation) were slightly higher than budget.
Depreciation and Amortisation	(522,289)	↓	This is a result of the Parks Infrastructure assets being revalued to a higher value at the end of the 2024/25 Financial Year, the higher value resulted in a higher depreciation charge.
Other expenses	(1,581)	↓	Minor increase.
Interest expenses	-	-	On track, no adjustments required
<b>Sub Total</b>	<b>(87,785)</b>	↓	<b>Overall increase, funds requested</b>

### Investing Activities

The outcome of the review is a nett reduction in expenditure (capital) in this financial year by \$6,662,445. The main driver of this is a revised construction schedule at the Collier Park Golf Course relating the construction of Pro-Shop, Clubhouse and Driving Range as explained below.

This capital expenditure item has been reduced by \$6,000,000 (from \$12,500,000 to \$6,500,000) for this financial year as most of this expenditure will be incurred in the next financial year (2026/27).

It also impacts the movements in proceeds from new borrowings (the loan timing) which are detailed in **Attachment (c)**.

The table below provides the proposed adjustments in relation to investing activities.

- (↑) This represents additional revenue, or savings.
- (↓) This represents a request for additional funds.

Only significant or notable adjustments have been referred to in the comment column. See **Attachment (a)** for all movements.

Capital Grants, subsidies and contributions		
Description	Movement	Comment
Additional funding	↑	Public Art Contributions - 81,747 CCTV grant funding – 81,248 Roads -143,701 Adjustment to reflect SP Tennis Club additional contribution (Pergola Project)- 30,634.
<b>Sub Total</b>	<b>337,330</b>	<b>Increased revenue</b>

Proceeds from the disposal of assets		
Description	Movement	Comment
Savings in Fleet	↑	Better than anticipated proceeds on sale and additional vehicles disposed, due to renewal program modification.
<b>Sub Total</b>	<b>182,963</b>	<b>Increased proceeds</b>

Payments for purchase of property, plant & equipment		
Description	Movement	Comment
Projects under budget	↑	South Perth Tennis Club - Design Retrofit UAT- 84,000 Clydesdale Park Operations Depot Safety Alterations- 5,120 Collier Park plant and fleet- 100,000
Projects requiring additional budget	↓	City funding required to contribute to grant funding of 75,000 to purchase additional mobile CCTV trailer- 25,000 ANPR camera on Mill Point Road, additional static camera to be purchased- 8,000 Relocation of the Fibre Network at CPGC- 57,063 Asbestos Replacement Program- 25,000 Civic Centre meeting room 45,000 and IT area upgrades- 39,000 Roof Access Improvements-55,000 Industrial pressure washer- 8,148
Projects proposed to be deferred until 2026/2027	↑	Mends St Public Toilets design- 77,500 Collier Park Golf Course Pro-shop, Clubhouse and Driving Range – 6,000,000 (capital expenditure)
New projects	↓	30 Saunders Street - Land Acquisition- 37,664 Replacement of projection IT equipment in City facilities- 20,000 Election commitment four additional CCTV cameras mainly grant funded- 100,000
South Perth Tennis Club Pergola Project	↓	1/3 grant funding from Council, as per Council Resolution 0825/155 (post budget adoption)- 45951
<b>Sub Total</b>	<b>5,988,905</b>	<b>Reduction in payments for purchase of property, plant &amp; equipment</b>

Payments for construction of infrastructure		
Description	Movement	Comment
Capital projects completed under budget	↓	Road Rehabilitation Crawshaw Corner Lay Street to Pether Road- 200,000 Douglas Ave - Mill Point to Shaftesbury- 21,100 Elderfield St – Trumper to Kilkenny- 9,800 Manning Rd (B) - EB - Kent to Gillon, MRRG- 79,700 Second Ave - First Ave to Landsdowne Rd- 40,000 Redmond St - Boardwalk Replacement design and approvals- 20,000.

Payments for construction of infrastructure		
Description	Movement	Comment
Projects requiring additional budget	↑	Traffic/Black Spot - Mill Point Rd and Esplanade Ramp- 69,202 Outfall Upgrade - Hurlingham Lake- 20,000 Outfall Upgrade - Lake Douglas- 20,000 Labouchere Rd - NB - Hardy to Charles-22,100 Jackson Rd - Wandarra Cl to Cul De Sac- 45,000 Collier Park Golf Course Safety Netting- 200,000.
Capital projects proposed to be deferred until 2026/2027	↓	Irrigation Asset Replacement Program - 201,063 Unwin Cres - Redmond St to Sulman Ave-147,000 Elderfield/ Sandon Park Boardwalk replacement- 166,950
New projects	↑	St Columba Church. Works to rectify non-compliant parking arrangements -50,000 Manning Senior Citizen car park-40,000 Como Beach Riverwall and Footpath repairs - 150,000 Como Beach Reserve Drainage Repairs-70,000 Redmond Street works (including GPT) to prevent further erosion of the embankment- 120,000 Esplanade Verge Island Bollards- 35,000
<b>Sub Total</b>	<b>153,248</b>	<b>Payments for construction of infrastructure</b>

### Financing Activities

The table below provides the proposed adjustments in relation to financing activities.

Only significant or notable adjustments have been referred to in the comment column. See **Attachment (c)** for all movements.

Description	Adjustment (\$)	Comment
Transfers from cash backed reserves to municipal	16,082	Additional \$93,582 transfer from reserves for items at the Collier Park Golf Course and return of \$77,500 to reserves for Mends Street public toilet (due to the project being postponed as detailed above)
Transfers to reserves from municipal	466,819	Interest Transfer to reserves are forecast to increase by a nett amount of \$385,878 mainly because of improved interest earnings on reserve balances. \$80,941 in contributions received will also be transferred to the Public Art Reserve.

Description	Adjustment (\$)	Comment
Proceeds from new borrowings	5,000,000	Timing of Collier Park Loan, the overall amount to be drawn down this financial year reduces (from \$12,500,000 to \$7,500,000).  The difference between the draw down figure of \$7,500,000 and capital expenditure of \$6,500,000 is the amount spent on the project in prior financial years (\$1,000,000).  Detailed adjustments are contained in <b>Attachment (c)</b> .
<b>Sub Total</b>	<b>5,450,737</b>	<b>Payments for construction of infrastructure</b>

### Consultation

There has been extensive consultation with each business unit and the leadership team as part of the mid-year review process.

The results of this Budget Review are forwarded to the Department of Local Government after adoption by Council.

Given the importance around community safety and the environment, the recommended new reserve funds would be well received by the community and communicated through the appropriate channels.

