



CITY OF VINCENT

AGENDA

Ordinary Council Meeting

10 February 2026

Time: 6:00 PM
**Location: E-Meeting and at the Administration
and Civic Centre,
244 Vincent Street, Leederville**

**David MacLennan
Chief Executive Officer**

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1. Members of the public present at Council Briefings will have an opportunity to ask questions or make statements during public question time. Questions and statements at Council Briefings must relate to a report contained in the agenda.
2. Members of the public present at Council Meetings, Special Council Meeting or Committee Meeting have an opportunity to ask questions or make statements during public question time in accordance with section 2.19(4) of the City's [Meeting Procedures Local Law](#).
3. Questions asked at an Ordinary Council Meeting must relate to a matter that affects the City of Vincent.
4. Questions asked at a Special Council Meeting or Committee Meeting must relate to the purpose for which the meeting has been called.
5. Written statements will be circulated to Elected Members and will not be read out unless specifically requested by the Presiding Member prior to the commencement of the meeting.
6. Questions and/or statements may be submitted in writing and emailed to governance@vincent.wa.gov.au by 3pm on the day of the Council proceeding. Please include your full name and suburb in your email.
7. Shortly after the commencement of the meeting, the Presiding Member will ask members of the public to come forward to address the Council and to give their name and the suburb in which they reside or, where a member of the public is representing the interests of a business, the suburb in which that business is located and Agenda Item number (if known).
8. Questions/statements are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on an Elected Member or City Employee.
9. Where practicable, responses to questions will be provided at the meeting. Where the information is not available or the question cannot be answered, it will be "*taken on notice*" and a written response will be sent by the Chief Executive Officer to the person asking the question. A copy of the reply will be included in the Agenda of the next Ordinary meeting of the Council.
10. It is not intended that public speaking time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992* (FOI Act). The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act.

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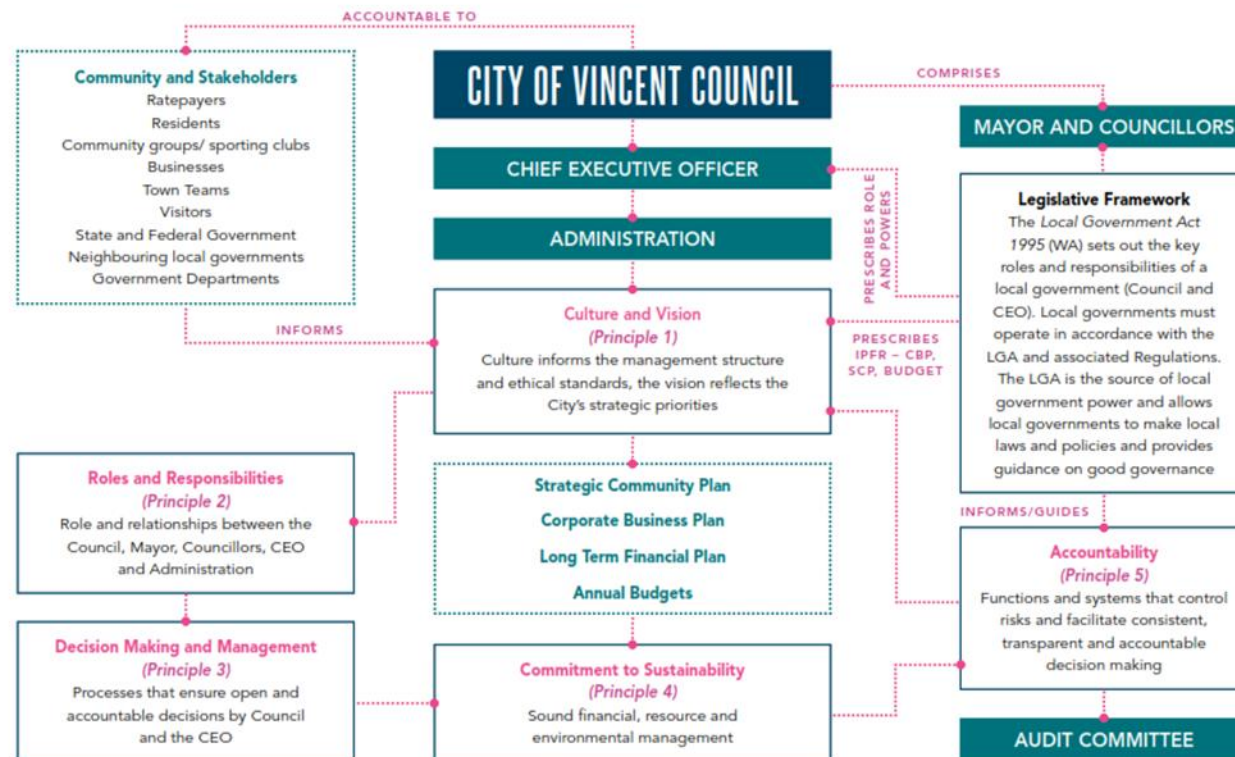
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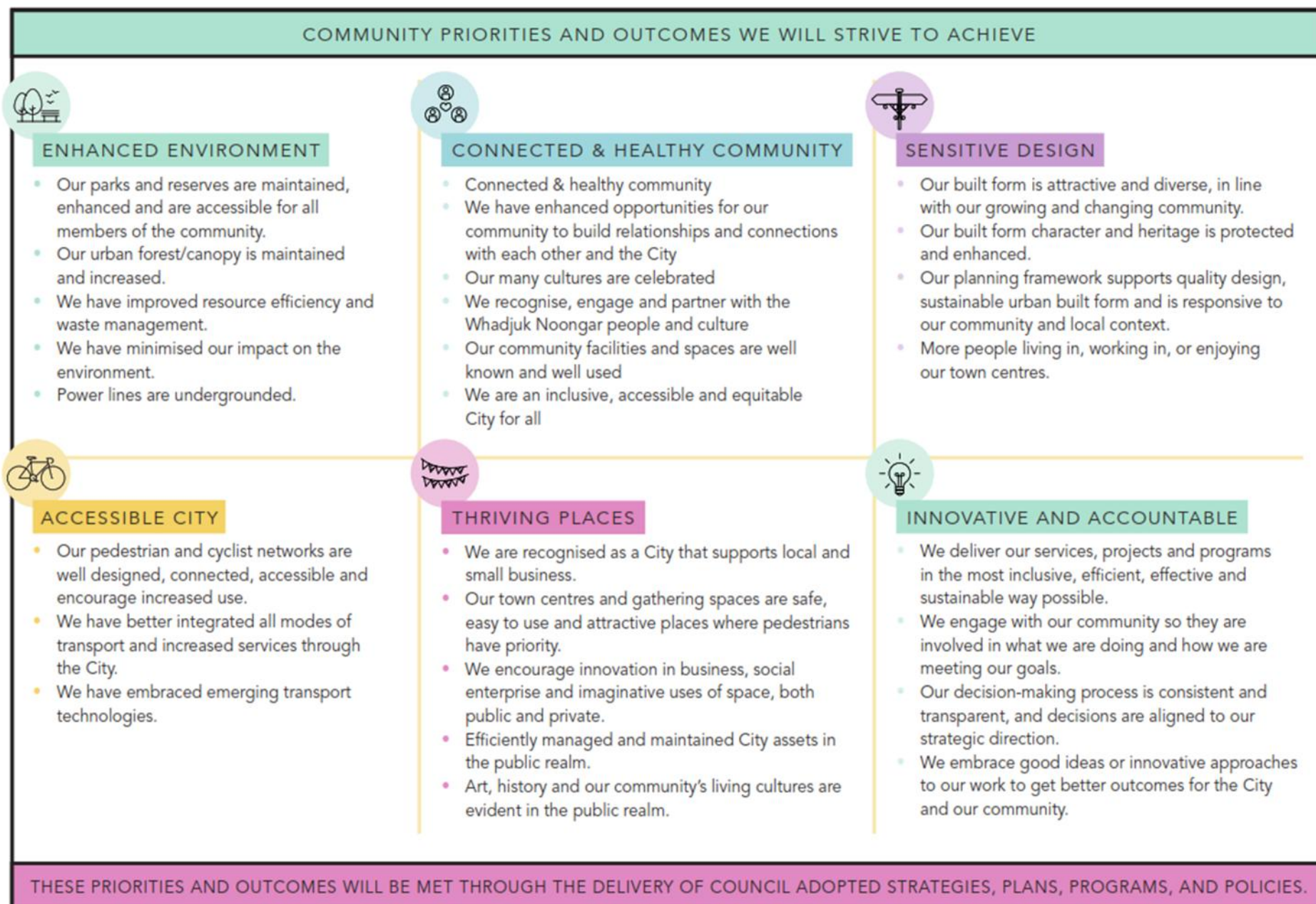
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CITY OF VINCENT GOVERNANCE FRAMEWORK 2020 OVERVIEW





1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

"The City of Vincent would like to acknowledge the Traditional Owners of the land, the Whadjuk people of the Noongar nation and pay our respects to Elders past and present, acknowledging that, as a Council, the City of Vincent has a role to play in working towards reconciliation and justice for First Nations people."

2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE

An apology was received from Cr Sophie Greer.

3 (A) PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS

(B) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

The below questions were asked at the 9 December 2025 Council meeting. Administration responses are in italics below.

Lexi Smith of Perth

Further to the Administration's response provided for the 9 December 2025 Council meeting, the following supplementary questions were asked regarding 37-39 Stuart Street, Perth:

1. Hazardous Materials Assessment

The Administration characterized the unauthorized works as "limited to internal partitioning removal" and "low risk." My reports to WorkSafe (references 858656 and 862121) documented potentially hazardous materials being removed from this old building and dumped on the street verge. Before issuing the demolition permit on 21 May 2025, did the City require a hazardous materials survey or require a documented asbestos assessment of the building to be conducted?

It is the responsibility of the applicant to ensure possible hazards are identified. The documentation bundle submitted as part of the original and revised demolition applications identified the location and condition of asbestos containing material and confirmed a suitably licensed contractor had been engaged to perform the necessary works. Asbestos removal is regulated under the Work Health and Safety (General) Regulations 2022, and concerns relating to the conduct of persons handling asbestos as part of demolition works should be referred to WorkSafe for investigation.

2. Compliance Monitoring Timeline

The building permit application for 37-39 Stuart Street was lodged on Friday, 2 May 2025, after demolition works had already commenced. On what date did the City first become aware that unauthorized demolition works were underway at this site, and was this awareness prompted by my advice to WorkSafe and the City or through the City's own proactive compliance monitoring systems?

The City was notified of alleged unauthorised works on Friday 2 May and attended site on Monday 5 May 2025. A direction to cease works was provided on 6 May 2025 and complied with.

3. Referral Threshold for Unauthorized Works

Given the Administration's decision that "no further action was warranted" despite unauthorized demolition works commencing without a permit, what threshold of non-compliance or risk does the City apply when determining whether to refer a registered builder to the Building Services Board or LGIRS?

The alleged unauthorised works were limited to low risk, non-structural works. The City was able to effectively resolve the matter by issuing the direction to cease work, refuse the original demolition application and require the submission of a new application for assessment and approval. The contractor was cooperative and compliant with the City's requests. Subsequently escalation to the Department of Local Government, Industry Regulation and Safety was not justified.

Peter and Suzette Herkenhoff of Highgate – Item 9.2

Following further contact from Mr Herkenhoff in early January expressing concerns regarding the response to his submitted questions, Administration has provided additional clarification ('Additional Response from Administration') below.

In all good conscience, will Council exercise the substantial discretion now required to approve the aforementioned application for this land use change in light of the following facts?

- Planning Department provision of misinformation that demonstrates an approval bias and obfuscation of key considerations, including accurate reporting of the majority's objections.

City Officers have undertaken a merit based assessment of the proposal in accordance with the relevant planning framework. The Officer Report summarises and responds to objections received during the community consultation period.

Additional Response from Administration:

The Officer Report presented to Council included a dedicated Summary of Submissions from the community consultation period and Administration Response, and identified the planning issues raised by residents, including amenity, parking, policy compliance and housing supply.

The report also clearly identified where the proposal did not meet acceptable development provisions and where discretion was required.

Council was not bound by the officer recommendation and ultimately exercised its own planning judgement in refusing the application. The fact that Council reached a different conclusion does not indicate misinformation or bias in the assessment.

- Irrespective of the unenforceable time limit sought, approval will permanently confer commercial STRA rights on current and subsequent owners of Lot 1, condemning us to known, un-hosted Holiday House risks and impacts in perpetuity.

The Officer Report's recommendation included a condition of approval limiting the proposed Holiday House to a maximum of 181 nights a year for a 12-month period. The approval would have lapsed at the end of the 12-month period unless a subsequent application was approved extending the timeframe.

Additional Response from Administration:

The Officer Report recommended a time-limited approval only, with no automatic right of continuation.

Any future extension would have required a new development application and assessment against the planning framework in force at that time, including consideration of complaints, parking impacts and how it has operated.

Approval as recommended would not have conferred permanent or ongoing commercial use rights.

- Planning Department failure to inform stakeholders of this critical impact during development of its DRAFT STRA Policy, in consultation material developed and progressively refined -- with the proponents -- to facilitate approval, and the subterfuge employed throughout its recommendation to Council.

The City advertised the draft Local Planning Policy: Short Term Accommodation for 45 days between 9 May to 23 June 2025. The policy was advertised through the following methods:

- 194 emails sent to all owners/managers of properties that were registered on the Department of Local Government, Industry, Regulation and Safety's Short-Term Rental Accommodation at the time.
- Emails to key stakeholders including Short Term Accommodation Association Australia, Australia & New Zealand Short Term Rental Association, Airbnb, and Stayz.
- A survey on Imagine Vincent.
- Notices published in the Perth Voice on 1 May 2025 and displayed at the City's Administration Building and Library.
- Promotion in the City's social media pages on 9 June 2025, and in the City's fortnightly e-news on 9 and 22 May 2025, and 5 June 2025.

Additional Response from Administration:

The draft STRA Policy and the development application are separate statutory processes.

The Officer Report explains that the draft policy was publicly advertised, adopted by Council and treated as a seriously entertained planning instrument under Clause 67 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

The application was assessed against both the existing and draft policy framework as required. The outcomes of the policy process did not pre-determine the assessment, and Council exercised its own judgement in determining the application.

- Approval would not only guarantee long-term impacts to adjoining neighbours and local residents but also incentivise further reductions in the City's long-term housing supply. This is at odds with community sentiment.

The Officer Report's recommendation limited the approval for a maximum of 12 months, after which the approval would lapse. The application proposed the dwelling would operate as a Holiday House for a maximum of 6 months a year, whilst continuing to function as the owner's primary residence for the remaining 6 months.

Additional Response from Administration:

The Officer Report assessed the proposal against long-term housing supply considerations, including the part-time nature of the use, the continued residential occupation for part of each year, and the relevance of Amendment No. 13 to Local Planning Scheme No. 2.

Concerns about long-term housing supply and neighbourhood impacts were also raised by residents and were taken into account as part of the assessment. Community consultation submissions are a relevant consideration in determining an application, but it is one of a number of matters Council is required to consider under Clause 67 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, alongside issues such as amenity, land use compatibility, parking, management measures and the objectives of the zone.

All of these matters were before Council when it determined the application. Council ultimately exercised its discretion to refuse the proposal, reflecting its overall planning judgement having regard to the full range of relevant planning considerations.

- Planning Department failure to advise constituents whether future processes to extend approval would trigger consultation with directly affected parties, or whether such approval becomes a commercial-in-confidence matter between the City and the proponents only.

In the event the application was approved and an extension was applied for in the future, further consultation would be considered in accordance with the City's Community and Stakeholder Engagement Policy.

Additional Response from Administration:

This application was assessed on its own merits and related only to the proposed use as applied for, including the recommended 12-month time-limited approval.

Whether consultation would be required for any future extension is not a matter that can be determined as part of the current application, as no such proposal was before Council.

If a future application were to be lodged to extend the approval, it would be assessed under the planning framework and policies applying at that time. Based on the City's current planning policy for short-term accommodation, such an application would be subject to further community consultation.

- Imposition of unacceptable safety and privacy risks, access impacts and encumbrances on our use and maintenance of common property on the strata, over which we have 55 %-unit entitlement, rendering the proposal fatally flawed.

The Pedestrian Easement is not restrictive in nature and can be accessed by guests and visitors to No. 11 St Albans Avenue. Considerations relating to strata maintenance is a matter for owners.

Additional Response from Administration:

The Officer Report confirms that the proposal did not alter the physical form or legal function of the easement.

Planning considerations relating to access and safety were addressed by recommended conditions requiring the easement to remain unobstructed, limiting how it could be used by guests, and requiring guests to be informed of its purpose as an accessway.

Matters relating to strata ownership, maintenance responsibilities or private rights between owners are not regulated through the planning approval and are managed outside the planning system.

- Planning Department deference to the misnomer of "passive surveillance" and an unformulated, unregulatable "guest screening" process as risk mitigants in the recommendation it authored, coupled with its failed attempt to walk back support for the latter when challenged at the December 2 briefing.

The Officer Report's recommendation included a condition for the dwelling to operate in accordance with the Operations Management Plan. Whilst screening of prospective guests is a usual part of the reservation approval process, the City sought to confirm this should not be discriminatory in nature. Conditions of an approval are enforceable in accordance with the Planning and Development Act 2005.

Additional Response from Administration:

References to passive surveillance in the Officer Report relate to the visibility of the easement and outdoor areas from the street and adjoining properties, which assists in discouraging inappropriate use and supports safe access.

Guest screening was described in the Officer Report as part of the applicant's proposed Operations Management Plan. During the Council Briefing Session on 2 December 2025, Administration was asked to clarify how this measure should be understood and applied in practice. Administration explained that while the operator may screen guests for matters such as booking history and intended use of the dwelling, the City's assessment and recommendation were not based on personal characteristics of guests, which are not matters regulated through the planning framework.

The Briefing Session clarification did not remove or change the management measures proposed. Rather, it clarified how the relevant condition would operate alongside other laws, including anti-discrimination requirements. This clarification was reflected in the determination advice notes to ensure the condition was applied lawfully and as intended.

- Operation of an incompatible commercial land use in a residential zone is proposed -- without a meaningful framework of enforceable conditions – defying process logic and denying procedural fairness to impacted stakeholders.

Conditions of an approval are enforceable in accordance with the Planning and Development Act 2005.

Additional Response from Administration:

A Holiday House is a discretionary ('A') use in the Residential Zone under the City's Local Planning Scheme No. 2.

The Officer Report identified conditions that could have been used to regulate the use if approval were granted.

Council ultimately decided not to exercise discretion to approve the proposal. This reflects a different planning judgement about its acceptability in this location, rather than an absence of potential conditions and controls.

- Planning Department misrepresentation of parking constraints in St Albans Avenue and local streets, as reflected in Ranger Services' December 1 deployment of a consultation to propose further parking restrictions. Notably, the Department claims no residential parking permits need be issued to Holiday House guests. The City's e-permit system, by design, allows the proponents to confer parking rights on visitors, including Holiday House guests.

Residential parking permits are restricted for residential purposes only. A Holiday House is a non-residential use and therefore are not permitted to access residential parking permits.

Additional Response from Administration:

Conditions of approval in the Officer Report expressly prohibited Holiday House guests from accessing residential parking permits.

The application assessment relied on on-street parking survey data for St Albans Avenue from 2025, and the Operations Management Plan requires guests to be informed of parking restrictions.

The City's permit system does not override planning conditions. This means the operator must comply with the planning conditions regardless of what the permit system allows. The permit system cannot be used to grant parking rights that are prohibited by a development approval. If the conditions were not complied with, this would constitute a breach of the approval and would be a basis for investigation and enforcement by the City.

- Abject Planning Department failure to present a defensible argument that justifies Council exercise of its discretion to confer deemed-to-comply status on a proposal that fails to meet 50% of the Acceptable Development Provisions in a STRA Policy that remains in draft form.

A core function of the Western Australian planning framework is the application of discretion on planning proposals. In this regard, an application can propose departures to one or more standards. Where this occurs, consideration of the application is required on its merits against the relevant planning objectives. In this case, the Officer's assessment considered the proposed development to be acceptable.

Additional Response from Administration:

The planning framework does not assess applications based on a percentage of compliance with acceptable development provisions. There is no threshold that requires refusal because a certain number or proportion of provisions are not met.

Where acceptable development provisions are not met, the planning framework requires the proposal to be assessed on its merits against the relevant planning objectives and the matters set out in Clause 67 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

The Officer Report identified each departure to the prescribed standard, explained how those matters were considered, and set out a planning basis for exercising discretion.

Council considered that assessment and ultimately determined not to exercise discretion to approve the proposal, reflecting its planning judgement about the acceptability of the development rather than the number of departures identified.

- A draft Policy that cannot realistically be considered as a "...seriously entertained planning instrument..." when the proposal was subjectively assessed against loosely defined impact management 'Objectives'.

In accordance with clause 67(2)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015, a local government must give due regard to any proposed planning instrument that the local government is seriously considering adopting. The draft Local Planning Policy: Short Term Accommodation was adopted by Council to come into effect by 1 January 2026 at its meeting held 12 August 2025.

Additional Response from Administration:

Under the planning framework, applications are required to be assessed against the relevant planning policies, including their objectives, in accordance with Clause 67 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

The Officer Report applied the draft STRA Policy in that manner. It assessed the proposal against the policy framework and identifying where discretion was required. This assessment followed the prescribed planning process and was not subjective.

The draft policy was therefore properly treated as a seriously entertained planning instrument, and Council then exercised its discretion in determining the application.

- The absence of robust performance metrics to support compliance with these objectives, ensuring the proposed Holiday House management commitments are rendered unenforceable.

Conditions of an approval are enforceable in accordance with the Planning and Development Act 2005.

Additional Response from Administration:

The recommended conditions required compliance with the Operations Management Plan, complaint record-keeping, caretaker response times and defined operating requirements. These mechanisms provide enforceable controls that allow the City to investigate and respond to any alleged non-compliance during the approval period.

- Has Council received further Planning Department advice that warrants scrutiny by impacted stakeholders?

Further advice provided to Elected Members is included in the published Briefing Notes and Alternate Recommendation.

Additional Response from Administration:

No additional or separate planning advice has been provided to Council outside the material that is publicly available.

Any further advice provided to Elected Members occurred through formal processes, including briefing notes and the alternate recommendation, both of which are published in the Council agenda and minutes.

These materials clarify aspects of the assessment, respond to questions raised by Councillors, and assist Council in exercising its decision-making role. They do not introduce new evidence or change the scope of the application, and they are available for as part of the public record.

- In light of Planning Department misinformation and obfuscation in its recommendation, revealed by stakeholder scrutiny, is Council satisfied with the standard of departmental oversight?

The Development and Design team have undertaken an assessment in accordance with the process set out in the Planning and Development (Local Planning Schemes) Regulations 2015.

Additional Response from Administration:

The assessment of the application was undertaken in accordance with the statutory process prescribed under the Planning and Development (Local Planning Schemes) Regulations 2015, including community consultation, assessment against the relevant planning framework, and reporting to Council.

The Officer Report identified where discretion was required, set out the planning considerations relied upon, and presented a recommendation of approval supported by conditions.

Council was not bound to accept that recommendation and ultimately formed a different planning judgement in refusing the application.

Differences between the officer recommendation and Council's decision do not indicate a lack of oversight or process failure. They reflect the role of Council as the decision-maker, exercising discretion after having regard to the full range of material before it.

Administrative note:

Administration has corrected the spelling of Mrs Herkenhoff's name in the December 2025 Council Meeting minutes. The corrected version will be reflected prior to confirmation of the minutes.

Ben Hodsdon of West Perth

1. Thank you for organising the bollards on the corner of Fitzgerald and Newcastle street. What are the other upgrades that the City of Vincent and the City of Perth planned for this intersection and what is the planned budget and time line?

Main Roads Western Australia has approved a \$1.22 million Black Spot project submission from the City of Vincent for safety upgrades at the intersection of Fitzgerald Street and Newcastle Street.

The approved scope of works is strongly focused on improving pedestrian and road user safety and includes:

- *Installation of Walk/Don't Walk pedestrian lanterns on all four crossings, incorporating Flashing Yellow Caution Lights (FYCLs), push-button activation, and audio-tactile indicators.*
- *Removal of right-turn filter movements on Fitzgerald Street in both the northbound and southbound directions to reduce vehicle–pedestrian conflict.*
- *Introduction of parallel pedestrian walk phases with full red arrow control (Timed Red Arrow – Full Control) on the northern crossing.*
- *Introduction of parallel pedestrian walk phases with timed separation on the western, southern and eastern crossings.*
- *Installation of a staggered (set-back) stop line for the southbound right-turn pocket to improve sight distance and intersection safety.*
- *Realignment of pedestrian guidelines and repositioning of pram ramps to improve accessibility and compliance.*
- *Relocation of the traffic signal control box from the south-west corner to support the revised intersection layout.*

Funding for the project will be delivered through the Black Spot Program, with one-third contributed by the City of Vincent and two-thirds funded by Main Roads Western Australia.

Subject to final design and delivery programming, construction is currently scheduled for completion towards the end of the 2026–2027 financial year.

2. The right of way that runs parallel with Fitzgerald street from Newcastle street is in poor condition. When is the likely upgrade and what budget has been allocated to do this.

The following laneway has now been included into the City of Vincents renewal program for 2028/2029 financial year, costs are yet to be determine however expected to be below \$50K.

Lesley Florey of Mt Hawthorn

Regarding the two formal complaints lodged against the CEO:

1. Was the CEO Performance Review Panel notified of the two formal and serious complaints that were lodged? If not, why not?

The complaints about the stormwater drain from Lesley Florey were received and reviewed by the Mayor. The Mayor replied and advised Ms Florey to raise these administrative concerns with the Ombudsman as the City has dealt appropriately with the matter.

2. Was Price Consulting Group notified of the two serious complaints prior to, or at, the CEO performance review? If not, why not?

No. The complaints were administrative in nature and did not relate to the CEO's KPIs. The Mayor advised Ms Florey to raise any outstanding administrative concerns with the Ombudsman as the City has dealt appropriately with the matter.

3. If a landowner has a City of Vincent stormwater pipe running through their property and the City is aware of its presence, but a land transaction, such as a property sale occurs without the easement being recorded on the title, due to a lack of transparency, non-disclosure and omission by the City, will the City accept negligence and provide the landowner with compensation under the Local Government Act?

This matter was subject to an insurance claim which was denied by LGIS. The City considers the matter closed.

4. How many residential vacant land properties, excluding state housing, are there in the City of Vincent?

As of December 2025, we have 368 vacant rateable properties excluding the Department of Housing residential properties.

5. Is the GHD and contractors mapping now available on POZI? Layers for stormwater pipes are not accessible on the residential view of POZI.

The City has made available to the public the POZI mapping system and is in process of adding on the required drainage layer which will show the stormwater drainage information, noting that the City is unable to guarantee the information is completely accurate, however it is based on completed surveys to date

The below question was asked at the Annual General Meeting of Electors on 16 December 2025:

Ken Hendy of Perth

Mr Hendy spoke about the anti-social behaviour he is dealing with at his residence and asked what the Council is able to do, and what could the residents do in this situation?

The Villa Nightclub operates under a historic development approval issued prior to the boundary change between the City of Perth and the City of Vincent, and the site has functioned as a nightclub since the 1980s.

Noise emissions, including amplified music, are regulated under the Environmental Protection (Noise) Regulations 1997 and the City's authorised officers can investigate alleged breaches of these regulations. It is recognised that living in an active urban environment naturally comes with higher-than-usual noise levels, and the City must balance maintaining residential amenity with supporting long-established venues that contribute positively to local culture, entertainment and nightlife.

Since May 2024, the City's Environmental Health Services have received complaints from 3 residents of 177 Stirling Street regarding alleged unreasonable noise being emitted from the venue. The City has undertaken monitoring and assessment of sound levels from affected properties and identified noise exceedances.

The venue owner has been advised of these findings and has engaged an external acoustic consultant to investigate. Noise-attenuation works are currently underway at the owner's expense. The owner is cooperating with the City and has voluntarily agreed to close the venue (est. April 2026) to facilitate the installation of sound-attenuation measures.

Following completion of the current works, the City will assess the effectiveness of installed sound-attenuation measures and work with the owner to establish ongoing management strategies.

The City has contacted Mr Hendy to provide him an update and is also maintaining ongoing communication with residents of 177 Stirling Street through a resident-appointed chair, who is circulating the City's information to interested parties.

It is noted that reports of antisocial behaviour occurring after patrons leave the venue fall outside the City's regulatory authority and are managed by WA Police and, where relevant, the Department of Racing, Gaming and Liquor under Section 117 of the Liquor Control Act 1988.

4 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Sophie Greer has applied for a leave of absence from 11 February – 19 May 2026.

5 THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

A petition with 12 signatures has been received from Philip Sarich and Michaela Carr of North Perth requesting Council to take the following actions:

1. Comprehensive review of current parking management
2. Consultation with affected residents
3. Development of targeted parking and traffic management solutions
4. Commitment to maintaining residential amenity

Clause 2.24 'Petitions' of the City of Vincent Meeting Procedures Local Law 2008 provides the following –

(2) Every petition complying ... shall be presented to the Council by the CEO.

(3) The presentation of a petition shall be confined to the reading of the petition.

(4) The only motions that are in order are:

- (a) that the petition be received; or
- (b) that the petition be received and a report be prepared; or
- (c) that the petition be received and be referred to a committee for consideration and report; or
- (d) that the petition be received and be dealt with by the Council.

6 CONFIRMATION OF MINUTES

Ordinary Meeting - 9 December 2025

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**8 DECLARATIONS OF INTEREST**

- 8.1 David MacLennan, CEO, declared an impartiality interest in Item 9.4 Transport Advisory Group - Appointment of Council Members and Community Representatives. The extent of his interest is that two of the community representatives nominated for the Transport Advisory Group reported indirectly to him at his previous role at the Department of Planning. He has had no involvement in the recommendation of community members to this group or in the preparation of the report.
- 8.2 Cr Suzanne Worner declared an impartiality interest in Item 9.4 Transport Advisory Group - Appointment of Council Members and Community Representatives. The extent of her interest is that one of the community representatives nominated for the Transport Advisory Group is her husband.
- 8.3. Mayor Alison Xamon declared a direct financial interest in Item 9.6. Submission on Draft Station Precincts Improvement Plan. The extent of her interest is she owns and occupies land within the [Claisebrook] Station Precinct Improvement Plan boundary. As Council's consideration of this item is intended to influence future planning decisions that may reasonably affect the development potential of that land, I will not participate in discussion or decision-making on this item.

9 STRATEGY & DEVELOPMENT

9.1	NO. 496 (LOTS: 145 & 146; D/P: 2630) CHARLES STREET, NORTH PERTH - CHANGE OF USE TO UNLISTED USE (CAR WASH AND DETAILING) (AMENDMENT TO APPROVED)
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Ward: North

- Attachments:**
1. Consultation and Location Map 
 2. Development Plans 
 3. Applicant Planning Report 
 4. Applicant Response to Request for Information 
 5. Noise and Operational Management Plan 
 6. Acoustic Report 
 7. Transport Impact Statement 
 8. Main Roads Western Australia Referral Comments 
 9. Summary of Submissions - Administration's Response 
 10. Summary of Submissions - Applicant's Response 
 11. Clause 67 Assessment 
 12. Compliance History 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme:

1. **APPROVES** the development application for a proposed Change of Use to Unlisted Use (Car Wash and Detailing) (Amendment to Approved) at No. 496 (Lots: 145 & 146; D/P: 2630) Charles Street, North Perth, in accordance with the plans shown in Attachment 2, subject to the following conditions:
 - 1.1 All conditions, requirements and advice notes detailed on the development approval 5.2022.13.1 granted on 18 October 2022 continue to apply to this approval except as follows:
 - 1.1.1 Condition 1.3 is modified as follows:

No vehicles, goods or materials are to be parked or stored within the 'Work Free Zone' as shown on the approved plans at any time;
 - 1.1.2 Condition 1.4 is added as follows:

Activity within the 'Work Free Zone' is restricted to the movement of vehicles from the 'Waiting Bays' to the 'Wash Bays' and the 'Wash Bays' to the 'Final Touch-Up Bays'. No other activity is permitted in this area including the parking of vehicles, congregation of staff or other activities associated with the use, to the satisfaction of the City;
 - 1.1.3 Condition 1.5 is added as follows:

This approval is for a Change of Use Unlisted Use (Car Wash and Detailing) (Amendment to Approved) as shown on the approved plans dated received 29 August 2024 and 1 August 2025. No other development forms part of this approval;

1.1.4 Condition 1.6 is added as follows:

Prior to the first use of the additional Wash Bay for the development, a roof plan is to be provided to, and approved by, the City. The roof plan shall show the location of the proposed exhaust fans, consistent with the locations indicated in the Environmental Assessment by ND Engineering (Ref: 2307071 Rev. 4), dated 11 December 2025, to the satisfaction of the City;

1.1.5 Condition 3.1 is modified as follows:

The use must at all times be carried out in accordance with the approved Proposed Site/Floor Plan dated 29 August 2024 and 1 August 2025, to the satisfaction of the City;

1.1.6 Condition 3.2 is modified as follows:

The development shall comprise of a maximum of six working station bays, comprising of two (2) Wash Bays and four (4) Final Touch-Up Bays, to the satisfaction of the City;

1.1.7 Condition 3.3 is modified as follows:

Unless otherwise specified in the Noise and Operational Management Plan (NOMP), vehicles must only be washed or detailed/dried on the property in a bay shown on the Approved Plan as being provided for that purpose;

1.1.8 Condition 4.1 is modified as follows:

The use must at all times operate in compliance with the Environmental Assessment by ND Engineering (Ref: 2307071 Rev. 4) dated 11 December 2025. All recommended measures in the report shall be undertaken in accordance with the report, to the satisfaction of the City; and

1.1.9 Condition 4.3 is added as follows:

In accordance with the Environmental Assessment by ND Engineering (Ref: 2307071 Rev. 4), dated 11 December 2025, the two hand spray nozzles shall be electronically interlocked with the Proposed Acoustic Roller Doors so that if either of the Proposed Acoustic Roller Doors is open then the power supply to the hand spray nozzles is disabled until both Proposed Acoustic Roller Doors are closed, to the satisfaction of the City;

1.1.10 Condition 5.1 is modified as follows:

The use shall at all times operate in compliance with the NOMP dated 5 February 2026;

1.1.11 Condition 5.4 is modified as follows:

The bays shown on the Approved Plan must be used in accordance with the use of the bay as set out in the NOMP Plan. No work is to be undertaken on vehicles within the 'Proposed Waiting Bays', the 'Proposed Exit Bays' or the 'Staff Parking' bays, unless otherwise specified in the NOMP;

1.1.12 Condition 9 'Prior to Use of Additional Wash Bay' is added as follows:

Prior to the first use of the additional Wash Bay, the line marking and directional signage at the subject site shall be updated onsite to align with the movement of vehicles within the development site, as per the approved plans, to the satisfaction of the City;

1.1.13 Condition 10 'Main Roads WA' is added as follows:

- 10.1 No development other than the temporary waiting bay shall be permitted on the land required for future road purposes;**
- 10.2 The area required for future road purposes is not to be included in the specific carparking requirement for the development;**
- 10.3 All vehicle access shall be restricted to the existing driveway;**
- 10.4 All waste collection is to be onsite;**
- 10.5 Stormwater discharge shall not exceed pre-development discharge to Charles Street Road Reserve; and**
- 10.6 The proposed moveable sign does not form part of this approval;**

1.1.14 Advice Note 3 is modified as follows:

The upgrading/widening of Charles Street is not in Main Roads current 4-year forward estimated construction program and all projects not listed are subject to change without notice, and Main Roads assumes no liability for the information provided;

1.1.15 Advice Note 7 is added as follows:

Lot 145 and 146 (496) Charles Street, North Perth is impacted by Planning Control Area 167 for the future upgrade of Charles Street. The land will be required for road purposes sometime in the future;

1.1.16 Advice Note 8 is added as follows:

Where a Planning Control Area (PCA) is in place, approval for development is required from the Western Australian Planning Commission (WAPC), as well as under any relevant planning scheme, unless the PCA imposes requirements to the contrary;

1.1.17 Advice Note 9 is added as follows:

Prior to undertaking works within the Charles Street Road Reserve, a Working on Roads Permit must be obtained from Main Roads; and

1.1.18 Advice Note 10 is added as follows:

The applicant is required to submit an Application Form to undertake works within the road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads.

EXECUTIVE SUMMARY:

The purpose of this report is to consider an application to amend a development approval for a Change of Use to Unlisted Use (Car Wash and Detailing) at No. 496 Charles Street, North Perth (the subject site).

The site currently operates as the Eco Spray Car Wash and has been the subject of a number of applications which have been approved by Council since commencing operations in 2011.

The proposed amendments to the existing development at the site are summarised as follows:

- Modifications to conditions of approval to allow greater flexibility to the operations of the business. This includes allowing vehicles to be parked and worked on across the site.
- Modifications to the existing built form including the installation of acoustic roller doors and associated exhaust fans.
- Modifications to the operations of the use including the conversion of an existing 'Final Touch-Up Bay' into a 'Wash Bay' and the introduction of a 'Work Free Zone' adjacent to the south-west corner of the subject site. The amendments also include the introduction of six additional car parking bays onsite to assist with vehicle parking demands of the development.

The subject site is zoned Commercial under the City's Local Planning Scheme No. 2 (LPS2) and is adjacent to residential development to the east, with commercial development to the north and south. The site presents as a single-storey commercial building with vehicle access from Charles Street.

The application seeks discretion under the planning framework in relation to the acceptability of the proposed modifications to the previously approved development, including their scale, intensity and operational impacts. No other departures to the planning framework are proposed. While the underlying use has previously been approved by Council, the proposed amendments require Council to consider whether the amended development remains acceptable having regard to the objectives of the Commercial zone of LPS2 and the relevant matters under Clause 67(2) of the Deemed Provisions (including amenity, vehicle manoeuvring and traffic impacts).

The proposal would maintain the existing six working bays onsite but would allow two cars to be washed at any one time, an increase from the existing development. This intensification would be balanced by the proposed building and operational modifications, including the installation of the acoustic roller doors and introduction of the 'Work Free Zone' to ensure the proposal reduces the impact of the development on surrounding properties compared with the existing approved development.

The applicant has provided an 'Environmental Assessment by ND Engineering (Ref: 2307071 Rev. 4), dated 11 December 2025' (Acoustic Report), Noise and Operational Management Plan (NOMP) and Traffic Impact Statement (TIS) to support the proposed development.

The Acoustic Report confirms that noise levels generated from the land use operations during the proposed operating hours would comply with the relevant assigned noise levels under the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations). The City's Health Services have reviewed the report and are satisfied, based the findings within the report, that the installation of the acoustic roller doors as noise mitigation controls would result in a considerable improvement compared to the existing site situation.

The TIS confirms that the additional traffic generated by the proposed development would not adversely affect the existing road network or the amenity of surrounding properties. The additional car parking bays proposed onsite would improve the efficiency in the processing of vehicles and would assist with meeting the car parking needs of the development.

The proposed development is acceptable as considered against the planning framework and is recommended for approval subject to conditions. This is on the basis that, with the recommended conditions, the amended development would operate with no greater and some reduced amenity impacts compared with the existing approval.

PROPOSAL:

The application proposes to amend the existing development approval for a Change of Use to Unlisted Use (Carwash and Detailing) at No. 496 Charles Street, North Perth, as shown on the location plan included as **Attachment 1**.

A car wash and detailing service has operated at the subject site for the past decade, trading as the Eco Spray Car Wash. Development approval for the use was granted by Council at its Ordinary Meeting of 11 October 2011. Two subsequent amendments to the 2011 development approval have been approved by Council at its Ordinary Meetings on 23 July 2019 and 18 October 2022.

This development application proposes amendments to two conditions of approval, and modifications to the existing building and operations on the subject site.

Proposed Modifications to Conditions of Approval

The application proposes to amend Condition 1.3 and remove Condition 3.3 of the existing approval.

Condition 1.3 of the existing approval reads as follows:

- 1.3 No vehicles are to be parked or material stored in the access ways shown with directional arrows on the Approved Plans at any time.*

The application proposes to modify the condition to read as follows:

- 1.3 No materials are to be stored in the access ways shown with directional arrows on the Approved Plans at any time.*

Condition 3.3 of the existing approval reads as follows:

- 3.3 Vehicles must only be washed or touched-up on the property in a bay shown on the Approved Plan as being provided for that purpose.*

The application initially proposed for this condition to be removed, however, following the 3 February 2026 Council Briefing Session, the applicant advised Condition 3.3 could be retained in a modified form. Specifically, the applicant is seeking a small degree of flexibility in the wording of the condition to allow minor non-noise generating tasks to be undertaken outside of a designated bay if required.

The applicant has stated that the modifications to the conditions of approval are proposed to enable improved efficiencies of the operations on the site.

The current approval permits customer parking to only occur within the existing car bay at the front of the site adjacent to Charles Street or within the 'Wash Bay' or 'Final Touch-Up Bays'.

The proposed modifications to the conditions of approval would permit customer parking to occur anywhere on the site outside of a proposed 'Work Free Zone' and would allow for minor tasks to be undertaken outside of the 'Final Touch-Up Bays' as required.

Proposed Operational Modifications

The existing development is currently approved with six workstations including one dedicated 'Wash Bay' and five 'Final Touch-Up Bays'.

The application seeks to alter the function of these bays to include two dedicated 'Wash Bays' and four 'Final Touch-Up Bays'. The application does not propose to increase the number of cars that are being worked on at any given time from the existing approval.

The location of the bays onsite is not proposed to change. The two 'Wash Bays' would be located within the existing building on the site with the four 'Final Touch-Up Bays' located on the existing forecourt area.

In accordance with the existing development, only six cars would be able to be worked on by staff onsite within the designated bays.

The proposed development also includes the creation of the following additional car parking areas on the site:

- ☐ Three proposed 'Waiting Bays'. These bays are proposed to be used for the parking of vehicles awaiting washing by staff.
- ☐ Two proposed 'Exit Bays'. These bays are proposed to be used for the parking of vehicles that have been serviced and are awaiting collection.
- ☐ One proposed staff parking bay located to the north of the site. This bay is proposed to accommodate staff parking onsite.
- ☐ One proposed 'Waiting or Exit Bay' within the Charles Street Road Reserve. This bay has not been considered as part of Administration's assessment of the proposal.

To reduce the impacts of the proposed operational modifications, the proposal also includes the creation of a 'Work Free Zone' at the rear of the site adjacent to Docket Lane. The area is proposed to be used as follows:

- ☐ No vehicle parking is to occur in this area. Vehicles are to be manoeuvred through this area only.
- ☐ No works to vehicles within this area. All work must be carried out within the existing 'Wash Bays' and 'Final Touch-Up Bays', unless otherwise provided for in the NOMP.

Proposed Building Modifications

The applicant is proposing the following building modifications:

- ☐ The existing roller doors adjacent to the 'Wash Bays' are proposed to be replaced with acoustic treated roller doors.
- ☐ Four exhaust fans are proposed to be installed on top of the existing 'Wash Bay' building. The exhaust fans are setback on the roof from adjoining properties and Docket Lane.
- ☐ Replacement of the existing hollow-core door to the vacuum enclosure with a solid-core door.

There are no changes proposed to the approved operating hours for the development.

The proposed development plans are included at **Attachment 2**. The applicant's supporting information including Planning Report, Response to Request for Information, NOMP, Acoustic Report, TIS have been included as **Attachment 3, 4, 5, 6, and 7**, respectively.

Delegation to Determine Applications:

This application is being referred to Council for determination in accordance with the City's Register of Delegations, Authorisations and Appointments. This is because the delegation to Administration to determine applications does not extend to applications that seek to amend a development approval previously determined by Council, unless the application meets the deemed-to-comply standards and does not change the impact of any the conditions of approval imposed.

The previous approval for the use was determined by Council. The current application seeks to amend that development approval, specifically Condition 1.3 and Condition 3.3, which would result in a material change to the effect of the conditions of approval set by Council.

BACKGROUND:

Landowner:	Frank Tomsic, Dragan Kapinkoff, Edward Tomsic
Applicant:	Altus Planning
Client:	Eco Spray Car Wash (WA) Pty Ltd
Date of Application:	6 December 2023
Zoning:	MRS: Urban LPS2: Zone: Commercial
Built Form Area:	Transit Corridor
Existing Land Use:	Unlisted Use (Car Wash and Detailing)
Proposed Use Class:	Unlisted Use (Car Wash and Detailing)
Lot Area:	920 square metres
Right of Way (ROW):	Yes – 5.0 metres wide
Heritage List:	Not applicable

Site Context

The subject site consists of two separate lots on a multi-lot title. The site is located on the north-east side of Charles Street and is bound by commercial properties to the north-west and south-east, and Docket Lane to the north-east. The adjoining properties on the opposite side of Docket Lane include single and two storey single houses, addressing Doris Street. A location plan is included as **Attachment 1**.

The subject site and properties to the north-west and south-east along Charles Street are zoned Commercial under LPS2 and are located within the Transit Corridor Built Form Area under the City's Policy 7.1.1 – Built Form (Built Form Policy).

The properties on the opposite side of Charles Street to the south-west are zoned Residential R60 – R100 under LPS2 and are also within the Transit Corridor Built Form Area.

The adjoining properties on the opposite side of Docket Lane are zoned Residential R30/R40 under LPS2 and are within the Residential Built Form Area.

A 3.66 metre portion of the subject site is within the Charles Street Planning Control Area 167 (PCA167). PCA167 is intended to ensure that no development occurs on this land which may prejudice development and widening of Charles Street until reserved under the Metropolitan Region Scheme (MRS).

The surrounding development context currently consists of low density residential dwellings and commercial businesses, including the Charles Hotel which is located 100 metres north-west of the subject site.

Site & Approvals History

The site has received three previous development approvals from Council for the existing development.

Details on the previous development approvals for the subject site are as follows:

Date	Application Details
11 October 2011	<p>At its Ordinary Meeting, Council granted conditional approval for a Change of Use to Unlisted Use (Car Wash and Detailing) and Associated Alterations and Additions at the subject site.</p> <p>The approval included one wash bay, one vacuum bay both located within the existing building on the site. Three final touch-up bays and two customer collection bays were included in the forecourt area.</p> <p>Documents from the 11 October 2011 Ordinary Council Meeting can be found here, Minutes.</p>
23 July 2019	<p>At its Ordinary Meeting, Council granted approval for an amendment to the 2011 approval.</p> <p>The application sought to increase the operating hours for the development from Monday to Thursday for an additional two hours each day, and reduce operating hours on Fridays, weekends and public holidays by 30 minutes. No changes were proposed to the built form or land use classification.</p> <p>New conditions were imposed which required the development to operate in accordance with an Acoustic Report and a noise and operational management plan to mitigate amenity impacts on adjoining properties.</p> <p>Documents from the 23 July 2019 Ordinary Council Meeting can be found here, Agenda and Minutes.</p>
18 October 2022	<p>At its Ordinary Meeting, Council granted approval for an amendment to the 2011 and 2019 approvals.</p> <p>The application sought to increase the number of working station bays from three to six. This included one wash bay and five final touch-up bays.</p> <p>The dedicated vacuum bay was removed, with all vacuum activities to be undertaken in final touch-up bays. The vacuum units and air compressor were relocated inside the building and piped out to the final touch-up bays to reduce the extent of noise generated.</p> <p>Documents from the 18 October 2022 Ordinary Council Meeting can be found here, Agenda and Minutes.</p>

Land Use Classification

The initial 2011 development application was approved under the City's Town Planning Scheme No. (TPS1), which did not include a land use definition for Motor Vehicle Wash. The application was assessed as an Unlisted Use (Car Wash and Detailing) because no land use definition was able to be applied in accordance with those set out in TPS1.

The City's LPS2 was adopted on 16 May 2018 and included the following land use definition for motor vehicle wash: *premises primarily used to wash motor vehicles*.

The 2019 and 2022 amended development applications were approved under LPS2 but the land use classification remained as Unlisted Use (Car Wash and Detailing) because they were amendments to a previous approval rather than a new proposal under LPS2.

The current development application has been described as Change of Use to Unlisted Use (Car Wash and Detailing) (Amendment to Approved) accordingly.

Compliance History

The operations of the existing business have been the subject of multiple investigations by the City's Development Compliance Team. This includes the issuing of six Planning Infringement Notices (PIN) and the prosecution of the operator in the Perth Magistrates Court on 13 August 2024 for breaches of the 18 October 2022 development approval issued by Council.

These breaches related to non-compliance with Conditions 1.2, 1.3 and 3.3 of the 2022 development approval. Evidence collected by the City's Development Compliance Team identified the parking of additional vehicles off site, the parking of vehicles on adjacent properties and streets, and non-containment of vacuum and air compressor units within the building.

Following the prosecution of the business in August 2024, the City has continued to receive complaints regarding alleged non-compliance with conditions of the 2022 development approval. The City's Development Compliance Team has undertaken 14 inspections of the business up to as recently as December 2025. Following a comprehensive investigation, no evidence was found to substantiate the allegations regarding non-compliance with the existing conditions of development approval.

A full compliance history of the business since the 18 October 2022 approval was issued, is included as **Attachment 12**.

DETAILS:**Summary Assessment**

The table below summarises the planning assessment of the proposal against the provisions of LPS2, the Built Form Policy, the City's Local Planning Policy: Non-Residential Parking (Non-Residential Parking Policy) and the City's Policy 7.5.21 – Sound Attenuation (Sound Attenuation Policy). In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply/Acceptable Outcomes (or equivalent)	Previously Approved	Requires the Discretion of Council
Land Use		✓	
Operating Hours		✓	
Built Form Policy	✓		
Non-Residential Parking Policy	✓		
Sound Attenuation Policy	✓		

Detailed Assessment

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

Although the land use has previously been approved by Council, the current application proposes amendments that alter the operational layout and intensity of activities on the site (including an additional wash bay, changes to circulation and waiting/exit areas, and updated acoustic/operational controls).

Council is required to consider whether the amended development remains acceptable having regard to the objectives of the Commercial zone of LPS2 and the relevant matters under Clause 67(2) of the Deemed Provisions, including potential impacts on amenity, traffic generation, and vehicle manoeuvring/circulation.

Administration's response to each matter requiring consideration is listed in the table contained in **Attachment 11**.

LPS2

In considering the appropriateness of the proposed modifications to the approved use, Council is required to consider the objectives of the Commercial zone under LPS2, as follows:

- ☐ *To facilitate a wide range of compatible commercial uses that support sustainable economic development within the City.*
- ☐ *To ensure development design incorporates sustainability principles, with particular regard to waste management and recycling and including but not limited to solar passive design, energy efficiency and water conservation.*
- ☐ *To maintain compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.*
- ☐ *To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.*

CONSULTATION/ADVERTISING:

The first round of community consultation was undertaken in accordance with the Planning Regulations for a period of 14 days from 11 October 2024 and 24 October 2024. The method of consultation included a notice on the City's website and 25 letters being mailed to all the owners and occupiers of the adjoining and adjacent properties (as shown in **Attachment 1**) in accordance with the City's Community and Stakeholder Engagement Policy.

During this consultation period, the City received a total of four submissions. All submissions objected to the proposed development.

The number of submissions received during the consultation period is not, in itself, a relevant planning consideration. The decision-maker is instead required to focus on the substance of the matters raised. These are summarised below.

The key concerns that were raised in the submissions are summarised as follows:

- The noise generated by the existing and proposed development significantly impact the amenity of adjoining properties. Concerns that the proximity of the commercial operation to adjoining residential properties is not appropriate for the scale of the existing and proposed development and that the location of the use is unsuitable.
- Comments that the scale of the operations more closely align with commercial development found in light industrial areas, not abutting residential properties. Additional comments that other car washes operating within the City of Vincent have a buffer of commercial properties providing separation from residential development.
- The proposed modifications to the existing development would generate additional vehicle traffic and would result in the parking of additional vehicles in surrounding streets, something that currently occurs as part of the operations of the business. Concerns that this will impact the safety and amenity of the area.
- The proposed roller doors should include a mechanism that requires the doors to be closed in order for the high pressure hoses to operate. Concerns that the operator would not utilise the doors if this mechanism were not introduced.
- Concerns that the information provided by the applicant does not accurately represent the existing operations of the business. This includes the planning report, management plan, Acoustic Report and the applicant's commentary in relation to traffic generation.
- Concerns regarding the conduct of the operator and the current and previous operations of the business which has demonstrated consistent non-compliance with existing approval conditions and management of their site. Concerns that this will continue following determination of the current application.
- Concerns that the City has not appropriately managed operations of the business over time to ensure compliance with existing approvals.
- The existing development results in chemical odours which may impact on the health of nearby community members.
- Concerns regarding the impact of the existing and proposed development on property values of adjoining residential properties.

Amended Information

Following the initial advertising period, the applicant provided revised and additional information in August 2025 in response to community feedback and a request for further information from the City. This included updated development plans, an updated NOMP, a TIS and a written response to the request for further information from the City.

In accordance with the Community and Stakeholder Engagement Policy, the proposal was re-advertised for seven days from 27 August 2025 to 2 September 2025. The purpose of the re-advertising was to give all previous submitters an opportunity to review the additional information and provide further comment.

During the re-advertising period, the City received three submissions, all from previous submitters, objecting to the proposed development.

The key additional concerns that were raised in the re-advertising submissions are summarised as follows:

- The increase in the number of vehicles onsite will result in an intensification of the existing use that will impact on the amenity of surrounding residential properties.
- The introduction of the additional wash bay, four roof-mounted exhaust fans and acoustic roller doors will result in new noise sources in addition to the existing noise generated by the development. Concerns the exhaust fans will create unmodulated and constant noise which will impact on adjoining residential properties. Additional concerns that the operation of the acoustic roller doors, including the opening and closing will result in noise impacts.
- Concerns the data included in the Acoustic Report and operational information misrepresents the existing operations of the business.
- Concerns regarding the effectiveness of the 'Work Free Zone' in reducing the impacts of the development on adjoining residential properties.
- The cumulative impact of the proposed modifications will result in further degradation of the amenity of adjoining residential properties.
- Comments that continued community consultation on modifications to the existing development place unreasonable burden on surrounding residents.

A summary of submissions and Administration's response is included as **Attachment 9**. The applicant has provided a response to submissions which is included as **Attachment 10**.

Main Roads Western Australia (MRWA)

The application was referred to the MRWA for comments due to the location of the site adjacent to Charles Street which forms part of Planning Control Area 167.

MRWA advised it supports the proposal subject to conditions being imposed on any approval. A summary of the key themes of the proposed conditions is provided below.

- ☐ No development other than the temporary waiting bay shall be located within Planning Control Area 167.
- ☐ All vehicle access is to be restricted to the existing driveway.
- ☐ All waste collection is to occur onsite.
- ☐ Stormwater discharge shall not exceed pre-development discharge to the Charles Street Road Reserve.

A copy of MRWA's referral response including the recommended conditions in full is provided within **Attachment 8**.

Conditions, advice notes, and modifications to conditions and advice notes, are included in the Officer Recommendation to reflect MRWA's comments and recommended conditions. This includes Condition 10, Advice Note 3, Advice Note 7, Advice Note 8, Advice Note 9 and Advice Note 10.

Design Review Panel (DRP):

Referred to DRP: No

The proposal was not referred to the DRP. This is because the application does not propose any modifications to the existing built form and does not meet the requirements for referral outlined in the [DRP terms of reference](#).

LEGAL/POLICY:

- ☐ *Planning and Development Act 2005*;
- ☐ *Planning and Development (Local Planning Schemes) Regulations 2015*;
- ☐ City of Vincent Local Planning Scheme No. 2;
- ☐ WAPC Transport Impact Assessment Guidelines (TIA Guidelines);
- ☐ Community and Stakeholder Engagement Policy;
- ☐ Policy No. 7.1.1 – Built Form;
- ☐ Policy No. 7.5.21 – Sound Attenuation; and
- ☐ Local Planning Policy: Non-Residential Parking.

Planning and Development Act 2005

In accordance with Schedule 2, Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005*, the applicant would have the right to apply to the State Administrative Tribunal for a review of Council's determination.

As the portion of the development proposed within PCA167 has not been considered by Administration as part of the assessment of this application, approval by the WAPC under Part 115 of the *Planning and Development Act 2005* is not required.

RISK MANAGEMENT IMPLICATIONS:

There are risks that require active management to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

Key risks include potential SAT review in relation to the exercise of discretion on amenity, traffic and operational matters, including the partial refusal of elements of the application, and compliance and reputational risks if conditions are not clear, valid and enforceable.

These risks are mitigated through a clear planning rationale, consideration of evidence, and imposition of enforceable conditions that maintain and strengthen the existing compliance framework, including operational controls, acoustic mitigation measures and clear restrictions on vehicle movements and activity locations.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2022-2032:

Innovative and Accountable

Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.

SUSTAINABILITY IMPLICATIONS:

This application does not contribute to any environmental sustainability outcomes. There is limited ability for the development to influence the environmental impact of the building on the site through this application. This is because it relates to an amendment to an existing approval and only including minor works to the existing built form.

PUBLIC HEALTH IMPLICATIONS:

There are no impacts on the priority health outcomes of the City's Public Health Plan 2020-2025 from this report.

Submissions raised concerns regarding potential chemical odours associated with the existing and proposed operations. Administration has provided a response to the concerns which is included in **Attachment 9**.

FINANCIAL/BUDGET IMPLICATIONS:

There are no direct financial or budget expenditure implications arising from the determination of this application.

As with any discretionary planning decision, there is a possibility that the determination may be subject to review by the SAT, which can result in legal and consultant costs being incurred by the City. These costs cannot be quantified at this stage and would be managed within existing budgets if they arise, otherwise through budget review processes. The capacity to do so will depend on the number of SAT appeals and complexity of any review proceedings.

COMMENTS:Summary Assessment

The application has been assessed against the City's planning framework and approval is recommended for the following key reasons:

- ☐ The proposed modifications would maintain the existing six working bays onsite but would allow two cars to be washed at any one time, an increase from the existing development. This intensification would be balanced by the proposed building and operational modifications, including the installation of the acoustic roller doors and creation of the 'Work Free Zone'. Taken together, and subject to the recommended conditions, these measures are expected to deliver an overall improvement in amenity outcomes for adjoining residential properties when compared with the existing approved operations, ensuring that the development is not more detrimental to amenity than the current approval and would ensure compatibility with the existing context.
- ☐ The applicant has provided an Acoustic Report, which confirms that noise levels generated from the land use during proposed operating hours would comply with the relevant assigned noise levels under the Noise Regulations. The City's Health Services have reviewed the report and are satisfied, based on the findings within the report, that the installation of the acoustic roller doors as noise mitigation controls would result in a considerable improvement compared to the existing site situation.

- Appropriate management measures have been proposed to reduce the impact of the use on adjoining residential properties. These management measures have been proposed through the applicant's NOMP. A condition of approval has been included in the Officer Recommendation requiring the implementation of these measures and ongoing compliance with this plan.
- The traffic generated by the proposed additional 'Wash Bay' would not impact on the existing road network or the amenity of surrounding properties. The proposed additional car parking bays would improve the efficiency in the processing of vehicles through the site.
- The proposed modification of condition 1.3 is not supported as it would allow for an unacceptable increase in activity across the site and reduce the enforceability of the development. The modification to condition 3.3, as requested by the applicant at the 3 February 2026 Council Briefing Session, is supported. This is because it would allow for flexibility for minor tasks to be undertaken outside of specified bays in accordance with the updated NOMP.
- Previous non-compliance with a development approval is not a relevant consideration for Council in determining this application which is supported by legal advice obtained by Administration. Planning law is concerned with the use of land rather than the identity or conduct of the operator, and separate statutory powers exist for dealing with non-compliance.

Scale, Intensity and Compatibility of Proposed Changes

The application proposes amendments to the approved development that include modification of one of the 'Final Touch-Up Bays' to a 'Wash Bay' and the introduction of additional parking areas on the subject site. These modifications would allow for more cars to be serviced by the development, leading to an intensification of the existing land use.

In assessing the application, the City has considered the objectives of the Commercial zone under LPS2 and the relevant matters to be considered under Clause 67 of the Deemed Provisions.

Overall, the proposed increase in intensity of the use would not result in any greater adverse impact on the amenity of adjoining residential properties and would improve the compatibility of the development with the surrounding transit corridor, commercial and residential context. This is due to the proposed building and operational modifications proposed which includes the installation of the acoustic roller doors and the creation of the 'Work Free Zone'.

These modifications would provide a tangible improvement to the existing site situation and would reduce the level of noise experienced by surrounding residential properties. In addition, the intensification of the use only relates to the number of 'Wash Bays' provided onsite, the proposal would maintain the total six working bays available onsite, consistent with the existing development. Instead, the function of one of these bays is changing from a 'Final Touch Up Bay' to 'Wash Bay'.

The appropriateness of these modifications and the acceptability of the development in relation to noise, operation management and traffic is set out in the Noise and Operational Management and Traffic and Car Parking sections below.

A new Condition 1.5 is added, and Condition 3.1 and Condition 3.2 are modified within the Officer Recommendation to reflect the proposed changes to the existing land use and the development plans, consistent with standard modifications to conditions for amendment applications.

A new Condition 9 is added within the Officer Recommendation to ensure line marking is undertaken, consistent with the development plans.

Noise and Operational Management

The applicant submitted an Acoustic Report prepared by a qualified acoustic consultant in support of the proposal which is included as **Attachment 6**. The report assesses noise generated from the proposed use and its impact on surrounding properties.

The Acoustic Report identifies that noise generated by the proposed development has been modelled and assessed against the assigned levels of the Noise Regulations.

Applicant Information

The application has submitted a NOMP along with the Acoustic Report in support of the proposed development which is included in **Attachment 5**. The NOMP and Acoustic Report outline the following measures and findings to address noise and operational impacts:

- Acoustic roller doors are proposed to be installed to reduce noise and support the use of the existing and additional 'Wash Bay'. The doors are to be electronically interlocked so that the high pressure hoses are only able to be used when both acoustic roller doors are closed.
- Vacuums and air nozzles are only to be used by staff within the designated 'Final Touch-Up Bays'. The machinery to power the vacuums operates via a ducted system with the machines themselves located within the existing building. The door to the existing vacuum enclosure is to be converted from a hollow-core door to a solid core door to reduce noise emission from this area.
- Commercial vehicles that feature an automatic beeping noise while in reversing gear would have this feature disabled. Where it cannot be disabled, these vehicles would not be serviced in a bay that requires the vehicle to be reversed.
- Noise modelling has been completed for all likely scenarios to account for the proposed modifications to the existing development. The modelling confirms assessment of the noise levels generated from the proposed development would meet the Noise Regulations in relation to the adjacent residential dwellings along Doris Street.

The modelling includes the following scenario which includes all measurable noise sources from the proposed development:

- o Acoustic Roller Doors: The proposed acoustic roller doors are installed and are closed during operation of the high pressure hoses. The acoustic roller doors are made from plastic and the opening and closing of the doors would not generated noise to a level that requires assessment.
- o High Pressure Hoses: The two high pressure hoses are positioned at the roller door openings and are assumed to operate simultaneously in short bursts, as expected during the operations of the use during the cleaning of vehicles.
- o Exhaust Fans: Four roof-mounted fans are installed and are running continuously with tonality allowances factored in.
- o Vacuum Units: All vacuum units are operating and are located in the vacuum enclosure within the building, with the door to the enclosure replaced with a solid core door.
- o High Pressure Air Nozzles: The two high pressure air nozzles which are used to clean dust from wheel rims and interiors of cars are operating simultaneously for short bursts, as expected during the operations of the use.

Community Consultation Outcomes

The City received submissions during the community consultation period which raised concerns in relation to the potential for additional noise impacts on surrounding residential properties due to proposed modifications to the existing development, including the creation of the additional 'Wash Bay', the installation of the acoustic roller doors, and the installation of the roof-mounted fans. Concerns were also raised in relation to the accuracy and reliability of the Acoustic Report findings and the effectiveness of the 'Work Free Zone' in preventing noise emissions to adjoining properties.

Administration Comments

In assessing the acceptability of the noise and operational impacts of the proposed development, specifically the proposed modifications to the existing operations, Administration has considered the relevant areas of the planning framework. This includes the objectives of the Commercial zone and the Sound Attenuation Policy which aim to preserve the amenity of surrounding areas. The proposal has also been assessed against Clause 67 of the Deemed Provisions, including its compatibility with the surrounding area and impacts on neighbouring amenity.

The proposed modifications to the previously approved onsite operations would not result in additional noise and operational impacts that would have an adverse effect on the amenity of the surrounding area for the following reasons:

- Acoustic Report Findings: The existing development allows for the operation of the high pressure hoses within the doors of the building remaining open. In reviewing the Acoustic Report, the City's Health Services Team provided advice confirming that the proposed development, including the installation of the acoustic roller doors as noise mitigation controls, has demonstrated a considerable improvement in the modelling of noise compared to the existing site situation.

The high pressure hoses would be electronically interlocked so that they are only able to be used when both acoustic roller doors are closed, ensuring appropriate noise mitigation for all operating hours of the development. A new Condition 4.3 is included in the Officer Recommendation which requires the proposed interlocking system to be installed.

The noise modelling undertaken for the development assessed a 'worst case scenario' which has been outlined in the Applicant Information section above and includes all measurable noise sources generated by the development including air nozzles, vacuums, exhaust fans and high pressure hoses during the existing operating hours. This assessment represents the cumulative noise impact that would be generated by the proposed development and has been modelled against the most sensitive receivers and time periods.

This 'worst case scenario' assumes the operation of all noise sources simultaneously which is unlikely to occur during day-to-day operations of the business as cars are cycled through the wash sequence at different times with occasional breaks occurring between cars. The scenario also considers that the high pressure hoses, located within the building, would be positioned adjacent to the roller door openings with the acoustic roller doors closed. It is expected that during washing of the vehicles the high pressure hoses would not be located adjacent to the roller doors at all times, as staff move around the vehicles during the washing process.

The 'worst case scenario' modelling shows a 15 dB improvement for the most impacted sensitive noise receiver, being No. 29 Doris Street, compared to the existing site situation with only one high pressure hose being modelled. The noise modelling provided in the acoustic report visually demonstrates that overall extent of noise projection from the business is significantly reduced, compared to the current outcome and results in no overlapping of sensitive spaces on the surrounding properties.

The Acoustic Report has been reviewed by the City's Health Services Team who are satisfied that the information provided as part of the proposal demonstrates that the modifications to the existing development, including the acoustic roller doors, additional 'Wash Bay' and the associated operations and machinery would be in compliance with the Noise Regulations.

Condition 4.1 is modified within the Officer Recommendation to require the business to operate in accordance with the Acoustic Report at all times. A new Condition 1.6 is included in the Officer Recommendation to ensure that a roof plan is provided which secures the location of the exhaust fans, consistent with the Acoustic Report.

- Operational Modifications: The proposed modifications to the existing operations, as outlined in the Proposal section of this report, are appropriate given the proposed building modifications, particularly the installation of the acoustic roller doors.

The creation of the 'Work Free Zone' would provide separation for activities happening on the site outside of the building, from the outdoor living areas of adjoining properties, as shown in **Figure 1** below. This includes noise generating activities, along with any other activities associated with the development.

A new Condition 1.4 is included in the Officer Recommendation which restricts activities within 'Work Free Zone' to the movement of vehicles from the 'Waiting Bays' to the 'Wash Bays' and the 'Wash Bays' to the 'Final Touch-Up Bays' at all times.



Figure 1: Context Map of Adjoining Property Outdoor Living Areas

The applicant has provided a NOMP that reflects the proposed operational changes which is included in **Attachment 5**. Condition 5.1 is modified within the Officer Recommendation to require the business to operate in accordance with the NOMP at all times. Condition 5.4 is modified within the Officer Recommendation to ensure all bays are used in accordance with the NOMP and that no work occurs in the 'Waiting Bays' or 'Exit Bays'.

The updated NOMP submitted following the 3 February 2026 Council Briefing Session includes minor activities that can be undertaken outside of specified bays as required. The minor activities will not have an adverse impact on the surrounding amenity as they do not generate additional noise.

These measures are expected to deliver an overall improvement in amenity outcomes for adjoining residential properties when compared with the existing approved operations, ensuring that the development is not more detrimental to amenity than the current approval and would ensure compatibility with the existing context.

- **Amenity of Surrounding Properties:** The proposed modifications to the existing development are expected to deliver an overall improvement in amenity outcomes for surrounding residential properties. This is because the installation of the acoustic roller doors would considerably reduce the noise generated by the proposed development compared to the existing situation in relation to the washing of vehicles with high pressure hoses. The creation of the 'Work Free Zone' would also improve the amenity outcome by reducing the amount of general activity associated with the development that occurs in proximity to the outdoor living areas of nearby residential properties. This will ensure separation between the commercial use and the noise sensitive receivers.

The Acoustic Report and NOMP provided by the applicant demonstrate that these outcomes are able to be achieved and provide assurance to both the City and neighbouring properties that the development would be effective in mitigating the impact of noise and activity so as to not adversely impact the amenity and comfort of surrounding properties. Importantly, the modelling indicates that, with the acoustic roller doors interlocked and the operational controls in the NOMP implemented, the noise received at the nearest residential properties will be less than under the existing approval, thereby improving the current situation rather than worsening it. This includes a reduction in noise levels of up to 15 dB for adjoining residential properties.

Traffic and Car Parking

An assessment against the objectives of the Commercial zone and relevant matters of Clause 67(2) of the Planning Regulations is set out below.

Applicant Information

The applicant has submitted a TIS prepared by Transcore in support of the proposed development which is included in **Attachment 7** and outlines the following:

- The proposed internal site modifications aim to improve customer experience and streamline the internal operations, reducing the waiting times for vehicles within the car wash.
- The proposed development, which includes an increase from one 'Wash Bay' to two 'Wash Bays', would result in an estimated additional 72 vehicle trips per day with approximately six trips occurring during the weekday morning and evening peak periods.
- The anticipated trip distribution is expected to result in 75 percent of vehicles entering from Charles Street travelling southbound, with 25 percent of vehicles entering from Charles Street travelling northbound. All vehicles are expected to exit along Charles Street travelling southbound.
- In accordance with Western Australian Planning Commission Transport Impact Assessment Guidelines (2016) (TIA Guidelines), detailed analysis of the impact of a development where traffic from a proposal would increase flows by more than 100 vehicles per hour for any lane is required. As the development would result in a maximum of 36 vehicle trips per hour over the course of a day, the impact on the surrounding road network would be minimal and does not warrant further assessment.
- No safety or site-specific issues have been identified for the proposed development.
- The site is currently serviced by one vehicle access point to Charles Street which would remain unchanged.
- The application would not result in any increase to existing waste generation onsite. Waste collection would continue to be undertaken in accordance with the current practises.
- The subject site has good accessibility to existing public transport, walking and cycling infrastructure.

Community Consultation Outcomes

The City received submissions during the community consultation period which raised concerns in relation to the impact of the additional traffic that would be generated by the proposal as well as the continued use of neighbouring properties for overflow parking when the number of cars being washed cannot be accommodated on the subject site.

Administration Comments

The proposed modifications to the previously approved onsite operations, would be consistent with the objectives of the Commercial zone and the matters requiring consideration under Clause 67 of the Deemed Provisions for the following reasons:

- Traffic Generation: The applicant's TIS identifies that the proposed additional 'Wash Bay' would generate an estimated 72 additional daily vehicle trips with six trips occurring during the weekday morning and evening peak periods. The City's Engineering Services Team have reviewed the TIS and support the findings outlined in the report. Due to the site context and the existing traffic flows on Charles Street, the increase in daily vehicle trips would not result in a significant increase in the amount of traffic generated by the business and would not impact on the amenity of surrounding properties. The additional trips associated with the second 'Wash Bay' fall well within the capacity of Charles Street as a primary distributor road.
- On-Site Parking Provision: The application proposes six additional onsite car parking bays, including three 'Waiting Bays', two 'Exit Bays' and a staff parking bay. In accordance with the City's Local Planning Policy: Non-Residential Parking, a minimum of two car parking bays are required for a motor vehicle wash. An additional 'Waiting or Exit Bay' is proposed within the Charles Street Road Reserve which has not been considered as part of Administration's assessment. The proposed additional onsite car parking bays would improve the efficiency of the processing of vehicles and would not result in additional traffic that would have an adverse impact on the amenity of the surrounding area. This is because additional bays would not result in additional traffic generated by the development. The bays are proposed to accommodate a more efficient processing of vehicles through the site. The additional traffic generated by the development would be a result of the proposed additional 'Wash Bay' which is discussed above.

- Off-Site Parking Impacts: Submissions were received during the community consultation period alleging that cars are currently, and would continue to be, parked off-site due to a lack of onsite car parking spaces. The additional parking bays would increase the number of vehicles which are able to be accommodated onsite at any given time and would reduce the likelihood of customers waiting off-site due to an operational bottleneck. The applicant has identified that the proposed additional six bays would be sufficient to accommodate the parking needs of the development. The proposed onsite car parking for the development is also consistent with the requirements of the City's Local Planning Policy: Non-Residential Parking, ensuring that sufficient vehicle parking is provided onsite. The City's Engineering Services Team has reviewed the onsite parking layout, including the proposed additional bays and confirmed that the bays would not result in queuing and safety issues for the development.
- Management of Vehicles: The applicant's NOMP outlines how vehicles would be managed and circulated through the site. The process is appropriate for the changes to the proposed use and would ensure that vehicles are managed in a safe and appropriate manner.

Assessment of Proposed Condition Changes

The application proposes modifications to Condition 1.3 and Condition 3.3, as outlined in the Proposal section of this report.

The proposed modification to Condition 1.3 is not supported for the following reasons:

- The modifications to Condition 1.3 proposed by the applicant would allow for the parking of vehicles across the site and frequent movement of vehicles within access ways which may result in unsafe vehicle manoeuvring within the site. This could also result in vehicles accessing Charles Street from the subject site in an unsafe manner. The modification to the condition would also reduce the City's ability to enforce non-compliances as the restrictions on the parking of vehicles across the site would be reduced.

The conditions of approval included in the Officer Recommendation propose to modify this condition to ensure that no vehicles are to be parked within the 'Work Free Zone' or access ways not identified as parking areas. This condition will ensure parking of vehicles across the site is limited to the parking bays identified in the approved plans and will allow for enforcement.

Retention of this condition also supports its enforceability by clearly identifying where work is and is not permitted, which is a critical consideration in the drafting of conditions to support ongoing compliance management.

The proposed modification to Condition 3.3 following the 3 February 2026 Council Briefing Session is supported for the following reasons:

- The updated NOMP establishes a list of minor tasks that can be undertaken on an ad-hoc basis as required outside of specified bays. These tasks do not generate additional noise and will not result in adverse impacts on the neighbouring properties. The purpose of this modification is to allow for minor touch ups to occur quickly rather than requiring the vehicle to be taken through the entire site a second time. The removal of Condition 3.3 proposed by the applicant would allow for vehicles to be worked on across the site, with the exception of the 'Work Free Zone'. This would increase the level of activity on the site and would reduce the enforceability of the conditions of approval. Condition 3.3 is proposed to be retained as part of the conditions of approval included in the Officer Recommendation for these reasons.

Strengthening the Operational Compliance Framework

The recommended conditions maintain and, in several respects, strengthen the existing compliance framework by:

- Modifying Condition 3.3 to confine washing and “touch-up” activities to designated bays, unless otherwise provided for in the NOMP.
- Introducing a clearly defined and enforceable ‘Work Free Zone’ to separate activity from the residential interface.
- Requiring the acoustic roller doors to be interlocked with the high-pressure hoses so washing cannot occur with doors open.
- Requiring ongoing compliance with the Acoustic Report and NOMP, ensuring the use operates within defined technical parameters.

These conditions ensure that any approval does not loosen the existing compliance framework, but instead provides clearer, more objective and enforceable controls over the operation of the use.

Application of Compliance Considerations to Condition Drafting

Administration acknowledges the non-compliances from the operator in relation to the previous approvals issued by the City. Administration also acknowledges the submissions received during the community consultation period in relation to the enforcement of any existing and recommended conditions of approval.

In response to this, Administration sought legal advice regarding the extent to which previous non-compliance with a development approval may be relevant to consideration in the decision making process for a new application, particularly where the applicant/operator is the same person who has previously not complied, and where the application is relevant to the same property and same general type of development as the previous non-compliance.

The advice provided is summarised as follows:

- The Deemed Provisions refers to the broad range of relevant considerations that the local government must have due regard when determining a development application. These considerations do not include the potential for future non-compliance with the requirements of any development approval, or any history of non-compliance with previous development approvals.
- While Clause 67(2)(w) of the Deemed Provisions does refer to the history of the site, this is generally interpreted to refer to the history of the site itself rather than any history of the applicant in terms of non-compliance with development approvals.
- Clause 67(2)(zb) refers to any other planning considerations that a local government considers appropriate but history of non-compliance with previous approvals is unlikely to be a proper planning consideration when determining a new application for development approval from the same applicant/operator. This is because there are specific courses of action set out in the *Planning and Development Act 2005* to deal with instances of non-compliance and previous decisions by the State Administrative Tribunal have expressed the view that “*planning law is concerned with the use of land, not with the identity of the user*”. This means that development approval is generally not personal to an applicant, but runs with the land in favour of both the current owner or occupier and any future owners or occupiers of the land.







The advice confirms that Council cannot give weight to previous non-compliance with development approvals as part of their decision making for this or any other development application. Considerations should be limited to those outlined in the Deemed Provisions, outlined above in this report.

The legal advice did provide commentary that previous non-compliance, particularly where there has been difficulty taking action in relation to that non-compliance, should be taken into account when drafting new conditions of development approval. Conditions that are imposed should be carefully drafted to require strict compliance with objective and identifiable requirements or standards to ensure compliance is as straightforward as possible.

The conditions of approval included in the Officer Recommendation have been reviewed by the City’s Development Compliance and Health Services teams to ensure that they are enforceable, should further non-compliance occur. In this way, while previous non-compliance is not itself a ground for refusal, it has informed the drafting of clearer and more prescriptive conditions so that any future compliance action can be undertaken promptly and effectively if required.