### Policy and Legislative Implications

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996*

Regulation 33A relates to the mid-year review process and provides:

- (1) *Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2a) *The review of an annual budget for a financial year must –*
  - (a) *consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
  - (b) *consider the local government’s financial position as at the date of the review; and*
  - (c) *review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*
- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

Section 6.11 of the Act and Regulation 17 in relation to reserve accounts.

## Financial Implications

### *Financial Ratios*

The State Government has designed a new Local Government Financial Index (LGFI) with four ratios **Attachment (d)**, it replaced the previous Financial Health Indicator (FHI) informed by the seven financial ratios as attached in **Attachment (e)**. A two-year trial of the LGFI has been endorsed by the Minister for Local Government; the trial is halfway through.

Based on current projections, the FHI score which has been replaced with the Local Government Financial Index (LGFI) will exceed the former benchmark of 70 and is forecast at 83 by yearend. A benchmark of 70 also applies to the new Local Government Financial Index (LGFI), the LGFI is forecast to be 90 by financial year end. The attachment includes the new ratios. **Attachment (d)** and retains the old ratios **Attachment (e)** for ease of comparison.

### *Adjustment to Opening Position – allocation of additional surplus from 2024/2025*

As shown on **Attachment (a)** (*Surplus or deficit at the start of the financial year*), the opening surplus for 2025/26 has been adjusted from \$7,609,147 to \$14,383,969.

This figure has been adjusted following the OAG audit and finalisation of the financial year to reflect the actual surplus at the end of 2024/25.

This is an additional \$6,774,822 in surplus for the year end of 2024/25. However, it is necessary to adjust this to account for the \$1,861,764, which was the carry forward Capital expenditure approved by Council at the 28 October 2025 Ordinary Council Meeting.

The nett result is an additional \$4,913,058 that can be allocated by Council. Note none of the proposals below have been included in the attachments.

Two key areas of community interest and impact (as revealed in the City's 2025 Community Perceptions Survey) are:

- Community Safety, and
- Environmental Sustainability.

It is therefore recommended to set up reserve accounts for the future proofing of these key areas.

### Community Safety

Reserve fund purpose:

*To provide funds for community safety and crime prevention initiatives including assets and infrastructure within the district.*

Suggested initiatives:

- Supporting safety patrols (equipment).
- Addressing activities associated with anti-social behaviour.
- Purchase and installation costs for closed circuit television and Automatic Number Plate recognition technology.
- Purchase and installation of lighting.
- Other infrastructure that supports the crime prevention through environmental design concepts in public spaces.

Environmental Sustainability

Reserve Fund purpose:

*To provide funds for the protection of the natural environment including urban greening, natural resource management and protection”.*

Suggested initiatives:

- Urban Forest, trees and nursery.
- Solar panels and associated infrastructure.
- Bioswales.
- Green roof / walls.
- Flood preventative infrastructure.
- Non-motorised transport / EV infrastructure.

It is recommended to transfer \$1,000,000 into each of these reserves (total of \$2,00,000).

The remaining funds (\$2,913,058) are proposed to be transferred as follows:

1. \$1,913,058 into the Community Facilities reserve fund. This reserve was established to accumulate funds *including those from major strategic land sales for significant discretionary community facility projects in future years, alleviating the impacts of intergenerational equity in funding major facilities.*
2. \$1,000,000 into the Parking Facilities reserve fund. The purpose of this fund is *to provide parking facilities and associated infrastructure within the district as needs arise.* This reserve fund has an anticipated balance of \$13,208 as at 30 June 2026.

**Key Risks and Considerations**

<b>Risk Event Outcome</b>	<b>Legislative Breach</b> Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	The present this review to Council prior to 31 March 2026.

### Strategic Implications

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

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

### Attachments

10.4.2 (a):	Statement of Financial Activity
10.4.2 (b):	Operating Income and Expenditure
10.4.2 (c):	Investing and financing activities
10.4.2 (d):	LGFI- Financial Ratio
10.4.2 (e):	FHI- Financial Ratio

*Councillor Kathy Lees disclosed an Impartiality Interest in Item 10.4.3.*

### 10.4.3 Design Review Panel - Appointment of Members

File Ref: D-26-7026

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

#### Summary

The purpose of this report is for Council to consider appointing members to the City of South Perth Design Review Panel for a two-year period.

#### Officer Recommendation AND COUNCIL DECISION

0326/053

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

**Seconded:** Councillor Hayley Prendiville

That Council appoints the following candidates to the City of South Perth Design Review Panel for a term of two years:

- (a) Applicant A as chairperson
- (b) Applicant B as member
- (c) Applicant C as member
- (d) Applicant D as member
- (e) Applicant E as member
- (f) Applicant F as member
- (g) Applicant G as member
- (h) Applicant H as member
- (i) Applicant I as member
- (j) Applicant J as member

As contained within **Confidential Attachment (a)**.

**CARRIED BY EXCEPTION RESOLUTION (8/0)**

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

**Against:** Nil.

#### Background

The City's Design Review Panel (DRP) is responsible for reviewing planning proposals and providing independent expert design advice to applicants and the City. The DRP does not make any decisions on applications, nor does it liaise directly with applicants and other interested parties outside of the meetings.

### 10.4.3 Design Review Panel - Appointment of Members

The Western Australian Planning Commission's Local Government Design Review Manual provides practical, best-practice guidance for Local Government Design Review Panels and aims to support consistent, high-quality design outcomes across jurisdictions, aligned with State Planning Policy 7.0 - Design of the Built Environment.

Policy – Design Review Panel P303 was adopted by Council in 2013 and was last reviewed and adopted by Council at its 31 October 2023 Ordinary Meeting (now Local Planning Policy 6.2 – Design Review Panel (LPP 6.2)). The Policy aligns with the recommendations in the Local Government Design Review Manual, including creation of a Terms of Reference and remuneration for members.

In accordance with the Policy, the term of appointment of any member is to be a maximum of two years, with Council previously appointing members at its 26 March 2024 Ordinary Council Meeting.

On 16 January 2026, the City sought expressions of interest (EOI) from suitably qualified and experienced professionals to form the DRP for a two-year term as a member or as the Chairperson.

This report presents the findings of the EOI, with a recommendation to vary a provision of LPP 6.2 to appoint additional members to the DRP.

#### Comment

##### DRP Member Appointment Process

The criteria used to determine the shortlisting of nominations and recommendation for appointment is in accordance with the Terms of Reference contained in LPP 6.2 as follows:

The DRP should include members with expertise in one or more of the following disciplines:

- Architecture (essential)
- Landscape architecture (essential)
- Urban Design (essential)
- Heritage
- Sustainability and environmental design
- Services engineering
- Accessibility
- Transport Planning
- Planning
- Public Art
- Civil and/or structural engineering

Details of the candidates, their ability to meet the criteria and whether they were nominating for appointment as Chair or panel member is included in **Confidential Attachment (a)**.