9.2 NOS. 484 & 488-492 (LOTS: 51 & 52; D/P: 29193) BEAUFORT STREET, HIGHGATE - CHANGE OF USE FROM EATING HOUSE TO TAVERN (AMENDMENT TO APPROVED)

Ward: South Ward

- Attachments:**
1. Consultation and Location Plan 
 2. Development Plans 
 3. Traffic Impact Statement and Parking Management Plan 
 4. Updated Venue Management Plan 
 5. Acoustic Report 
 6. Waste Management Plan 
 7. Previous Approval 
 8. Clause 67 Assessment 
 9. Data and Analysis Tables 
 10. Summary of Submissions - Administration Response 
 11. Summary of Submissions - Applicant Response 
 12. Determination Advice Notes 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for a proposed Change of Use from Eating House to Tavern (Amendment to Approved) at Nos. 484 & 488-492 (Lots: 51 & 52; D/P: 29193), Highgate in accordance with the plans provided in Attachment 2, by deleting all conditions and replacing them with the following, with the associated determination advice notes in Attachment 12:

1. Development Approval

This approval relates to a Change of Use from Eating House to Tavern (Amendment to Approved) as shown on the approved plans dated 9 September 2014 and 8 August 2025. No other development forms part of this approval;

2. Use of Premises

- 2.1 This approval is for a Tavern as defined in the City of Vincent Local Planning Scheme No. 2. The use of the subject land for any other land use may require further approval from the City;
- 2.2 The hours of operation of the Tavern shall be limited to 11:00am – 12:00am (midnight) Monday to Sunday, and Public Holidays; or as otherwise permitted under an Extended Trading Permit issued by the Racing Gaming and Liquor Division of the Department of Local Government, Sport and Cultural Industries; and
- 2.3 The Tavern shall be limited to a maximum of 400 persons (patrons and staff), at any one time;

3. Venue Management

- 3.1 The premises shall operate in accordance with the approved Venue Management Plan dated 4 February 2026, at all times, to the satisfaction of the City; and
- 3.2 The Waste Management Plan, dated 5 December 2025, must be implemented at all times, to the satisfaction of the City;

4. Acoustic Report and Noise Management

- 4.1 All operational measures and recommendations outlined in the approved Acoustic Report (E-LAB Consulting), dated 9 December 2025, shall be implemented and maintained thereafter, to the satisfaction of the City at the expense of the owners/occupiers.
- 4.2 The Tavern shall operate in accordance with operational scenarios and recommendations of the approved Acoustic Report at all times, to the satisfaction of the City; and

5. Car and Bicycle Parking

- 5.1 Within 28 days of the date of this approval, the car parking areas on the subject site shall be sealed, drained, paved and line marked in accordance with the approved plans, dated 8 August 2025, and the Venue Management Plan dated 25 November 2025. The car parking area shall be thereafter maintained by the owner(s)/occupier(s) to the satisfaction of the City; and
- 5.2 Within 28 days of the date of this approval, a minimum of 12 long-term bicycle bays shall be provided at the rear of the property and designed in accordance with AS2890.3. The bicycle parking area shall be thereafter maintained by the owner(s)/occupier(s) to the satisfaction of the City.

EXECUTIVE SUMMARY:

The purpose of this report is to consider an application for development approval for an amendment to approved Tavern at Nos. 484 & 488-492 Beaufort Street, Highgate (the subject site).

The site is zoned Commercial under the City's Local Planning Scheme No. 2 (LPS2) and is located within the Activity Corridor Built Form Area under Policy No. 7.1.1 – Built Form (Built Form Policy).

The application proposes operating hours of 11:00 am to 12:00 am daily, including public holidays, and to increase the maximum capacity from 225 to 400 persons (an additional 175 people). No built form changes are proposed and it is noted that the current approval does not restrict operating hours.

The application is referred to Council for determination as it seeks to modify a condition imposed by Council (increase the approved maximum occupancy which would intensify the approved use), and proposes departures to car parking standards. Further, this application was advertised and received more than five objections. Key areas of discretion relate to proposed intensification of the land use through an increased patron capacity, car and bicycle parking, amenity and noise impacts on nearby residential homes, and hours of operation.

The proposed extension is consistent with the objectives of the Beaufort Street Town Centre Planning Framework (BSPF) and the intent of the 'Downtown' sub-precinct. This is because the Tavern forms part of the existing hospitality and nightlife context of the area.

The applicant has provided car parking demand data within the Traffic Impact Statement (TIS), included as **Attachment 3**. The survey data indicates that a majority of patrons attending the site during peak periods are already in the Town Centre attending other venues. This is relevant to the likely net additional trip generation attributable to the proposal, but does not remove the need to assess amenity and parking impacts at and around the site. This application would not substantially worsen amenity impacts beyond the existing approved and established Tavern use, provided the updated Venue Management Plan (VMP) and Acoustic controls are implemented and complied with.

The subject site provides six existing onsite car bays. Under the City's Non-Residential Parking Policy, the proposed increase of 175 patrons/staff results in a shortfall of 38. The applicant's TIS applies a demand-based methodology which indicates that the net additional parking demand attributable to the increased capacity is modest, approximately four bays during peak periods. While this assessment relies on survey data and assumptions about patron behaviour, it has been considered alongside the City's on-street parking survey data and demonstrates that sufficient on-street parking is available within a walkable catchment during peak times.

An updated VMP, included as **Attachment 4**, has been provided to manage the increased patronage. Administration's review of the City's records period, from 4 December 2023 to 4 December 2025, identified no historical complaints relating to noise, parking, traffic or antisocial behaviour associated with the venue.

The VMP also restricts use of the rear onsite parking area to staff after 6:00 pm to protect nearby residential amenity, resulting in reduced onsite parking availability (a reduction of six bays total) during evening periods. This measure is supported, with reliance on on-street parking considered acceptable given demonstrated supply.

The Acoustic Report, included as **Attachment 5**, confirms that noise generated by the proposed operations can be managed to acceptable levels through the implementation of recommended operational and management measures, and compliance with the *Environmental Protection (Noise) Regulations 1997*. While compliance with the *Environmental Protection (Noise) Regulations 1997* is relevant and assists the assessment, it is not determinative of planning amenity impacts. In considering amenity impacts, the assessment considers the proximity of nearby noise-sensitive receivers, the established Town Centre context, and the proposed management and operational controls. On balance, and subject to conditions, the proposal is not expected to result in unacceptable amenity impacts. The proposed trading hours until midnight also align with the *Liquor Control Act 1988* and are supported because the venue currently operates until midnight, Fridays and Saturdays, with similar noise management measures.

The proposal is considered acceptable under the planning framework and is recommended for approval subject to conditions.

PROPOSAL:

The application proposes to amend the existing development approval for a Change of Use from Eating House to Tavern at Nos. 484 & 488-492 Beaufort Street, Highgate, as shown on the location plan included as **Attachment 1**.

A Tavern has operated at the subject site since 2013 in accordance with the development approval issued by Council at its 24 September 2013 Ordinary Meeting. An amendment to the September 2013 approval was approved by Council at its 2 December 2014 Ordinary Meeting. A copy of the 2014 approval notice and plans are included as **Attachment 7**.

The premises has operated as a Tavern, trading as Molly's Irish Pub, since 4 December 2023.

The application seeks to increase the maximum occupancy of the venue from 225 people to 400 people.

No built form changes are proposed as part of the application, plans of the proposal are included as **Attachment 2**.

The subject site currently contains six car parking bays at the rear of the property, accessed via an easement from Broome Street. In order for the parking area to comply with Australian Standards, the six onsite car parking bays must be reconfigured as shown in **Attachment 2**.

The subject site does not currently operate with onsite long-term and short-term bicycle parking. This application proposes 12 long-term onsite bicycle parking bays, located at the rear of the property.

The current planning approval does not restrict the operating hours of the Tavern. The application proposes operating hours that are consistent with the Tavern License Trading Hours, under the *Liquor Control Act 1988*. Liquor licensing provisions provide context only and do not replace the need for planning approval of operating hours.

The proposed operating hours would be as follows:

- ☐ Monday to Sunday, 11:00am – 12:00am (midnight); and
- ☐ Public Holidays, 11:00am – 12:00am (midnight).

The applicant's supporting documentation including the TIS, VMP, Acoustic Report and Waste Management Plan are included as **Attachments 3, 4, 5 and 6**, respectively.

Delegation to Determine Applications:

This application is being referred to Council for determination in accordance with the City's Register of Delegations, Authorisations and Appointments. This is because the delegation does not extend to applications for development approval that received more than five objections during community consultation. The proposal received seven objections during community consultation.

In addition, the delegation does not extend to applications that seek to amend a development approval previously determined by Council, unless the application meets the deemed-to-comply standards and does not change the impact of any conditions of approval imposed.

The original change of use application for the premises was determined by Council. The current application seeks to amend that development approval, specifically the maximum occupancy for the venue, which would result in a material change to the effect of the conditions of approval set by Council and results in a departure to the deemed-to-comply standards of the City's Local Planning Policy: Non-Residential Parking.

BACKGROUND:

Landowner:	Benjamin & Co Pty Ltd
Applicant:	Lee Behan on behalf of Molly's Irish Pub
Client:	Lee Behan on behalf of Molly's Irish Pub
Date of Application:	8 August 2025
Zoning:	MRS: Urban LPS2: Zone: Commercial R Code: N/A
Built Form Area:	Activity Corridor
Existing Land Use:	Tavern
Proposed Use Class:	Tavern
Lot Area:	Lot 51: 501m ² Lot 52: 501m ²
Right of Way (ROW):	No
Heritage List:	No

Site Context and Zoning

The subject site is bounded by Beaufort Street to the north-west, a two-storey commercial development, including a Shop and Office to the south-west, a two-storey grouped dwelling development to the south-east, containing eight dwellings, and a three-storey mixed-use development to the north-east.

The subject site and adjoining properties to the north-west, north-east and south-west are zoned Commercial under LPS2 and are located within the Activity Corridor Built Form Area under the Built Form Policy. The south-east adjoining residential properties are zoned Residential R80 under LPS2, and are located within the Residential Built Form Area.

The subject site is currently developed as a two-storey building accommodating a Tavern fronting Beaufort Street and a rear courtyard to the north-east. The south-eastern boundary is utilised for servicing of the site, including onsite car parking and the bin store.

The subject site and surrounding properties are located within the Beaufort Street Town Centre, as shown the location plan included at **Attachment 1**.

Existing Operations

Liquor Licensing

The venue currently operates as a Tavern liquor licence under the *Liquor Control Act 1988*. The liquor licence authorises the sale and supply of liquor for consumption on and off the licensed premises. The venue does not currently sell packaged liquor for consumption off-site. This application does not seek to alter the current Tavern liquor licence or the existing trading of the venue and has not proposed the sale of liquor for offsite consumption.

The *Liquor Control Act 1988* permits the venue to operate between Monday to Saturday: 6:00am to midnight, Sunday and Public Holidays: 10:00am to midnight. This application proposes operating hours that fall within the hours permitted through the Tavern liquor licence. This does not remove the need for planning approval of operating hours, which are assessed under the City's planning framework.

Complaints Register

Administration has undertaken a historical search between 4 December 2023 and 4 December 2025 and found no record of complaints raised in respect to antisocial behaviour, noise complaints, traffic complaints, or-car parking complaints.

Community concerns are discussed further in the Consultation/Advertising section and Comments section of this report.

Surrounding Context & Character

Immediate Context

The immediate adjoining properties are summarised as follows:

- No. 476 Beaufort Street: Two-storey Office and Shop (Beauty Salon) to the south-west.
- No. 500 Beaufort Street: Two-storey mixed used development to the north-east. This site contains ground floor hospitality venues fronting Beaufort Street, and multiple dwellings on the first floor and to the rear.
- No. 112 Broome Street: Eight two-storey grouped dwellings to the south-east. The subject site and the adjoining grouped dwellings share vehicle access via a shared easement from Broome Street.

Broader Context

The subject site is located within the Beaufort Street Town Centre (Town Centre). This portion of the Town Centre includes various land uses such as Taverns, Restaurant/ Cafés, Small Bars, Offices and Shops.

The surrounding locality comprises commercial development fronting Beaufort Street to the north-east and south-west with medium to high-density residential development setback from Beaufort Street to the north-east and south-east.

Existing hospitality and licensed venues within a 140 metre distance from the subject site include:

- No. 520 Beaufort Street: Queens Tavern;
- Nos. 521-525 Beaufort Street: The Beaufort;
- No. 487 Beaufort Street: Madeleine on Beaufort;
- No. 489 Beaufort Street: Le Vivant; and
- Nos. 511-513 Beaufort Street: El Publico.

For details relating to the surrounding hospitality venues and their associated operating hours, refer to **Table A** included in **Attachment 9**.

Beaufort Street Town Centre

The subject site and adjoining properties along Beaufort Street are located within the Downtown sub-precinct under the BSPF. In accordance with the [statement of intent](#) for the sub-precinct, Downtown aims to act as a gateway to the area, leveraging the flatter topography to create accessible, large-scale venues to enhance its reputation as a hospitality and nightlife destination, while still managing offsite amenity impacts on surrounding residents.

[Part 4](#) of the BSPF seeks for development to prioritise a diverse mix of land uses that support both day and nighttime activity. This includes hospitality and entertainment venues which are ‘*key drivers for street activation, encouraging a lively atmosphere that attracts visitors throughout the day and supports the local economy*’. The proposal compatibility with the BSPF is discussed further in the Legal/ Policy section and Comments section of this report.

A map showing the land uses in the surrounding locality is provided in **Figure 1** below.



Figure 1 – Surrounding Land Uses

Site History

The subject site has received a number of development approvals for various licenced venues which have operated at the site over time.

Details on the development approvals relevant to the current application are as follows:

Date	Comment
24 September 2013	<p>At its Ordinary Meeting held on 24 September 2013, Council resolved to approve an application for a Change of Use from Eating House to Tavern, at Nos. 484 & 488-492 Beaufort Street, Highgate, subject to conditions.</p> <p>The approval included conditions relating to Acoustics, Waste Management, Car Parking, Amalgamation and Venue Management.</p> <p>A relevant recommendation adopted for the combined premises included:</p> <p><i>“The maximum patronage for the combined premises is to be 154 patrons and shall be subject to an assessment in accordance with the Health (Public Buildings) Regulations 1992. Any further increase to the patrons or public floor area will require further approval.”</i></p>

Date	Comment
2 December 2014	<p>At its Ordinary Meeting held on 2 December 2014, Council approved the amendment to Tavern at Nos. 484 & 488-492 Beaufort Street, Highgate. The amendment included the following conditions:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The maximum patronage for the combined premises of 225 patrons. <input type="checkbox"/> The provision of six onsite car parking bays. <input type="checkbox"/> Amended Management Plan to address the control of noise, anti-social behaviour, traffic, car parking and disposal of rubbish. <input type="checkbox"/> Implementation of recommendations and measures approved within the Acoustic Reports. <p><i>Cash-in-Lieu Payment</i></p> <p>This previous Council approval accepted that the site would operate with a shortfall of 3.08 onsite car parking bays compared to the prescribed policy standards. As part of that approval, Council required a cash-in-lieu payment of \$16,016, that is equivalent to 3.08 parking bays and calculated based on the cost of \$5,200 per bay as set out in the City's 2014/2015 Budget. This amount has been paid, with no outstanding contributions.</p>
7 February 2025	<p>Planning services approved the amendment to Tavern Nos. 484 & 488-492 Beaufort Street, Highgate.</p> <p><i>Amalgamation Condition</i></p> <p>At its Ordinary Meeting held on 2 December 2014, Council imposed a condition to amalgamate Lot 51 and Lot 52 on the subject site, in accordance with the Amalgamation Policy. This policy has since been revoked.</p> <p>On 22 July 2024, the property owner of Nos. 484 & 488-492 Beaufort Street applied for an amendment to the development approval. The application sought to remove Condition 3.4 – Amalgamation in relation to proposed internal works.</p> <p>As part of the planning application, the property owner engaged a private building surveyor, that demonstrated sufficient performance solutions relating to fire resistance and fire separation.</p> <p>On 7 February 2025, Administration approved the removal of Condition 3.4 – Amalgamation, under Delegated Authority. This is because the removal of the Council-imposed condition would not:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Result in any further departures to the City's Local Planning Policies; <input type="checkbox"/> Be impacted by the State Residential Design Codes; nor <input type="checkbox"/> Change the impact of the condition imposed and would not change the substantial commencement period of the approved development. <p>Condition 3.4 does not form part of this proposal.</p>

DETAILS:**Summary Assessment**

The table below summarises the planning assessment of the proposal against the provisions of the LPS2, the Non-Residential Parking Policy (Parking Policy), Policy No. 7.5.7 – Licensed Premises (Licensed Premises Policy) and Policy No. 7.5.21 – Sound Attenuation (Sound Policy). In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply/ Acceptable Outcomes (or equivalent)	Previously approved	Requires the Discretion of Council
Land Use		✓	
Non-Residential Parking Policy			✓
Licensed Premises Policy (Hours of Operation)			✓
Sound Attenuation Policy	✓		

Detailed Assessment

The deemed-to-comply/acceptable outcome assessment of the element that requires the discretion of Council is as follows:

Hours of Operation/Licensed Premises Policy	
Permitted Standard / Acceptable Outcomes	Proposal
Policy No. 7.5.7 – Licensed Premises <i>Hours of Operation (Indoor and Outdoor Areas)</i> Sunday: 7:00am to 10:00pm	Sunday: 11:00am to midnight
Car and Bicycle Parking	
Deemed-to-Comply Standard	Proposal
Local Planning Policy: Non-Residential Parking <i>Car Parking</i> 38 car parking bays required based on the additional 175 patrons/staff.	Nil additional onsite car parking bays proposed.
<i>Bicycle Parking</i> Four short-term bicycle parking spaces required based on the additional 175 patrons/staff.	Nil short-term bicycle parking spaces proposed.
Eight long-term bicycle parking spaces required based on the additional 175 patrons/staff.	12 long-term bicycle parking spaces proposed.

Planning and Development (Local Planning Schemes) Regulations 2015

In accordance with Clause 67(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Planning Regulations) and in determining a development application, Council is to have due regard to a range of matters to the extent that these are relevant to the development application. Administration's response to each matter requiring consideration is listed in the table contained in **Attachment 8**.

LPS2

In considering the appropriateness of the use, Council is required to consider the objectives of the Commercial zone under the LPS2, as follows:

- ☐ *To facilitate a wide range of compatible commercial uses that support sustainable economic development within the City.*
- ☐ *To ensure development design incorporates sustainability principles, with particular regard to waste management and recycling and including but not limited to solar passive design, energy efficiency and water conservation.*
- ☐ *To maintain compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.*
- ☐ *To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.*

CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the Planning Regulations for a period of 14 days, from 9 October 2025 to 23 October 2025. In accordance with the City's Community and Stakeholder Engagement Policy, the method of consultation included a notice on the City's website, the erection of a sign on site and eight letters mailed to owners, occupiers and strata managers of adjoining properties (as shown in **Attachment 1**).

During this consultation period, the City received a total of nine submissions comprising:

- ☐ Seven objections.
- ☐ One submission of support.
- ☐ One submission that neither supported nor objected to the proposal but provided comments.

The number of submissions received during the consultation period is not, in itself, a relevant planning consideration. The decision-maker is instead required to focus on the substance of the matters raised. These are summarised below.

The submission received in support of the proposal provided comment that the extension of the current operations would positively contribute to the activity within the Town Centre.

The key concerns that were raised in the submissions are summarised as follows:

- ☐ Concerns regarding an increase in antisocial behaviour and the undue impacts this would have on the surrounding residential amenity.
- ☐ Concerns regarding the implementation of the venue management and the inability to manage patrons.
- ☐ Concerns regarding the increase in noise generation from the extended hours and increase in additional patrons.
- ☐ Concerns regarding an increase in cars and traffic to an area with existing traffic issues.
- ☐ Concern that a shortfall in car parking would reduce the availability for on-street car parking within the surrounding streets.

The matters raised are addressed in the Comments section of this report.

A summary of submissions and Administration's response is included as **Attachment 10**. The applicant has provided a responses to submissions which is included as **Attachment 11**.

Amended Information

Following the initial advertising period, the applicant provided revised and additional information in response to community feedback and a request for further information from the City. This included an amended VMP and Acoustic Report, and the submission of a Parking Management Plan, a Waste Management Plan and a Traffic Impact Statement.

In accordance with the Community and Stakeholder Engagement Policy, the proposal was not readvertised as the amended information did not result in any new or greater departures to the deemed-to-comply/acceptable outcome standards. Previous submitters have instead been notified of the additional information that was provided following community consultation.

Design Review Panel (DRP):

Referred to DRP: No

The proposal was not referred to the DRP. This is because the application does not propose any modifications to the existing built form and does not meet the requirements for referral outlined in the DRP [terms of reference](#).

LEGAL/POLICY:

- ☐ *Planning and Development Act 2005;*
- ☐ *Planning and Development (Local Planning Schemes) Regulations 2015;*
- ☐ *City of Vincent Local Planning Scheme No. 2;*
- ☐ *Community and Stakeholder Engagement Policy;*
- ☐ *Beaufort Street Town Centre Planning Framework;*
- ☐ *Local Planning Policy: Non-Residential Parking*
- ☐ *Policy No. 7.1.1 – Built Form Policy;*
- ☐ *Policy No. 7.5.7 – Licensed Premises; and*
- ☐ *Policy No. 7.5.21 – Sound Attenuation.*

Planning and Development Act 2005

In accordance with Schedule 2, Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005*, the applicant would have the right to apply to the State Administrative Tribunal for a review of Council's determination.

Beaufort Street Town Centre Planning Framework

At its [12 August 2025](#) Ordinary Meeting, Council approved the adoption of the Beaufort Street Town Centre Planning Framework (BSPF), which guides future development along Beaufort Street and surrounding areas.

The [objectives](#) of the BSPF seek to encourage mixed-use development that integrates hospitality spaces to create a vibrant and active precinct and foster economic growth that balances the nighttime economy with neighbourhood amenity.

As the proposed development does not propose any changes to the existing built form on the subject site, the built form provisions of the BSPF are not applicable to this development.

Non-residential parking considerations under the BSPF, in accordance with Clause 1.1.15 require non-residential parking to be provided in accordance with the Parking Policy. The provisions of car parking has been assessed against Parking Policy which is discussed in the Details and Comments section of this report.

RISK MANAGEMENT IMPLICATIONS:

There are risks that require active management to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

Key risks include potential SAT review of the discretionary parking and amenity conclusions, and compliance and reputational risks if conditions are not clear, valid and enforceable.

These risks are mitigated through a clear planning rationale, consideration of evidence, and imposition of enforceable conditions (such as the VMP and Acoustic controls).

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2022-2032:

Innovative and Accountable

Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.

SUSTAINABILITY IMPLICATIONS:

This application does not contribute to any environmental sustainability outcomes. There is limited ability for the development to influence the environmental impact of the entire building on the site through this application as it relates to a change of use of an existing building with no external works component.

PUBLIC HEALTH IMPLICATIONS:

The proposal is relevant to the following priority health outcomes of the City's *Public Health Plan 2020-2025*:

Reduced harmful alcohol use

The application has been assessed and recommendation made based on planning grounds under the planning framework, with conditions directed to managing amenity impacts.

FINANCIAL/BUDGET IMPLICATIONS:

There are no direct financial or budget expenditure implications arising from the determination of this application.

The report considers whether any cash-in-lieu contribution is warranted under the City's relevant arrangements.

As with any discretionary planning decision, there is a possibility that the determination may be subject to review by the SAT, which can result in legal and consultant costs being incurred by the City. These costs cannot be quantified at this stage and would be managed within existing budgets if they arise, otherwise through budget review processes. The capacity to do so will depend on the number of SAT appeals and complexity of any review proceedings.

COMMENTS:Summary Assessment

The planning question is not whether a Tavern use is permissible at the site. It has already been approved previously. The planning consideration is whether the proposed increase in patron capacity and formalisation of operating hours can be accommodated without resulting in unacceptable amenity or parking impacts, having regard to the Town Centre context and the proposed management and mitigation measures.

In assessing the application against the planning framework, it is recommended for approval, subject to conditions. The following comments are of relevance:

- The increase in patrons and extended operating hours meet the objectives of the Town Centre. The extension of current operations would enhance and support hospitality and nightlife within the Town Centre.
- The Acoustic Report and VMP would manage and minimise the impacts of noise and antisocial behaviour. This is achieved through the increase in staff and security and management recommendations within the Acoustic Report.
- Administration supports the intensification given the location of the site and compatibility with the Town Centre. This is since the BSPF and Accessible City Strategy prioritises walkability, cycling and the use of public transport within the Town Centre.
- The proposed extension of current operations would not introduce adverse new amenity impacts to the surrounding properties. Survey data indicates that 52 percent of patrons are already in the Town Centre during peak periods, which means people are already generating noise and activity beyond the subject site.
- The application results in a 38 bay shortfall, however demand analysis shows only four additional bays actually being required to meet the needs of the venue.
- The shortfall in car parking is acceptable as the supply data indicates there is sufficient on-street parking availability within a 500 metre walking distance to the site.
- No cash-in-lieu contribution for the car parking shortfall is recommended based on the on-street car parking supply.
- Administration is supportive of the recommendations contained in the Acoustic Report. This sets out that noise levels would be compliant with the *Environmental Protection (Noise) Regulations 1997*. Compliance with the Noise Regulations assists the assessment of amenity; however, it is also addressed through the site context, nearby sensitive receivers, and the enforceable VMP and Acoustic operating controls.

A more detailed assessment against the discretionary aspects of the application is set out below.

Patron/Staff Increase and Operating Hours

An assessment against the objectives of the Commercial zone and relevant matters of Clause 67(2) of the Planning Regulations is set out below.

Applicant Justification

The applicant has submitted a VMP addressing operational management measures for the proposed increase in patron/staff capacity. The VMP, included as **Attachment 4**, and summarised as follows:

- Code of Conduct: It is proposed the existing Code of Conduct is suitable to manage the increase in patron capacity. As there is no record of previous complaints, continued implementation of the existing Code of Conduct is expected to maintain acceptable noise levels and protect surrounding amenity.
- Responsible Service of Alcohol: The regulations for the responsible service of alcohol are in accordance with the *Liquor Control Act 1988*. However, the Applicant advises the VMP maintains compliance with the *Liquor Control Act 1988* and introduces additional water stations to support the increased patron capacity.
- Security & Crowd Control: With the addition of 175 patrons/staff, the updated VMP increases security staffing levels to enhance monitoring and ensure patron safety. The amendments to security during peak periods are as follows:
 - o Friday: three security guards + one roaming RSA marshal (7:00 pm–12:00 am);
 - o Saturday: four security guards + one roaming RSA marshal (7:00 pm–12:00 am);
 - o Sunday: two security guards + one roaming RSA marshal (1:00 pm–12:00 am).

- Staffing Levels: The VMP considers the increase in capacity through a corresponding increase in staff numbers. The increase in staff is as follows:
 - o Weekdays: three to four floor staff, two to four bar staff, one manager and one supervisor;
 - o Peak periods: Up to six floor staff, eight to nine bar staff, six kitchen staff and two to three managers.
- Noise Management: The VMP provides updates to noise management measures, as per the Acoustic Report. This is discussed further in the Comments section.
- Use of Outdoor Garden Courtyard: The Acoustic Report recommends measures to minimise noise impacts that could be generated by the additional 175 patrons/staff during peak hours. After 10:00pm, the external door to the rear courtyard should remain closed, and the courtyard limited to a maximum of 20 patrons.
- Patron Behaviour & Safety: The City has no record of safety incidents at the venue, and the amended VMP introduces additional safety and hazard checks to manage the increased patron capacity.
- Parking Management: With the increase in patrons and proposed onsite car parking shortfall, the VMP outlines an amended parking management plan. This has been updated to include:
 - o Secure long-term bicycle racks for staff and patrons.
 - o Restricted rear parking for staff after 6:00pm to reduce noise impacts to adjoining residents.

Community Consultation

During the community consultation period, the City received seven submissions in objection and one submission with comments of concern. Community raised concerns to the proposal and the impacts that the intensification could have on the surrounding properties. The key issues included:

- Concerns regarding a potential increase in antisocial behaviour and its impact on the amenity of surrounding residential dwellings. Specific concerns included the inability to manage and monitor patron behaviour within the venue.
- Concerns regarding the effectiveness of the Acoustic Report in minimising noise impacts, including doubts about the accuracy of its recommendations and mitigation measures.
- Concerns regarding the shortfall of 38 car parking bays and the resulting impact on the availability of on-street parking in the surrounding area.

Administration Comment

The subject site is currently approved as a Tavern land use, which is an 'A' use within the Commercial zone. Although the land use has already been approved, the application seeks to increase the overall capacity of the existing Tavern, which requires discretion to approve the increased intensity. In considering the appropriateness of the proposed intensification of the land use, regard is to be given to the [objectives](#) of the Commercial zone under LPS2 and the [intent](#) of Downtown sub-precinct of the BSPF.

Additionally, the proposed amendment has been considered against the Parking Policy, Licensed Premises Policy, Sound Policy and Clause 67 of the Deemed Provisions.

The proposal would be consistent with the objectives of the Commercial zone under LPS2 for the following reasons:

- Compatibility with Surrounding Commercial Uses: The Tavern is an existing land use at the subject site. The proposed extension of existing operations would be acceptable as the development would support economic growth within the Beaufort Street Town Centre through the increased capacity and continuity of an existing business. As outlined in the TIS (**Attachment 3**), guests surveyed during the peak period visitation indicate that between 47 percent and 52 percent of patrons attend the subject site as part of a broader trip to the Beaufort Street precinct. This demonstrates that the subject site is complimentary to the wider precinct. The expansion aligns with other entertainment and hospitality venues in the area, such as The Beaufort (Nos. 521–525 Beaufort Street) and Queens Tavern (No. 520 Beaufort Street), which already generate late-night activity until midnight daily, as detailed in the Background section.
- Amenity Impacts to Surrounding Properties: The proposed increase of 175 patrons/staff would intensify activity at the site but is not expected to introduce adverse new amenity impacts. Administration has no record of any complaints relating to noise, antisocial behaviour, traffic, parking, or operational management since the venue commenced trading in 2023. The development seeks a maximum capacity of 400 persons, which is only anticipated during peak trading periods on Friday and Saturday nights, it is noted the venue currently operates until midnight on these days.

The applicant's TIS indicates that 52 percent of patrons during these times are already visiting other venues within the Town Centre and are not exclusively visiting the venue. Considering the extent of existing noise and activity in the area, this application would not detrimentally increase amenity impacts. Further, the updated VMP and Acoustic Report demonstrate continued compliance with the *Environmental Protection (Noise) Regulations 1997* and adequacy in patron management. Administration is satisfied that additional security, staffing, and noise mitigation measures will minimise amenity impacts on surrounding properties. Specific recommendations are discussed further in the Comments section.

Car Parking

Prescribed Parking Standard

The existing approval permits a maximum of 225 people on site, with a parking provision of six onsite car parking bays and a cash-in-lieu contribution for 3.08 bays.

This application seeks an increase of 175 persons, with a total overall occupancy of 400 persons. The BSPF does not specifically contain parking requirements, meaning the Parking Policy applies. Under the Built Form Policy and Parking Policy, Tavern land uses in the Activity Corridor Built Form Area are to provide 0.22 onsite car parking bays per person. The proposed increase of 175 persons results in a shortfall of 38 onsite car parking bays. This application does not propose any additional onsite car parking bays. The Parking Policy sets a standard parking requirement. The applicant has also provided evidence showing that, in this town centre location, the actual increase in parking demand is likely to be much lower than the policy figure. Council may place weight on this evidence, while recognising that it is based on assumptions about how patrons travel to and from the venue.

Applicant Justification

The applicant submitted a TIS prepared by PJA, included as **Attachment 3**. The TIS was provided to address the proposed car parking shortfall. The TIS calculated trip generation and mode split data during the venues peak trading periods on Friday and Saturday. The TIS considers the venue's location on a high frequency bus route and within a dense urban catchment, which attracts a high proportion of walk-in trade.

The survey data does not demonstrate demand for car parking during the proposed extended hours between Sunday and Thursday. This is because the proposed hours do not form part of the venue's peak hours, and the venue is unlikely to reach maximum capacity on these days. The outcome of the survey is summarised as follows:

Survey Details:

- ☐ Friday, 14 November 2025 (6:00pm – 8:00pm): 61 patrons were surveyed.
- ☐ Saturday, 15 November 2025 (7:00pm – 9:00pm): 78 patrons were surveyed.

Mode of Arrival:

- ☐ On the Friday, 58 percent of patrons did not arrive by private vehicle.
- ☐ On the Saturday, 92 percent of patrons did not arrive by private vehicle.

Trip Purpose:

- ☐ On the Friday, 48 percent visited solely for the subject site. Meaning 52 percent were already in the Town Centre.
- ☐ On the Saturday, 53 percent visited solely for the subject site. Meaning 47 percent were already in the Town Centre.

Further details relating to the survey data are shown in **Table B**, included within **Attachment 9**.

The Saturday survey indicates a higher demand for parking when patrons exclusively attend the subject site, however, as only 8 percent of patrons arrive at the site in a private vehicle the actual demand for onsite parking is small.

The applicant has provided parking demand data for on-street car parking within a 400 metre walkable distance of the subject site. The survey identifies a total of 506 on-street car parking bays available within the surrounding streets, these include: Broome Street, Beaufort Street, Chatsworth Road, Lincoln Street, Mary Street, Harold Street, Stirling Street, Cavendish Street and St Albans Avenue. The outcome of the data demonstrates the following on-street car parking availability:

Friday 14 November 2025:

- ☐ At 8:00pm there are approximately 53 available parking bays.
- ☐ At 10:00pm there are approximately 72 available parking bays.

Saturday 15 November 2025:

- ☐ At 8:00pm there are approximately 61 available parking bays.
- ☐ At 10:00pm there are approximately 96 available parking bays.

The applicant's survey data shows the following:

- ☐ Acceptability of Parking Shortfall on Friday: The data shows that on Friday 14 November 2025 there is sufficient parking availability for people attending by private vehicle (carpool). The survey indicates that 41 percent of the 61 people surveyed are attending via carpool. This means that 25 vehicles attending the site would require parking within the area. The 25 bays would be required between the hours of 6:00pm and midnight. Based on the applicant's data, at both 8:00pm and 10:00pm on a Friday, there is sufficient on-street car parking for 25 vehicles.
- ☐ Acceptability of Parking Shortfall on Saturday: The data shows that on Saturday, there are less people attending via private vehicle. The survey indicates that 8 percent of those surveyed attended by car. This means that approximately six vehicles arrived and required parking. Based on the data above, there is an average of 78.5 on-street car parking bays available for customers. As such, there would be sufficient on-street car parking to accommodate the proposed shortfall in onsite car parking.

Administration Comment

Assessment of Car Parking Shortfall

The proposed shortfall in onsite car parking would not detrimentally impact the surrounding area. This has been demonstrated by the Applicant's TIS and is supported by the City's car parking data of the surrounding streets. The shortfall in car parking demand is consistent with the [objectives](#) of the BSPF and the [objectives](#) of the Accessible City Strategy, as it does not prioritise the use of private vehicles within the Town Centre.

Supply and Demand

The Parking Policy requires 38 bays to be provided for the additional 175 people. The acceptability of the shortfall in onsite car parking is calculated as follows:

Demand

The parking calculations estimate that the increase of 175 patrons/staff would create a net additional demand for four car parking bays. This is based on the following calculation:

- ☐ An average of 24 percent of the 139 respondents (surveyed during the peak period) arrived at the site by private vehicle (inclusive of people attending via carpool or single occupancy).
- ☐ The average 24 percent has been calculated by averaging the 41 percent of respondents on the Friday and eight percent of respondents on the Saturday.
- ☐ 24 percent of the required 38 bays would be a total of nine bays.
- ☐ Out of the 175 people, the data demonstrates that 50.5 percent of those people are attending solely for the subject site and are arriving by car.
- ☐ The demand for parking at the subject site, for the sole attendance of the venue, would be 50.5 percent of the nine bay demand.
- ☐ This would result in a four bay car parking demand.

The car parking shortfall and reduction in parking demand is considered acceptable and is demonstrated in more detail in **Table C**, included in **Attachment 9**.

Supply

The City's parking surveys are collected up until 6:00pm, and the applicant's data is collected from 8:00pm and 10:00pm. For purposes of understanding the supply during the venue peak periods, the parking assessment takes into account both sets of data. The proximity of all data is taken within 500 walkable metres of the subject site. The availability is taken as follows:

- ☐ At 6:00pm (City data): there is an approximate average of 202 bays available.
- ☐ At 8:00pm (applicant data): there is an average of 57 bays available.
- ☐ At 10:00pm (applicant data): there is an average of 84 bays available.

City of Vincent On-Street Car Parking Data

The City collects on-street car parking data for Beaufort Street and the surrounding street network. This data is expressed in an average occupancy of on-street car parking bays on the dates the survey was undertaken. Results of the car parking data and the parking restrictions within the immediate area are shown in **Table D** and **Table E**, respectively, included in **Attachment 9**.

The data indicates that the average peak-period on-street car parking occupancies are 49.5 percent, 39 percent, and 74.5 percent respectively. This means that at least 25.5 percent of the surrounding on-street car parking bays remain available for patrons attending via private vehicle, during peak parking periods.

Car Parking after 6:00pm

The car parking area is located to the rear of the subject site and abuts a communal driveway, connecting to the residential properties at No. 112 Broome Street. To protect residential amenity at this interface, the VMP restricts use of the rear onsite car parking area to staff only after 6:00pm. This is a targeted amenity mitigation measure intended to reduce patron vehicle movements, door slams and congregating noise adjacent to the residential properties. While this results in a further reduction in available onsite parking after 6:00pm (a total of up to six bays), Administration supports this measure and considers the resulting reliance on on-street parking to be acceptable given the demonstrated availability of on-street parking during peak periods.

As demonstrated in the table above, supply and demand analysis confirms this restriction would not adversely affect the surrounding area, as there is sufficient on-street parking available during peak periods after 6:00pm.

Cash-in-Lieu of Parking

The City of Vincent's Payment in Lieu of Parking Plan applies to non-residential developments within specified precincts that propose a car parking shortfall in excess of two bays. In accordance with the City of Vincent's Fees and Charges Schedule, the current cash-in-lieu contribution per car parking bay is \$5,975.26. As such, a 38 car parking bay shortfall would result in a cash-in-lieu contribution of \$227,059.88.

As discussed above, it is considered that the proposed increase in venue capacity would not result in a material increase in the demand for parking, and any increase could be accommodated within existing on-street car parking. Therefore, Administration recommends waiving the cash-in-lieu noting that the proposal meets the acceptable outcomes and objectives relevant to car parking provisions under the BSPF and the Accessible City Strategy. The existing nature of the subject site with existing development also means that it is not possible to provide further car parking within the site.

Bicycle Parking

The proposed shortfall in onsite bicycle parking spaces is supported, as the Tavern aligns with the objectives of the BSPF and the Accessible City Strategy. Under the Parking Policy, a minimum of four short-term and eight long-term bicycle parking spaces is required.

- ☐ Short-Term Bicycle Parking Shortfall: The shortfall of four onsite short-term bicycle parking spaces is considered acceptable due to the availability of short-term bicycle parking nearby within the Town Centre area. Within 50 metres of the subject site, there are four verge bicycle racks providing eight short-term spaces. An additional five verge racks, accommodating up to 10 spaces, are located within 150 metres. Survey data indicates that less than one percent of customers arrive by bicycle during peak periods, confirming that existing facilities provide sufficient short-term bicycle parking in the area.

- Long-Term Bicycle Parking Shortfall: The application proposes 12 onsite long-term bicycle parking spaces for staff, supporting environmental objectives and promoting alternative modes of transport for employees. With a maximum of 20 staff members, the provision of 12 long-term bays would accommodate more than half of the staff during peak periods.

Licensed Premises Policy

The Licensed Premises Policy provides a guidance for operating hours of licensed premises in various zones. The policy standards for the hours of operations of Taverns within the Commercial zones is as follows:

- Monday to Saturday: 7:00am – 12:00am (midnight)
- Sunday: 7:00am – 10:00pm.

The *Liquor Control Act 1988* provides for the following hours of operation for Taverns:

- Monday to Saturday: 6:00am – 12:00am (midnight)
- Sunday: 10:00am – 12:00am (midnight)

The Tavern proposes to retain its current opening hour of 11:00 am and extend the closing to midnight, Monday to Sunday, including public holidays. The extended hours are consistent with approvals for nearby venues such as 'The Beaufort' and 'Queens Tavern', and align with the *Liquor Control Act 1988*.