### Panel Membership

In accordance with LPP 6.2, the DRP is to comprise of up to six members, chosen by a selection panel and endorsed by Council for appointment by the Chief Executive Officer.

Given the quality of nominations received during the EOI, it is recommended that this provision is varied to enable appointment of 10 members to the DRP.

Each individual panel typically comprises up to four members reviewing an application, with members selected based on the respective discipline of the panel members depending on the nature of the proposal (e.g. a member with heritage experience for proposals involving heritage listed places). It also increases the likelihood of a DRP panel member with the relevant experience being available to attend scheduled meetings.

### **Consultation**

Nil.

### **Policy and Legislative Implications**

#### Local Planning Scheme No.7

The City's Local Planning Scheme No.7 (LPS 7) contains supplemental provisions to the deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 under Schedule A as follows:

*60A The local Government may appoint a Design Review Panel for the purpose of considering and advising the Local Government with respect to applications and/or planning documents.*

*60B The Local Government shall prepare and adopt a policy that details the operation of the Design Review Panel and specifies the matters on which the Design Review Panel will be consulted.*

*60C When considering applications and/or planning documents on which a recommendation has been made by the Design Review Panel, the decision-maker shall have due regard for that recommendation.*

LPS7 also specifies that developments within the South Perth Activity Centre are to be reviewed by the City's Design Review Panel in relation to heritage places and where developments are required to achieve 'design excellence'.

#### Local Planning Policy 6.2 – Design Review Panel

In accordance with LPP 6.2, the method of sourcing eligible persons for membership of the DRP group is at the discretion of the Chief Executive Officer, and may include, among other methods, call for Expressions of Interest from suitably qualified persons or consultation with the relevant professional bodies.

### **Financial Implications**

Fees associated with DRPs are not prescribed in the Planning and Development Regulations 2009 and as such, each local government determines fees for use of the DRP as well as remuneration for DRP members as part of the Annual Budget.

The City currently charges applicants \$1,000 per item reviewed by the panel, per meeting. A fee of \$396 is charged for a Design Review Panel Chair (sole review), per item.

The City currently remunerates the DRP Chairperson and DRP members at rates of \$283 and \$249 respectively.

#### 10.4.3 Design Review Panel - Appointment of Members

A review of both the remuneration for DRP members and applicant's fees will be undertaken as part of the 2026/27 Annual Budget preparation.

The City's DRP has also been used by the City of Mandurah and Shire of Murray on a semi-regular basis. The City provides access to the shared use of its DRP to those local governments as they do not have a DRP, subject to the payment of the required fees. Fees for other local governments seeking use of the City's DRP will also be considered as part of the 2026/27 Annual Budget.

#### Key Risks and Considerations

<b>Risk Event Outcome</b>	<p><b>Business Interruption</b></p> <p>Incorporates the impact of events which impinge upon the City's capacity to deliver expected services to the community. These interruptions can range from minor inconvenience requiring an alternative method of service delivery being employed through to forced loss of ability to provide multiple services to all or some of the community. Knowledge loss, technological failure and property damage will also contribute to this outcome.</p> <p><b>Legislative Breach</b></p> <p>Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.</p>
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	Local Planning Policy 6.2 – Design Review Panel details the operation of the Design Review Panel and specifies the matters on which the Design Review Panel will be consulted. Appointment of members will provide for the continued operation of the panel.

#### Strategic Implications

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

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

#### Attachments

**10.4.3 (a):** Design Review Panel Assessment Matrix (*Confidential*)

#### 10.4.4 Annual General Meeting of Electors 2024/25

File Ref: D-26-7028  
Reporting Officer(s): Bree Websdale, Director Corporate Services  
Liz Ledger, Chief Executive Officer

##### Summary

This report is to present to Council the minutes of the Annual General Meeting of Electors held Monday 9 February 2026.

##### Officer Recommendation AND COUNCIL DECISION

0326/054

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

**Seconded:** Councillor Hayley Prendiville

That Council

1. Receives the minutes of the 2026 Annual General Meeting of Electors held Monday 9 February 2026 and contained in **Attachment (a)**.
2. Notes the decision made at the Annual General Meeting of Electors held Monday 9 February 2026, as outlined in the body of this report.

**CARRIED BY EXCEPTION RESOLUTION (8/0)**

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

**Against:** Nil.

##### Background

The Annual General Meeting of Electors was held Monday 9 February 2026 in the City of South Perth Council Chamber. There were approximately 13 members of the public present.

##### Comment

Whilst there is no requirement to confirm Electors' meeting minutes, section 5.33 of the *Local Government Act 1995*, requires Council to consider any decisions that results from the meeting.

There was one motion moved as follows:

##### Motion 1

*"Moved: Mr Warwick Boardman of Salter Point.*

*Seconded: Mr Aidan Carlsson of Karawara.*

*That the Annual Report for the year 2024/2025, incorporating the 2024/2025 Annual Financial Statements and the 2024/2025 Auditors report, be received.*

*The Motion was put and declared CARRIED."*

**Consultation**

Notice of the General Meeting of Electors meeting was given as follows:

- On 15 January 2026, an advertisement was posted on the City’s website and on City noticeboards.
- On 29 January 2026, an advertisement was placed in the Southern Gazette and in the City’s mySnapshot.

**Policy and Legislative Implications**

*Local Government 1995*

**Financial Implications**

Advertising costs of approximately \$500 were incurred.

**Key Risks and Considerations**

<b>Risk Event Outcome</b>	<b>Legislative Breach</b> Refers to failure to comply with statutory obligations in the manner in which the City, its officers and Elected Members conduct its business and make its decisions and determinations. This embraces the full gamut of legal, ethical and social obligations and responsibilities across all service areas and decision making bodies within the collective organisation.
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	A General Meeting of Electors meeting was advertised and held as required by the <i>Local Government 1995</i> .

**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**

- 10.4.4 (a): Minutes

## 10.4.5 Listing of Payments - February 2026

File Ref: D-26-7030

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

### Summary

This report presents to Council:

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

### Officer Recommendation AND COUNCIL DECISION

0326/055

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

**Seconded:** Councillor Hayley Prendiville

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

**CARRIED BY EXCEPTION RESOLUTION (8/0)**

**For:** Mayor Greg Milner, Councillors André Brender-A-Brandis, Blake D'Souza, Tim Houweling, Kathy Lees, Hayley Prendiville, Jacqueline Raison and 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 February 2026 is included in **Attachment (a)** and shows the following payments:

EFT Payments to Creditors	397	\$6,508,996.37
Cheque payments to creditors	1	\$50.80
EFT Payments to Non-Creditors	26	\$46,778.10
Cheque payments to Non-Creditors	23	\$23,573.83
<i>Total EFT &amp; Cheque Payments</i>	447	\$6,579,399.10
Credit Card Payments	53	\$12,539.29
Fleet Card Payments	34	\$2,238.83
<b>Total Payments</b>	<b>534</b>	<b>\$6,594,177.22</b>

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

The report records payments are classified as:

- Creditor Payments

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

- Non-Creditor Payments

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

- Purchase Cards

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

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

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

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

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

### Consultation

Nil.

### Policy and Legislative Implications

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

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

**Financial Implications**

The payment of authorised amounts is within existing budget provisions.

**Key Risks and Considerations**

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

**Strategic Implications**

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

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

**Attachments**

- 10.4.5 (a): Listing of Payments February 2026

## 10.4.6 Monthly Financial Statements - February 2026

File Ref: D-26-7031  
Reporting Officer(s): Bree Websdale, Director Corporate Services

### Summary

To present to Council the Financial Statements for February 2026.

### Officer Recommendation AND COUNCIL DECISION

0326/056

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

**Seconded:** Councillor Hayley Prendiville

That Council notes the Financial Statements and report for this financial year to 28 February 2026, as shown in **Attachments (a)–(i)**.

**CARRIED BY EXCEPTION RESOLUTION (8/0)**

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

### Comment

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

- The national Consumer Price Index (CPI) inflation was 3.8% for the 12 months to January 2026, compared to 3.8% in the 12 months to December 2025. Perth was even higher for the 12 months to January 2026 at 4.9%.
- Headline inflation remains higher than the target rate.
- At its 3 February 2026 meeting the Board (RBA) increased the cash rate by 25 basis points to 3.85%.

- The RBA Monetary Policy Board released the following statement on the 9 December 2025: “While inflation has fallen substantially since its peak in 2022, it picked up materially in the second half of 2025. The Board has been closely monitoring the economy and judges that some of the increase in inflation reflects greater capacity pressures. As a result, the Board considers that inflation is likely to remain above target for some time.”
- Banks have been offering improved average interest rates of 4.50% for investments under 12 months.

### Financial Statements

The Financial Statements represent the 2025/2026 operations to 28 February 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 \$1,217,686. (\$80,483,378 in comparison to budget of \$79,265,692)
Expenditure from operating activities	Favourable variance of \$299,968 (\$53,743,706 in comparison to the budget of \$54,043,674)
<i>Net Operating Position</i> <i>(See Attachment (c))</i>	Favourable variance of \$1,517,655 (\$26,739,672 in comparison to budget of \$25,222,017)
Capital Revenue	Unfavourable variance of \$1,671,243 (\$1,981,240 in comparison to budget of \$3,652,484)
Capital Expenditure <i>(See Attachment (e))</i>	Favourable by \$9,486,978 (\$9,623,384 in comparison to the budget \$19,110,361)

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	\$37,835,666
Reserves	\$55,749,985
<i>Total</i>	<i>\$93,585,651</i>
Total invested (various institutions)	\$92,031,383
Interest earned YTD (as at 28 February 2026)	\$2,720,329

As at 28 February 2026, the City held 27.65% of its investments in institutions that do not provide fossil fuel lending.

**Consultation**

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

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

**Policy and Legislative Implications**

Section 6.4 of the *Local Government Act 1995*

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

Policy P603 Investment of Surplus Funds

**Financial Implications**

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

**Key Risks and Considerations**

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

### Strategic Implications

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

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

### Attachments

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

## 11. APPLICATIONS FOR LEAVE OF ABSENCE

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

### COUNCIL DECISION

0326/057

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

**Seconded:** Councillor Blake D'Souza

That Council Approve the Leave of Absence application received from:

- Councillor Jacqueline Raison for the period 7 April 2026 to 20 April 2026, inclusive.

**CARRIED (8/0)**

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

**Against:** Nil.

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

Item 12.1 Notice of Motion - Transport Advocacy was deferred to the Ordinary Council Meeting to be held the month following the commencement of a new CEO at the Ordinary Council Meeting held 22 July 2025.

*Councillor Tim Houweling disclosed an Impartiality Interest in Item 12.1.*

### 12.1 NOTICE OF MOTION - TRANSPORT ADVOCACY

File Ref: D-26-7033

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

#### Summary

Councillor Nic Coveney submitted a Notice of Motion prior to the Council Agenda Briefing held 15 July 2025. On 22 July 2025, The Notice of Motion was deferred to an Ordinary Council Meeting to the month following the commencement of a new CEO.

#### Notice of Motion Recommendation AND COUNCIL DECISION

0326/058

**Moved:** Councillor Blake D'Souza

**Seconded:** Councillor Hayley Prendiville

That Council:

1. Recognises managing additional travel demand associated with land use change and population growth will be a challenge for the City of South Perth.
2. Requests the CEO write to the Minister for Transport, Rita Saffioti MLA, the Shadow Minister for Transport, Steve Martin MLC, and to the State Member for South Perth, Geoff Baker MLA, to:
  - (a) provide the State Government with information relating to additional travel demand associated with land use change and population growth in the City of South Perth; and
  - (b) signal Council's support for:
    - i. the construction of a South Perth train station along Kwinana Freeway at the end of Richardson Street;
    - ii. the Mends Street Jetty to form part of the expanded ferry route; and
    - iii. investigation into the Como Jetty and Coode Street Jetty as potential sites for ferry stops.
  - (c) query whether the State Government intends to investigate and/or construct the train station and ferry stops described herein, and if so, when.

CARRIED (8/0)

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

**Against:** Nil.

### Background

Councillor Nic Coveney submitted a Notice of Motion regarding advocacy for transportation. The reasons for the Notice of Motion are as follows:

1. *71% of our residents are employed outside the City of South Perth, with the largest number employed within the City of Perth. 65% of residents commute to work by car.*
2. *It is not uncommon during peak hour in the mornings and afternoons for traffic to be banked up for 2km on Mill Point Road and Labouchere Road towards the South Perth freeway exit/entry. This is unacceptable for residents.*
3. *By 2041, the City of South Perth's population is forecast to rise from about 48,000 to about 66,000 (i.e. more than one third), and visitor numbers to the Perth Zoo and the South Perth Foreshore around events of significance are already booming.*
4. *Congestion on roads of significance in the City of South Perth are anticipated to be at 200% capacity within a few years. The State Government must urgently provide the infrastructure to support increasing demand.*
5. *The Perth-Mandurah rail line includes land reserved near the end of Richardson Street to construct a future South Perth station. The future development of a train station has been incorporated into strategic planning for the area since the rail line was constructed in 2007.*
6. *The State Government's Perth and Peel @ 3.5 million land use planning and infrastructure frameworks was developed to provide certainty to the state government agencies, local government and the development sector. According to the consolidated framework land use plan as at August 2023, a South Perth train station along Kwinana Freeway at Richardson Park was meant to be part of stage 1 of Metronet (see **Annexure A**).*
7. *For reasons unclear to me, that has not progressed, with other stations which require significantly greater capital expenditure (i.e. additional tracks etc) taking precedent.*
8. *The City's Integrated Transport Plan 2021-2031 ("ITP") has been designed to align with and support the transport related strategies identified in the City's Strategic Community Plan. The ITP identifies the City's position on State Government transport infrastructure and provides advocacy actions for regional improvements, namely a South Perth train station and ferry services.*
9. *The highest priority of the ITP is to "advocate for immediate elevation of a fully accessible South Perth train station delivery into the next stage of Metronet delivery". Another high priority of the ITP is to "advocate for an increase to the frequency of the Mends Street ferry service" [Note: the ITP was released prior to the State Government's announcement of Metronet on Swan].*

## 12.1 Notice of Motion - Transport Advocacy

10. *In December 2023, I raised advocacy of the South Perth train station and expanded ferry routes with the former CEO. He was supportive of advocating for both but suggested delaying advocacy for the station until after the State Government election and the State Government finishing other Metronet projects.*
11. *The State election has now occurred, many Metronet projects have recently been completed, and the State Government announced earlier this year that it is looking at possible ferry stops.*
12. *In relation to the latter, Transperth currently operates ferries between Elizabeth Quay and Mends Street Jetty. While exact locations for the new ferry stops are still being investigated, stage one will include new stops in Applecross and UWA.*
13. *The State Government is also assessing a number of other potential sites including Point Fraser, Burswood Park, Optus Stadium and Claisebrook Cove, which are being considered as part of stage two of the project. Other stops that are being considered as part of future expansions include Belmont, Belmont Park, Rivervale and Maylands (see **Annexure B**).*
14. *Como Jetty and Coode Street Jetty ought to be considered as potential sites for ferry stops. In relation to the merits of a ferry stop at Como Jetty – it is nearby to the Preston Street activity centre; not-significant high rise development is planned around the area; it is located in between the Applecross and UWA stops; and a jetty already exists.*
15. *In relation to the merits of a ferry stop at Coode Street Jetty – it is nearby to the Angelo Street activity centre and Wesley College; it is located between the Mends Street and Optus Stadium stops; a jetty already exists (and the ferry previously operated from here); and there is not insignificant activation of the Coode Street Foreshore (i.e. StrEATS six months of the year, annual fireworks displays, and strategic plans for a regional playground).*
16. *The time is right to act on advocacy of the South Perth train station and expanded ferry routes is now.*
17. *Council has from time to time passed these sorts of motions. At the July 2024 Ordinary Council Meeting, Council unanimously resolved to write a letter about indoor sports courts, and at the October 2024 Ordinary Council Meeting, Council unanimously resolved to write a letter about cleaning up parts of Canning Highway.*

The Annexures are combined within **Attachment (a)**.

### Comment

The City advocates on behalf of its residents and other stakeholders to seek to influence decision makers on strategic issues of importance to the community. These issues cover a broad range of topics such as infrastructure provision, policy setting and funding.

Items for advocacy are linked to long term strategic direction set through the Council adopted Strategic Community Plan and is consistent with the City's strategic documents.

Update since the Ordinary Council Meeting held 26 August 2025

Council endorsed the City of South Perth Advocacy Strategy and its Advocacy Priorities 2025/26 at its meeting held 26 August 2025. The South Perth train station is one of the key Advocacy Priorities in 2025/26 endorsed at this meeting.

**Consultation**

Stakeholder consultation was undertaken for the City’s strategic documents that relate to advocacy for the South Perth train station.

If supported by Council, this motion will involve writing to the State Government.

**Policy and Legislative Implications**

Nil.

**Financial Implications**

Nil.

**Key Risks and Considerations**

<b>Risk Event Outcome</b>	<b>Reputational Damage</b> Deals with adverse impact upon the professional reputation and integrity of the City and its representatives whether those persons be appointed or elected to represent the City. The outcome can range from a letter of complaint through to a sustained and co-ordinated representation against the City and or sustained adverse comment in the media.
<b>Risk rating</b>	Low
<b>Mitigation and actions</b>	If Council supports the Notice of Motion, the City will ensure that the letters are drafted appropriately.

**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: 4.2 Advocacy
- Strategy: 4.2.1 Advocate for State and Federal Government investment to improve public infrastructure and to address community issues

**Attachments**

- 12.1 (a): Annexure A and B

## 13. QUESTIONS FROM MEMBERS

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

Nil.

### 13.2 QUESTIONS FROM MEMBERS

- Councillor Stephen Russell
- Councillor Jacqueline Raison
- Councillor Tim Houweling
- Councillor Kathy Lees
- Councillor André Brender-A-Brandis

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

At 9.08pm, following consideration of Item 13.2, the Presiding Member moved a motion to adjourn the meeting for 10 minutes.

#### COUNCIL DECISION

0326/059

**Moved:** Mayor Greg Milner

**Seconded:** Councillor Stephen Russell

That the meeting be adjourned for 10 minutes.

**CARRIED (8/0)**

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

**Against:** Nil.

*At 9.18pm, following consideration of Item 13.2, the meeting reconvened prior to consideration of Item 14.*

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

The Presiding Member advised the meeting that he had circulated the following motion for consideration as urgent business:

**Moved:** Mayor Greg Milner  
**Seconded:** Councillor Stephen Russell

That Council requests the Chief Executive Officer to:

1. Discontinue all work on the Psychosocial Risk Assessment described in the email from the Chief Executive Officer to Councillors dated 23 March 2026.
2. Convene a workshop inviting:
  - (a) the Chief Executive Officer;
  - (b) Councillors;
  - (c) the two external expert members of the City's Audit, Risk and Improvement Committee; and
  - (d) the Local Government Monitor (Monitor), to discuss:
  - (e) the proper scope of works for a formal assessment of workplace conditions, culture and psychological health and safety (Workplace Assessment); and
  - (f) the appropriate timing of the Workplace Assessment, given that the Monitor is currently anticipated to:
    - (i) assist in the development of an Action Plan setting out any necessary governance and/or relationship improvements (Action Plan); and
    - (ii) provide a report (Monitor Report) to the Local Government Inspector by 29 April 2026.
3. Following the above workshop, present a confidential Item at the next Audit, Risk and Improvement Committee (ARI Committee) meeting, proposing the scope of works for the Workplace Assessment and outlining the process by which Council will appoint the external body that performs the Workplace Assessment (External Body).
4. Following the above ARI Committee meeting, present the ARI Committee's recommendation to Council as a confidential Item for decision.