Liquor licensing provisions provide context only. The planning assessment of operating hours is undertaken under the relevant planning framework, with regard to amenity impacts and management controls.

Objectives of the Licensed Premises Policy are considered to be addressed in the below assessment:

- Residential Amenity Impact: The proposed extension of operating hours until midnight, daily, would not result in an adverse impact on the residential amenity of the surrounding area, provided the VMP and Acoustic controls are implemented and enforced. This is because the peak operating periods would remain between Friday and Saturday. The peak period currently operates until midnight and has not received any complaints to noise and antisocial behaviour. Further, the application seeks to minimise the impact of noise generation, as the Tavern would need to continue compliance in accordance with the *Environmental Protection (Noise) Regulations 1997* and the Acoustic Report.
- Consistency in Decision Making: Located within the Downtown sub-precinct of the Town Centre, the proposed hours would support the objectives of the BSPF, promoting nighttime economic activity while maintaining neighbourhood amenity. These extended hours would enhance the hospitality and entertainment atmosphere of Downtown, whilst minimising detrimental noise impacts the immediately surrounding residential dwellings.
- Alcohol Management: Administration is satisfied that the existing Tavern can continue operations in accordance with the current and amended VMP. This is because the VMP has considered the impact of a further 175 people attending the site and implemented further management measures. Additional measures include increased security staff, limiting patron capacity to 20 in the outdoor garden area after 10pm and implementation of the Acoustic Report.

Acoustic Report

Applicant Justification

The applicant submitted an Acoustic Report in support of the proposal which is included as **Attachment 5**. The report assesses noise generated from the proposed intensification of the land use and its impact on surrounding properties.

The Acoustic Report confirms that noise levels generated from the premises during the proposed operating hours and with the proposed occupancy numbers would comply with the relevant assigned noise levels under the *Environmental Protection (Noise) Regulations 1997*.

The application does not seek any internal or external building modifications. Based on the operational scenarios within the Acoustic Report, noise could be suitably mitigated, and the Tavern would not result in an adverse impact on the use and amenity of the surrounding area in relation to noise.

The key noise management measures to mitigate impacts of noise include:

External Noise

- ☐ No music to be played in the garden from 10pm onwards and the door to the garden must be closed from 10:00pm.
- ☐ Patron capacity shall also be limited to 20 persons in the outdoor garden area after 10:00pm.

Internal Noise

- ☐ Music shall be limited to an average Sound Pressure Level of 90 dB(A) within the premises.
- ☐ Music must always be controlled such that it is not audible at the nearest noise sensitive receivers.
- ☐ General music and entertainment to be background in nature, to ensure music is not audible at any of the receivers.
- ☐ The speakers used should not be directly attached to the lightweight roof structure via hard connections, in order to reduce noise transmission through the roof.
- ☐ The venue amplifier/PA system should be accessible by the Licensee and/or the Approved Manager only.
- ☐ Given the movement of patrons between indoor and outdoor area, noise emissions from the venue should be managed, ensuring that they do not become a dominant source of noise at the site boundaries at any time.
- ☐ Venue staff are to monitor dispersal of patrons to the outdoor area and manage any noise issues arising.

Administration Comments

- ☐ Acoustic Report: The City's Health Services is satisfied that the venue will comply with the *Environmental Protection (Noise) Regulations 1997*, as the assigned noise levels remain unchanged between 11:00am and midnight. Notwithstanding, the assessment also considers whether the proposed increase in patron capacity could lead to more frequent or prolonged noise events, particularly during patron movement and dispersal. These potential impacts are mitigated through the VMP and the operational controls outlined in the Acoustic Report, including limits on courtyard patron numbers after 10:00pm and door closure requirements, which are intended to manage noise impacts at nearby noise-sensitive receivers to an acceptable level.
- ☐ History of Noise: The proposed extension of operating hours would not substantially result in noise complaints, as Molly's Irish Pub has not received any noise complaints since the commencement date, 4 December 2023. To date, Administration have previously supported extended trading permit (ETP) applications, which are summarised as follows:

Historical and Approved Extended Trading Permits		
Date of ETP	Approved Extended Hours	Extension to <i>Liquor Control Act 1988</i> (Y/N)
17 March 2024	7:00am – 11:00am	Yes (early open)
30 June 2024	7:00am – 11:00am	Yes (early open)
2 February 2025	11:00am – 2:30am	No
9 February 2025	11:00am – 2:30am	No
10 February 2025	11:00am – 1:00am	No
23 February 2025	11:00am – 2:30am	No
9 March 2025	11:00am – 2:30am	No
17 March 2025	11:00am – 2:30am	No
20 June 2025	11:00am – 1:00am	No
27 June 2025	11:00am – 1:00am	No

Administration did not impose any non-standard conditions or additional management measures prior to approval the ETPs. Standard conditions included:

- o *Trading hours are limited to (insert relevant hours).*
- o *Compliance with the Conditions and Policies of the Department of Local Government, Sport and Cultural Industries.*
- o ***Environmental Protection (Noise) Regulations 1997.***
- o ***Compliance with the requirements of the Health (Public Buildings) Regulations 1992.***
- o *The area shall be provided with adequate emergency exit paths/routes, manned by crowd controllers for the duration of the event.*
- o *The variation of licence is limited to the area delineated in the plan submitted with the application.*
- o *The provision of food to patrons is to be carried out in accordance with the: Australian New Zealand Food Standards Code; Food Act 2008; and Food Regulations 2009.*
- o *All licensed areas and surrounds must be appropriately managed in order to eliminate trip and other safety hazards.*
- o *The applicant must ensure that all patrons take reasonable care when leaving the premises to ensure that there is minimum disruption to occupants of nearby properties.*

During these extended trading periods, the City received no complaints regarding excessive noise or antisocial behaviour.

- ☐ Acceptability of Noise: Noise generated from the operation of the venue can be appropriately managed through compliance with the VMP with the inclusion of the recommendations of the Acoustic Report.


A recommended condition of approval has been included to ensure that all operational scenarios identified in the Acoustic Report are implemented prior to the Tavern's operation and maintained thereafter. Notwithstanding the recommended conditions, the venue would also be required to comply with the provisions of the *Environmental Protection (Noise) Regulations 1997*.

Conditions of Approval

To reduce the complexity of the decision notice and allow greater ease of reference in the future, it is recommended that all existing Conditions be deleted and a new set of Conditions which encompasses both existing and proposed requirements be imposed.

9.3 NO. 88B (LOT: 3; PLAN: 88595) BOURKE STREET LEEDERVILLE - PROPOSED GROUPED DWELLING AND ANCILLARY DWELLING

Ward: North

- Attachments:**
1. Consultation and Location Map 
 2. Development Plans 
 3. Arborist Report 
 4. Landowner and Applicants Justification 
 5. Solar Access Diagram 
 6. Summary of Submissions - Applicant's Response 
 7. Summary of Submissions - Administration's Response 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for Grouped Dwelling and Ancillary Dwelling at No. 88B (Lot: 3; D/P: 88595) Bourke Street, Leederville in accordance with the plans shown in Attachment 2, subject to the following condition, with the associated determination advice notes in Attachment 6:

1. Development Plans

This approval is for Grouped Dwelling and Ancillary Dwelling as shown on the approved plans dated 16 October 2025. No other development forms part of this approval;

2. Landscaping & Tree Protection

- 2.1 Prior to occupation, all landscaping shown in the approved plans, shall be undertaken to the satisfaction of the City, and thereafter maintained, at the expense of the owner;
- 2.2 Prior to commencement of works on site, the street tree(s) within the verge in front of Nos. 88, 88A and 88B Bourke Street must be protected in accordance with Australian Standard AS4970 (Protection of trees on development sites), and maintained for the duration of construction, to the satisfaction of the City;
- 2.3 Prior to the issue of a Building Permit, a Tree Protection Plan, prepared in accordance with AS4970 – Protection of Trees on Development Sites 2025, shall be submitted and approved by the City. The Tree Protection Plan shall be prepared by a suitably qualified Arborist and include details of the construction method for works to be undertaken to protect the Lemon-Scented Gum located at No. 53 Galwey Street, Leederville. The Tree Protection Plan shall include the following details:
 - 2.3.1 Identification of a Tree Protection Zone and Structural Root Zone;
 - 2.3.2 Methodology and construction details for development within the Tree Protection Zone and Structural Root Zone; and
 - 2.3.3 Fencing of the Tree Protection Zone, to be implemented for the duration of works;
- 2.4 The Tree Protection Plan shall be submitted to and approved by the City. The approved Tree Protection Plan shall be implemented for the duration of the construction of the development, to the satisfaction of the City;

3. Visual Privacy

Prior to occupation, all privacy screening as shown on the approved plans shall be installed and maintained thereafter, and shall comply in all respects with the deemed-to-comply

provision of Part C, Clause 3.10 (Visual Privacy) of the Residential Design Codes Volume 1, to the satisfaction of the City;

4. Colours and Materials

The colours, materials and finishes of the development shall be in accordance with annotations shown on the approved plans and the schedule of finishes which forms part of this approval, unless otherwise approved by the City;

5. Car Parking and Access

5.1 All vehicle parking, manoeuvring and access areas including the common property driveway, shall be constructed, paved and drained in accordance with the approved plans and are to comply with the requirements of Australian Standard AS2890.1, to the satisfaction of the City; and

5.2 The Vehicle turntable is to be installed and operational prior to the occupation of the development and maintained thereafter, to the satisfaction of the City;

6. Building Design

6.1 The surface finish of boundary walls facing an adjoining property shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick; or material as otherwise approved; to the satisfaction of the City; and

6.2 At least one window to each habitable room shall be operable in design, to the satisfaction of the City;

7. External Fixtures

All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive, to the satisfaction of the City; and

8. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve.

EXECUTIVE SUMMARY:

The purpose of this report is to consider an application for development approval for a three-storey Grouped Dwelling at No. 88B Bourke Street, Leederville.

The subject site and surrounding properties are zoned Residential R40 under the City's Local Planning Scheme No. 2 (LPS2) and are located within the Residential Built Form Area under the City's Policy No. 7.7.1 – Built Form (Built Form Policy).

The subject site is the rear, battle axe lot of a three-lot subdivision. It is currently vacant and comprises a total area of 241 square metres. To the north of the subject site at No. 53 Galwey Street, there is an existing large mature gum tree which the canopy extends beyond the property boundaries onto the subject site.

The proposal is required to be determined by Council as the City's delegation does not extend to proposals of three-storey development in areas where the Built Form Policy sets a building height standard of two-storeys.

Administration recommends approval subject to conditions. The proposed building height and reduced lot boundary setback would not adversely impact the amenity of adjoining properties. Although the development includes a third storey, the upper level is predominantly contained within the roof form, resulting in the dwelling presenting as a two-storey form when viewed from surrounding properties and is below the deemed-to-comply building height. This effectively reduces perceived bulk when viewed from adjoining properties.

Overshadowing to the future dwelling at No. 88A Bourke Street would be acceptable, as any future spaces will retain adequate solar access at various times of the day throughout the year. Both setbacks and height to the southern elevation meet the deemed-to-comply provisions.

The proposed landscaping across the site, including the planting of one tree, would contribute to a high level of amenity for future residents and provide environmental benefits to the development.

The applicant has submitted an Arborist Report to demonstrate the development's potential impact on the existing Lemon Scented Gum located on the northern adjoining property at No. 53 Galwey Street. The report, prepared by Westworks Consultancy, identifies that further excavation works are required to confirm the extent of the development's impact on the tree's root system.

As these investigations were not undertaken, a condition of approval requires the applicant to submit a Tree Protection Plan that establishes an appropriate Tree Protection Zone and outlines construction methodologies to ensure the ongoing health and viability of the tree.

PROPOSAL:

The application proposes the construction of new three-storey Grouped Dwelling at the rear of three lot survey strata. The subject site is currently vacant and has an area of 241 square metres.

The ground floor of the proposed dwelling includes a double garage, the primary kitchen, living, and dining area, one bedroom, and a laundry. The first floor includes three bedrooms, a secondary living area, and a bathroom. The second floor is an independent floor that contains a bedroom, kitchenette, bathroom, and balcony. The second floor has been designed so it is capable to be used as an ancillary dwelling and be self-contained from the dwelling.

The development plans of the subject application are included in **Attachment 2**.

Applicant's Justification

The landowner and applicant has prepared written justification to support the proposal, included in **Attachment 4**.

The landowner's written justification is as follows:

We are hoping to future proof our family with the house moving forward. Our 24 year old daughter is special needs/autistic and will need support for her whole life. Our aim with the house is to build one that will house myself, my husband and my daughter as well as my eldest daughter, her partner and our first grandchild who is due in February 2026.

In the process we hope to cater for childcare for our grandson, aged care for myself and my husband in our later years and ongoing support for our youngest child who will be taken care of by her sister and partner when we are gone.

As residents of the City of Vincent we would like to stay in the area where we have our community/village.

We have worked really hard with Grace our designer to get the most out of the space we have and comply with building regulations, and I believe we have managed that with this DA submission.

The applicant's justification is summarised as follows:

- The proposed development is a multigenerational home that provides comfort and long-term support for the entire family, including the client's special needs daughter.
- Due to the site's size constraints, all spaces have been carefully designed to maximise functionality by creating areas for gathering and connection to the surrounding environment, while also incorporating independent spaces.
- The top floor has been designed as an assisted living space for the client's daughter, incorporating a kitchenette, bathroom, living area, bedroom, and an external balcony. The intent is to create a homely environment that provides independence and security while remaining integrated with the family home.
- The tree on the northern adjoining property has been treated as a valuable element of the site. the roof design has been shaped away from the tree limbs, while windows are positioned to frame views of the tree.
- The balcony on the top floor is an important element to encourage socialisation and family interaction.
- The loft retains the character of an attic rather than a conventional storey. Its modest scale, sloping roof geometry and integrated built-in elements reinforce its role as accommodation contained within the roof volume, rather than an additional floor.
- The development has been designed to respond sensitively to its context, with the overall building height remaining below applicable controls and overshadowing impacts on neighbouring properties significantly reduced. The roof form and internal layout have been carefully planned to achieve compliance without compromising the quality or functionality of the loft space.

Delegation to Determine Applications:

The application is being referred to Council for determination in accordance with the City's Register of Delegations, Authorisations and Appointments. This is because the delegation does not extend to proposals that propose a height of three storeys or more and do not meet the applicable Building Height deemed-to-comply standard or Acceptable Outcomes set by the R Codes in response to the number of storeys.

The application proposes a three-storey development in area where the Built Form Policy sets a building height standard of two-storeys.

BACKGROUND:

Landowner:	Jacqueline Corless-Crowther and Michael John Crowther
Applicant:	Hubble Design
Date of Application:	15 May 2025
Zoning:	MRS: Urban LPS2: Zone: Residential R Code: R40
Built Form Area:	Residential
Existing Land Use:	Vacant Site
Proposed Use Class:	Grouped Dwellings
Lot Area:	Lot: 241m ² Portion of common property: 27.2m ² Total: 268.2m ²
Right of Way (ROW):	No
Heritage List:	No

Site Context and Zoning

The subject site is a rear battle axe lot, which is bound by two-storey single houses to the north, a single-storey single house to the west, two-storey grouped dwelling to the east, and a vacant site to the south. A location plan is provided as **Attachment 1**.

The subject site and all adjoining properties are zoned Residential R40 under the City's LPS2 and are located within the Residential Built Form Area under the Built Form Policy, with a building height standard of two storeys.

The subject site is 241 square metres and is a part of an existing survey strata. The subject site shares a communal driveway for the subject site and 88A Bourke Street.

No. 53 Galwey Street Tree

To the north of the subject site at No. 53 Galwey Street, there is a fully mature existing lemon-scented gum tree, with an estimated height of 23 metres and a canopy spread of 20 metres, as identified in the applicants Arborist Report, included as **Attachment 3**. The tree has been identified as being in good health and has a useful life expectancy of 20-40 years. The canopy of this tree extends beyond the property boundaries onto the subject site. The tree is not located within the City's Tree of Significance Register. It is estimated that the canopy of this tree covers 44 percent of the subject site.

DETAILS:**Summary Assessment**

The table below summarises the planning assessment of the proposal against the provisions of LPS2, the Built Form Policy, and the R Codes Volume 1, Part C. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Deemed-to-Comply	Requires the Discretion of Council
Private Open Space		✓
Trees and Landscaping (R Codes)		✓
Water Management & Conservation	✓	
Size and Layout of Dwellings	✓	
Parking	✓	
Solar Access and Natural Ventilation (Internal)	✓	
Waste Management	✓	
Utilities	✓	
Open Space	✓	
Building Height/Storeys		✓
Street Setback		✓
Lot Boundary Setbacks/Boundary Walls		✓
Garage setback	✓	
Site Works/Retaining Walls	✓	
Streetscape	✓	
Front Fence	✓	
Access	✓	
Solar Access for Adjoining Sites		✓
Visual Privacy	✓	

Detailed Assessment

The planning elements of the application that do not meet the deemed-to-comply standards and require the discretion of Council are listed below:

Private Open Space	
Deemed-to-Comply Standard	Proposal
R Codes Part C – Clause 1.1	
C1.1.4 – Balconies are to be unscreened for 25 percent of the total perimeter of the balcony	Entire balcony is screened due to the 1.6 metre screening on the western and southern elevation.
Trees and Landscaping	
Deemed-to-Comply Standard	Proposal
R Codes Part C – Clause 1.2	
C1.2.1 – 15 percent (40 square metres) is to consist of soft landscaping with a minimum dimension of 1 metre.	14.2 percent (38 square metres) of the site consists of soft landscaping with a minimum dimension of 1 metre.

Building Height	
Deemed-to-Comply Standard	Proposal
Built Form Policy – Clause 5.3	
<input type="checkbox"/> Storeys: 2-storeys <input type="checkbox"/> Top of pitched roof: 10 metres	<input type="checkbox"/> Storeys: 3-storeys <input type="checkbox"/> Top of pitched roof: 8.5 metres
Street Setbacks	
Deemed-to-Comply Standard	Proposal
Built Form Policy 5.1	
Walls on upper floors to be set back 2 metres behind the predominant ground floor building line.	Upper floor is setback 1.5 metres behind the ground floor.
Lot Boundary Setbacks	
Deemed-to-Comply Standard	Proposal
R Codes – Clause 3.4	
West Upper Floor <input type="checkbox"/> Bedroom 3 and balcony: 1.5 metres	West Upper Floor <input type="checkbox"/> Bedroom 3: 1.2 metres
Solar Access for Adjoining Sites	
Deemed-to-Comply Standard	Proposal
R Codes – Clause 3.9	
Shadow to No. 88A Bourke Street permitted: 35 percent.	Shadow to No. 88A Bourke Street proposed: 40.5 percent.

The above elements have been assessed against the relevant design principles and objectives contained in the Comments section below.

CONSULTATION/ADVERTISING:

First Advertising Period

Community consultation was undertaken in accordance with the City's Community and Stakeholder Engagement Policy for a period of 14 days between 8 July 2025 and 21 July 2025. The method of consultation included a notice on the City's website and 142 letters being sent to landowners and occupiers within a 100 metre radius of the subject site, as shown in **Attachment 1**.

At the conclusion of the consultation period a total of six submissions were received, comprising:

- ☐ Four objections;
- ☐ One submission of support; and
- ☐ One submission that neither supported nor objected to the proposed but provide a comment.

Concerns raised in the submissions are summarised as follows:

- ☐ The development would have an adverse impact on adjoining properties in relation to overshadowing and building bulk;
- ☐ There is uncertainty with how the development will not adversely impact the tree on the northern adjoining property; and
- ☐ Limited parking available, considering the size of the dwelling.

The submission supporting the application did not provide a comment.

Modified Plans

Following the consultation period and the issue of a request for information letter, the applicant submitted amended plans on 9 September, 1 October, and 16 October 2025. The following changes were made from the original advertised:

- ☐ Reduction of the overall building height from 9.3 metres to 8.5 metres;
- ☐ Incorporation of a turning circle to allow vehicles to exit the site in forward gear;
- ☐ Removal of the swimming pool;
- ☐ Increase of soft landscaping from 11 percent to 14.2 percent of the subject site area;
- ☐ Increase the deep soil area from 4 square metres to 9 square metres;
- ☐ Increase the laundry's setback from the southern boundary from 0.74 metres to 1 metre; and
- ☐ Increase the east upper floor setback from 1 metre to 1.5 metres;
- ☐ Introduce articulation to the west upper floor resulting in the setback increase from 1.2 metres to 1.5 metres; and
- ☐ The applicant submitted an Arborist Report, prepared by Westworks Consultancy in relation to the tree at No. 53 Galwey Street.

Second Advertising Period

In accordance with the Community and Stakeholder Engagement Policy, the proposal was re-advertised for seven days from 22 October 2025 to 29 October 2025 to the original submitters. The purpose of the re-advertising was to give all previous submitters that either objected or stated neither an opportunity to review the amended plans and provide further comment. At the close of the advertising period:

- ☐ One submitter affirmed previous concerns with the shadow cast over the south-east adjoining property; and
- ☐ Four provided no comment.

A summary of submissions received along with Applicant's responses are provided in **Attachment 6**. Administration's response to the submissions are provided as **Attachment 7**.

Design Review Panel (DRP):

Referred to DRP: Yes

The proposal was referred on three occasions to the City's DRP Chair to provide independent design advice against the 10 principles of good design. The table below provides a summary of this application's design review assessment progress.

Design Review Progress Report			
	<i>Supported</i>		
	<i>Pending further attention – refer to detailed comments provided</i>		
	<i>Not supported</i>		
	<i>Insufficient information provided by applicant to assess</i>		
	DRP 1 – Chair Comments 11/07/25	DRP 2 – Chair Comments 22/09/25	DRP 3 – Chair Comments 15/10/25
Principle 1 - Context and character			
Principle 2 - Landscape quality			
Principle 3 - Built form and scale			
Principle 4 - Functionality and build quality			
Principle 5 - Sustainability			
Principle 6 - Amenity			
Principle 7 - Legibility			
Principle 8 - Safety			
Principle 9 - Community			
Principle 10 - Aesthetics			

In response to comments and recommendations received from the DRP Chair, Administration and community consultation comments, the applicant made the following key changes over the course of the application process:

- ☐ The building envelopes of the adjoining properties are shown on the plans.
- ☐ The deep soil area was relocated and increased from 4 square metres to 9 square metres. The overall provision of soft landscaping across the site was also increase from 29.9 square metres to 38.2 square metres.
- ☐ The applicant submitted an Arborist Report, prepared by Westworks Consultancy in relation to the tree at No. 53 Galwey Street.
- ☐ The applicant removed the on-structure planters.
- ☐ The overall height of the building was reduced from 9.3 metres to 8.5 metres which resulted in overshadowing cast over the southern adjoining property reducing from 45 percent to 40 percent.
- ☐ Ducted air conditioning wall vents shown on floor plans.
- ☐ Front door weather protection to a depth of 1.7 metres was introduced.
- ☐ No passive shading devices proposed to northern windows. Inclusion of tree on elevation plan demonstrates shading is achieved.
- ☐ Car turn table proposed to ensure vehicles can exit the site in forward gear.
- ☐ Face brick maintained on the ground floor.
- ☐ Greater material diversity increase to the west and east elevations, including the introduction of cladding to the western upper floor.

The DRP's final review was based on plans submitted on 1 October 2025, which are consistent with the latest set dated 16 October 2025, except that the deck area was previously proposed as a pool. The table below provides a summary of the DRP Chair's comments that are 'pending further attention', along with Administration's responses.

DRP Comments Received	Administration's Comments
<p>Principle 3 – Built Form and Scale</p> <p>The proposal seeks several variations from the City's planning requirements, notably a one-storey height increase and resulting overshadowing of the southern neighbouring property. While some improvements have been made, further design changes, like lowering the steep pitch of the upper roof, could help reduce overshadowing impacts.</p>	<p>The acceptability of the proposed height is detailed in the Comments section of this report. In summary, the proposed development will appear as a two-storey dwelling, as the third storey is contained predominately within the roof space. This results in the development appropriately responding to the built form context of the area, including the adjoining properties. The extent of overshadowing from the development is acceptable as any future development on 88A Bourke Street would maintain adequate solar access throughout the year. Impact of bulk and scale are mitigated through articulation, variation in material and colours, and window placement.</p>
<p>Principles 4 – Functionality and Build Quality</p> <p>A car turntable has been included to generate compliant vehicle manoeuvring on the site however this is unusual for this typology and inconvenient for use on a daily basis. The applicant is encouraged to adjust the house footprint on the site to ensure compliant vehicle manoeuvring is achieved without the use of a turntable.</p>	<p>The provision of a car turntable ensures that vehicles can exit the site in forward gear. This is a deemed-to-comply requirement, as the proposed driveway exceeds 30 metres in length. While the use of a turntable is uncommon for this housing typology, it satisfies the relevant standard and provides a practical solution for the site's layout.</p>

DRP Comments Received	Administration's Comments
Principle 6 – Amenity <ul style="list-style-type: none"> <input type="checkbox"/> Bed 3 does not have a have full sized window (major opening) providing limited outlook for residents and is solely reliant on frosted or high level windows. The applicant is encouraged to arrange built form on the site with appropriate setbacks so all bedrooms have major openings. <input type="checkbox"/> The attic level has been shown as an independent living unit however the bedroom as well as living space don't have major openings and rely solely on roof skylights providing limited outlook for residents and the balcony is also fully screened to achieve visual privacy compliance generating limited amenity for residents. 	<ul style="list-style-type: none"> <input type="checkbox"/> The openings associated with Bedroom 3 are acceptable and satisfy the deemed-to-comply standard for the provision of glazing to habitable rooms. The window is capable of being opened, allowing for natural ventilation, while the proposed sill height will restrict overlooking into the western adjoining property. The highlight window is clear and would provide sufficient solar access to the bedroom without compromising privacy. The combination of ventilation, solar access, and privacy ensures the opening contributes positively to the overall amenity of the space. <input type="checkbox"/> It is acknowledged that the skylights associated with the habitable rooms of the attic/ancillary dwelling provide limited outlook. Despite this, the proposed skylights are capable of being opened, ensuring the rooms receive adequate solar access and natural ventilation. The extent of screening proposed for the balcony is detailed in the Comments section of this report. In summary, the screening is acceptable, as it is necessary to prevent overlooking into the western adjoining property. While the screening restricts outlook, the amenity of the space is maintained through the balcony being unroofed, allowing for sufficient solar access and natural ventilation.

LEGAL/POLICY:

- ☐ *Planning and Development Act 2005;*
- ☐ *Planning and Development (Local Planning Schemes) Regulations 2015;*
- ☐ City of Vincent Local Planning Scheme No. 2;
- ☐ Residential Design Codes Volume 1 – Part C;
- ☐ Community and Stakeholder Engagement Policy; and
- ☐ Policy No. 7.1.1 – Built Form Policy.

Planning and Development Act 2005

In accordance with Schedule 2, Clause 76(2) of the Planning Regulations and Part 14 of the *Planning and Development Act 2005*, the applicant would have the right to apply to the State Administrative Tribunal for a review of Council's determination.

Planning and Development (Local Planning Schemes) Regulations 2015

In accordance with Clause 67(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Deemed Provisions) and in determining a development application, Council is to have due regard to a range of matters to the extent that these are relevant to the development application.

The matters for consideration relevant to this application relate to the compatibility of the development within its setting, amenity and character of the locality, consistency with planning policies and advice from the DRP.

Residential Design Codes Volume 1 - Part C

The R Codes were gazetted on 10 April 2024. The changes to R Codes Volume 1 resulted in a split Volume 1 of the R Codes into Part B and Part C, as follows:

- Part B applies to all single houses R40 and below, grouped dwellings R25 and below, and multiple dwellings in areas coded R10-R25.
- Part C applies to all single houses R50 and above, grouped dwellings in areas coded R30 and above, and multiple dwellings in areas coded R30 to R60.

This proposal has been assessed against Part C of the R Codes. This is because the proposal relates to a Grouped Dwelling development on property coded Residential R40.

The R-Codes apply to all single and grouped dwelling developments. An approval under the R-Codes can be obtained in one of two ways. This is by either meeting the deemed-to-comply standard or by satisfying the design principles and objectives.

RISK MANAGEMENT IMPLICATIONS:

There are risks that require active management to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

The key risks relate to the defensibility of Council's exercise of discretion through potential SAT review, and ensuring conditions are clear, valid and enforceable. These risks are mitigated through a clear planning rationale, consideration of evidence, and imposition of enforceable conditions that reasonably relate to identified impacts (such as construction impacts on the adjoining mature tree).

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2022-2032:

Innovative and Accountable

Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.

SUSTAINABILITY IMPLICATIONS:

The City has assessed the application against the environmentally sustainable design provisions of the City's Policy No. 7.1.1 – Built Form. These provisions are informed by the key sustainability outcomes of the City's Sustainable Environment Strategy 2019-2024, which requires new developments to demonstrate best practice in respect to reductions in energy, water and waste and improving urban greening.

PUBLIC HEALTH IMPLICATIONS:

There are no impacts on the priority health outcomes of the City's Public Health Plan 2020-2025 from this report.

FINANCIAL/BUDGET IMPLICATIONS:

There are no direct financial or budget expenditure implications arising from the determination of this application.

As with any discretionary planning decision, there is a possibility that the determination may be subject to review by the SAT, which can result in legal and consultant costs being incurred by the City. These costs cannot be quantified at this stage and would be managed within existing budgets if they arise, otherwise through budget review processes. The capacity to do so will depend on the number of SAT appeals and complexity of any review proceedings.

COMMENTS:Summary Assessment

In assessing the application against the planning framework, it is recommended for approval. The following key comments are of relevance:

- Protection of Tree: Although the applicant has submitted an Arborist Report that identifies the need for further excavation works to determine the development's impact on the northern adjoining property's tree root system, these investigations have not been completed. Notwithstanding this, the proposal can be supported on the basis that a condition of approval requires the applicant to submit a Tree Protection Plans that establishes an appropriate tree protection zone prior to the issue of a building permit, ensuring the tree's health is protected.
- Building height: Despite being three storeys, the development will present as a two-storey dwelling when viewed from adjoining properties. The proposed height will be at 8.5 metres, which is below the 10-metre deemed-to-comply height. The development's height appropriately responds to the surrounding area context, with the upper floor being contained within the roof space to reduce perceived bulk and scale. The use of design features such as roof integration and appropriate setbacks contributes to a positive integration of the development within the existing built form.
- Bulk and Scale: Building bulk is effectively reduced to adjoining properties through a combination of articulated walls, material diversity, varied lot boundary setbacks, and an appropriate building height below the deemed-to-comply provisions.
- Overshadowing: Shadow impacts to the future dwelling at No. 88A Bourke Street are acceptable, as any future spaces will retain adequate solar access at various times of the day throughout the year. Solar access studies provided by the applicant demonstrate that the northern portion of 88A Bourke Street would receive sufficient solar access during summer, autumn, and spring, and maintain solar access at different times of the day during winter. Both setbacks and height to the southern elevation meet the deemed-to-comply provisions.
- Landscaping: The development includes a deep soil area onsite that is capable of supporting the planting of one tree. The provision of the tree and extent of landscaping incorporated throughout the site would provide environmental benefits and would contribute to the residential amenity.
- Private Open Space: The balcony provides residents with an opportunity for entertaining and leisure and will receive sufficient solar access and natural ventilation due to being unroofed.

Protection of Tree

Clause 67(n)(i) of the Deemed Provisions requires the local government to have due regard to 'the environmental impacts of the development'. Given the tree's prominence and height, and the Arborist Report identifying it as being in good health, the potential impact of the development must be considered.

The applicant has submitted an Arborist Report which concludes that further excavation works are required to determine the development's impact on the tree's root system. While these additional investigations may assist in confirming the extent of root encroachment, requiring this level of invasive work at the development application stage is outside the scope of information reasonably required to determine a proposal. The potential impact can instead be appropriately managed through a condition of approval.

Accordingly, a condition is recommended requiring the applicant to submit a Tree Protection Plan prior to the issue of a Building Permit. This report is to establish an appropriate tree protection zone and detail the construction methodologies that will protect the ongoing health and viability of the tree.

Building Height, Lot Boundary Setbacks, and Solar Access for Adjoining Sites

The proposed building height, lot boundary setbacks, visual privacy, and solar access for adjoining sites satisfy the relevant Design Principles of the R-Codes and Local Housing Objectives of the Built Form Policy for the following reasons:

- Development Impact on the Street: Since the subject site is a rear battle axe and will be concealed by the existing dwelling at No. 88 Bourke Street and a future dwelling at No. 88A Bourke Street, the proposed development will not be visible from Bourke Street.

- **Building Bulk and Transition Between Adjoining Properties:** The potential bulk impact from the proposed building height and reduced lot boundary setback is mitigated through wall articulation, varied setbacks, inclusion of windows, and a material palette incorporating face brick, cement cladding, timber cladding, and light colourbond. The third storey is predominately contained within the roof space, reducing its visual prominence, and balcony screening follows the pitch of the unenclosed portion to reduce additional bulk. These measures break down building massing and reduce perceived bulk when viewed from adjoining properties. The transition to surrounding single and two-storey dwellings has been accommodated through these design elements, ensuring the development responds appropriately to its context and maintains compatibility.
- **Consistency with Nearby Development:** The proposed building height is consistent with nearby development, including all adjoining properties. The application proposes a three-storey development; however, when viewed from adjoining properties, the building will present as a two-storey form, as the third storey is contained within the roof space – refer to **Figure 1**. Despite the inclusion of a third storey, the overall building height of 8.5 metres remains below the deemed-to-comply standard of 10 metres. The adjoining properties are characterised by single and double-storey dwellings, and the proposed development responds appropriately to this context.

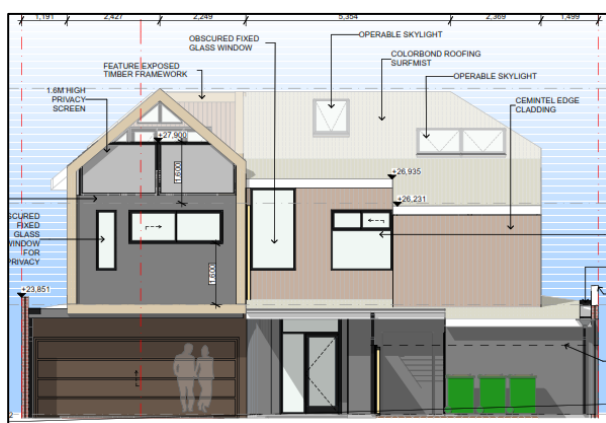


Figure 1: Front elevation of proposed development presenting as a two-storey development

- **Overshadowing:** The property affected by overshadowing from the proposed development is the southern adjoining lot, No. 88A Bourke Street. This site is currently vacant, with no development application lodged or approved. Nevertheless, solar access for any future development must be considered. At the winter solstice (21 June), the majority of shadow cast by the proposal would fall on the northern portion of No. 88A. Future development on this site is likely to orientate its primary garden area and major openings to the northern elevation to maximise solar access. While this area would be subject to overshadowing, the assessment is based on midday conditions during the winter solstice, representing the worst-case scenario. This approach does not capture the broader availability of solar access throughout the day and across other seasons. In practice, the northern portion of No. 88A Bourke Street would receive sufficient solar access in the morning and afternoon on 21 June, and greater access across other months of the year. These outcomes have been demonstrated in the applicant's solar access study included as **Attachment 5**.

In addition, the extent to which the proposed development overshadows No. 88A Bourke Street is largely due to the east-west orientation of the site. The development proposes a building height that meets the deemed-to-comply standard in metres and has been adequately setback from the southern boundary to meet the deemed-to-comply setback distance. Further to this, east-west orientated lots are more susceptible to overshadowing, while the size and configuration of No. 88A Bourke Street contributes to a higher overshadowing percentage.

- **Overlooking:** The proposal meets the deemed-to-comply standards for visual privacy from all openings associated with habitable rooms.
- **Views of Significance:** No views of significance are identified to be associated with the subject site or adjoining properties.

Trees and Landscaping

In addition to the deemed-to-comply standards of the R-Codes, the application has also been assessed against the landscaping provisions of the Built Form Policy. The deemed-to-comply landscaping standards set out in the Built Form Policy have not been approved by the Western Australian Planning Commission (WAPC). As such, these provisions are given regard only in the assessment of the application and do not have the same weight as other policy provisions.

The Built Form Policy deemed-to-comply standard prescribes 12 percent (32 square metres) of the site to be deep soil area, while the proposed development provides 8.9 percent (24 square metres).

The proposed extent of landscaping and trees satisfies the relevant Design Principles of the R Codes and Local Housing Objectives of the Built Form Policy for the following reasons:

- Location of Landscaping: The development proposes landscaping to be incorporated across the site, including within private open spaces and lot boundary setback areas. The location of the landscaping is demonstrated in the ground-floor plan included as **Attachment 2**. The proposed landscaping would provide a high level of amenity for future residents and assist in softening the development when viewed from adjoining properties.
- Tree Planting and Environmental Benefits: The application proposes planting one new tree within the rear private open space, where there are currently no existing trees on the subject site. This meets the deemed-to-comply under the R-Codes and will provide residential amenity and canopy coverage for the rear open space.
- Permeable Paving: Permeable paving is proposed at the entrance of the dwelling. Proposing this permeable paving reduces the amount of hardstand areas and assists with water infiltration and reducing the urban heat island effect.

Private Open Space and Street Setback

The proposed Private Open Space, Street Setback, and Visual Privacy would satisfy the relevant Design Principles of the R-Codes for the following reasons:

- Private Open Space: The application proposes for the upper floor balcony to be fully screened. This is a result of the inclusion of 1.6-metre-high visual privacy screening along the south and west perimeters, ensuring the balcony does not overlook the western adjoining property. While the outlook from the balcony will be restricted, the space will still receive solar access and natural ventilation, as it is proposed to be unroofed and entirely open to the sky.
- Street Setback: The reduced upper floor setback would not have an impact on the streetscape, given the lot is a rear battle axe lot, making it entirely screened from Bourke Street.

9.4 TRANSPORT ADVISORY GROUP - APPOINTMENT OF COUNCIL MEMBERS AND COMMUNITY REPRESENTATIVES

- Attachments:**
1. Transport Advisory Group - Terms of Reference 
 2. Transport Advisory Group - Nominations - Confidential

RECOMMENDATION:**That Council:**

1. **APPROVES** the Terms of Reference for the Transport Advisory Group, as at Attachment 1;
2. **APPOINTS** the following Council Members as Council's representatives to the Transport Advisory Group for a term expiring on 16 October 2027;

Members:

1. _____;
2. _____;
3. _____; and

and the Chair of the Advisory Group will be Cr _____; and

3. **APPOINTS** the following community members to the Transport Advisory Group, as detailed in Confidential Attachment 2;
 1. Applicant 1;
 2. Applicant 2;
 3. Applicant 3;
 4. Applicant 4;
 5. Applicant 5;
 6. Applicant 6;
 7. Applicant 7; and
 8. Applicant 8.

PURPOSE OF REPORT:

To consider the Terms of Reference and appoint Council Members and community representatives to the Transport Advisory Group (TAG).

DELEGATION:

The City's Register of Delegations, Authorisations and Appointments does not extend to Advisory Groups.

Clauses 1.3 and 2.3 of the City's [Advisory Groups Policy](#) requires Council to approve the Terms of Reference (ToR), and appoint the Advisory Group membership including a Chairperson.

BACKGROUND:

The City's Advisory Groups Policy sets out that Council can establish an Advisory Group to:

- a) *facilitate Council Member, stakeholder and/or community input and involvement opportunities;*
- b) *provide advice; and*
- c) *support to the City, in regard to strategic, special interest and/or operational activities.*

This also provides a framework for the administration of Advisory Groups.

At their [11 November 2025 Ordinary Council Meeting \(OCM\)](#) whilst considering the appointment of Council Members and Community Representatives to the Arts Advisory Group and Sustainability Advisory Group, Council adopted the following amendment ([Item 12.1](#)):

7. *NOTES that a Transport Advisory Group will be established, with a report to be prepared for the Council's Ordinary Meeting in March 2026 to appoint the Council and Community Members and to approve the Terms of Referenced in accordance with the City's Advisory Groups Policy.*

DETAILS:Terms of Reference

Administration has drafted Terms of Reference for the Transport Advisory Group, as set out in **Attachment 1**.

The purpose of the TAG is to provides strategic, community-informed insights to support the City's long-term transport planning and decision-making, particularly during the upcoming Major Review of the Accessible City Strategy (ACS).

The objectives of the TAG are to:

- ☐ Enhance the effectiveness of the ACS Major Review (scheduled for 2026);
- ☐ Provide strategic advice on the City's transport plans and policies;
- ☐ Bring lived experience into strategic transport discussions;
- ☐ Support community alignment and transparent decision-making; and
- ☐ Strengthen Council's understanding of strategic transport issues.

Membership of the TAG shall comprise the following persons as determined by Council:

- ☐ Up to four (4) Council Members; and
- ☐ Up to ten (10) community representatives with qualifications, expertise or experience in transport planning, traffic engineering, road safety, active transport or accessibility.

Nominations

Nominations for the TAG were invited between Friday 28 November and Monday 15 December 2025 with notices placed on the City's website on Friday 28 November 2025, the City's LinkedIn page on Monday 1 December 2025 and Facebook page on Wednesday 3 December 2025.

Nominations were sought based on the following criteria:

"Qualifications, expertise or experience in transport planning, traffic engineering, road safety, active transport or accessibility".

The community nominations are included as **Attachment 2** and it is recommended that eight members be appointed to the TAG as set out in this attachment.

LEGAL/POLICY:

In accordance with the Advisory Groups Policy, the purpose of the TAG is to provide advice to the City and to support Council in making informed decisions. It is not a decision-making body.

Clause 1.3 of the Advisory Groups Policy sets out:

1.3 Advisory Groups will operate in accordance with the Terms of Reference approved by Council which provide:

- a) A clear statement of objective and the scope of activity to be undertaken.*
- b) Membership/stakeholder representation.*
- c) The operational and administrative framework by which activities are to occur.*

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to appoint new Council and community members to the City's Transport Advisory Groups. The TAG would be administered in accordance with the Advisory Groups Policy.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Connected and Healthy Community

We have enhanced opportunities for our community to build relationships and connections with each other and the City.

Innovative and Accountable

We engage with our community so they are involved in what we are doing and how we are meeting our goals.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*, however the TAG will support Vincent to draft an Accessible City Strategy that adequately plans for alternative and more sustainable modes of transport.

PUBLIC HEALTH IMPLICATIONS:

This does not contribute to any public health outcomes in the *City's Public Health Plan 2020-2025* however the TAG will support Vincent to draft an Accessible City Strategy that adequately plans for alternative modes of transport and increased physical movement.

FINANCIAL/BUDGET IMPLICATIONS:

Nil. Advisory Group members are not paid and staff resourcing will be met within existing operational budgets.

COMMENTS:

The Transport Advisory Group (TAG) will support Council by providing high-level, community-informed perspectives on transport priorities and emerging issues. This helps ensure that Council's direction on the Accessible City Strategy review is shaped by both specialist knowledge and lived experience, while day-to-day operational and technical implementation matters remain the responsibility of Administration.

The proposed membership structure of up to four Council Members and up to 10 community representatives aligns with the City's Advisory Groups Policy and brings together a broad mix of insights. Having up to 10 community representatives allows the group to draw on a range of skills and experience across transport, accessibility, and movement around the City. This supports more rounded and balanced advice to Council as it considers the City's long-term transport direction.

The TAG is advisory in nature and is not a decision-making body. Its purpose is to strengthen Council's understanding of transport issues during a significant period of strategic planning, including the Major Review of the Accessible City Strategy.

9.5 ADVERTISING OF DRAFT PUBLIC HEALTH PLAN 2026 - 2031

- Attachments:**
1. **Draft Public Health Plan 2026-2031** 
 2. **Achievements from the Public Health Plan 2020-2025** 

RECOMMENDATION:

That Council:

1. **APPROVES** the draft Public Health Plan 2026–2031, included in Attachment 1, for public consultation for a period of 21 days in accordance with the City’s Community and Stakeholder Engagement Policy; and
2. **NOTES:**
 - 2.1 That any submissions received during the advertising period would be presented to Council for consideration; and
 - 2.2 That the draft Public Health Plan 2026–2031 will be subject to further formatting, styling and graphic design as determined by the Chief Executive Officer prior to adoption.

PURPOSE OF REPORT:

To provide an overview of the development of the draft Public Health Plan (PHP) 2026–2031 and to consider the draft PHP at **Attachment 1** for the purposes of community consultation.

DELEGATION:

Section 45 of the Public Health Act 2016 (the Act) sets out the requirements for all local governments to prepare a public health plan for its ‘district’, that is consistent with the [State Public Health Plan](#).

BACKGROUND:

The State Public Health Plan, published in June 2025, provides a strategic framework to address the public health issues across the state of Western Australia.

Outlining two overarching objectives of **Aboriginal health and wellbeing** and **equity and inclusion**, the plan promotes partnerships, sustainability of approach, and actions that are in keeping with local need and precautionary in principle.

The purpose of a local government public health plan is to set priorities and actions to **promote, prevent, protect and enable the public health of its community**, working collaboratively with external agencies, while considering the specific needs of the local population.

City’s Public Health Plan 2020–2025

The City’s Public Health Plan 2020–2025 was adopted by Council in October 2020. The plan set out priorities across five pillars of public health, established through community and Council consultation and considering the areas of public health over which we have influence:



The plan reached its end of life in November 2025. All 41 deliverables within the plan were completed.

The City's flagship *Smoke-Free Town Centres* project achieved a 42 percent reduction in smoking within 12 months, and three years ahead of schedule. Encouragingly, the project secured 81 percent community support in March 2025 for expanding smoke- and vape-free areas, demonstrating its sustained success over the life of the Plan and beyond.

Other achievements included the development and adoption of two key policies to enable healthier environments, being the Restricted Premises Policy – Smoking, and the Healthy Food and Drink Policy. Actions delivered through the plan strengthened health protection measures, such as managing rising mosquito risks linked to climate change, and integrating public health with urban design through improved footpaths, pram ramps, and wayfinding to support active transport. A summary of the key achievements can be found at **Attachment 2**.

Building on these successes, the draft PHP will reinforce initiatives that have driven positive behavioural change and had strong community support.

DETAILS:

The draft PHP is a high-level strategy, supported by an annual action plan which aligns to the City's Strategic Community Plan 2022–2032 priorities and is to inform the Corporate Business Plan and annual budgets.

Development of the Plan has involved the analysis and consideration of several key factors.

City of Vincent Health Profile and Local Health Data Analysis

According to the 2024 SGS Cities and Regions Wellbeing Index, the City of Vincent is rated 'excellent', reflecting strong overall population health and comparatively high life expectancy.

A Vincent health profile has been collated using epidemiological data provided by the Epidemiology Directorate, Department of Health. This gives City of Vincent data compared to Western Australia averages and highlights areas of both strength and emerging areas for attention. A summary of the analysis of this data is included in the draft PHP.

Lifestyle-related risk factors such as overweight and obesity, physical activity, and diet are generally consistent with Western Australia averages. However, as the Western Australian population performs relatively poorly across these areas, they remain an area requiring ongoing attention. Mental health indicators in Vincent data showed a higher prevalence of anxiety, depression and psychological distress, indicating the need for strengthened protection and prevention approaches. Injury-related outcomes show lower transport-related hospitalisations, while rates of accidental falls are higher. This continues to present a substantial health burden, particularly for older residents. Where Vincent has performed below state averages, in consideration with other data sources, priority areas and associated deliverables have been established.

Consideration to the State Public Health Plan

The State PHP lists key objectives of **promoting, preventing, protecting and enabling public health**; two overarching objectives of Aboriginal health and wellbeing and equity and inclusion; and lists guiding principles of partnership working, sustainability of approach, and actions that are proportionate and precautionary. Local governments are asked to consider these priorities and adapt them to meet the specific public health needs of the local community.

Based on available data, the State PHP priorities, and the City's strategic direction (including the [Stretch Reconciliation Action Plan](#)) eight priority groups have been identified that reflect Vincent's population and include:

- ☐ Aboriginal and Torres Strait Islander peoples;
- ☐ Our LGBTIQ+SB community;
- ☐ People experiencing socioeconomic disadvantage;
- ☐ People with disability;
- ☐ People living with a mental health condition;
- ☐ People experiencing homelessness;
- ☐ Seniors; and
- ☐ People of culturally and Linguistically Diverse (CALD) backgrounds.

The draft PHP incorporate graphics which will show where actions:

1. Directly or indirectly support priority population groups; and
2. Contribute to climate change mitigation or adaptation.

Community and Stakeholder Consultation

In May 2025, community consultation seeking input on the what the City public health priorities should be reached over 13,000 people and resulted in 472 responses and 396 comments:

Key health priorities from the community, ranked in order of importance	Top responses from the community when asked what supports a healthy and happy life
1. Mental health and wellbeing	1. Parks, playgrounds, and public open spaces
2. Opportunities for exercise	2. Tree canopy protection and expansion
3. Building social connections	3. Environments that promote active lifestyles
4. Healthy food	4. Safe, healthy, and sustainable urban planning
5. Smoke- and vape-free environments	5. Recreation facilities (including Beatty Park)
6. Alcohol-free environments	

Feedback from the community highlighted the importance of **mental wellbeing**, the need for opportunities to support healthy lifestyles through provision of places and spaces to exercise, social connections, healthy food, and continuation and expansion of Smoke-Free Town Centres. **Climate-related priorities** like access to green spaces and protection and expansion of tree canopy to provide a leafy, shady environments which support healthy behaviours like outdoor play, sports and active transport, were also strongly valued. These themes are consistent with the priorities identified in the State PHP and are supported by local health data.

Strategic alignment, Council and Administration Priority Setting

Engagement with Council Members and the City's Administration has built a thorough understanding of the projects, programs and services that have a positive impact on community health and wellbeing. It is recognised that almost every aspect of the City's operations and strategic direction contribute to public health. The deliverables detailed in the draft PHP recognise the existing programs and services and identify future opportunities over the next five years.

Administration priority setting strongly identified social connection, high-quality parks and green spaces, and the use of urban planning to reduce public and environmental health risks as core inputs to plan deliverables.

Elected Member input established a stronger emphasis on the interrelationship between climate change and public health, endorsed the elevated focus on mental wellbeing and underscored the desire for the City to take a prominent advocacy role in emerging public health priorities. These inputs have shaped the draft PHP's priorities and structure to ensure strategic alignment with the City's wider plans.

Draft PHP 2026 – 2030 – Vision

The vision for the Public Health Plan 2020–2025 was *“A healthy, happy and connected community for all.”*

To ensure the draft PHP remains aligned with community needs and strategic priorities, the vision has been refreshed to provide a more aspirational and holistic direction for public health over the coming years.

Through consultation within the City and a desktop review of internal plans and priorities, the new vision is: ***“Thriving people in thriving places - together, for everyone.”***

- ‘Thriving people’ acknowledges that public health extends beyond the absence of illness or disease and encompasses the ability of individuals to thrive across all dimensions of wellbeing.
- ‘Thriving places’ reinforces the City’s commitment to high-quality urban environments, sustainability, greening initiatives and increased canopy cover. This is consistent with the City’s 2032 vision: *“In 2032, the City of Vincent is a leady and vibrant 24-hour city, which is synonymous with quality design and sustainability.”*
- ‘Together’ highlights the importance of social connection, collaboration and inclusive approaches to public health, particularly for priority groups.
- ‘For everyone’ reaffirms the City’s commitment to equity by supporting the health and wellbeing of all community members, regardless of age or circumstance.

Draft PHP 2026–2031 - Public Health Priorities

Two strategic priorities have been established: **mental health (‘Thriving minds’)** and the impact of the **climate and biodiversity emergency** on public health. The five pillars of public health received positive feedback during earlier engagement, and these have been retained in the current iteration of the draft PHP.

A total of 18 priorities are presented across the five pillars. These priority areas are designed to support the overall health of the community by promoting healthy lifestyles and by strengthening initiatives that have already demonstrated positive outcomes and received strong support from both the community and Council. The priority areas are informed by local health data and reflect the social determinants of health, including the conditions in which people live, work and age.

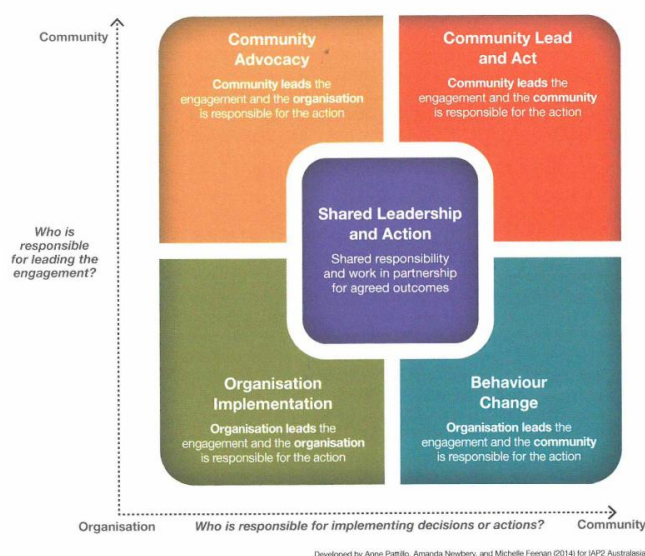
Public Health Pillar 1: Public Health Leadership Strategic initiatives Health literacy Healthy living environments Thriving minds
Public Health Pillar 2: Social Environment Healthy, accessible and sustainable food and drink Healthy social connections through activities and programs Inclusive communities Healthy and safe events Thriving body thriving mind: sports and recreation Healthy and safe communities
Public Health Pillar 3: Built Environment Healthy urban planning and design of communities Healthy and active travel Healthy streets
Public Health Pillar 4: Natural Environment Thriving parks, thriving people Climate emergency
Public Health Pillar 5: Health Protection Environmental health Emergency management Promoting community wellbeing by reducing waste and safeguarding natural resources and environments

CONSULTATION/ADVERTISING:

Consistent with the City's Community and Stakeholder Consultation Policy, community consultation would occur for a period of 21 days following endorsement of the draft PHP. To encourage the community to take part and share useful feedback, a combination of consultation methods would be used, including:

- ☐ An updated project page/survey in Imagine Vincent;
- ☐ Notification to members of the community who previously contributed to initial engagement in February-March 2025 for feedback on progression of the draft PHP;
- ☐ Consultation with external stakeholders who have supported the development of the draft PHP;
- ☐ Face to face 'pop-up' engagement;
- ☐ Notifications in City of Vincent and Business e-newsletters;
- ☐ Social media posts; and
- ☐ Digital displays at the City's Administration building, Library and Beatty Park.

The draft PHP is subject to amendments following the community consultation period. **Attachment 1** does not reflect the appearance of the final document, which will be fully formatted and styled before it comes before Council for adoption.

**Behavioural Change**

Organisations lead the conversation and identify the potential contributions to behavioural change.

Tension: There is no collective “why”/feeling forced/judged, undesirable impact/cost to make the change.

Mitigation: To build the collective before the change becomes a requirement.

The engagement leader/host organisation is responsible for identifying the problem and potential contributions for behavioural change

Identify which audiences need to change behaviour

LEGAL/POLICY:

Section 45 of the Public Health Act 2016 sets out the requirements for all local governments to prepare a local PHP that applies to its local government district. It is a requirement of the Public Health Act 2016 that local governments publish a PHP by 4 June 2026.

Under Section 45 of the *Public Health Act (2016)*, a local PHP must:

- ☐ Be consistent with the [State Public Health Plan](#) for Western Australia.
- ☐ Identify local public health needs.
- ☐ Examine data on health factors.
- ☐ Set objectives and policy priorities for public health improvements.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to approve the draft PHP for community consultation because:

- ☐ The draft PHP builds on progress already started in the PHP 2020–2025. We carefully considered new directions for progress in consultation with community and Council feedback, local health data, and priorities set by the State PHP.
- ☐ Council would consider all consultation feedback prior to adoption of the draft PHP.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Enhanced Environment

*Our parks and reserves are maintained, enhanced and are accessible for all members of the community.
Our urban forest/canopy is maintained and increased.
We have improved resource efficiency and waste management.
We have minimised our impact on the environment.*

Accessible City

Our pedestrian and cyclist networks are well designed, connected, accessible and encourage increased use.

Connected and Healthy Community

*We have enhanced opportunities for our community to build relationships and connections with each other and the City.
Our many cultures are celebrated.
Our community facilities and spaces are well known and well used.
We are an inclusive, accessible and equitable City for all.
We protect, improve and promote public health and wellbeing within Vincent.*

Thriving Places

Our town centres and gathering spaces are safe, easy to use and attractive places where pedestrians have priority.

Sensitive Design

Our planning framework supports quality design, sustainable urban built form and is responsive to our community and local context.

Innovative and Accountable

We engage with our community so they are involved in what we are doing and how we are meeting our goals.

SUSTAINABILITY IMPLICATIONS:

This is in keeping with the following key sustainability outcomes of the *City's Sustainable Vincent Framework (2025-2028)*:

*Climate action (mitigation and adaptation)
Healthy and thriving city
Resource conservation
Regenerative, green and biodiverse*

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial or budget implications that come from advertising the draft PHP. All costs associated with consultation will be met through the City's operational budget. Any future budget allocations to implement the draft PHP would be considered through annual budget processes. Applications for external grant funding would be made as opportunities arise.

COMMENTS:

The City remains committed to the continuous improvement of community health and wellbeing. The draft PHP will guide the City's work and partnerships over the next five years in improving community opportunities for healthy living for both current and future generations.

The draft PHP highlights two strategic priority areas of work:

1. Mental health ('Thriving minds'); and
2. The impact of the climate and biodiversity emergency on public health

Mental health ('Thriving minds')

The Australian Burden of Disease Study 2024 estimated that mental and substance use disorders account for 15 percent of the total burden of disease, with anxiety and depressive disorders representing the largest contributors from this category. This burden has increased by 31 percent between 2003 and 2024. Data provided by the Department of Health and North Metropolitan Health Service indicates that in 2020, *Vincent residents had a higher prevalence of anxiety, depression and any mental health condition compared to Western Australia State prevalence*. Research demonstrates that reduced mental wellbeing is associated with lower uptake of exercise, reduced social connection and reduced economic and community participation.

Mental health exists along a continuum, and an individual's position on this continuum can fluctuate in response to internal and external factors throughout life. Mental health can be influenced by daily habits and lifestyle factors. Providing environments and resources that encourage the community to practice healthy habits helps shift population mental health towards the positive end of the continuum, and a state of **thriving**, and contributes to a resilient, healthy and connected community.

Mental ill-health adversely affects people's lives, and improvements in population mental wellbeing are likely to result in broader positive outcomes across other areas of health and community wellbeing.

-



Mental health has been prioritised in the draft PHP because:

- ☐ Local data indicates a higher prevalence of mental health concerns compared to Western Australia State prevalence. This is likely to negatively affect other areas of public health, and wider social and community outcomes.
- ☐ Optimising mental health and wellbeing is a priority area set by the State PHP.
- ☐ The community ranked mental health and wellbeing as their most important public health priority.
- ☐ Elected members recommended strengthening action around mental health.

Supporting positive mental health outcomes is strengthened when the community has access to environments and resources known to promote wellbeing. This includes:

- ☐ Increasing awareness of mental health support available;
- ☐ Increasing opportunity for community connection, like through events at our Library;
- ☐ Providing, maintaining and upgrading access to green spaces to socialise and exercise; and
- ☐ Providing, maintaining and upgrading accessible recreation facilities like Beatty Park.

Climate and biodiversity emergency

The City has various plans and strategies that address the impact of the climate emergency on the environment. The Enhanced Environmental Strategy (EES), adopted in 2025, prioritises greening the city to reduce urban heat, as well as conserving water and reducing waste to achieve net-zero emissions by 2030. The Sustainable Vincent Framework (SVF) embeds sustainability as a core function of Vincent's operations.

The draft PHP provides a framework for identifying and addressing the specific ways in which the climate emergency affects public health specifically.

The effects of climate change on public health can include:

- ☐ Direct injuries or death from extreme heat;
- ☐ Indirect impacts of extreme heat like reduced physical activity;
- ☐ An increase in the risk of skin cancers from exposure to extreme ultraviolet radiation;
- ☐ Worsening of mental ill-health conditions through direct and indirect means;
- ☐ Worsening of air quality which can worsen respiratory and cardiovascular conditions; and
- ☐ Changes to ecosystems which can worsen prevalence of disease-carrying insects like mosquitoes.

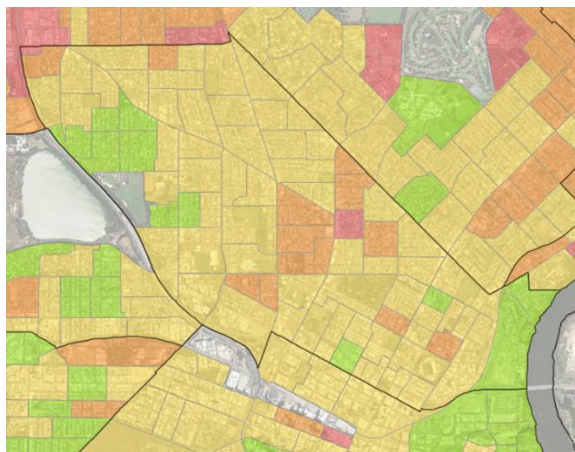
Extreme heat

Extreme heat is the number one climate-related threat facing Western Australia. Modelling by the Western Australia Department of Health shows that in Perth by 2050 we can expect:

- ☐ Heat-related deaths (projected) to increase by 61.4 percent from 2010 levels; and
- ☐ Heat-related hospital admissions (projected) to increase by 33.5 percent from 2010 levels.

The following urban heat map from Thriving Perth Portal (2025) shows the City of Vincent areas most vulnerable to extreme heat by combining information on:

1. Heat exposure (using satellite and land surface temperature);
2. Heat sensitivity (how vulnerable a population is e.g., seniors and those with existing health conditions); and
3. Adaptive capacity (a community's ability to cope with heat considering socioeconomic factors like green infrastructure):

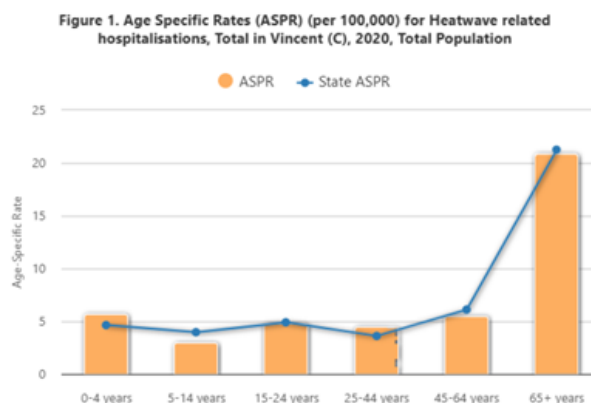


Quintile Breakdown:

- Quintile 1 (Low): Lowest 20% of areas = *relatively low heat vulnerability*
- Quintile 2 (Low-Medium): Next lowest 20% of areas
- Quintile 3 (Medium): Middle 20% of areas
- Quintile 4 (Medium-High): Second highest 20% of areas
- Quintile 5 (High): Highest 20% of areas = *relatively high heat vulnerability*

While this heat map does not directly illustrate the health impacts potentially associated with areas of heat directly, the established evidence on the impacts of extreme heat on vulnerable populations can inform actions in the draft Plan. That is because extreme heat can affect vulnerable groups more than others. These can include:

- ☐ Seniors (and having a diagnosed health condition worsens the risk).
- ☐ People with Dementia, as Dementia can affect how the brain controls body temperature. Dementia gets more common as we age.
- ☐ People experiencing homelessness, due to direct exposure to heat and related psychological impacts.
- ☐ People using alcohol and illicit drugs because these can make it harder for the body to regulate temperature.
- ☐ People taking medications for diagnosed medical conditions. For example, anti-depressants can make it harder for the body to regulate temperature.



This figure provided by North Metropolitan Health Service through the Epidemiology Directorate, Department of Health, illustrates heatwave related hospitalisations in Vincent in 2020 compared to the Western Australia rate. The data indicates that seniors are the most vulnerable age population for heat-related hospitalisations. These risks demonstrate why addressing the climate emergency is a priority area within the PHP: climate impacts extend beyond environmental considerations - they pose significant public health challenges too.

Mental health and climate impacts are two of the 18 strategic priorities that we have identified can affect the health of our community. Actions within the Plan focus on enhancing protective factors, such as providing environments which promote healthy lifestyles, and reducing risk factors that can contribute to poor health. The priorities also consider the social determinants of health, including the conditions in which people live and work.

Priority groups

Some public health strategies will have universal benefits, while others require targeted approaches because certain populations may experience higher levels of unhealthy behaviours or are more significantly affected by external environmental factors which can contribute to ill-health. These groups may benefit from tailored strategies. Given the public health impacts of mental health and climate change on public health, **people living with a mental health condition** and **seniors** have been identified as two priority populations within the draft Plan.

The State PHP identifies Aboriginal health and wellbeing as a priority area due to the significantly higher health needs experienced by Aboriginal people in Western Australia. Racism is recognised as a determinant of health and contributes significantly to mental and physical ill-health in this population. Although the Aboriginal population within the City is relatively small, the draft PHP aims to balance the needs of this population alongside other priority populations by being guided by local health data and embedding a culturally appropriate lens across all areas of planning and service delivery. This approach aligns with recommendations outlined in the State PHP. Other City plans including the Access and Inclusion Plan (2022–2027) and Stretch Reconciliation Action Plan (2025–2028) also provide support for priority groups.

Other priority population groups, chosen through data, recommendations from the State PHP and consideration of the City's other plans are:

- ☐ Aboriginal and Torres Strait Islander peoples;
- ☐ Our LGBTIQ+SB community;
- ☐ People experiencing socio-economic disadvantage;
- ☐ People with disability;
- ☐ People experiencing homelessness; and
- ☐ People of Culturally and Linguistically Diverse (CALD backgrounds).

9.6 SUBMISSION ON DRAFT STATION PRECINCTS IMPROVEMENT PLAN

- Attachments:**
1. Western Australian Planning Commission Chair Correspondence - Station Precincts Improvement Plan 
 2. Improvement Plan Catchments - Planning Context Maps 
 3. Improvement Plan Catchments - Inclusion Criteria Assessment 

RECOMMENDATION:**That Council:**

1. **ENDORSES** a submission being made to the Western Australian Planning Commission on the draft Station Precincts Improvement Plan being prepared in accordance with Part 8, Division 1, Section 119(3B) of the *Planning and Development Act 2005* advising that it:
 - 1.1 **SUPPORTS** the intent and purpose of the draft Improvement Plan which aligns with the intent of the City's Local Planning Strategy for increased density to be achieved through urban consolidation within activity and town centres, and areas with strong public transport connections;
 - 1.2 **SUPPORTS** the draft Improvement Plan boundaries for Claisebrook and Glendalough with modifications as shown in Attachment 3 to align with the planning framework, strategic redevelopment opportunities, density transition, and infrastructure and public realm upgrade opportunities;
 - 1.3 **REQUESTS** the inclusion of Leederville in the draft Improvement Plan which would align with the intent to create Station Precincts with the boundary aligning with 1.2 and as shown in Attachment 3;
 - 1.4 **SUPPORTS** the draft Improvement Plan purpose and objectives with modifications to:
 - ☐ The purpose to facilitate the cessation of incompatible non-residential uses, and to enable the purchase of strategic sites by the Western Australian Planning Commission; and
 - ☐ The objectives to ensure the coordination and delivery of key infrastructure and public realm upgrades by the State Government to meet the needs of the future community in these areas; and
 - 1.5 **NOTES** the importance of the Western Australian Planning Commission working with the City and community to ensure that the Improvement Plans and Schemes can support higher density redevelopment in a way which positively responds to the community and local planning framework vision for each area; and
2. **ENDORSES** the Mayor and/or CEO to write to the Western Australian Planning Commission and relevant State Government Ministers to advocate for greater investment in infrastructure to meet the needs of the future community in these areas.

PURPOSE OF REPORT:

The purpose of this report is for Council to make a submission to the Western Australian Planning Commission (WAPC) on the proposed Station Precinct Improvement Plan which includes areas around the Claisebrook and Glendalough train stations.

The submission focuses on ensuring the Improvement Plan boundaries and objectives align with the City's existing strategic planning and place frameworks (including areas previously consulted on) and strengthen the role of State coordination and investment in enabling infrastructure and the public realm.

DELEGATION:

This is being referred to Council because the Station Precincts project and proposed Improvement Plan is of strategic importance to the City and is appropriate for any submission to be endorsed by Council.

BACKGROUND:State Government Station Precincts Project

On 16 November 2025 the State Government announced its plan to [establish 10 station precincts](#) “to facilitate housing development and enhance consistency in planning and decision-making.” These stations include:

- | | |
|---|---|
| <input type="checkbox"/> Ballajura | <input type="checkbox"/> Glendalough |
| <input type="checkbox"/> Bassendean | <input type="checkbox"/> Morley |
| <input type="checkbox"/> Carlisle/Oats Street | <input type="checkbox"/> Mosman Park |
| <input type="checkbox"/> Claisebrook | <input type="checkbox"/> Redcliffe |
| <input type="checkbox"/> Cottesloe | <input type="checkbox"/> Swanbourne |

The 800-metre radius around both Claisebrook and Glendalough stations partially falls within the City’s boundaries.

The aim of the Station Precincts project is to realise the opportunity for transit-oriented development (TOD) and increased density in these higher amenity areas which are supported by strong public transport connections.

The Station Precincts project involves two stages:

1. Establish an Improvement Plan within an 800 metre radius around each of the identified stations and outline high level objectives which would apply to land within this boundary.
2. Once the Improvement Plan has been implemented, Improvement Schemes would then be established which would outline the planning framework that would apply to each area. This would include the zoning of land and built form standards such as building height.

On 27 November 2025, the Minister for Planning stated through the media that further station precincts would be included in the future including along the Fremantle line.

This could include West Leederville station which is within the Town of Cambridge and is approximately 750 metres from Leederville station.

For the City, the initiative aligns with long-standing strategic intent to direct new housing and density to well-located areas with strong public transport access, and to minimise change in established low density residential areas.

Improvement Plans and Improvement Schemes

The *Planning and Development Act 2005* (P&D Act) provides the ability for Improvement Plans and Schemes to be applied to land by the Minister for Planning.

These are strategic planning instruments that are used for land in areas identified by the WAPC as requiring special planning:

- ☐ Improvement Plan – This is a high level plan which sets out overarching objectives and the boundary which would then inform a future Improvement Scheme.

Areas included within an Improvement Plan would continue to be subject to the City’s Local Planning Scheme 2 (LPS2) and would have minimal change to how planning applications are assessed and determined.

The City has two Improvement Plans which operate within its boundaries, being [Improvement Plan 61 – Lot 200 No. 71 Edward Street, Perth](#) and [Improvement Plan 62 – Lot 1001 No. 120 Claisebrook Road, Perth](#).

These apply to the Heidelberg and Holcim Concrete Batching Plants and came into effect in July 2024 with the objective to facilitate relocation of these plants so the area can transform into a high-density mixed use precinct.

- Improvement Scheme – An Improvement Scheme is a statutory planning scheme similar to LPS2 which applies to the area identified in the Improvement Plan. It is not possible for an Improvement Scheme to be prepared without an Improvement Plan being in place.

An Improvement Scheme would provide land use and built form provisions applicable to any redevelopment occurring within the Improvement Plan area and would remove the area from being subject to LPS2. This means the City's local planning framework would not apply to land that is subject to an Improvement Scheme.

The WAPC would be the decision maker for any development applications made under the Improvement Scheme, although it is possible for some of this decision-making to be delegated back to the City.

Improvement Plans and Schemes establish a clear framework for redevelopment and enable the WAPC to compulsorily acquire land within these areas to facilitate this.

Immediate and Future Planning Effects

- Improvement Plan (now) – LPS2 continues to apply and there is minimal immediate change to day-to-day development assessment; the Improvement Plan objectives become a relevant consideration.
- Improvement Scheme (later) – a new statutory scheme may apply (including zoning and built form controls). This is the stage where statutory community consultation is required and where community input can meaningfully influence tangible outcomes. The WAPC has not yet defined a timeframe for the implementation of an Improvement Scheme, however this is anticipated to occur in late 2026/early 2027, subject to the existing context and planning frameworks in place for each precinct.

Strategic Value of the Improvement Plan and Scheme

While the City's local planning strategies, precinct plans and policies provide clear strategic intent and prescribed standards, Improvement Plans and Schemes can support outcomes that are difficult to deliver through local planning alone. This is particularly where precinct delivery requires cross-local government coordination, making better use of State-owned land, strategic land assembly, and coordinated infrastructure and public realm investment.

Local Planning Strategy

The City is currently reviewing its Local Planning Strategy which came into effect in 2016.

The draft updated Local Planning Strategy was approved by Council at its meeting in [April 2025](#) for the purpose of advertising and is currently awaiting approval from the WAPC before this commences.

The draft Local Planning Strategy sets out the broad strategic planning direction for the City for the next 15 years to achieve the State Government's infill target of 11,500 new dwellings within Vincent by 2050.

This would be achieved by targeting population and dwelling growth through urban consolidation and density within activity and town centres, transport nodes and urban transport corridors. This would minimise change in established residential areas.

The draft Local Planning Strategy generally aligns with the planning intent of the Station Precincts project by locating density around train stations to support urban consolidation, and identifies:

- Glendalough – As a ‘future investigation area’ with relevant actions to investigate opportunities for additional dwelling growth within a walkable catchment of the Glendalough train Station.
- North Claisebrook – As a ‘planning area’ with actions to implement the existing North Claisebrook Planning Framework (NCPF) to facilitate redevelopment around Claisebrook and East Perth train stations.
- Leederville – As a ‘planning area’ which would be guided by the draft Leederville Precinct Structure Plan (LPSP) to facilitate higher density and additional housing around the Leederville train station.

Importantly, these locations have previously been identified through established planning work by the City and, in several cases, have already been the subject of consultation processes. This provides a strong basis for aligning State-led station precinct planning with the City’s community-informed strategic direction.

DETAILS:

On 5 December 2025 the WAPC advised the City (**Attachment 1**) that it:

- Had resolved to initiate the draft Station Precincts Improvement Plan.
- Is undertaking consultation with affected local governments on the proposed boundaries and objectives of the draft Improvement Plan.

The draft Improvement Plan includes areas of Claisebrook and Glendalough that are within 800 metres of the respective train stations.

In addition to Glendalough and Claisebrook, Administration also recommends that the WAPC consider Leederville train station for inclusion in the draft Improvement Plan.

Following the Improvement Plan being approved, the WAPC will then progress with preparing and consulting on the respective Improvement Schemes. This is anticipated to commence in the first half of 2026.

Approach to Defining Improvement Plan Boundaries

Administration has applied the following criteria to inform the Improvement Plan boundaries:

1. Planning Framework – Where the City’s Planning Framework identifies an area as a strategic location for density.
2. Strategic Development Opportunities – Where land within the area offers a strategic redevelopment opportunity because of its size, location, ownership, prominence or is currently underdeveloped/vacant.
3. Density Transition – Where an area provides for an opportunity to sensitively transition between high density development and established low density areas outside of the Improvement Plan area.
4. Infrastructure & Public Realm – Where there are opportunities for strategic infrastructure and public realm upgrades to support future redevelopment having a suitable level of amenity in each area.

These criteria have been developed to ensure areas recommended to be included in the Improvement Plan can support coordinated and achievable station precincts across local governments and infrastructure delivery, without extending into low-density areas where increased density would be inconsistent with community expectations and appropriate density transitions.

Claisebrook Station Precinct*Proposed Improvement Plan Boundary and Existing Planning Context*

The draft Improvement Plan boundary includes land within Vincent and the City of Perth that is within 800 metres of Claisebrook train station.

Within Vincent, the catchment area generally extends west to Beaufort Street, north to Lincoln Street and East Perth Train Station, and west to the East Perth Power Station site.

The existing local planning framework for the Improvement Plan catchment area is set out in **Attachment 2**.

Recommended Improvement Plan Boundary

Administration has undertaken an assessment of the catchment area against the above criteria which is included in **Attachment 3** and summarised in the table below.

Administration's recommended boundary for the Claisebrook Improvement Plan is set out in **Attachment 3**.

Key Inclusions in Recommended Claisebrook Improvement Plan Boundary	
1. Planning Framework	
<input type="checkbox"/>	NCPF area.
<input type="checkbox"/>	Lord Street West Precinct Future Investigation Area and East Perth Power Station Future Investigation Area.
<input type="checkbox"/>	Residential R80 zoned land north of Bulwer Street.
<input type="checkbox"/>	Commercial and Centre zoned land along Lord Street.
2. Strategic Development Opportunities	
<input type="checkbox"/>	HBF Park and the East Perth Train Station and surrounding car park.
<input type="checkbox"/>	Vacant landholdings north of Bulwer Street.
<input type="checkbox"/>	Heidelberg and Holcim Concrete Batching Plants.
3. Density Transition	
<input type="checkbox"/>	Lord Street West Precinct Future Investigation Area to transition from NCPF to Lacey Street Character Area and William Street Planning Framework areas.
<input type="checkbox"/>	East Perth Power Station Future Investigation Area to transition from East Perth Power Station to R20 residential north of Westralia Street.
4. Infrastructure & Public Realm	
<input type="checkbox"/>	Improvements to Claisebrook Train Station access.
<input type="checkbox"/>	Improve the pedestrian environment crossing Lord Street and surrounding Gladstone Street Reserve.
<input type="checkbox"/>	Improved connectivity between Claisebrook and East Perth.
<input type="checkbox"/>	Improve the cycling environment within the Claisebrook Precinct.

The draft Improvement Plan excludes the Heidelberg and Holcim Concrete Batching Plants because these are already the subject of existing Improvement Plans. It is recommended that these be included within the draft Improvement Plan as both sites are key redevelopment sites.

The East Perth Power Station is also excluded. This is because it is subject to a redevelopment area under the control of Development WA, and Improvement Plans cannot apply to these.

Glendalough Station Precinct*Proposed Improvement Plan Boundary and Existing Planning Context*

The proposed Glendalough Improvement Plan boundary would include land within Vincent and the City of Stirling that is within 800 metres of the Glendalough Train Station.

Within Vincent, the catchment area is bound by Scarborough Beach Road/Green Street to the north and the Mitchell Freeway to the west and generally extends to Powis Street in the south and Federation Street to the East.

The existing local planning framework for the Improvement Plan catchment area is set out in **Attachment 2**.

Recommended Improvement Plan Boundary

Administration has undertaken an assessment of the catchment area against the above criteria which is included in **Attachment 3** and summarised in the table below.

Administration's recommended boundary for the Glendalough Improvement Plan is set out in **Attachment 3**.