### **Reasons for Change**

1. The Terms of Appointment for the Monitor already encompass (without limitation) the following:
  - (a) monitoring "relationships between the Council Members and between the Council Members and the City's employees, including Council Member behaviour with respect to the City's Code of Conduct for Council Members, Committee Members and Candidates";

- (b) monitoring “the City’s contemporary processes and practices in relation to monitoring, reviewing and eliminating worker health and safety risks and provision of safe systems, training and consultation in accordance with obligations of a PCBU as provided for under the Work Health and Safety Act 2020”;
  - (c) monitoring “to identify underlying causes of any issues affecting the ability of the Council and / or individual Council Members to properly perform their statutory roles, with specific regard to the matters raised in clause 1.1”;
  - (d) to “Assist the City develop an Action Plan setting out any necessary governance and/or relationship improvements, with specific regard to remedying identified issues relative to the matters set out in clause 1.1”; and
  - (e) “To provide a Final Report to the Local Government Inspector by Wednesday 29 April 2026 with respect to the conduct of the Monitoring Assignment as set out in Part 1 of the Terms of Appointment”.
2. The psychosocial risk assessment (or similar work) commissioned by the City should:
    - (a) have an appropriate scope of works that have been reviewed and approved by the ARI Committee and by Council (after receiving appropriate advice); and
    - (b) consider all relevant relationships and aspects of the work environment.
  3. The Monitor should be given the opportunity to oversee the process (and to provide comment, if the Monitor wishes to do so).
  4. If practicable, the External Body should be allowed to consider the Action Plan and the Monitor Report (to the extent it can be made available) before providing a final report to Council.

## COUNCIL DECISION

0326/060

**Moved:** Mayor Greg Milner

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

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

**CARRIED (8/0)**

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

**Against:** Nil

## COUNCIL DECISION

0326/061

**Moved:** Mayor Greg Milner  
**Seconded:** Councillor Stephen Russell

That Council requests the Chief Executive Officer to:

1. Discontinue all work on the Psychosocial Risk Assessment described in the email from the Chief Executive Officer to Councillors dated 23 March 2026.
2. Convene a workshop inviting:
  - (a) the Chief Executive Officer;
  - (b) Councillors;
  - (c) the two external expert members of the City's Audit, Risk and Improvement Committee; and
  - (d) the Local Government Monitor (Monitor), to discuss:
  - (e) the proper scope of works for a formal assessment of workplace conditions, culture and psychological health and safety (Workplace Assessment); and
  - (f) the appropriate timing of the Workplace Assessment, given that the Monitor is currently anticipated to:
    - (i) assist in the development of an Action Plan setting out any necessary governance and/or relationship improvements (Action Plan); and
    - (ii) provide a report (Monitor Report) to the Local Government Inspector by 29 April 2026.
3. Following the above workshop, present a confidential Item at the next Audit, Risk and Improvement Committee (ARI Committee) meeting, proposing the scope of works for the Workplace Assessment and outlining the process by which Council will appoint the external body that performs the Workplace Assessment (External Body).
4. Following the above ARI Committee meeting, present the ARI Committee's recommendation to Council as a confidential Item for decision.

**CARRIED (5/3)**

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

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

## 15. MEETING CLOSED TO THE PUBLIC

Nil.

## 16. CLOSURE

The Presiding Member thanked everyone for their attendance and closed the meeting at 9.57pm.

## APPENDIX

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

Ms Joanne Ord, Como	
1. It is imperative that proponents' assertions are scrutinised by the City and corrected wherever possible not those. What procedures and systems does the City follow to ensure the community is provided with accurate reporting and are reports reviewed by others internally before publishing?	All reports are reviewed internally before they appear in the Agenda, however information that is owned by third parties is not always able to be cross-examined. This information can be taken on face value that it is accurate.

  

Dr Louise Johnston, Como	
1. Has the Council provided the Royal Perth Golf Club with a copy of the South Perth urban greening policy and hence advised on its context thereby emphasising the lack of realism inherent in the Club's motion and its' excessive tree destruction goals?	The City has an Urban Forest Policy and an Urban Greening Strategy. The Royal Perth Golf Course have been made aware of the Urban Greening Strategy. The Urban Forest Policy is currently under review to align with the Strategy.

**Mr John Ferguson, South Perth**

**Received: 24 February 2026**

1. A large tree has been partly removed at 20 Karoo Street, was this activity approved by the Council?	The tree damaging activity to the tree was initially undertaken without prior development approval having first been obtained. Council has since considered a development application for Tree Damaging Activity to the Regulated Tree to remove the tree, which was approved by Council at its 24 February 2026 Ordinary Council Meeting. Further detail is available in the minutes.
2. If no, will the Council be pursuing the fine of \$200,000 for illegal removal of trees?	The City will review the evidence available, the circumstances of the application and subsequent Council decision to determine the likelihood of a successful prosecution, before determining whether to pursue the matter.
3. Will the tree be replaced with a similar tree (that tree was 30m tall and only the trunk remains)?	Council resolved to include a condition on the development application which requires that 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.

## 6.2 PUBLIC QUESTION TIME: 24 MARCH 2026

<p>1 Dr Mark Brogan, Kensington Received: 23 March 2026</p>	<p>Responses provided by Donna Shaw – Director Development and Community Services</p>
<p><i>[Preamble]</i> My questions this evening concern Agenda Item 10.3.1. They are about the St Columba's Church group, the subject of a heritage review about which deputations were given last week. The Heritage Review by SLR Consulting has recommended the highest level of protection (Category 1) for Dennehy House located at 16 York Street and its entry into the List as a separate entity.</p>	
<p>1. As the City has indicated at the Agenda Briefing, the Convent site is currently zoned under TPS 7 as 'Private Community Purposes' Part 3 of LPS 7 Zone and use of land refers to the zone of objectives of 'Private and Community Purposes as: *To provide sites for privately owned and operated recreation, institutions and places of worship. *To integrate private recreation areas with public recreation areas wherever possible. *To separate potentially noisy engine sports from compatible uses. *To provide for a range of privately owned community facilities and uses that are incidental and ancillary to the provision of those facilities, which are compatible with surrounding development. *To ensure that the standard of development is in keeping with surrounding development and protects the amenity of the area. Does the City consider a high-rise residential building of more than four levels constructed on the St Josephs site consistent with Private and Community Purposes Objectives of TPS7?</p>	<p>The site is zoned 'Private community purposes' (as you have identified). Multiple Dwellings are an 'A' use in the zone, meaning that the use is not permitted unless the local government has exercised its discretion by granting development approval after advertising the application. This means that multiple dwellings can be considered on the site, however, the City or the responsible decision maker will consider whether it is appropriate to approve the use having regard to a range of matters, including the objectives of the zone and the heritage values of the site. In the absence of a proposal and appropriate justification, the City cannot determine whether a proposed development is appropriate.</p>

<p>2. At the Agenda Briefing, the Director of Planning indicated that a heritage agreement for the site pursuant to current State Heritage Listing of Dennehy House (1908) and Chapel (1939) might involve offsets to developers. Could a multi-level residential development on the St Joseph's Convent site of more than four levels be pursued as an offset for the site consistent with zoning and planning requirements?</p>	<p>No reference was made to a heritage agreement. The commentary at the Agenda Briefing was referring to the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 which enables variations to development standards to protect heritage places on the State Register or Local Heritage List. Advice was provided such that the building with the heritage would be retained with appropriate curtilage, and density could be provided elsewhere on the site to otherwise offset the land used to retain the heritage building. Whether the City or responsible decision maker considers that development appropriate for approval will require an assessment of that specific proposal in respect to a range of matters, as outlined in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p>
<p>3. Does the City agree that such a development potentially up to fourteen to sixteen levels is likely to be inconsistent in principle (and in practice) with the heritage values of the place as determined by the heritage assessment and will grossly effect the amenity, privacy and way of life of adjoining residences?</p>	<p>Applications are considered on their individual merits. The City or relevant decision maker would need to consider the specifics of the application, including proposed design and any relevant justification, to determine whether a proposal is appropriate.</p>

<p><b>2 Ms Joanne Ord, Como</b>  <b>Received: 23 March 2026</b></p>	<p><b>Responses provided by Anita Amprimo – Director Infrastructure Services</b></p>
<p><i>[Preamble]</i></p> <p><i>These questions relate to the mid-year budget review. In the years that I have observed this City, I do not recall similar reasons to “community safety and environmental sustainability featured in the 2025 Community Perceptions Survey” or “these new reserves would be well received by the community” appearing to be the sole justification to create new reserve accounts. Phrases like ‘future proofing’ are also not a financial reason to establish reserves. The City stated that ‘none of the proposals below have been included in the attachment’ and this is where I’d hoped to find supporting financial reasons to establish those new reserves. Ultimately, I could not locate any financial back-up to support establishing them.</i></p>	
<p>1. Have the 30 June 2027 budget workshops been undertaken with Council and what aside from a perception survey did the administration present as justification for these new reserves at those workshops?</p>	<p>The Budget Workshops have not taken place yet.</p>
<p>2. Does the administration consider that funds will be spent this financial year from those new reserves (bearing in mind that there are only 3 months to go) and if not, why is the City suggesting these reserves are created through the mid-year review and not through the normal budgeting process?</p>	<p>If the reserves are established, they would not be anticipated expenditure for them this year.</p> <p>The second part of your question I would have to take on notice, I am not in a position to answer.</p>
<p>3. The City of South Perth has long conducted its mid-year review in February, despite the requirement to be completed prior to 31 March. What was the reason for the delay this year?</p>	<p>The mid-year budget review has been completed, as required by the <i>Local Government Act 1995</i>.</p>

<p><b>3 Ms Bronwyn David, South Perth</b>  <b>Received: 23 March 2026</b></p>	<p><b>Responses provided by Donna Shaw – Director Development and Community Services</b></p>
<p><i>[Preamble]</i></p> <p><i>Between the Agenda Briefing and the Ordinary Council meeting this week, an item has been added to the Agenda. Granted that this meant that the Agenda Briefing had less deputations than it might have. Some would see that as a positive, nonetheless this did deprive the community of the opportunity to address the matter by way of Deputation. We know that the City of South Perth residents are passionate about their trees.</i></p>	
<p>1. Where a matter has not appeared on the agenda for the Agenda Briefing Meeting and the opportunity for deputation has passed, what formal mechanisms are available for community members to provide input on that specific item?</p>	<p>The landowner and members of the community are able to contact Elected Members directly. Elected Member contact details are available on the City's website.</p>
<p>2. Where residential Development Applications are approved, is it usual that homeowners are required to plant a tree (or more) as a development condition?</p>	<p>This depends on the nature and scale of the residential development and the applicable version of the Residential Design Codes. For example, Volume 1 Part C of the R-Codes requires minimum tree planting requirements. Decision makers can also condition requirements for landscaping where there is an applicable need and nexus between the development and the requirements of the condition.</p>
<p>3. In respect of this application [Item 10.3.4], noting that ‘the applicant has also advised that the owners are willing to plant 3 x 250L trees on the property’. Is there anything that would prevent that being made a condition of approval of the Tree Damaging Activity?</p>	<p>It is open to Council to include a condition requiring the planting of trees.</p>

<b>4 Ms Lena Jaetschmann, South Perth</b> <b>Received: 23 March 2026</b>	<b>Responses provided by Donna Shaw – Director Development and Community Services</b>
<p>1. Does Council appreciate the problems that listing the entire Wesley College site (including the campus south and north of Swan Street) will cause the College - rather than applying a common-sense approach when assessing applications for works far away from the actual heritage curtilage particularly when introducing a disconnect between the listing and the State Government’s [existing] listing that only covers the heritage buildings?</p>	<p>Whilst this question is directed to Council, the City does not consider there to be problems with including the site on the Local Heritage Survey, and Council is not considering the Heritage List as part of this item. As evidenced by recent approved development applications at Wesley College, inclusion on the State Register has not prevented development at the site occurring, even with the required referrals to the Heritage Council of Western Australia. In preparing place records for the Local Heritage Survey - the Department of Planning, Lands and Heritage Guidelines for Local Heritage Surveys recommend that the place should be identified and defined in terms of cadastral lot boundaries. Should Council consider the site for future inclusion in the Heritage List, the City would take the same approach to assessment and recommendations on development applications if the place is included. Development outside the registered curtilage in the State Register which may impact on the heritage values of the place, such as an impact setting, views etc require referral to the Heritage Council of Western Australia in any instance. Further, local government heritage listings or local heritage survey place records are not required to match any registered curtilage, as the local government listings relate to the local heritage value of that place, whilst the State registration relates to the heritage value in a State context.</p>
<p>2. What does Council see as the utility of heritage listing new projects nearing completion, or have only just commenced?</p>	<p>Whilst this question is directed to Council, the item being considered by Council is the outcome of place specific reviews to the Local Heritage Survey. Council is not considering the Heritage List as part of this item.</p>

3. Why is it that since Council considered the matter of the Heritage List in August 2025 and deferred it, that now an additional allotment North of Swan Street is proposed to be included in the Survey. Although, it was not previously - particularly when the State Register explicitly notes that there is low cultural heritage significance (outside of the existing curtilage)?