Key Inclusions in Recommended Glendalough Improvement Plan Boundary	
1. Planning Framework	
<input type="checkbox"/>	Glendalough Future Investigation Area.
2. Strategic Development Opportunities	
<input type="checkbox"/>	District Centre/Regional Centre R-AC2 zoned land along Scarborough Beach Road immediately next to Glendalough Station.
<input type="checkbox"/>	Commercial and Mixed Use R80 zoned land along Scarborough Beach Road, including the existing car yard and vacant land.
<input type="checkbox"/>	Large lot development opportunities along Jugan Street bordering the Mitchell Freeway.
3. Density Transition	
<input type="checkbox"/>	Residential R60 zoned land along Brady Street to transition down to R30 properties to the south-east.
<input type="checkbox"/>	Residential R30 zoned land north of Milton Street to transition down to R30 coded properties to the south-east and outside of the catchment, with Milton Street being a natural boundary.
4. Infrastructure & Public Realm	
<input type="checkbox"/>	Improvements to train station access, including provision of safe, direct and attractive walking connections with the broader precinct.
<input type="checkbox"/>	Delivery of additional public open space to address the gap identified in Mt Hawthorn in the City's Public Open Space Strategy.
<input type="checkbox"/>	Installation of weather protection on the Goody Close bridge, creating a continuous east-west walking route via Goody Close and Tasman Street.
<input type="checkbox"/>	Widening footpaths and upgrading crossings along Brady Street.
<input type="checkbox"/>	Public realm upgrades around Glendalough Station and along Scarborough Beach Road.
<input type="checkbox"/>	A future light rail stop/high frequency bus route stop to Scarborough on Scarborough Beach Road/Green Street in Mt Hawthorn.

Leederville Station Precinct

Leederville Train Station has not been included in the draft Improvement Plan.

Administration would advocate for its inclusion within a future Improvement Plan/Scheme as it would enable:

- ☐ A consistent planning framework and zoning within the precinct across the local government boundaries of City of Perth and Town of Cambridge capturing West Leederville and City West train stations.
- ☐ Coordinated planning and design for the redevelopment of Leederville Station and the West Leederville CAT bus station. This would support high quality urban design outcomes between the public and private realms of the City's redevelopment projects underway in the Leederville Town Centre.
- ☐ The establishment of a State Government Office Hub in Leederville adjacent to the Water Corporation's headquarters.

Recommended Improvement Plan Boundary and Existing Planning Context

An 800m catchment around Leederville Train Station (**Attachment 2**) would include land within both Vincent, the Town of Cambridge and the City of Perth.

The catchment within the City of Vincent would be bound by the Mitchell Freeway to the south and west and would generally extend to Bourke Street in the north and Cleaver Street to the west.

Administration's recommended boundary for a Leederville/West Perth Improvement Plan area for Leederville within the City of Vincent, is set out in **Attachment 3**.

This boundary has been informed by an assessment of the catchment area against the above criteria and summarised in the table below.

Key Inclusions in Recommended Leederville Improvement Plan Boundary	
1. Planning Framework	
<input type="checkbox"/>	Draft LPSP area.
<input type="checkbox"/>	PDPF area.
2. Strategic Development Opportunities	
<input type="checkbox"/>	Leederville Oval.
<input type="checkbox"/>	Leederville Car Parks.
<input type="checkbox"/>	40 Frame Court.
<input type="checkbox"/>	Water Corporation offices.
3. Density Transition	
<input type="checkbox"/>	Residential R80 zoned land west of Cleaver Street to transition down to R50 and R40 coded properties to the east and north.
<input type="checkbox"/>	Draft LPSP and PDPF to keep existing density transitions to residential areas outside of the catchment.
4. Infrastructure & Public Realm	
<input type="checkbox"/>	Improvements to train station access, including provision of lifts and stairs to improve access to Oxford Street.
<input type="checkbox"/>	Improvements to crossings along Leederville Parade and Oxford Street.
<input type="checkbox"/>	Widening of the Principal Shared Pathway to separate pedestrians and cyclists.

CONSULTATION/ADVERTISING:

The Station Precincts project is a State Government initiative. As part of this the WAPC is consulting with affected local governments on the draft Improvement Plan until 27 February 2026.

The WAPC is not undertaking community consultation as part of this stage. This is because the P&D Act only requires consultation with the affected local government/s. Broader statutory community consultation is required at the Improvement Scheme stage.

Community Notification

The City's [Community and Stakeholder Engagement Policy](#) sets out the various levels of participation based on the International Association for Public Participation (IAP2) spectrum which ranges from 'inform' to 'collaborate'.

The consultation currently being undertaken by the WAPC with relevant local governments does not seek feedback on whether an Improvement Plan should be introduced for the identified station precincts.

Instead, it is informing that it is happening and seeks feedback from local governments in relation to appropriate boundaries and objectives.

The draft Improvement Plan includes minimal detail and broad objectives which generally align with the principles of urban consolidation already established in the City's local planning framework.

The draft Improvement Plan is intentionally high-level and is being progressed as a State Government direction. It does not include the detailed and tangible controls, such as land use and built form standards, that typically enable the community to meaningfully influence outcomes.

Consistent with the IAP2 spectrum and the guiding principles of the Community and Stakeholder Engagement Policy, Administration has informed the affected landowners and occupiers within the draft Improvement Plan by:

- ☐ Letters were sent out to affected landowners and occupiers providing information on the Station Precincts project.
- ☐ A project webpage and FAQ were set up as a point of information for affected community members on the City's website and will be updated by Administration.

Future Community Consultation

The risk of community perception of a lack of engagement at the current Improvement Plan stage would be able to be managed because there is more detailed consultation proposed to be undertaken as part of the development of the future Improvement Scheme/s.

This would present a more meaningful opportunity for the community to engage in the project and influence the built form outcome by considering more tangible elements such as building height, design and land use.

The P&D Act requires community consultation to be undertaken on draft Improvement Schemes for a period of 90 days, with written notice sent to all affected landowners.

LEGAL/POLICY:

Planning & Development Act 2005

The P&D Act is the head of power that is relevant to Improvement Plans. Further information is included in the WAPC's relevant [fact sheet](#).

Improvement Plan Process

Section 119 of the P&D Act sets out that:

- ☐ The WAPC can identify land within an area that is to be advanced for planning, development and use, and recommend to the Minister for Planning that this should be dealt with through an Improvement Plan.
- ☐ Improvement Plans can apply across multiple local government areas but would not apply to redevelopment areas that are subject to Development WA (such as the East Perth Power Station).
- ☐ Affected local governments are to be consulted before the WAPC makes a recommendation to the Minister.
- ☐ If the recommendation is accepted by the Minister, it progresses to the Governor for acceptance and finalisation.

Once an Improvement Plan has been gazetted, the area would remain within LPS2 and subject to the City's local planning framework.

The Improvement Plan objectives would be a relevant consideration for any development application within the area.

Improvement Plan Objectives

Section 119(3C) sets out that if an Improvement Plan is to authorise the making of an Improvement Scheme, it must set out the future objectives of this Scheme.

When an Improvement Scheme is made and gazetted, this is when land would no longer be subject to the City's LPS2 and relevant policies. Development applications would be assessed entirely against the Improvement Scheme.

The draft Improvement Plan sets out the following objectives:

- a) *Guide planning and development within Station Precincts to align with the strategic planning objectives of Perth and Peel @ 3.5 million, prioritising sustainable urban growth and land use.*
- b) *Support the delivery of new housing and ensure station precincts provide a diversity of housing options to cater for different community and lifecycle needs.*
- c) *Increase consistency in planning and decision making, providing greater certainty to local communities and the housing development industry.*
- d) *Coordinate the activities of state infrastructure providers and prioritise investment to support housing delivery in Station Precincts.*
- e) *Optimise the use of existing State owned land and building assets within Station Precincts for housing and mixed use development.*

RISK MANAGEMENT IMPLICATIONS:

Low: It is low risk for Council to make a submission in support for the draft Improvement Plan.

Existing Strategic Planning Framework

The intent of the Station Precincts project is to create greater TOD and increased density within areas with higher amenity and strong public transport connections.

This aligns with key planning directions and actions within the City's current and draft Local Planning Strategy to ensure medium and high density development occurs in well located areas and minimises change to existing low density suburban areas:

- The City has progressed planning in some of these areas, including the North Claisebrook and Pickle District Planning Frameworks that were approved by Council in August 2023, while the draft LPSP is intended to be finalised in 2026.

From discussions with the Department of Planning, Lands and Heritage (DPLH) the draft Improvement Plan and subsequent Schemes would look to incorporate any existing work undertaken by the City.

The City is well placed in this regard because of its progress in updating its strategic framework.

- Glendalough, Lord Street West and East Perth Power Station are identified as Future Growth/Planning Investigation Areas in the City's draft Local Planning Strategy.

If the draft Improvement Plan and Scheme were not progressed, the City would still progress this work in the medium-term as actions of the draft Local Planning Strategy to facilitate density and urban consolidation around train station precincts.

Planning & Decision-Making Powers

While the approach to TODs aligns with the City's strategic planning direction there is a perceived risk around a further reduction in local government decision-making.

This is because powers for both planning and determining proposals in Improvement Scheme areas would sit with the State Government.

These perceived risks relate to trust and can be managed because:

- The State Government, through the 11B Significant Development Pathway and the Development Assessment Panel, already has decision making power for large development applications with values over \$20 million and \$2 million respectively.
- State Government currently has the authority to approve and direct modifications to Precinct Structure Plans prepared for Activity Centres and transit nodes.
- The development of the Improvement Scheme would build on the City's existing planning frameworks in place for some of the station precincts.
- The City and affected community would have the opportunity to provide input to inform the development of the respective Improvement Schemes.
- It is common for Improvement Schemes to delegate decision-making to remain with the local government for specific types of development applications.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Sensitive Design

Our planning framework supports quality design, sustainable urban built form and is responsive to our community and local context.

SUSTAINABILITY IMPLICATIONS:

Transit-oriented development can support sustainability outcomes by reducing car dependence, increasing walkability, and enabling more efficient use of land and infrastructure. The extent of benefit will depend on the Improvement Scheme provisions and delivery of supporting public realm, tree canopy, heat mitigation, water sensitive urban design and active transport infrastructure.

PUBLIC HEALTH IMPLICATIONS:

Well-designed TOD precincts can support public health outcomes by improving access to services, employment, amenities and community spaces, encouraging walking and cycling, allowing ease of access to organised and incidental physical activity and improving public realm amenity. The extent of benefit will depend on the Improvement Scheme provisions and delivery of enabling infrastructure.

FINANCIAL/BUDGET IMPLICATIONS:

There are no finance or budget implications from this report.

COMMENTS:**Support for Station Precincts Project**

The Station Precincts project would be consistent with the City's strategic planning intent to encourage TODs and locate high density in areas with strong public transport connections and close to amenities.

The City has been proactively undertaking work to deliver on this intent. The Station Precincts project provides a delivery mechanism to implement this existing strategic direction, rather than replacing or redefining the City's planning vision for these areas.

The Station Precincts project would support this work and would have three key advantages to achieve the outcome:

1. Coordinated TOD Precincts - It would offer the opportunity for coordinated land use and built form outcomes to be implemented to create TODs around each station precinct which cross multiple local government areas.

Building on and elevating the City's existing precinct planning in a coordinated and cohesive planning framework would encourage and support the delivery of housing and density in each location. The initiative would also offer the opportunity to utilise 'lazy' State Government and private land to achieve this vision through land acquisition and assembly.

2. Infrastructure Upgrades – It is critical that any planning framework, to realise the potential of TODs, is supported by the necessary infrastructure to improve movement, connectivity, and the public realm. This would mean amenity and functionality for future residents and ensure that each precinct can accommodate sustainable growth.

The draft Improvement Plan and future Improvement Scheme/s provide a mechanism to coordinate and prioritise infrastructure and public realm investment at a precinct scale. This approach aligns with the City's broader plans and strategies, such as the Accessible City Strategy and Town Centre Place Plans, and enables outcomes that are difficult to achieve through local planning and advocacy alone.

With this initiative being delivered by the State Government there is the opportunity to realise the City's advocacy agenda and ensure that key upgrades are provided such as improvements to train stations and pedestrian movement, renewal of established facilities and delivery of public open space for the benefit of the broader community.

3. Public & Private Land – The City implements a place-based approach to coordinate the private and public realm. This includes the development of bespoke Place Plans which outline how investment would be delivered in the public realm to ensure high levels of amenity and create a distinct sense of place.

The draft Improvement Plan and future Improvement Scheme/s would continue to deliver this approach and ensure that future TODs can regenerate precincts in a cohesive manner rather than relying on multiple separate actions and documents.

Claisebrook Station Precinct Boundary

- Planning Framework – The Improvement Plan should include the whole of the NCPF given this area has an existing framework to inform the future Improvement Scheme and given it is also supported by East Perth Train Station and public and active transport infrastructure nearby.

A portion of R80 Residential and Commercial/Centre zoned land to the north of Bulwer Street is also recommended to be included as this area sits wholly within the 800 metre catchment and contains larger lot sizes and a mix of uses to facilitate further high-density development close to public open space and transport infrastructure.

The Lord Street West and East Perth Power Station Investigation Areas are identified in the draft Local Planning Strategy for additional dwelling growth and are also recommended to be included. It is noted that the southern portion of the East Power Station Investigation Area is unable to be included as it is under the control of Development WA.

- Strategic Development Opportunities – It is recommended that the Heidelberg and Holcim concrete batching plants be included in the draft Improvement Plan.

These have been excluded from the draft Improvement Plan because they are subject to existing Improvements Plans. However, an Improvement Scheme can only relate to an area within a relevant Improvement Plan. Because the batching plant sites are subject to individual Improvement Plans, this would mean that separate Improvement Schemes would need to be developed for each.

The current Improvement Plans should be rescinded so that these sites can be included within the draft Station Precincts Improvement Plan. This would be the most effective statutory pathway to ensure these strategic development sites can be planned and delivered as part of a single integrated station precinct outcome and would support a cohesive planning framework and infrastructure response for the broader Claisebrook/East Perth precinct.

Their inclusion would require modifications to the purpose of the draft Station Precincts Improvement Plan to ensure it reflects the need for the cessation of incompatible non-residential land uses on those sites, consistent with the respective existing Improvement Plans.

Other strategic development opportunities within the precinct include HBF Park, East Perth Train Station and its surrounding car parks and larger vacant residential zoned sites north of Bulwer Street. These sites are well serviced by the East Perth Train Station and existing bus and active transport infrastructure within the precinct.

- Density Transition – The East Perth Power Station Investigation Area is recommended to be included as this includes a portion of Residential zone coded R60 which provides a density transition between the R20 coded residential lots north of Westralia Street, and the East Perth Power Station site under the control of Development WA.

The Lord Street West Future Investigation Area is also recommended to be included as this provides a transition between the NCPF and the existing William Street Planning Framework to the west of the Improvement Plan catchment.

The Lord Street West Future Investigation Area also encompasses the Lacey Street Character Area to ensure its heritage and character is considered as part of the density transition that extends to the William Street Planning Framework area.

- Infrastructure & Public Realm – There are a number of opportunities for improvements to pedestrian movement over Lord Street, between North Claisebrook and East Perth and between the train station and North Claisebrook and HBF Park. Additionally, there is opportunity to upgrade the Claisebrook Station itself to improve rider experience and interface with the surrounding public realm.

These upgrades along with broader cycling and pedestrian upgrades would enhance connectivity throughout the wider area consistent with the North Claisebrook and William Street Place Plans.

Glendalough Station Precinct Boundary

- Planning Framework - The future investigation area for Glendalough outlined in the draft Local Planning Strategy is recommended to be included within the Improvement Plan area for Glendalough as this is an area identified for future dwelling growth.

Larger commercial and mixed use zoned lots along Scarborough Beach Road are also recommended to be included as they are well serviced by existing public and active transport infrastructure and provide good strategic development opportunities as landmark sites which anchor Scarborough Beach Road as a key corridor leading to the Mt Hawthorn Town Centre.

- Density Transition – The extent of the existing R30 coded areas within the catchment is recommended to be limited to ensure that established low density single houses are not adversely impacted by changes to density. This includes where there is no natural break in the existing urban form to transition density down into the low density suburban area outside of the catchment.

1.

Existing R60 properties along Brady Street are recommended to be included as they provide opportunity for a density transition down between the Glendalough Future Investigation Area and existing R30 coded single houses in suburban Mt Hawthorn. This is proposed to extend south down Brady Street to capture larger state government landholdings towards Powis Street.

A portion of existing R30 coded area north of Milton Street is proposed to be included as a density transition area between the commercial and mixed use zoned land along Scarborough Beach Road and the R30 coded single houses to the south-east of the catchment. This is because the Milton Street road reserve provides a natural break in urban form to manage this transition.

- Strategic Development Opportunities – Strategic development opportunities within the catchment include the established car yards and vacant land parcels along Scarborough Beach Road, as well as larger land holdings along Jugan Street and in the Commercial and Mixed Use zoned land along Scarborough beach Road.

These sites are well serviced by public and active transport infrastructure in the area and will contribute to additional development intensity along the urban corridor towards the Mt Hawthorn town centre.

- Infrastructure and Public Realm – Delivery of key infrastructure opportunities such as additional public open space, improved pedestrian movement across Brady Street and Scarborough Beach Road and improved pedestrian infrastructure to and from Glendalough Station will be critical to improving feasibility and delivering additional housing in this precinct.

Leederville Station Precinct Boundary

- Planning Framework - Should the WAPC agree to progress with an Improvement Plan for Leederville, the areas recommended to be included comprise of the draft LPSP and the Pickle District Planning Framework as the two pre-existing development frameworks within the catchment.
- Density Transition - A portion of existing Residential R80 area in West Perth along Loftus Street is also recommended to be included given it provides opportunity for density transition down to existing R80 and R50 coded areas east of Cleaver Street and north of Vincent Street.

Cleaver Street provides a natural break in the urban form to separate the improvement plan area from established character areas on Florence Street and Carr Street to the west.

- Strategic Development Opportunities – Strategic development opportunities within the catchment include existing undeveloped car parks in the draft LPSP, as well as 40 Frame Court, Leederville Oval and the Water Corporation.

The inclusion of the draft LPSP into an Improvement Plan would further prioritise infrastructure investment in the precinct to facilitate development on these sites.

- Infrastructure & Public Realm - The inclusion of Leederville in a future Improvement Plan will enable key infrastructure actions to be prioritised, including improved access to Leederville Train Station and the CAT bus system in West Leederville as well as improvements to walkability on Oxford Street consistent with the Leederville Place Plan.

Additionally, priority can be given to infrastructure opportunities identified in the Pickle District Place Plan including Safe Active Street upgrades to Golding Street and Strathcona Street and main street upgrades to Cleaver Main Street.

This would also promote opportunities for redevelopment of key facilities such as Beatty Park and Leederville Oval which are key pieces of the City's advocacy agenda.

Improvement Plan Purpose and Objectives

- Strategic Intent – The purpose and objectives included as part of the draft Improvement Plan align with the strategic intent of the City's planning framework to consolidate new housing and density within train station precincts. The purpose and objectives would ultimately guide and inform the preparation of a future Improvement Scheme for each precinct.
- Modification to Improvement Plan Purpose – The purpose of the existing Concrete Batching Plant Improvement Plans talks to the cessation of the concrete batching plants specifically and enabling the purchase of the sites by the WAPC.

Should these be rescinded so the sites can be incorporated into the draft Station Precincts Improvement Plan; the purpose should be modified to include the following to ensure it reflects the intent for the removal of the incompatible land uses on those sites, while also being more broadly applicable to the respective station precincts:

- *Assist in facilitating the cessation of incompatible non-residential uses and the transition of these uses to suitable alternative locations where applicable, in consultation with key state agencies and stakeholders.*
- *Enable the purchase of strategic sites by the WAPC (if required), as funded by appropriate Local and/or State Government agencies, to facilitate development in accordance with the relevant planning framework.*

- Modification to Public Infrastructure Objectives – To ensure that there would be benefit to the City from this initiative, it is important that the objectives seek to deliver necessary public benefit through investment in infrastructure and the public realm.

In the current building climate, delivery of infrastructure, amenity and public realm upgrades is essential to ensure development in locations such as Glendalough, Leederville and Claisebrook is feasible. It is therefore critical that development objectives reflect a commitment from the State Government to delivering this amenity.

Objective (d) currently talks to the coordination of state infrastructure providers and prioritised investment to support housing delivery.

The intent of this objective is supported but should be made more robust by modifications and an additional objective as follows to capture the necessary investment in infrastructure and the public realm for each precinct to improve amenity and connectivity and facilitate development on privately owned land:

- *Coordinate the activities of state infrastructure providers to deliver investment in infrastructure and prioritise investment in public amenity to unlock necessary development feasibility to deliver housing in Station Precincts.*
- *Coordinate enhanced movement and connectivity through targeted investment to deliver improved access to train stations and walkability throughout station precincts.*

9.7	PROPOSED LICENCE FOR LITIS STADIUM CHANGEROOM TO FLOREAT ATHENA SOCCER CLUB INC
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- Attachments:**
1. Litis Stadium Changerooms Licence Area 
 2. Market Valuation - Confidential

RECOMMENDATION:**That Council**

1. **APPROVES** the City granting a licence to Floreat Athena Soccer Club Inc (ABN 24 163 514 023) (FASC) for the use of the Litis Stadium changerooms and storage areas located on a portion of Lot: 31 on Plan: 687 known as No. 41 Britannia Road, Leederville and as shown on the plan in Attachment 1, subject to the following key terms:
 - 1.1 **Commencement:** 1 April 2026
 - 1.2 **Expiry:** 30 September 2030
 - 1.3 **Licence Area:** Approximately 383m² (subject to survey)
 - 1.4 **Licence fee:** \$2,550 per annum plus GST including 25% community benefit rebate, indexed by CPI annually on 1 July.
 - 1.5 **Bond:** \$2,000 to be maintained throughout the duration of the licence term.
 - 1.6 **Permitted use:**

Changerooms: Non-exclusive right to use as changerooms for sporting and recreational activities.

Storage areas: Used only for storage of FASC's sporting equipment only.

The Licence Area must not be used for any business, commercial, illegal or immoral purposes.
 - 1.7 **Permitted days of use:**

Changerooms: Winter season, each year (1 April to 30 September).

Storage areas: All year round
 - 1.8 **Insurance:** FASC will hold public liability insurance to a minimum value of \$20,000,000 (per claim).
 - 1.9 **Indemnity:** The club will indemnify the City against loss or damage to property or persons occurring as a result of the use of the Licence Area.
 - 1.10 **Maintenance:**

During the Permitted Days of Use of the licence term, FASC must ensure that the Licence Area is kept clean and free from rubbish after each use and in good repair.

A deep clean of the Licence Area is required at the end of every Winter season.
 - 1.11 **Access**

The City and public utilities may access the Licence Area at any time in connection with its respective services.

1.12 Inspection

FASC acknowledges and agrees that the City is entitled to undertake regular inspections to view the state of repair and condition of the Licence Area by giving reasonable notice to FASC.

2. **AUTHORISES** the Chief Executive Officer to negotiate the Licence Agreement with Floreat Athena Soccer Club Inc and **NOTES** that the agreement will be executed in accordance with the City's Execution of Documents Policy.

PURPOSE OF REPORT:

To grant a contractual right to non-exclusive occupation (licence) to Floreat Athena Soccer Club Inc (FASC) (ABN 24 163 514 023) for the use of the Litis Stadium changerooms and storage areas located on a portion of Lot 31 on Plan 687, known as 41 Britannia Road, Leederville, and as shown on the plan at **Attachment 1** (Licence Area).

DELEGATION:

Delegation [2.2.18](#) – Disposing of Property by Leases and Licenses of the City's Delegations, Authorisations and Appointments does not extend to approving a new licence.

BACKGROUND:

On [12 November 2019](#), Council approved the lease of the Litis Stadium clubrooms to FASC on an exclusive basis. This area included the service access area, canteen, carpark to the rear of the clubrooms, and the tiered seating fronting the clubrooms.

The lease to FASC is for a term of ten years and expires on 30 September 2030.

In March 2023, the City received \$3 million in funding from the Federal Government for the Litis Stadium Changeroom Redevelopment project. This included refurbishing the existing clubrooms and construction of a new building with changerooms, universally accessible toilets and storage space.

Construction works have recently finished, and the Litis Stadium Changeroom Redevelopment project is approaching practical completion.

The new changerooms are located to the north-west of the existing clubrooms as shown below:



Litis Stadium is the home ground of FASC seniors (under 18s and above) during the Winter Season (April – September). During the Summer Season (October – March) it is available to several community clubs and organisation, including the Vincent City Ducks Gridiron Club.

FASC juniors (under 16s and below) use the Britannia Pavillion clubrooms during Winter Season under a shared licence with Leederville Cricket Club. They also use the playing field as a training ground.

The changerooms are proposed to be used by both FASC seniors and juniors during the Winter Season.

The licence to FASC to use the changerooms by both seniors and juniors during the Winter Season for a term which aligns with FASC's existing Litis Stadium lease.

DETAILS:

Under the City's [Property Management Framework](#) (PMF) a licence provides for non-exclusive permission to access and use a facility during specified times.

The proposed Licence would grant FASC non-exclusive use to the Litis Stadium changerooms during the Winter Season (April – September). This recognises the current Lease and ongoing use by FASC as the primary user of Litis Stadium during this time.

During the Summer Season (October - March) the Litis Stadium changerooms would be a publicly hireable facility. Users would be charged in accordance with the City's annual Fees & Charges.

Proposed Licence Terms

Based on the assessment of FASC against the PMF eligibility criteria, FASC satisfies both Category 2 and 3. On that basis, Administration recommends granting a licence to FASC on the key terms below.

- ☐ Category 2 and 3 community benefit criteria. FASC seniors qualify under Category 3 criteria as it operates at a state league level. The club provides services which are generally out of the scope of local government and therefore no direct local community benefit due to the state level nature. FASC juniors meet the Category 2 criteria as a community level sporting club that delivers services aligned with identified community needs.
- ☐ Category 2 Shared Use criteria. As the changerooms will be benefited by the senior and junior club patrons during the Winter Season and public hire during the Summer Season, the shared arrangement meets the shared use criteria. The storage areas will also be shared by the senior and junior club patrons all year round.

Because the changerooms and storage areas will be used on a shared use basis, Administration has determined that FASC aligns more with Category 2 eligibility criteria and recommends that the essential terms applicable to Category 2 be adopted for the licence, except for determination of the licence fee.

The following proposed licence terms have been agreed by FASC and are in accordance with the Category 2 Essential Terms, where relevant, of the PMF:

1	Commencement	1 April 2026
2	Expiry	30 September 2030
3	Licence Area	Approximately 383m ² (subject to survey), comprising of changerooms and storage areas as shown in Attachment 1.
4	Licence Fee	\$2,550 per annum plus GST including 25% community benefit rebate, indexed by CPI annually on 1 July.
5	Bond	\$2,000 to be maintained throughout the duration of the licence term.
6	Permitted Use	Changerooms: Non-exclusive right to use as changerooms for sporting and recreational activities. Storage areas: Used only for storage of the club's sporting equipment only. The Licence Area must not be used for any business, commercial, illegal or immoral purposes.
7	Permitted days of use	Changerooms: Winter season each year (1 April to 30 September). Storage areas: All year round
8	Insurance	Public liability insurance to a minimum value of \$20,000,000 (per claim).

9	Indemnity	The club will indemnify the City against loss or damage to property or persons occurring as a result of the use of the Licence Area.
10	Maintenance	During the Permitted Days of Use of the licence term, the club must ensure that the Licence Area is kept clean and free from rubbish after each use and in good repair. A deep clean of the Licence Area is required at the end of every Winter season.
11	Access	The City and public utilities may access the Licence Area at any time in connection with its respective services.
12	Inspection	FASC acknowledges and agrees that the City is entitled to undertake regular inspections to view the state of repair and condition of the Licence Area by giving reasonable notice to FASC.

Proposed Licence Fee

The PMF sets out that the Licence Fee for Category 2 is to be 10% of the Gross Rental Value (GRV).

The Licence Fee was not determined using GRV. This is because the GRV for the changerooms has not yet been issued as the building has not reached practical completion or received an occupancy permit.

Practical completion is imminent, however, due to uncertainty around Landgate's backlog and timing, Administration obtained a market valuation of the licence fee to ensure that FASC will be able to commence the licence on 1 April 2026. The market valuation dated 9 October 2025 is attached as **Confidential Attachment 2**.

Consistent with the approach for other Category 2 tenants where a 25 percent community benefit rebate has been applied to the licence fee, Administration proposes the same rebate be applied to the market licence fee.

This would be consistent with the existing licence fee for the clubrooms which also includes a 25 percent community benefit rebate.

The licence fee for the changerooms is proposed at \$2,550 inclusive of the 25 percent community benefit rebate.

CONSULTATION/ADVERTISING:

[Section 3.58\(5\)\(d\)](#) of the *Local Government Act 1995* (Act) and [Regulation 30\(2\)\(b\)](#) of the *Local Government (Functions and General) Regulations 1996* (Regulations) apply.

The City is exempt from giving a local public notice in accordance with Regulation 30(2)(b) of the Regulations because the disposition is to a not-for-profit incorporated association which has an objective of providing recreational, social and sporting facilities for its members.

This is outlined further in the Policy/Legal section of this report.

LEGAL/POLICY:

Local Government (Functions and General) Regulations 1996

Regulation 30 covers a range of exempt dispositions that are excluded from the application of s 3.58 of the Act which would otherwise require public notice to be given for any proposed disposal of property.

[Regulation 30\(2\)\(b\)](#) states that:

A disposition of land is an exempt disposition if:

(b) *the land disposed of to a body, whether incorporated or not to:*

- (i) *the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
- (ii) *the members of which are not entitled or permitted to receive any pecuniary profit from the body's transaction.*

FASC is a not-for-profit incorporated association which has an object of providing recreational, social and sporting facilities for its members for purposes of Regulation 30(2)(b).

Property Management Framework

The objectives of the PMF are:

- ☐ *To meet growing community needs and to maximise community benefit, City owned and managed properties will be prioritised for use where occupancy arrangements include co-location, shared-use and highest community utilisation;*
- ☐ *To meet the Strategic Community Plan's objectives of 'Connected Community' and 'Thriving Places', City owned and managed properties will primarily be available for local not-for-profit organisations, community groups and other community purposes;*
- ☐ *To ensure transparency and equity, all financial and in-kind subsidisation by Council will be recognised where City owned and managed properties are used to meet demonstrated community needs;*
- ☐ *To ensure sustainable City owned and managed properties, effective asset management and demonstrated sound financial management will be prioritised; and*
- ☐ *Where appropriate, specific City owned and managed properties may be identified and made accessible for commercial activities for income generation to support and encourage sustainable City owned asset management.*

The proposed Licence to FASC is consistent with these objectives as outlined in the Comments section of this report.

RISK MANAGEMENT IMPLICATIONS

Risk Category	Risk Appetite and tolerance statement	Description/clarifications
Governance, Due diligence, Accountability and Sustainability	The City has a low risk tolerance for less than better practice decision making for governance, due diligence, accountability, and sustainability, as measured by accepted industry standards and practices.	The City has demonstrated it has undertaken all required actions to ensure that the grant of licence has been conducted through accountable and transparent procedures through implementing relevant risk control measures managed through the licence agreement and in accordance with the City's Risk Management Framework and Property Management Framework .
Regulatory Compliance and Legal Obligations	The City has a very low risk appetite for breaches of legislation, professional standards or ethical requirements.	The recommendation ensures compliance with section 3.58 of the <i>Local Government Act 1995</i> . This action minimises legal risk and aligns with the City's governance principles of transparency and accountability.

Low: It is low risk for Council to grant a licence to FASC. The proposed licence terms are consistent with the City's PMF.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Innovative and Accountable

Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any environmental sustainability outcomes. This action/activity is environmentally neutral.

FINANCIAL/BUDGET IMPLICATIONS:

The proposed Licence Fee of \$2,550 per annum plus GST and indexed annually by CPI.

There will be no additional costs to the City in granting the Licence to FASC.

COMMENTS:

The proposed Licence to FASC for non-exclusive use of the Litis Stadium changerooms is consistent with the PMF because:

- ☐ Maintenance & Responsibilities – The Licence provides a clear delineation of responsibilities and establishes a defined framework for maintenance, access, and accountability between the City and FASC in relation to the changerooms and storage areas.

FASC would be responsible for maintenance, cleaning, minor repairs and upkeep of the changerooms during the Winter Season. This is when usage is at its peak and would reduce operational demands on the City to manage during this period, freeing up staff and budget which would otherwise be required for seasonal maintenance. The storage areas will be maintained and kept clean by the club all year round.

- ☐ Community Benefit – The Licence would ensure the continuity of sport and recreation use of the new changeroom facilities during the peak Winter Season while allowing public access in the off-season. This would maximise the broader community benefit for Litis Stadium.
- ☐ Licence Terms – The Licence terms are consistent with the relevant Essential Terms of the PMF, with the exception of the licence fee which has been determined in accordance with market valuation.

As outlined above, this is because it is not possible to obtain the GRV prior to practical completion, and progressing based on the market valuation would ensure that licence can be in place for FASC to use the clubrooms from 1 April 2026 (subject to practical completion and an occupancy permit being obtained). The Licence Fee would contribute towards the maintenance of the changerooms during the Summer Season.

10 INFRASTRUCTURE & ENVIRONMENT**10.1 APPROVAL TO ADVERTISE LOCAL AREA TRAFFIC MANAGEMENT POLICY - STANDARD AMENDMENT**

- Attachments:**
1. **Local Area Traffic Management (LATM) Policy**
 2. **Road Safety Management Plan (RSMP)**
 3. **Draft Revised Policy - Local Area Traffic Management - Post Briefing 030226**

RECOMMENDATION

That Council **APPROVES** for the purpose of community consultation, the draft Local Area Traffic Management (LATM) Policy, at Attachment 3, and authorises Administration to advertise the draft Policy in accordance with the City's Corporate Document Development Policy and Community and Stakeholder Engagement Policy.

PURPOSE OF REPORT:

For Council to approve, for the purpose of community consultation, the draft Local Area Traffic Management (LATM) Policy as detailed at **Attachment 3**.

DELEGATION:

Section 2.7 of the *Local Government Act 1995* sets out the role of Council as being to 'determine the local government's policies.' There is no delegation to Administration to make, review or repeal Council policies.

BACKGROUND:

The requirement of provisions outlined in clause 1.3 of the Corporate Document Development Policy were presented to Council Members through the monthly Policy Paper in July 2025.

The need to develop a Local Area Traffic Management (LATM) Policy was presented to Council Members in the monthly Policy Paper in July 2025, in accordance with clause 1.3 of the City's Corporate Document Development Policy.

The City receives a significant number of community requests relating to traffic safety, speeding, congestion, and neighbourhood amenity. Concurrently, the City must align its road safety approach with State Government direction, including the **Driving Change Strategy 2020–2030** and the City's **Road Safety Management Plan (RSMP)**.

The RSMP identifies predominant crash types on the local network, particularly right-angle, right-turn-through, and vulnerable road user crashes, setting out proactive and reactive safety actions. The LATM Policy provides the mechanism to implement these actions at the neighbourhood level, including warrant scoring, local area assessments, and prioritised treatment programs.

A formal policy is required to replace legacy practices and ensure a modern, consistent, and transparent approach to LATM across the City.

DETAILS:**Requirement for a documented City position (including community need or legislative requirement):**

The LATM Policy is necessary to:

- ☐ Establish a clear, transparent, and accountable framework for assessing and responding to traffic management issues.
- ☐ Ensure all community requests are evaluated using credible data, including crash history, speed and volume counts, and warrant scoring.
- ☐ Align the City's decisions with Safe System principles and RSMP actions.
- ☐ Prioritise limited capital resources toward locations with the highest documented safety risk.
- ☐ Provide clarity to the community on how LATM assessments, design development, and engagement processes occur.

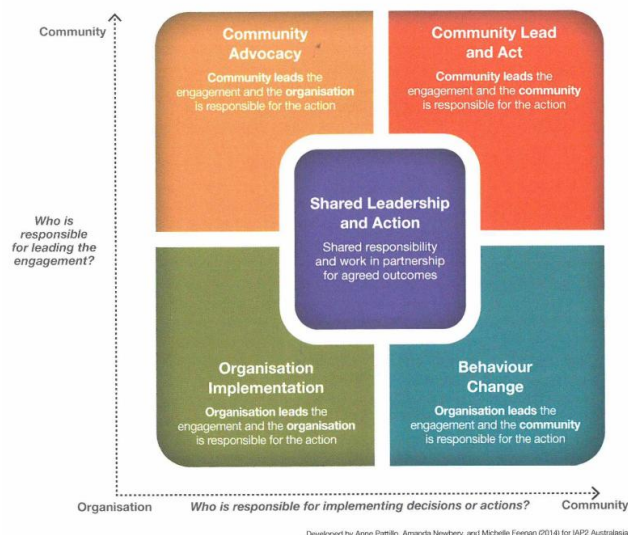
The policy formalises documentation, investigation, risk assessment, traffic warrant scoring, design development, and community engagement processes.

Examples of current / best practice:

The Policy aligns with:

- ☐ Accessible City Strategy
- ☐ Austroads Guide to Traffic Management Part 8 – Local Street Management
- ☐ State Government Driving Change Strategy 2020–2030
- ☐ City of Vincent Road Safety Management Plan 2025–2030
- ☐ WALGA and Main Roads WA Safe System guidance

These documents represent national and state best practice for risk-based traffic management.

CONSULTATION/ADVERTISING:**Organisation Implementation**

Engagement is used to both inform the community about the proposed policy, project or propositions, and to provide some input to the shape or execution of the policy, project or proposition.

Tension: People feel forced leading to an unresponsive process.

Mitigation: Increasing the level of influence, and implementing a transparent, robust process.

Required under regulations/legislation

Communicate how community and stakeholder input has influenced the decision-making or implementation

In accordance with the City's Corporate Document Development Policy draft policy documents are presented to Council for approval and authorisation to commence community consultation. All proposed changes, other than those covered by clause 5.8, will be advertised in accordance with, but not limited to, the requirements of the City's Community and Stakeholder Engagement Policy and guided by the following amendment classifications;

- ☐ **Complex Amendments** - Broad public engagement will be required, aligned with the Community and Stakeholder Engagement Policy, to ensure significant changes are thoroughly communicated and reviewed.
- ☐ **Standard Amendments** - Will be advertised for a minimum of 21 days in accordance with the Community and Stakeholder Engagement Policy. Consultation methods will be tailored based on the potential impact of the amendments, with recommendations presented to Council for determination.

The proposed **Local Area Traffic Management Policy is new** and will be advertised in the following ways:

- ☐ The City's website
- ☐ City social media channels
- ☐ Local newspapers
- ☐ Noticeboards at the Administration Centre and the Library & Local History Centre
- ☐ Letters to relevant community groups, precinct groups, and local businesses

Public notice of this proposed new policy will be provided from 09 February 2026

LEGAL/POLICY:

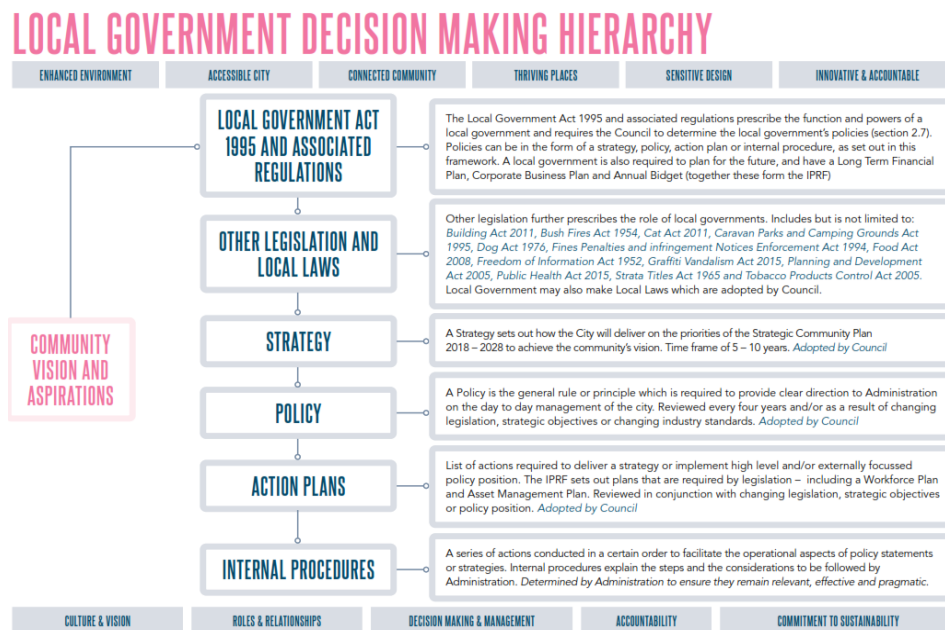
Section 2.7(2)(b) of the *Local Government Act 1995* provides Council with the power to determine Council policies.