The independent heritage consultant has provided this recommendation for Council to consider. Should Council resolve to adopt the Officer Recommendation, the City will prepare and present updated place records for the Local Heritage Survey for Council to consider.

## 13.2 QUESTIONS FROM MEMBERS OCM 24 March 2026

Councillor Stephen Russell	Responses provided by: Anita Amprimo - Director Infrastructure Services
<p><i>[Preamble]</i></p> <p><i>I have had a number of conversations from community members regarding abandoned shopping trolleys left on public property. I note that the Public Places and Local Government Property Local Law states that upon receipt from the City [of an abandoned shopping trolley], the applicable retailer has 24 hours to collect the trolley, or request the City to collect and deliver the trolley back to the retailer at the retailer's cost.</i></p>	
<p>1. For the reported abandoned shopping trolleys to the City, could the City advise the proportion where the retailer has collected against the retailer requesting the City to collect?</p>	<p>No requests from retailers to collect abandoned shopping trolleys could be located.</p> <p>City Rangers impound shopping trolleys on a regular basis when not collected by the retailer after being advised and very few are reclaimed from impound. Uncollected trolleys are disposed of by the metal waste recycling after the holding period of two months.</p>
<p>2. As we continuously see abandoned shopping trolleys on public property, then in the City's view how successful is this law as a deterrence?</p>	<p>The shopping trolley provisions under the Public Places and Local Government Property Local Law are intended to act as a deterrent through the ability for the City to impound trolleys and issue penalties where appropriate. However, abandoned shopping trolleys remain an ongoing issue within the district and the local government sector.</p> <p>The City's local law is consistent with the approach taken by other local governments and reflects the model local law developed by WALGA. The effectiveness of the local law and whether additional measures are available could be considered as part of the next review of the local law such as potential amendments and increased penalties.</p>

<p>3. The City has a dedicated abandoned shopping trolley webpage which firstly advises a resident to follow-up with the retailer themselves or report to Ranger services if a trolley is left abandoned for more than three days. The webpage makes no reference to the collection requirements under the City's law which places a lawful requirement on the retailer to manage abandoned trolleys, why is this so, why are residents not being made aware of the law in this respect?</p>	<p>You are correct, the webpage advises the public to contact Ranger services if the trolley has not been moved after three days and that the Ranger services will attend as soon as possible.</p> <p>This time frame allows for the retailer to engage their contractor to collect the trolley when reported by a member of the public before attendance by the City. The content of the web page can be reviewed against the local law.</p>
--	---

Councillor Jacqueline Raison	Response provided by: Anita Amprimo - Director Infrastructure Services
<p>1. At the moment there is obviously significant supply chain disruptions, in relation to fuel. The City has a Business Continuity Plan as I understand it in place, even though there are things being updated. I would appreciate any information about how the City might have in the past dealt with issues, such as this and whether this may or may not impact the City and what contingency plans that we have in place?</p>	<p>We continually monitor the supply availability and talk to our suppliers with respect to fuel. It is something that we have been watching since the beginning of the conflict in the Middle East. At the moment, we do not have any concerns, but we are looking at how we can manage our consumption of fuel, to best manage the resources. We also have some different strategies that we can put in place.</p>

**Councillor Tim Houweling**

**Response provided by: Mayor Greg Milner and Anita Amprimo - Director Infrastructure Services**

1. This afternoon circulated at about 4:30pm relates to a notice of motion at Item 14 that is intended as confidential business. There are two parts to the question. Clause 5.4(1) and (2) of the Standing Orders refer to circumstances and the criteria of when it is to be considered to be extreme urgency. Secondly, that the matters of a confidential nature (for which we are able to go in camera effectively) fall within section 5.23 of the *Local Government Act*. The criteria that is set out within what is before us does not satisfy the requirements of a matter to then be confidential and that we should be open with our community about what it is that we are deciding, particularly on a matter such as what is before us in this motion?

Mayor Greg Milner  
Yes, it is the legislation, but the Standing Orders clearly say that the decision as to whether or not it's an Urgent Item of Business is that it is the Presiding Member's (that is me).

Anita Amprimo – Director Infrastructure Services  
Item 14 is a matter for the Presiding Member to determine.  
It would be up to Council to decide whether it meets the criteria for it being a confidential item.



Councillor Kathy Lees

Responses provided by: Donna Shaw – Director Development and Community Services

*[Preamble]*

*I just have questions in relation to the Royal Perth Golf Club. I have had advice from the City that unless otherwise exempt under the Environmental Protection and Biodiversity Conservation Act. The onus is on the landowner to provide a referral to the Minister for Environment - where a proposed action is likely to impact foraging habitat, roosting and breeding sites for black cockatoos on the Swan coastal plane.*

1. Can the City please advise who it considers to be the landowner in the case of the Golf Course, because my understanding is that the City has care, control and management of this Crown land, and the Golf Club is the lease?

I believe that the landowner is the Crown.

2. Just to clarify, the Crown would be responsible for providing a referral?

That is my understanding, yes. The obligation is on the landowner, not the managing body of that land, or the person using that land. The legislation states that it is the obligation of the landowner.

3. I just wonder whether the State government or the landowner is aware and how they would be made aware?

I would say that the obligation is on the individual landowner to be aware of any applicable legislative requirements that apply to the land.

**Councillor André Brender-A-Brandis**

**Response provided by: Donna Shaw – Director Development and Community Services**

*[Preamble]*

*The question is about an email that I sent through previously regarding 1 Hurlingham Road. For background - in July 2025, Development Application exemption was provided. In February 2026, a Demolition Permit was approved. The tree at the rear of the block was considered likely to be a regulated tree. The administration had approved this application prior to our Local Planning Policy coming into place, it has been noted with instances like this because that tree was removed. It was a bit of oversight with regard to considering significant or regulated trees that are on properties that are the subject of a development.*

1. I have been advised that the administration have introduced an additional step to ensure that the vegetation is properly assessed and documented. Can I have an understanding as to what additional steps or review is undertaken with properties that may have had a Development Application approved previously, prior to the Local Planning Policy being put in place and have we started enforcing that now?

I understand that the additional step is that site visits are undertaken in relation to Demolition Permits, as well as Development Applications.



## 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 April 2026

Signed \_\_\_\_\_

Presiding Member at the meeting at which the Minutes were confirmed