The City's Corporate Document Development Policy sets out the process for the development and review of the City's policy documents.

In accordance with clause 2.3 of the Corporate Document Development Policy:

The purpose of a policy is to provide a general rule or principle to guide Administration and the community on the City's decision making and advocacy;

The purpose of the proposed policy is to provide a clear, transparent, and accountable framework for assessing and responding to traffic management issues.



The Policy is informed by the following Western Australian legislation:

- ☐ Road Traffic Code 2000
- ☐ Land Administration Act 1997
- ☐ Main Roads Act 1930

RISK MANAGEMENT IMPLICATIONS

Low: Adopting the proposed Local Area Traffic Management policy is low risk because this will:

- ☐ It formalises a transparent, defensible assessment framework.
- ☐ It supports the City's duty of care to road users.
- ☐ It reduces organisational risk by ensuring decisions are data-driven and consistent.
- ☐ It aligns with Safe System principles and the RSMP, helping reduce serious injury crash risk.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Enhanced Environment

We have minimised our impact on the environment.

Accessible City

Our pedestrian and cyclist networks are well designed, connected, accessible and encourage increased use.

Connected and Healthy Community

We are an inclusive, accessible and equitable City for all.

Thriving Places

Our town centres and gathering spaces are safe, easy to use and attractive places where pedestrians have priority.

Sensitive Design

More people living in and working in or enjoying town centres

Innovative and Accountable

Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.

SUSTAINABILITY IMPLICATIONS:

This is in keeping with the following key sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*.

Sustainable Transport

PUBLIC HEALTH IMPLICATIONS:

This is in keeping with the following priority health outcomes of the City's *Public Health Plan 2020-2025*:

Reduced injuries and a safer community

FINANCIAL/BUDGET IMPLICATIONS:

There are no direct financial implications associated with adopting the Policy.

Implementation of LATM treatments will occur through future budgets and external funding programs such as Black Spot and MRRG grants.

10.2 RESPONSE TO PETITION - VINE STREET AND HAMMILL LANE INTERSECTION - SAFETY CONCERNS

Attachments: 1. Petition - Vine Street and Hammill Lane Intersection - Road Safety Concerns - Confidential

RECOMMENDATION:

That in response to a petition received on 11 November 2025 in relation to Road Safety issues at the intersection of Vine Street and Hammill Lane, Council:

1. **NOTES** the request for Administration to conduct a formal traffic assessment and implement traffic calming measures to slow traffic, improve sightlines, and enhance the safety of all residents, drivers, and pedestrians using the Vine Street and Hammill Lane intersection; and
2. **REQUESTS** Administration to advise Main Roads Western Australia of the reported crashes by residents to police relating to four cars being sideswiped at the intersection of Vine Street and Hammill Lane; and
3. **SUPPORTS** Administration on continuing to monitor the area as part of its broader traffic management program and reassess the location should conditions materially change in the future.

PURPOSE OF REPORT:

To provide Council with a response to a petition received on 11 November 2025 in relation to road safety issues at the intersection of Vine Street and Hammill Lane.

DELEGATION

Council resolved that a further report be submitted to Council. Consequently, this matter is not subject to delegated determination.

BACKGROUND:

On 11 November 2025, Council received a petition from Nathan Calleja of North Perth, as detailed within Confidential Attachment 1, containing 13 signatures. The petition raises concerns regarding vehicle speeds, shortcutting behaviour, sightline constraints for vehicles exiting Hammill Lane, and several reported near-miss incidents and crashes at the intersection. It requests the City of Vincent conduct a formal traffic assessment and implement traffic calming measures to slow traffic, improve sightlines, and enhance the safety of all residents, drivers, and pedestrians using the Vine Street and Hammill Lane intersection.

In response, Administration has undertaken a preliminary traffic investigation in accordance with its Local Area Traffic Management (LATM) framework, which is guided by Austroads Guide to Traffic Management – Part 8: Local Area Traffic Management.

DETAILS:**Traffic Assessment Process**

Administration applies a consistent, evidence-based assessment process to all traffic concerns raised by the community. This process considers:

- ☐ Road classification and function.
- ☐ Traffic volumes and operating speeds.
- ☐ Crash history and reported incidents through the Main Roads Western Australia crash map system.
- ☐ Road geometry, sight distance, and width.
- ☐ Pedestrian and cyclist activity.
- ☐ Network impacts and displacement risk.
- ☐ Alignment with Austroads LATM principles.

Each location assessed is assigned a LATM warrant score, which is used to prioritise locations across the City of Vincent where traffic management interventions may be warranted.

This approach ensures fairness, transparency, and appropriate allocation of limited resources across the entire road network.

Traffic Data and Warrant Assessment

Key findings from the traffic assessment are as follows:

- ☐ Road hierarchy: Access Road
- ☐ Posted speed limit: 40 km/h
- ☐ 85th percentile speed: 38.52 km/h
- ☐ Average weekday traffic volume: 814 vehicles per day
- ☐ Crash history (2019–2024):
 - o Fatal crashes: 0
 - o Injury crashes: 0
 - o Non-injury crashes: 0

The recorded operating speed is below the posted speed limit, indicating that, on average, vehicle speeds are compliant and do not demonstrate a systemic speeding issue at this location.

The assessment resulted in a total LATM warrant score of 16, derived primarily from:

- ☐ Restricted sight distance due to road geometry (2 points)
- ☐ Presence of an educational institution in the broader area (2 points)
- ☐ Rat-running traffic during peak periods (5 points)
- ☐ Percentage of heavy vehicles (7 points)

No points were allocated for speed exceedance, traffic volume, or crash history, as these parameters did not meet the thresholds for scoring under the LATM.

Interpretation of Warrant Score

Under the City's LATM warrant criteria:

- ☐ **Scores greater than 50** are classified as *Technical Problem Sites*.
- ☐ **Scores between 30 and 50** are classified as *Minor Technical Problem Sites*.
- ☐ **Scores below 30** are classified as *Sites with low safety and amenity concerns*.

With a total score of **16**, Vine Street is classified as a site with low safety and amenity concerns, for which no further action is required at this time under the adopted framework.

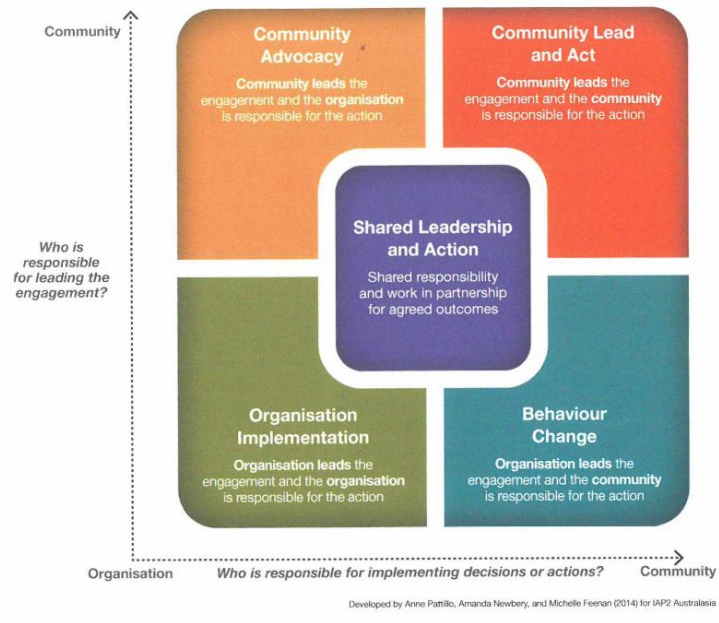
City-Wide Prioritisation Context

When assessed against all current traffic investigations across the City:

- ☐ The Vine Street / Hammill Lane location is ranked **441** out of **638** assessed locations.
- ☐ This places the site in the lower priority range for further investigation or treatment.

As higher-priority locations typically involve a combination of elevated speeds, higher crash rates, or network-wide safety risks, Administration focuses its resources on these areas first.

Based on current workloads and prioritisation, it is unlikely that this location would be investigated further or progressed to detailed design within the next 2 to 3 years, unless there is a material change in conditions (such as a significant crash history or altered traffic environment).

CONSULTATION/ADVERTISING:**Community Advocacy**

A community leads to identify, highlight and propose the action required to solve a problem or take an opportunity.

Tension: Gap between what's wanted and what you can do or influence.

Mitigation: Showing you're willing to be their decision-makers' advocate.

The community has identified problems, opportunities or outcomes which could realistically (legally, financially, ethically and sustainably) be implemented

Proactively communicate with advocates to understand their positions and processes

LEGAL/POLICY:

- ☐ Road Traffic Code 2000
- ☐ Main Roads Act 1930
- ☐ Local Government Act 1995

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to receive a petition from the local community that requests/supports Administration to investigate road safety improvements.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Accessible City

We have better integrated all modes of transport and increased services through the City.

Connected and Healthy Community

We are an inclusive, accessible and equitable City for all.

Thriving Places

Our town centres and gathering spaces are safe, easy to use and attractive places where pedestrians have priority.

Sensitive Design

More people living in and working in or enjoying our town centres.

Innovative and Accountable

We engage with our community so they are involved in what we are doing and how we are meeting our goals.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any environmental sustainability outcomes. This action/activity is environmentally neutral, it relates to road safety.

PUBLIC HEALTH IMPLICATIONS:

This is in keeping with the following priority health outcomes of the City's *Public Health Plan 2020-2025*:

Reduced injuries and a safer community

FINANCIAL/BUDGET IMPLICATIONS:

Nil

COMMENTS:

While Administration acknowledges the concerns, crash reporting raised by residents and the perceived safety issues at this location, the traffic data and warrant assessment indicate that:

- ☐ The site does not meet the threshold for immediate traffic calming intervention under Administration's LATM framework.
- ☐ The location ranks relatively low when compared to other investigated sites across the City of Vincent.
- ☐ There have been no crashes reported by police, through to the Main Roads WA crash map system which Administration uses for the preliminary traffic investigation.
- ☐ Resources must continue to be directed toward higher-priority locations to achieve the greatest overall safety benefit for the community.

Administration will continue to monitor the area as part of its broader traffic management program and reassess the location should conditions materially change in the future.

10.3 RESPONSE TO PETITION - SAFETY CONTROL MEASURES - BRENTHAM STREET

Attachments: 1. Petition - Brentham Street Crossing - Road Safety Concerns - Confidential

RECOMMENDATION:

That in response to a petition received on 9 December 2025 in relation to Road Safety issues on Brentham Street, Council:

1. **NOTES** the request for safety control measures in relation to pedestrians crossing Brentham Street and the outcomes of the formal traffic assessment Administration completed;
2. **REQUESTS** Administration to apply to Main Roads Western Australia to slow the speed on Brentham Street, from Britannia Road to Bourke Street from 50km/h to 40km/h as part of the Perth Inner City Group slower speeds project; and
3. **SUPPORTS** Administration on continuing to monitor the area as part of its broader traffic management program and reassess the location should conditions materially change in the future.

PURPOSE OF REPORT:

To provide Council with a response to a petition received on 9 December 2025 in relation to Road Safety Issues related to pedestrians crossing Brentham Street.

DELEGATION:

Council resolved that a further report be submitted to Council. Consequently, this matter is not subject to delegated determination.

BACKGROUND:

On the 11 November 2025, Council received a petition from Lara Cent of Leederville, as detailed within Confidential Attachment 1, containing 9 signatures. An additional 200 names were also provided in support however these were submitted outside the formal petition process. The petition raises concerns regarding pedestrians crossing Brentham Street, requesting the City of Vincent implement safety control measures in relation to the concern.

In response, Administration has reviewed the preliminary traffic investigation undertaken in September 2024, in accordance with its Local Area Traffic Management (LATM) framework, which is guided by Austroads Guide to Traffic Management – Part 8: Local Area Traffic Management.

DETAILS:**Traffic Assessment Process**

Administration applies a consistent, evidence-based assessment process to all traffic concerns raised by the community. This process considers:

- ☐ Road classification and function.
- ☐ Traffic volumes and operating speeds.
- ☐ Crash history and reported incidents through the Main Roads Western Australia crash map system.
- ☐ Road geometry, sight distance, and width.
- ☐ Pedestrian and cyclist activity.
- ☐ Network impacts and displacement risk.
- ☐ Alignment with Austroads LATM principles.

Each location assessed is assigned a LATM warrant score, which is used to prioritise locations across the City of Vincent where traffic management interventions may be warranted.

This approach ensures fairness, transparency, and appropriate allocation of limited resources across the entire road network.

Traffic Data and Warrant Assessment

Key findings from the traffic assessment completed in September 2024 are as follows:

- ☐ Road hierarchy: Local Distributor
- ☐ Posted speed limit: 50 km/h
- ☐ 85th percentile speed: 45.2 km/h
- ☐ Average weekday traffic volume: 1049 vehicles per day
- ☐ Crash history (2019–2024):
 - o Fatal crashes: 0
 - o Injury crashes: 0
 - o Non-injury crashes: 1

The recorded operating speed is below the posted speed limit, indicating that, on average, vehicle speeds are compliant and do not demonstrate a systemic speeding issue at this location.

The assessment resulted in a total LATM warrant score of 25, derived primarily from:

- ☐ Non-injury crashes (2 points)
- ☐ Restricted sight distance due to road geometry (2 points)
- ☐ Major bicycle or pedestrian crossing point (2 points)
- ☐ Presence of an educational institution in the broader area (4 points)
- ☐ Presence of retail outlets in the broader area (2 points)
- ☐ Rat-running traffic during peak periods (10 points)
- ☐ Percentage of heavy vehicles (3 points)

No points were allocated for speed exceedance or traffic volume, as these parameters did not meet the thresholds for scoring under the LATM.

Interpretation of Warrant Score

Under the City's LATM warrant criteria:

- ☐ **Scores greater than 50** are classified as *Technical Problem Sites*.
- ☐ **Scores between 30 and 50** are classified as *Minor Technical Problem Sites*.
- ☐ **Scores below 30** are classified as *Sites with low safety and amenity concerns*.

With a total score of **25**, Brentham Street is classified as a site with low safety and amenity concerns, for which no further action is required at this time under the adopted framework.

City-Wide Prioritisation Context

When assessed against all current traffic investigations across the City:

- ☐ The Brentham Street location between Britannia Road and Namatjira Place is ranked **223** out of **638** assessed locations.
- ☐ This places the site in the lower priority range for further investigation or treatment.

As higher-priority locations typically involve a combination of elevated speeds, higher crash rates, or network-wide safety risks, Administration focuses its resources on these areas first.

Based on current workloads and prioritisation, it is unlikely that this location would be investigated further within the next 2 to 3 years, unless there is a material change in conditions (such as a significant crash history or altered traffic environment).

Administration is working with the Perth Inner City group to slow all Local Distributor road and there are plans already in place for the Perth Inner City Group to apply to Main Roads WA to reduce the posted speed from 50km/h to 40k/h on Brentham Street from Britannia Road to Bourke Street within the next 12 months, improving pedestrian safety on Brentham Street.

CONSULTATION/ADVERTISING:



Community Advocacy

A community leads to identify, highlight and propose the action required to solve a problem or take an opportunity.

Tension: Gap between what's wanted and what you can do or influence.

Mitigation: Showing you're willing to be their decision-makers' advocate.

The community has identified problems, opportunities or outcomes which could realistically (legally, financially, ethically and sustainably) be implemented

Proactively communicate with advocates to understand their positions and processes

LEGAL/POLICY:

- ☐ Road Traffic Code 2000
- ☐ Main Roads Act 1930
- ☐ Local Government Act 1995

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to receive a petition from the local community that requests/supports administration to investigate/implement road safety improvements.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Accessible City

We have better integrated all modes of transport and increased services through the City.

Connected and Healthy Community

We are an inclusive, accessible and equitable City for all.

Thriving Places

Our town centres and gathering spaces are safe, easy to use and attractive places where pedestrians have priority.

Sensitive Design

More people living in and working in or enjoying our town centres.

Innovative and Accountable

We engage with our community so they are involved in what we are doing and how we are meeting our goals.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any environmental sustainability outcomes. This action/activity is environmentally neutral, it relates to road safety.

PUBLIC HEALTH IMPLICATIONS:

This is in keeping with the following priority health outcomes of the City's *Public Health Plan 2020-2025*:

Reduced injuries and a safer community

FINANCIAL/BUDGET IMPLICATIONS:

Nil




COMMENTS:

While Administration acknowledges the concerns and the perceived safety issues at this location, the traffic data and warrant assessment indicate that:

- ☐ The location already has traffic calming measures in place (speed humps) and does not meet the threshold for further traffic calming interventions under Administration's LATM framework.
- ☐ The location ranks relatively low when compared to other investigated sites across the City of Vincent.
- ☐ There have been low crash numbers (1 non-injury).
- ☐ Resources must continue to be directed toward higher-priority locations to achieve the greatest overall safety benefit for the community.

Administration will work with the Perth Inner City Group in applying to Main Roads WA to slow the posted speed from 50km/h to 40km/h and continue to monitor the area as part of its broader traffic management program.

10.4 APPROVAL TO ADVERTISE AMENDED POLICY - VERGE TREATMENTS - STANDARD AMENDMENT

- Attachments:**
1. **Verge Treatment Policy** 
 2. **Operational Guidelines - Verge Treatments** 
 3. **Summary of Key Changes - Verge Treatment Policy** 

RECOMMENDATION

That Council **APPROVES** the proposed amendments to the Verge Treatment Policy, at Attachment 1, for the purpose of community consultation, which is proposed to replace Verge Treatments, Plantings and Beautification Policy (Policy No. 2.2.4).

PURPOSE OF REPORT:

For Council to approve, for the purpose of community consultation, the proposed amendments to the Verge Treatment Policy detailed at **Attachment 1**.

DELEGATION:

Section 2.7 of the *Local Government Act 1995* sets out the Role of Council as being to 'determine the local government's policies.' There is no delegation to Administration to make, review or repeal Council policies.

BACKGROUND:

The Verge Treatments, Plantings and Beautification Policy was originally adopted in 2007 and has undergone periodic updates. Since adoption, changes to local laws, engineering standards and community expectations necessitate a comprehensive update.

The requirement of provisions outlined in clause 1.3 of the Corporate Document Development Policy were presented to Council Members through the monthly Policy Paper in 22 August 2025.

DETAILS:**Requirement for a documented City position (including community need or legislative requirement):**

Street verges are Crown land under the care, control and management of Local Government and perform multiple functions including pedestrian movement, streetscape, service infrastructure, drainage, and environmental outcomes.

The amended policy is required to:

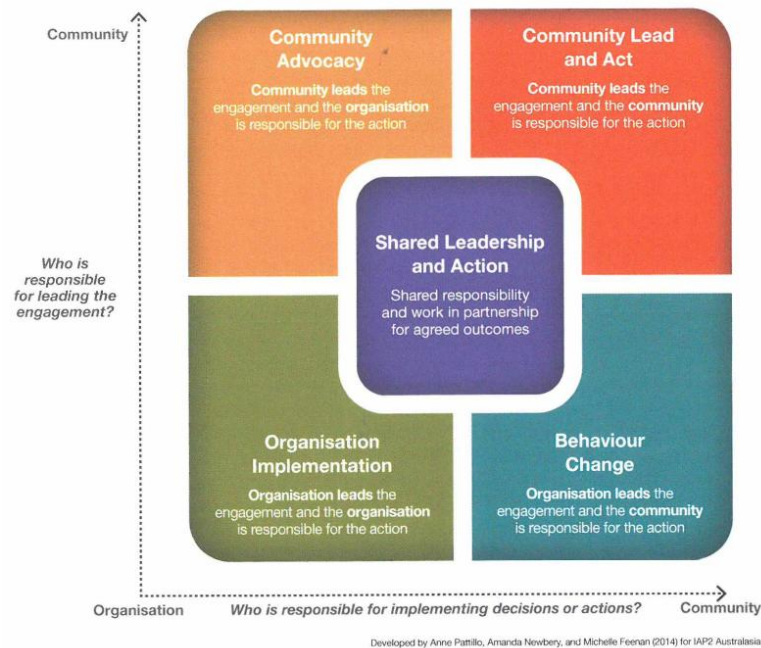
- ☐ Support safe, accessible and sustainable streetscapes.
- ☐ Provide clear direction on permissible verge treatments.
- ☐ Align with the City of Vincent Local Government Property Local Law 2021 and Parking Local Law 2023.
- ☐ Improve consistency, transparency and enforceability of decisions.

Examples of current / best practice:

The amended policy reflects contemporary Local Government practice by:

- ☐ Separating policy intent from operational and technical detail.
- ☐ Supporting policy with CEO-approved Operational Guidelines.
- ☐ Strengthening environmental and water-sensitive design outcomes.
- ☐ Clarifying responsibilities for residents, utilities and the City.

CONSULTATION/ADVERTISING:

**Organisation Implementation**

Engagement is used to both inform the community about the proposed policy, project or propositions, and to provide some input to the shape or execution of the policy, project or proposition.

Tension: People feel forced leading to an unresponsive process.

Mitigation: Increasing the level of influence, and implementing a transparent, robust process.

Your organisation has the legitimacy to lead and implement

A robust process to engage with the community and stakeholders

In accordance with the City's Corporate Document Development Policy draft policy documents are presented to Council for approval and authorisation to commence community consultation. All proposed changes, other than those covered by clause 5.8, will be advertised in accordance with, but not limited to, the requirements of the City's Community and Stakeholder Engagement Policy and guided by the following amendment classifications;

- ☐ **Standard Amendments** - Will be advertised for a minimum of 21 days in accordance with the Community and Stakeholder Engagement Policy. Consultation methods will be tailored based on the potential impact of the amendments, with recommendations presented to Council for determination.

The proposed amendments to Verge Treatments Policy will be advertised in the following ways:

- ☐ Public notice on the City's website.
- ☐ Promotion through the City's digital channels.
- ☐ Direct notification to relevant stakeholders where appropriate.

LEGAL/POLICY:

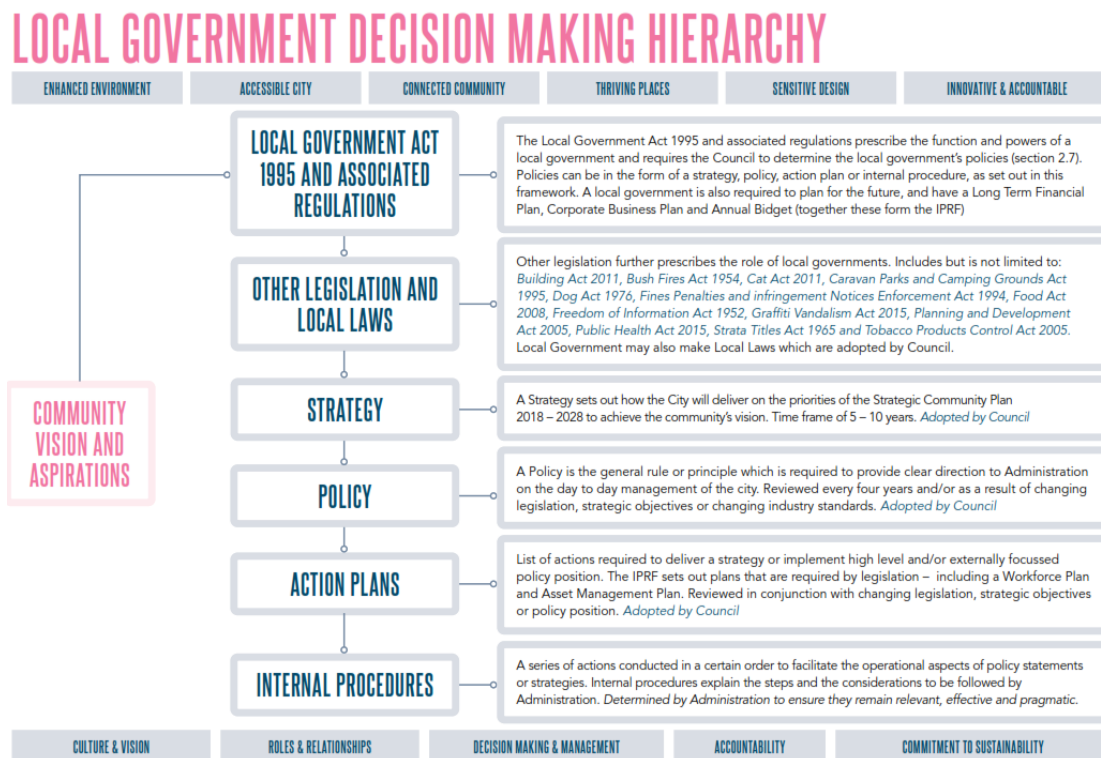
Section 2.7(2)(b) of the *Local Government Act 1995* provides Council with the power to determine policies.

The City's Corporate Document Development Policy sets out the process for the development and review of the City's policy documents.

In accordance with clause 2.3 of the Corporate Document Development Policy:

The purpose of a policy is to provide a general rule or principle to guide Administration and the community on the City's decision making and advocacy;

The purpose of the proposed policy is to provide clear principles to guide decision-making and community understanding in relation to verge management, planting, parking and general works.



The amended Verge Treatment Policy has been prepared in accordance with the Corporate Document Development Policy and aligns with:

- ☐ City of Vincent Local Government Property Local Law 2021.
- ☐ City of Vincent Parking Local Law 2023.
- ☐ Road Traffic Code 2000.

RISK MANAGEMENT IMPLICATIONS

Low: Adopting the proposed policy is low risk because this will improve clarity, consistency and enforceability, reducing safety and compliance risks.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Enhanced Environment

Our parks and reserves are maintained, enhanced and are accessible for all members of the community.

Accessible City

We have embraced emerging transport technologies.

Connected and Healthy Community

Our community facilities and spaces are well known and well used.

Thriving Places

Efficiently managed and maintained City assets in the public realm.

Sensitive Design

Our planning framework supports quality design, sustainable urban built form and is responsive to our community and local context.

Innovative and Accountable

Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.

SUSTAINABILITY IMPLICATIONS:

This is in keeping with the following key sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*.

Urban Greening and Biodiversity

PUBLIC HEALTH IMPLICATIONS

This is in keeping with the following priority health outcomes of the City's *Public Health Plan 2020-2025*:

Increased physical activity




FINANCIAL/BUDGET IMPLICATIONS:

There are no direct financial implications arising from the advertising of the amended policy. Implementation will be managed within existing operational and capital budget processes.

COMMENTS:

This report seeks Council approval to advertise the amended Verge Treatment Policy for community consultation. The proposed amendments modernise the City's approach to verge management, align the policy with current Local Laws, and introduce supporting Operational Guidelines to improve clarity, consistency, safety and environmental outcomes.

10.5 APPROVAL TO ADVERTISE AMENDED POLICY - RIGHTS OF WAY - STANDARD AMENDMENT

- Attachments:**
1. Rights of Way Policy 
 2. Operational Guidelines - Rights of Way 
 3. Summary of Key Changes - Rights of Way Policy 

RECOMMENDATION

That Council **APPROVES** the draft amended Rights of Way Policy, at Attachment 1, for the purpose of community consultation, which is proposed to replace Laneways and Rights of Way Policy, (Policy No. 2.2.8)

PURPOSE OF REPORT:

For Council to approve, for the purpose of community consultation, the draft amended Rights of Way Policy as detailed at **Attachment 1**.

DELEGATION:

Section 2.7 of the *Local Government Act 1995* sets out the Role of Council as being to 'determine the local government's policies.' There is no delegation to Administration to make, review or repeal Council policies.

BACKGROUND:

The requirement of provisions outlined in clause 1.3 of the Corporate Document Development Policy were presented to Council Members through the monthly Policy Paper in 22 August 2025.

The City's existing Laneways and Rights of Way Policy was adopted in 2013 and is primarily engineering-focused, combining strategic intent, operational procedures and technical standards within a single document.

Since adoption, there have been significant changes in:

- ☐ Legislative frameworks governing roads and Crown land.
- ☐ Planning and redevelopment outcomes in established urban areas.
- ☐ Asset management and renewal practices.
- ☐ Community expectations regarding safety, accessibility, amenity and activation of laneways.

In response, the City has undertaken a comprehensive review to modernise the policy framework, clarify governance responsibilities, and improve legal and operational robustness.

DETAILS:**Requirement for a documented City position (including community need or legislative requirement):**

The amended Rights of Way Policy provides a clear, contemporary City position on the ownership, acquisition, closure, maintenance, upgrade and amenity of rights of way, irrespective of ownership.

The Policy:

- ☐ Establishes rights of way as strategic City assets.
- ☐ Clarifies responsibilities based on ownership.
- ☐ Formalises the City's intent to proactively acquire private rights of way where appropriate.
- ☐ Provides a defensible framework for closure, access management and beautification.

Detailed technical, procedural and construction requirements are now contained within Operational Guidelines, approved under CEO delegation, ensuring flexibility while retaining Council oversight of strategic direction.

Examples of current / best practice:

The separation of policy from operational guidelines aligns with contemporary local government governance practice and reduces the need for frequent Council amendments when technical standards change.

The amended Policy also aligns with:

- ☐ *Land Administration Act 1997.*
- ☐ *Local Government Act 1995.*
- ☐ WAPC Planning Bulletin 33 – Rights-of-Way or Laneways in Established Areas.
- ☐ Asset-management best practice and renewal programming.

CONSULTATION/ADVERTISING:**Organisation Implementation**

Engagement is used to both inform the community about the proposed policy, project or propositions, and to provide some input to the shape or execution of the policy, project or proposition.

Tension: People feel forced leading to an unresponsive process.

Mitigation: Increasing the level of influence, and implementing a transparent, robust process.

Your organisation has the legitimacy to lead and implement

A robust process to engage with the community and stakeholders

In accordance with the City's Corporate Document Development Policy draft policy documents are presented to Council for approval and authorisation to commence community consultation. All proposed changes, other than those covered by clause 5.8, will be advertised in accordance with, but not limited to, the requirements of the City's Community and Stakeholder Engagement Policy and guided by the following amendment classifications;

- ☐ **Standard Amendments** - Will be advertised for a minimum of 21 days in accordance with the Community and Stakeholder Engagement Policy. Consultation methods will be tailored based on the potential impact of the amendments, with recommendations presented to Council for determination.

The proposed amendments to Laneways and Rights of Way Policy will be advertised in the following ways:

- ☐ Public notice on the City's website.
- ☐ Direct notification to key stakeholders where appropriate.
- ☐ Opportunity for written submissions.

Public notice of this proposed new policy will be provided from 2 March 2025.

LEGAL/POLICY:

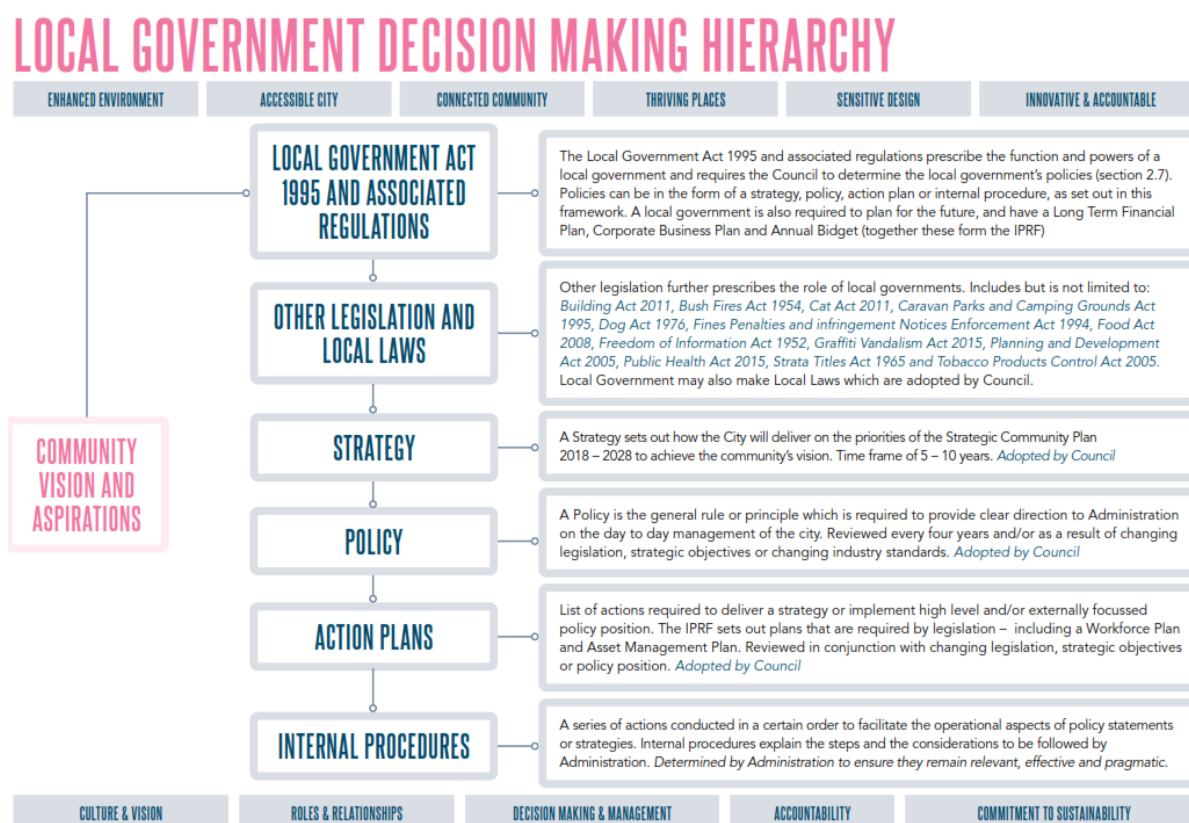
Section 2.7(2)(b) of the *Local Government Act 1995* provides Council with the power to determine policies.

The City's Corporate Document Development Policy sets out the process for the development and review of the City's policy documents.

In accordance with clause 2.3 of the Corporate Document Development Policy:

The purpose of a policy is to provide a general rule or principle to guide Administration and the community on the City's decision making and advocacy;

The purpose of the proposed policy is to provide high-level principles to guide decision-making, with operational detail contained in CEO-approved guidelines.



The draft amended Rights of Way Policy is supported by, and consistent with, the following legislation and statutory frameworks:

- ☐ Land Administration Act 1997 – relating to acquisition, dedication and closure of rights of way.
- ☐ Transfer of Land Act 1893 – relating to easements and interests in land.
- ☐ Road Traffic (Administration) Act 2008 and Road Traffic Code 2000 – relating to the definition, regulation and use of roads and public thoroughfares.
- ☐ Planning and Development Act 2005 – relating to development access and infrastructure contributions.
- ☐ Relevant City of Vincent Local Laws.

RISK MANAGEMENT IMPLICATIONS

Low: Adopting the proposed policy is low risk because this will reduce risks by:

- ☐ Improving legislative and procedural clarity.
- ☐ Strengthening defensibility of acquisition and closure decisions.
- ☐ Ensuring consistent, transparent management of rights of way.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Connected and Healthy Community

Our community facilities and spaces are well known and well used.

Thriving Places

Efficiently managed and maintained City assets in the public realm.

Sensitive Design

Our planning framework supports quality design, sustainable urban built form and is responsive to our community and local context.

Innovative and Accountable

Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.

SUSTAINABILITY IMPLICATIONS:

This is in keeping with the following key sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*.

Water Use Reduction/Water Quality Improvement

PUBLIC HEALTH IMPLICATIONS:

This is in keeping with the following priority health outcomes of the City's *Public Health Plan 2020-2025*:

Reduced injuries and a safer community

FINANCIAL/BUDGET IMPLICATIONS:

There are no immediate financial implications arising from advertising the amended Policy.

Future works will continue to be prioritised through existing asset-management and renewal programs.

COMMENTS:

The proposed amended Rights of Way Policy modernises the City's approach by establishing a clear, strategic framework for the ownership, acquisition and management of rights of way across the City.

The Policy separates Council's strategic direction from operational delivery, with detailed technical and procedural requirements contained within CEO-approved Operational Guidelines.

The accompanying Guidelines provide consistent standards for design, construction, maintenance, renewal, acquisition, naming and beautification of rights of way. Advertising the Policy will enable community feedback while strengthening governance, legal robustness and long-term asset management outcomes.

10.6 RFT IE529/2025 MENZIES PARK AND BIRDWOOD SQUARE FLOOD LIGHTING UPGRADE

Attachments: 1. Attachment 1 - Evaluation Worksheet RFT IE529-2025 - Confidential

RECOMMENDATION:

That Council:

1. **NOTES** the outcome of the evaluation process for Request for Tender IE529/2025; and
2. **ACCEPTS** the tender submissions of Stiles Electrical Pty Ltd for Request for Tender IE529/2025 Separable Portion 1 Menzies Park Flood Lighting Upgrade and Separable Portion 2 Birdwood Square Flood Lighting Upgrade.

PURPOSE OF REPORT:

For Council to consider and determine the outcome of Request for Tender IE529/2025 Separable Portion 1 Menzies Park Flood Lighting Upgrade and Separable Portion 2 Birdwood Square Flood Lighting Upgrade.

DELEGATION:

The decision to accept or reject tenders with a value exceeding \$250,000 requires a decision of Council in accordance with Council's adopted register of delegations, authorisations and appointments.

BACKGROUND:

Menzies Park: The existing floodlighting at Menzies Park currently illuminates only approximately one third of the reserve and has progressively deteriorated over recent years. The current lighting infrastructure does not comply with the minimum Australian Standards required for AFL night training or match play. As a result, Mount Hawthorn Cardinals Junior Football Club (Cardies) is significantly restricted in its ability to use Menzies Park during the winter season when natural light is insufficient.

Since 2023, Cardies has worked closely with the City to support and advocate to the State Government for an upgrade to the park's floodlighting. The proposed upgrade will provide lighting to a minimum of 100 lux and illuminate the entire reserve, ensuring compliance with Australian Standards for night football training and matches.

In 2025, this project received \$190,000 as part of a Cook Labor Government election commitment. In addition, the City secured a further \$98,482 through a successful Club Night Lights Program (CNLP) application, with the City committing to one-third of the total project cost.

The scope of works for this project includes:

Removal of:

- ☐ Two existing floodlighting poles
- ☐ Existing metal halide lamps

Supply and installation of:

- ☐ New floodlighting poles
- ☐ LED luminaires
- ☐ Lighting system distribution board
- ☐ All associated electrical cabling and conduits

Birdwood Square: The existing floodlighting at Birdwood Square has severely deteriorated over time and is nearing the end of its service life. While there is currently no sporting club operating at the reserve that requires floodlighting, upgrading the lighting presents an opportunity to maximise future use of the reserve. Improved lighting will also further activate and enhance this prominent inner-city space.

Since 2023, Perth Azzurri (formerly Perth Soccer Club) has worked closely with the City to evaluate a range of projects that would deliver positive outcomes for both the club and the wider community, following the club's receipt of funding through the Women's World Cup Legacy Program in 2022. Through these discussions, Perth Azzurri has committed \$100,000 to the Birdwood Square floodlighting project, as it provides the club with access to an additional centrally located training space during peak times (Monday to Thursday, 5.00 pm to 8.00 pm), while also enabling broader after-hours community use of the reserve.

The scope of works for this project includes:

Removal of:

- ☐ Two existing floodlighting poles
- ☐ Existing metal halide lamps

Supply and installation of:

- ☐ New floodlighting poles
- ☐ LED luminaires
- ☐ Lighting system distribution board
- ☐ All associated electrical cabling and conduits

DETAILS:

Tender Submissions

Four (4) Respondents submitted submissions to both Separable Portions.

Separable Portion 1 Menzies Park Flood Lighting Upgrade: There were a total five (5) submissions received from four (4) Respondents for Separable Portion 1. Respondent 3 submitted a conforming and an alternate response.

Separable Portion 2 Birdwood Square Flood Lighting Upgrade: There were a total of four (4) submissions received from four (4) Respondent for Separable Portion 2.

Evaluation Panel

The Evaluation Panel comprised of four (4) members, being:

- ☐ three with appropriate operational expertise and involvement (voting); and
- ☐ one with tender preparation skills and probity advice provided by a Procurement and Contracts Officer (non-voting).

Compliance Assessment

A compliance assessment was undertaken on all submissions. Three (3) Respondents were assessed as compliant and progressed to the qualitative evaluation stage. One (1) submission was assessed as non-complaint and did not progress to the qualitative evaluation stage.

Evaluation Method and Weighting

The submissions were assessed using a qualitative weighted evaluation methodology. The qualitative evaluation criteria and associated weightings applied to the assessment are detailed below.

Qualitative Criteria		Weighting
1.	Demonstrated understanding of the required service	22.5%
2.	Demonstrated understanding of the project	22.5%
3.	Experience and Product Compliance	20%
4.	Capacity and Skills	15%
5.	Warranty, Support and Proprietary Material	15%
6.	Environmental & Social	5%

Qualitative Assessment

Each submission was evaluated against the qualitative criteria outlined in the Request for Tender for the Menzies Park and Birdwood Square Floodlighting Upgrade (IE529/2025). The qualitative assessment focused on each respondent's demonstrated experience, capability, and capacity to deliver high-quality floodlighting infrastructure in accordance with the City's technical, safety, and community requirements. As this was a separable portion tender, submissions were assessed separately for Separable Portion 1 – Menzies Park Floodlighting Upgrade and Separable Portion 2 – Birdwood Square Floodlighting Upgrade, while also considering the respondent's overall capability to deliver works within sensitive public open space environments.

Specifically, the assessment considered the respondent's understanding of the scope of works, identification and management of site-specific risks, proposed delivery methodology and program, health, safety, environmental and quality management practices, and demonstrated experience delivering similar floodlighting projects within local government and residential contexts. Consideration was also given to organisational structure, key personnel and resourcing, quality assurance processes, warranty provisions, and alignment with the City of Vincent's environmental and social objectives.

The panel also assessed each respondent's environmental and social practices, including alignment with the City's *Reconciliation Action Plan 2025–2027 Stretch*, *Enhanced Environment Strategy 2025-2030*, and proposed initiatives for recycling, low carbon output and other environmentally beneficial practices.

Each submission was scored and ranked against the evaluation criteria, with the results reflecting the respondent's overall capability, capacity, and commitment to delivering the services efficiently and sustainably in accordance with the City's requirements.

The results of the qualitative assessment of both Separable Portions are summarised below:

Separable Portion 1 – Menzies Park Flood Lighting Upgrade

Respondent #	Weighted Percentage Score	Qualitative Ranking
Respondent 2	78.75%	3
Respondent 3 – Conforming	84.13%	2
Respondent 3 – Alternate	88.25%	1
Respondent 4	77.38%	4

Separable Portion 2 – Birdwood Square Flood Lighting Upgrade

Respondent #	Weighted Percentage Score	Qualitative Ranking
Respondent 2	76.50%	3
Respondent 3	87.13%	1
Respondent 4	77.38%	2

Refer to **Confidential Attachment 1** for further details.

All submissions achieved a qualitative score of greater than 60%, meeting the minimum threshold required under the RFT. In accordance with the RFT evaluation methodology, all three respondents therefore progressed to the Price Assessment stage for further evaluation and comparison.

Price Assessment

Each submission was assessed against the pricing schedules provided in the Request for Tender for both separable portions, being **Separable Portion 1 – Menzies Park Floodlighting Upgrade** and **Separable Portion 2 – Birdwood Square Floodlighting Upgrade**. The price assessment involved a comparative analysis of the total lump sum prices submitted for each separable portion, including consideration of scope completeness, pricing clarity, and overall reasonableness in relation to the specified works. All submissions were reviewed for compliance with the pricing requirements of the RFT and were found to be free from material pricing departures.

Separable Portion 1 – Menzies Park

or Menzies Park, **Stiles Electrical & Communication Services Pty Ltd (Alternate Submission)** submitted the lowest overall price and achieved the highest price ranking. The pricing was assessed as competitive and reasonable having regard to the scope of works and the quality of the technical solution offered.

Separable Portion 2 – Birdwood Square

For Birdwood Square, **Stiles Electrical & Communication Services Pty Ltd** was assessed as representing the best value for money. While not the lowest-priced submission, the pricing was considered competitive and was supported by a strong qualitative response and a low assessed risk profile.

The pricing outcomes, when considered in conjunction with the qualitative and risk assessments, informed the panel's overall determination of best value for money for each separable portion.

Separable Portion 1 – Menzies Park Flood Lighting Upgrade

Respondent #	Total Price (GST excl)	Price Assessment Rank
Respondent 2	\$363,547.20	4
Respondent 3 – Conforming	\$310,083.97	2
Respondent 3 – Alternate	\$291,511.10	1
Respondent 4	\$312,686.78	3

Separable Portion 2 – Birdwood Square Flood Lighting Upgrade

Respondent #	Total Price (GST excl)	Price Assessment Rank
Respondent 2	\$245,030.38	1
Respondent 3	\$258,748.29	2
Respondent 4	\$272,058.84	3

Refer to **Confidential Attachment 1** for the total price breakdown.

Risk Assessment

The evaluation panel conducted a comprehensive risk assessment of each submission, considering compliance with specifications, potential service delivery risks, and contractual risk exposure.

Separable Portion 1 – Menzies Park Flood Lighting Upgrade

Respondent #	Compliance with RFT	Operational/Service Delivery Risk	Contractual Risk	Risk Rank
Respondent 2	Low – Fully compliant submission with no contractual departures or assumptions. All requested information was provided in accordance with the RFT requirements.	Moderate – The submission demonstrated strong experience, capability, and a well-documented delivery methodology, supported by sound HSEQ and quality assurance practices. However, the overall operational risk is marginally elevated due to standard warranty provisions, limited detail around contingency and active budget control, and sustainability and RAP initiatives that are largely foundational rather than project-specific. These matters are considered manageable but would require closer contract oversight.	Low – No contractual departures were identified. Standard warranty and support arrangements transfer a degree of lifecycle and maintenance risk to the City beyond the defects liability period; however, this aligns with common industry practice and can be managed through contract administration.	3

Respondent #	Compliance with RFT	Operational/Service Delivery Risk	Contractual Risk	Risk Rank
Respondent 3 – Conforming	Low – Fully compliant submission with no departures or assumptions. All required information was provided and clearly demonstrated a strong understanding of the RFT requirements and site-specific obligations.	Low – The submission demonstrated an outstanding, site-specific understanding of delivery risks, supported by strong technical awareness, mature ISO-certified management systems, and highly relevant local government experience. Minor operational risks relate to optimistic scheduling assumptions and reliance on timely approvals; however, these risks were clearly identified, acknowledged, and considered manageable through clarification and contract controls.	Low – No contractual risks were identified. The respondent demonstrated a strong track record of contractual compliance, supported by robust governance, quality assurance processes, and clear delivery accountability.	2
Respondent 3 – Alternate	Low – Fully compliant alternate submission with no contractual departures. All required information was provided and clearly distinguished from the conforming offer.	Low – The alternate submission presented the lowest operational risk by proactively resolving identified technical and site-specific risks through an alternative design solution. Enhanced warranties significantly reduce lifecycle and maintenance risk to the City. The approach demonstrated exceptional technical competence, strong delivery planning, and robust risk mitigation. Residual risks are minor and readily manageable.	Low – No contractual risks identified. The enhanced warranty and support provisions materially strengthen the City's contractual position and reduce long-term exposure.	1
Respondent 4	Low – Fully compliant submission with no contractual departures.	Medium – While the respondent demonstrated relevant experience and a generally sound understanding of the project, the absence of detailed HSEQ documentation at submission, lack of Inspection and Test Plans (ITPs), and limited definition of quality hold points increase operational risk. Additional gaps in site-specific planning would require increased oversight and pre-award clarification.	Moderate – No formal contractual departures were identified; however, the limited upfront documentation relating to HSEQ and quality assurance introduces a higher level of uncertainty and reliance on post-award controls.	4

Separable Portion 2 – Birdwood Square Flood Lighting Upgrade

Respondent #	Compliance with RFT	Operational/Service Delivery Risk	Contractual Risk	Risk Rank
Respondent 2	Low – Fully compliant submission with no contractual departures or assumptions. All requested information was provided in accordance with the RFT requirements.	Moderate – The submission demonstrated strong experience and a comprehensive approach to risk identification and mitigation across all phases of delivery. However, the operational risk profile is elevated due to the omission of a clearly articulated Aboriginal and Torres Strait Islander heritage risk for Birdwood Square, including consideration of Section 18 of the Aboriginal Heritage Act. Additional minor gaps relating to contingency management, standard warranty provisions, and foundational RAP maturity further increase the residual risk. These matters are considered manageable but would require increased oversight.	Low – No contractual departures were identified. Standard warranty and servicing arrangements transfer some ongoing maintenance and lifecycle risk to the City beyond the defects liability period, consistent with industry practice but requiring active contract management.	2
Respondent 3	Low – Fully compliant submission with no departures or assumptions. All required information was provided and clearly demonstrated a strong understanding of the RFT scope and site-specific requirements.	Low – The submission demonstrated an outstanding, site-specific understanding of Birdwood Square constraints, particularly in relation to the large fig tree and Tree Protection Zone (TPZ). Risks were clearly identified, directly linked to mitigation strategies, and informed by issues raised during the mandatory site meeting. Delivery methodology, scheduling, HSEQ systems, and quality assurance processes were all of a very high standard. Minor residual risks relate to program assumptions and commencement timing; however, these were acknowledged and considered manageable through clarification and contract administration.	Low – No contractual risks identified. The respondent demonstrated strong governance, mature management systems, and a proven track record of meeting contractual obligations within local government environments.	1

Respondent #	Compliance with RFT	Operational/Service Delivery Risk	Contractual Risk	Risk Rank
Respondent 4	Low – Fully compliant submission with no contractual departures or assumptions.	Medium – While the respondent demonstrated relevant experience and a generally sound understanding of the Birdwood Square works, the submission carries the highest operational risk. Key concerns include the absence of detailed HSEQ documentation at submission, lack of Inspection and Test Plans (ITPs) and defined quality hold points, and limited consideration of sensitive site interfaces, including Aboriginal heritage and adjacent land uses. These risks are considered manageable but would require increased contractual controls, pre-award clarification, and active oversight by the City.	Moderate – No formal contractual departures were identified; however, the reliance on post-award provision of critical HSEQ and quality documentation increases contractual uncertainty and places greater reliance on compliance monitoring during delivery.	3

Value for Money Assessment

The Evaluation Panel undertook a comprehensive value for money assessment, considering the combined outcomes of the qualitative evaluation, pricing analysis, and risk assessment. This holistic approach ensured that the recommended submission offers the optimal balance of quality, cost-effectiveness, and low delivery and contractual risk to the City.

Separable Portion 1 – Menzies Park Flood Lighting Upgrade

Respondent #	Qualitative Rank	Price Rank	Risk Rank	Value for Money Rank	Comment
Respondent 2	3	2	3	3	Respondent 2 submitted a strong and well-documented qualitative response demonstrating sound experience, capable personnel, and a structured delivery methodology. However, standard warranty provisions, limited contingency and budget control detail, and foundational maturity in RAP and sustainability initiatives elevate the overall risk profile when compared to higher-ranked respondents. While pricing was competitive, the moderate residual risk and comparatively lower qualitative ranking reduce the overall value for money for the City.

Respondent #	Qualitative Rank	Price Rank	Risk Rank	Value for Money Rank	Comment
Respondent 3 - Conforming	2	2	2	2	Respondent 3 provided a high-quality submission demonstrating strong site-specific understanding, mature HSEQ and quality assurance systems, and extensive local government experience. The submission presents a low risk profile; however, minor concerns relating to program assumptions and the optimistic scheduling framework slightly reduce delivery confidence when compared to the alternate submission. Overall, the submission represents good value for money through a strong balance of capability, cost and manageable risk.
Respondent 3 - Alternate	1	1	1	1	Respondent 3's alternate submission represents the strongest overall offer and best value for money for the City. The proposal achieved the highest qualitative score, the most competitive pricing, and the lowest assessed risk. The alternative solution proactively resolved key technical and site-specific risks, demonstrated exceptional technical competence, and significantly reduced lifecycle and maintenance risk through enhanced warranty provisions. This submission provides the most advantageous outcome to the City by combining superior capability, cost-effectiveness, and a high level of delivery certainty.
Respondent 4	4	3	4	4	Respondent 4 demonstrated relevant experience and a sound understanding of the project; however, the absence of detailed HSEQ documentation at submission, lack of Inspection and Test Plans (ITPs) and defined quality hold points, and gaps in site logistics and sensitive site interface management resulted in the highest residual risk. Combined with lower qualitative performance and higher pricing, the submission provides the lowest overall value for money for the City.

Separable Portion 2 – Birdwood Square Flood Lighting Upgrade

Respondent #	Qualitative Rank	Price Rank	Risk Rank	Value for Money Rank	Comment
Respondent 2	3	1	2	2	Respondent 2 submitted a strong and well-documented qualitative response demonstrating sound experience, capable personnel, and a structured delivery methodology. The submission reflected practical experience in public-space delivery and included solid HSEQ and quality assurance practices. However, the omission of a clearly articulated Aboriginal and Torres Strait Islander heritage risk specific to Birdwood Square, including consideration of Section 18 of the Aboriginal Heritage Act, elevates the overall risk profile. While the price was the most competitive, these gaps reduce overall delivery confidence when compared to Respondent 3.
Respondent 3	1	2	1	1	Respondent 3 provided the strongest overall submission for Birdwood Square, achieving the highest qualitative score and the lowest assessed risk. The submission demonstrated an outstanding, site-specific understanding of risks and constraints, particularly in relation to the large fig tree and Tree Protection Zone (TPZ), supported by clear and practical mitigation strategies. Mature ISO-certified HSEQ and quality systems, strong local government experience, and a well-structured delivery methodology provide a high level of confidence in delivery. Despite not being the lowest priced submission, the superior capability and low risk profile deliver the best overall value for money to the City.
Respondent 4	2	3	3	3	Respondent 4 demonstrated relevant experience and a generally sound understanding of the Birdwood Square works; however, the submission carries the highest residual risk. Key concerns include the absence of detailed HSEQ documentation at submission, lack of Inspection and Test Plans (ITPs) and defined quality hold points, and limited consideration of sensitive site interfaces, including Aboriginal heritage and adjacent land uses. Combined with the highest price and moderate qualitative performance, the submission represents the lowest overall value for money.

Evaluation Summary

Separable Portion 1 – Menzies Park Floodlighting Upgrade

The Evaluation Panel concluded that **Stiles Electrical & Communication Services Pty Ltd – Alternate Submission** provides the best overall value for money to the City and is recommended for the provision of IE529/2025 – Menzies Park Floodlighting Upgrade for the following reasons:

- ☐ Fully compliant with all submission and specification requirements, with no contractual departures or assumptions;
- ☐ Ranked 1st in the qualitative assessment, demonstrating exceptional technical capability, strong local government experience, and a highly site-responsive methodology for delivery;
- ☐ Ranked 1st in the pricing assessment, offering the most competitive overall price for Menzies Park;
- ☐ Assessed as having the lowest overall risk, having proactively resolved key site-specific and technical risks through its alternative product solution, supported by mature ISO-certified HSEQ and quality management systems; and
- ☐ The enhanced warranty offering materially improves the City's long-term position by reducing lifecycle, maintenance, and performance risk.

The Panel considered that the alternative solution proposed by **Stiles Electrical & Communication Services Pty Ltd** demonstrates outstanding technical competence, effectively mitigates identified design constraints, and provides superior whole-of-life value for money. The submission represents the best balance between price, quality, and risk, providing the City with a high degree of confidence in the successful delivery of the Menzies Park Floodlighting Upgrade.

Separable Portion 2 – Birdwood Square Floodlighting Upgrade

The Evaluation Panel concluded that **Stiles Electrical & Communication Services Pty Ltd** provides the best overall value for money to the City and is recommended for the provision of IE529/2025 – Birdwood Square Floodlighting Upgrade for the following reasons:

- ☐ Fully compliant with all submission and specification requirements, with no contractual departures or assumptions;
- ☐ Ranked 1st in the qualitative assessment, demonstrating an outstanding, site-specific understanding of the Birdwood Square works, particularly in relation to the large fig tree and Tree Protection Zone (TPZ);
- ☐ Ranked 2nd in the pricing assessment, offering competitive pricing that is offset by superior capability and significantly reduced delivery risk;
- ☐ Assessed as having the lowest overall risk, supported by mature ISO-certified HSEQ and quality assurance systems, strong local government experience, and a well-developed, site-responsive delivery methodology; and
- ☐ The submission represents the strongest balance between price, quality, and risk, providing the City with the highest level of confidence in achieving a successful outcome for this sensitive and stakeholder-focused site.

Stiles Electrical & Communication Services Pty Ltd's demonstrated experience delivering floodlighting projects in complex urban environments, including sites with highly engaged community stakeholders, further supports their suitability for this portion of the works. The Evaluation Panel determined that this submission represents the most advantageous value for money outcome for the City for the Birdwood Square Floodlighting Upgrade.

CONSULTATION/ADVERTISING:

This matter is subject to a statutory advertising requirement. The Request for Tender IE529/2025 Menzies Park Flood Lighting Upgrade and Birdwood Square Flood Lighting Upgrade Request was advertised in the West Australian on 1 November 2025 and on both the City's website and VendorPanel between 1 November 2025 and 4 December 2025.

LEGAL/POLICY:

The Request for Tender was prepared and advertised in accordance with:

- ☐ Section 3.57 of the Local Government Act 1995;
- ☐ Part of the *Local Government (Function and General) Regulations 1996*; and
- ☐ City of Vincent Purchasing Policy

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to accept the recommended respondent for both Separable Portions of RFT IE529/2025, as they have demonstrated strong technical capability, relevant local government experience, mature management systems, and competitive pricing that together provide confidence in their ability to successfully deliver the floodlighting upgrades at Menzies Park and Birdwood Square.

In accordance with the City of Vincent's adopted *Risk Appetite and Tolerance Statements*, the recommendation to award:

- Separable Portion 1 – Menzies Park Floodlighting Upgrade to **Stiles Electrical & Communication Services Pty Ltd (Alternate Submission)**, and
- Separable Portion 2 – Birdwood Square Floodlighting Upgrade to **Stiles Electrical & Communication Services Pty Ltd (Conforming Submission)** presents a low risk to the City and is consistent with the organisation's risk position in the following areas:

□ Third Party (Contractor) Failure

- The City has a **low risk appetite** for contractor failure, reflecting the critical importance of engaging reliable and capable service providers for public infrastructure projects. Stiles Electrical & Communication Services Pty Ltd demonstrated:
 - Extensive experience delivering similar floodlighting projects for local governments;
 - Mature, ISO-certified HSEQ and quality management systems;
 - Strong technical understanding of site-specific risks, including electrical design constraints, Tree Protection Zones, drainage cells, and sensitive public open space interfaces; and
 - A well-resourced delivery model supported by qualified personnel and senior management oversight.

The alternate submission for Menzies Park further reduced delivery risk through proactive resolution of identified technical constraints and enhanced warranty provisions, materially improving lifecycle performance and reducing ongoing maintenance risk. These factors provide a high level of confidence in the contractor's ability to meet contractual obligations and minimise the likelihood of delivery delays or service failures. Accordingly, the risk of third-party failure is assessed as **low** and within the City's risk tolerance.

□ Procurement Failure

- The City has a **low risk appetite** for procurement failures that lead to poor value for money, substandard service quality, or financial loss. The recommended respondents achieved the highest qualitative scores for each separable portion and were assessed as having the lowest overall risk profiles. The evaluation process has demonstrated that:
 - The preferred respondents provide the best balance between price, quality, and risk;
 - The Menzies Park alternate submission offers enhanced whole-of-life value through reduced technical and maintenance risk; and
 - The Birdwood Square submission demonstrates superior site-specific capability in a sensitive and stakeholder-focused environment.

The procurement has been conducted in full compliance with the City's Purchasing Policy and evaluation framework, and the outcomes represent low-risk procurement decisions consistent with the City's risk appetite.

□ Zero Tolerance – Safety Risk

- The City has **zero tolerance** for procurement decisions that could endanger staff or the community. Stiles Electrical & Communication Services Pty Ltd demonstrated strong commitment to safety through:
 - Comprehensive ISO-certified HSEQ systems;
 - Detailed management processes for working in public open spaces and high-risk electrical environments; and
 - Clear identification and mitigation of key safety risks relevant to each site.

No material safety concerns were identified, and the proposed methodologies align with the City's expectations for managing public interface works. The recommended contract awards are therefore consistent with the City's zero-tolerance position on safety risk.

□ **Reputational and Strategic Risk**

- Engaging a capable and reputable contractor supports the City's reputation for sound governance, transparent procurement, and high-quality infrastructure delivery. Stiles Electrical & Communication Services Pty Ltd has demonstrated a strong track record within the local government sector, with extensive experience delivering comparable projects in complex urban and community environments. Their proactive approach to risk identification, technical problem-solving, and quality management supports the City's strategic objectives and reinforces public confidence in the City's procurement practices.

The recommended contract awards for both Separable Portions present a **low overall risk** to the City and are consistent with the City of Vincent's Risk Appetite and Tolerance Statements. The evaluation panel is satisfied that the preferred respondent offers a robust, well-managed, and value-for-money solution that will deliver the required floodlighting upgrades safely, efficiently, and to a high standard.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Enhanced Environment

Our parks and reserves are maintained, enhanced and are accessible for all members of the community.

Connected and Healthy Community

Our community facilities and spaces are well known and well used.

Thriving Places

Efficiently managed and maintained City assets in the public realm.

Innovative and Accountable

Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Vincent Framework 2025 - 2028*, however sustainability considerations were embedded within the tender evaluation process through both compliance and qualitative assessment criteria.

The Request for Tender required respondents to provide information on:

- the environmental performance of their products and services, including life-cycle impacts, material selection, durability, and end-of-life reuse and recycling pathways; and
- company social responsibility practices, including opportunities for Aboriginal and Torres Strait Islander persons and businesses, persons with disability, and initiatives to support gender diversity.

Environmental and social criteria were assessed as part of the qualitative evaluation, with respondents evaluated on their alignment with the City's Reconciliation Action Plan and Sustainable Environment Strategy, as well as their proposed material recycling, low-carbon practices, and broader environmentally beneficial initiatives.

The preferred respondent demonstrated a mature approach to environmental management through documented environmental policies, work instructions, and operational practices that support material recycling and responsible environmental performance. In addition, the submission included social responsibility measures aligned with reconciliation objectives and inclusive employment practices.

Accordingly, while the project does not represent a standalone sustainability initiative, the procurement outcome supports the City's sustainability objectives by ensuring that environmental performance and social responsibility considerations were integrated into the assessment of value for money and selection of the preferred contractor.

PUBLIC HEALTH IMPLICATIONS:

The lighting of these reserves provides an opportunity for greater activation and utilisation of active green space therefore benefitting the health and wellness outcomes for the community.

FINANCIAL/BUDGET IMPLICATIONS:

The Request for Tender IE529/2025 Menzies Park and Birdwood Square Floodlighting Upgrade has been structured as a separable portion tender, with each portion funded through a combination of capital works allocations, election commitments and external contributions.

Separable Portion 1 – Menzies Park Floodlighting Upgrade

The estimated value of this separable portion is **\$438,000 (ex GST)**. The preferred respondent, **Stiles Electrical & Communication Services Pty Ltd**, submitted a price of **\$291,511.10 (ex GST)** for Separable Portion 1, which is within the approved project budget. Sufficient budget is available from the following funding sources:

- ☐ Election Commitment – **\$190,000**
- ☐ Club Night Lights Program (CNLP) Grant Funding – **\$98,482**
- ☐ City of Vincent Capital Works Budget – **\$140,000**

The recommended award price represents a favourable financial outcome for the City and provides adequate contingency within the approved budget to manage unforeseen project risks.

Separable Portion 2 – Birdwood Square Floodlighting Upgrade

The estimated value of this separable portion is **\$304,000 (ex GST)**. The preferred respondent, **Stiles Electrical & Communication Services Pty Ltd**, submitted a price of **\$258,748.29 (ex GST)** for Separable Portion 2, which is within the available project budget. Sufficient funding is available from the following sources:

- ☐ Perth Soccer Club Commitment (Grant Funding) – **\$100,000**
- ☐ City of Vincent Capital Works Budget – **\$200,000**

The recommended contract sum is within the approved funding envelope and maintains adequate contingency capacity.

Both separable portions are fully funded within existing budget allocations and external funding commitments. Awarding the contract to the preferred respondent is not expected to result in any adverse budget impacts and represents a financially sustainable outcome for the City.

COMMENTS:

Stiles Electrical & Communication Services Pty Ltd is recommended for award of the contract for RFT IE529/2025 – Menzies Park and Birdwood Square Floodlighting Upgrade, as their submission provides the best overall value for money to the City of Vincent.

The Respondent submitted a fully compliant and high-quality tender that demonstrated an outstanding understanding of the technical, environmental and site-specific requirements associated with both Menzies Park and Birdwood Square. **Stiles Electrical & Communication Services Pty Ltd** ranked 1st in the qualitative assessment for both separable portions, with the Evaluation Panel noting their strong local government experience, exceptional technical capability, robust project delivery methodology, and mature HSEQ and quality assurance systems. Their submission included comprehensive, site-specific risk identification and mitigation strategies, particularly for sensitive public-space environments, providing a high level of confidence in their ability to successfully deliver the works.

The Respondent's pricing submissions were assessed as highly competitive, ranking 1st for Menzies Park and 2nd for Birdwood Square, and were both within the City's approved project budgets. The submitted prices are considered reasonable and represent strong value for money when assessed against the scope of works, the quality of the technical solution, and the reduced delivery and lifecycle risk profile offered. The overall risk rating for **Stiles Electrical & Communication Services Pty Ltd** was assessed as Low for both separable portions. The company demonstrated mature ISO-certified management systems, strong governance arrangements, highly experienced personnel, and a proven track record of delivering complex floodlighting projects within local government environments. Minor residual risks relating to program assumptions and commencement timing were identified but are considered manageable through contract clarification and standard contract administration.

In relation to sustainability and social responsibility, the Respondent demonstrated a sound commitment to environmental and social outcomes. Their submission included evidence of environmentally responsible practices, recycling and waste management initiatives, and progression towards enhanced environmental management systems. Socially, **Stiles Electrical & Communication Services Pty Ltd** demonstrated alignment with the City's Reconciliation Action Plan Innovate objectives and broader inclusion principles, indicating a positive approach to embedding social value within their operations.

Based on the strength of their qualitative submission, competitive pricing, low assessed risk, and alignment with the City's sustainability and risk management frameworks, **Stiles Electrical & Communication Services Pty Ltd** is recommended as the preferred supplier for RFT IE529/2025 – Menzies Park and Birdwood Square Floodlighting Upgrade.

11 COMMUNITY & BUSINESS SERVICES**11.1 FINANCIAL STATEMENTS AS AT 30 NOVEMBER 2025**

Attachments: 1. Financial Statements as at 30 November 2025 

RECOMMENDATION:

That Council **RECEIVES** the Financial Statements for the month ended 30 November 2025 as shown in Attachment 1.

PURPOSE OF REPORT:

To present the statement of financial activity for the period ended 30 November 2025.

DELEGATION:

Regulation 34 (4) of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare a statement of financial activity each month, which is to be presented to Council within 2 months after the end of the relevant month.

BACKGROUND:

Regulation 34 (1) of the *Local Government (Financial Management) Regulations 1996* requires a local government to prepare each month a statement of financial activity including the sources and applications of funds, as compared to the budget.

DETAILS:

The following documents, included as **Attachment 1**, comprise the statement of financial activity for the period ended **30 November 2025**:

Note	Description	Page
1.	Statement of Financial Activity by Nature or Type Report	1
2.	Net Current Funding Position	2
3.	Statement of Financial Position	3
4.	Summary of Income and Expenditure by Service Areas	4-6
5.	Capital Expenditure including Funding graph and Capital Works Schedule	7-11
6.	Cash Backed Reserves	12
7.	Receivables: Rates and Other Debtors	13
8.	Beatty Park Leisure Centre Financial Activity	14

Explanation of Material Variances

The materiality thresholds used for reporting variances are 10% and \$20,000, respectively. This means that variances will be analysed and separately reported when they are more than 10% (+/-) of the year-to-date budget and where that variance exceeds \$20,000 (+/-). This threshold was adopted by Council as part of the budget adoption for 2025/26 and is used in the preparation of the statements of financial activity when highlighting material variance in accordance with *Financial Management Regulation 34(1) (d)*.

In accordance with the above, all material variances as at 30 November 2025 have been detailed in the variance comments report in **Attachment 1**.

Revenue by Nature or Type (on page 1) is tracking higher than the YTD budgeted revenue by \$350,513 (0.5%). The following items materially contributed to this position:

- A favourable variance of \$529,605 in Fees and Charges due to timing variances:
 - o \$585,752 favourable Ranger Services revenue,
 - o \$85,209 favourable Beatty Park revenue,
 - o \$53,658 favourable Statutory Planning Services development application fees, partially offset by:
 - o \$89,819 unfavourable Lease fee income,
 - o \$86,633 unfavourable Food Premises Licences fees.
- A favourable variance in interest earnings of \$395,055 mostly due to higher cash balances.
- An unfavourable timing variance in Operating grants, subsidies and contributions of \$334,388.
- An unfavourable variance of \$145,210 in Other revenue mainly due to a timing variance.
- An unfavourable variance in Service charges due to lower Underground Power Service charges \$95,263.

Expenditure by Nature or Type (on page 1) is unfavourable by \$496,201 (1.5%). The following items materially contributed to this position:

- \$389,009 unfavourable Other expenditure due to timing variances.
- \$301,086 unfavourable Employee related costs due to timing variances.
- \$203,801 unfavourable Depreciation expense due to higher asset balances.
- \$422,923 favourable Materials and Contracts mainly due to timing variances in:
 - o \$270,658 favourable Public Works,
 - o \$178,532 favourable Waste Services,
 - o \$114,572 favourable Public Health and Built Environment,
 - o \$105,258 favourable Beatty Park,
 - o \$104,899 favourable Urban Design and Strategic Projects, partially offset by:
 - o \$402,832 unfavourable Information Communication and Technology mainly due to software licences.

Surplus Position

The opening surplus position brought forward to 2025/26 is \$5,102,373. The closing surplus is \$37,974,584 against the budget of \$38,534,408 as at November 2025.

Content of Statement of Financial Activity

An explanation of each report in the Statement of Financial Activity (**Attachment 1**), along with some commentary, is below:

1. Statement of Financial Activity by Nature or Type Report (Note 1 Page 1)
This statement of financial activity shows revenue and expenditure classified by Nature or Type.
2. Net Current Funding Position (Note 2 Page 2)
'Net current assets' is the difference between the current assets and current liabilities, less committed and restricted assets.
3. Statement of Financial Position (Note 3 Page 3)
This statement of financial position shows the new current position and the total equity of the City.
4. Summary of Income and Expenditure by Service Areas (Note 4 Page 4-6)
This statement shows a summary of operating revenue and expenditure by service unit including variance commentary.

5. Capital Expenditure and Funding Summary (Note 5 Page 7-11)

The full capital works program is listed in detail in Note 5 in **Attachment 1**. The attachment includes a summary of the year-to-date expenditure of each asset category and the funding source associated to the delivery of capital works.

6. Cash Backed Reserves (Note 6 Page 12)

The cash backed reserves schedule provides a detailed summary of the movements in the reserve portfolio, including transfers to and from the reserve. The balance as at 30 November 2025 is \$30,192,857.

7. Receivables: Rating Information (Note 7 Page 13)

The notices for rates and charges levied for 2025/26 were issued on 23 July 2025. *The Local Government Act 1995* provides for ratepayers to pay rates by four instalments. The due dates for each instalment are:

	Due Date
First Instalment	29 August 2025
Second Instalment	30 November 2025
Third Instalment	2 January 2026
Fourth Instalment	6 March 2026

At 30 November 2025, the outstanding rates debtors balance was \$15,175,183 including Underground Power service charges. The percentage of collectable outstanding rates and service charges at this date were 26.84% and 35.80% respectively.

8. Receivables: Other Debtors (Note 7 Page 13)

Total trade and other receivables at 30 November 2025 were \$4,895,051. Below is a summary of the significant items with an outstanding balance over 90 days:

- ☐ \$2,596,547 relates to unpaid infringements over 90 days. Infringements that remain unpaid for more than two months are referred to the Fines Enforcement Registry (FER), which then collects the outstanding balance on behalf of the City for a fee.
- ☐ \$136,834 relates to cash-in-lieu car parking debtors. In accordance with the *City's Policy 7.7.1 Non-residential parking*, Administration has entered into special payment arrangements with long outstanding cash in lieu parking debtors to enable them to pay their debt over a fixed term of five years.

9. Beatty Park Leisure Centre – Financial Activity report (Note 8 Page 14)

As at 30 November 2025, the Centre reported a net operating deficit of \$32,951 against the year-to-date budgeted net operating surplus of \$7,281.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Section 6.4 of the Local Government Act 1995 requires a local government to prepare an annual financial report for the preceding year and other financial reports as prescribed.

Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare a statement of financial activity each month, reporting on the source and application of funds as set out in the adopted annual budget.

A statement of financial activity and any accompanying documents are to be presented at an Ordinary Meeting of the Council within two months after the end of the month to which the statement relates. *Section 6.8 of the Local Government Act 1995* specifies that a local government is not to incur expenditure from its Municipal Fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority decision of Council.

RISK MANAGEMENT IMPLICATIONS:

Low: Provision of monthly financial reports to Council fulfils relevant statutory requirements and is consistent with good financial governance.

STRATEGIC IMPLICATIONS:

Reporting on the City's financial position is aligned with the City's *Strategic Community Plan 2022-2032*:

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Expenditure within this report facilitates various projects, programs, services and initiatives that contribute to protecting/enhancing the City's built and natural environment and to improving resource efficiency.

PUBLIC HEALTH IMPLICATIONS:

Expenditure within this report facilitates various projects, programs and services that contribute to the priority health outcomes within the City's *Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

As contained in this report.

11.2 FINANCIAL STATEMENTS AS AT 31 DECEMBER 2025

Attachments: 1. Financial Statements as at 31 December 2025 

RECOMMENDATION:

That Council **RECEIVES** the Financial Statements for the month ended 31 December 2025 as shown in Attachment 1.

PURPOSE OF REPORT:

To present the statement of financial activity for the period ended 31 December 2025.

DELEGATION:

Regulation 34 (4) of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare a statement of financial activity each month, which is to be presented to Council within 2 months after the end of the relevant month.

BACKGROUND:

Regulation 34 (1) of the *Local Government (Financial Management) Regulations 1996* requires a local government to prepare each month a statement of financial activity including the sources and applications of funds, as compared to the budget.

DETAILS:

The following documents, included as **Attachment 1**, comprise the statement of financial activity for the period ended **31 December 2025**:

Note	Description	Page
1.	Statement of Financial Activity by Nature or Type Report	1
2.	Net Current Funding Position	2
3.	Statement of Financial Position	3
4.	Summary of Income and Expenditure by Service Areas	4-6
5.	Capital Expenditure including Funding graph and Capital Works Schedule	7-11
6.	Cash Backed Reserves	12
7.	Receivables: Rates and Other Debtors	13
8.	Beatty Park Leisure Centre Financial Activity	14

Explanation of Material Variances

The materiality thresholds used for reporting variances are 10% and \$20,000, respectively. This means that variances will be analysed and separately reported when they are more than 10% (+/-) of the year-to-date budget and where that variance exceeds \$20,000 (+/-). This threshold was adopted by Council as part of the budget adoption for 2025/26 and is used in the preparation of the statements of financial activity when highlighting material variance in accordance with *Financial Management Regulation 34(1) (d)*. In accordance with the above, all material variances as at 31 December 2025 have been detailed in the variance comments report in **Attachment 1**.

Revenue by Nature or Type (on page 1) is tracking higher than the YTD budgeted revenue by \$724,275 (1.0%). The following items materially contributed to this position:

- ☐ A favourable variance of \$598,580 in Fees and Charges due to timing variances:
 - o \$559,230 favourable Ranger Services revenue,
 - o \$232,407 favourable Beatty Park revenue,
 - o \$46,227 favourable Statutory Planning Services development application fees, partially offset by:
 - o \$135,567 unfavourable Lease fee income,
 - o \$116,052 unfavourable Food Premises Licences fees.
 - o \$31,372 unfavourable Waste recycling income
- ☐ A favourable variance in interest earnings of \$465,788 mostly due to higher cash balances.
- ☐ An unfavourable variance of \$233,894 in Other revenue mainly due to a timing variance.
- ☐ An unfavourable variance in Service charges due to lower Underground Power Service charges \$95,263.
- ☐ An unfavourable timing variance in Operating grants, subsidies and contributions of \$27,557.

Expenditure by Nature or Type (on page 1) is unfavourable by \$462,605 (1.1%). The following items materially contributed to this position:

- ☐ \$313,212 unfavourable Other expenditure due to timing variances.
- ☐ \$269,544 unfavourable Depreciation expense due to higher asset balances.
- ☐ \$122,114 unfavourable Employee related costs due to timing variances.
- ☐ \$211,141 favourable Materials and Contracts mainly due to timing variances in:
 - o \$302,164 favourable Public Works,
 - o \$127,756 favourable Public Health and Built Environment,
 - o \$122,122 favourable Waste Services,
 - o \$93,071 favourable Beatty Park, partially offset by:
 - o \$242,054 unfavourable Parks Services,
 - o \$109,562 unfavourable ICT mainly due to software licences, and
 - o \$76,774 unfavourable Marketing and Communications.

Surplus Position

The opening surplus position brought forward to 2025/26 is \$5,102,373. The closing surplus is \$34,138,192 against the budget of \$33,864,284 as at December 2025.

Content of Statement of Financial Activity

An explanation of each report in the Statement of Financial Activity (**Attachment 1**), along with some commentary, is below:

1. Statement of Financial Activity by Nature or Type Report (Note 1 Page 1)
This statement of financial activity shows revenue and expenditure classified by Nature or Type.
2. Net Current Funding Position (Note 2 Page 2)
'Net current assets' is the difference between the current assets and current liabilities, less committed and restricted assets.
3. Statement of Financial Position (Note 3 Page 3)
This statement of financial position shows the new current position and the total equity of the City.
4. Summary of Income and Expenditure by Service Areas (Note 4 Page 4-6)
This statement shows a summary of operating revenue and expenditure by service unit including variance commentary.

5. Capital Expenditure and Funding Summary (Note 5 Page 7-11)

The full capital works program is listed in detail in Note 5 in **Attachment 1**. The attachment includes a summary of the year-to-date expenditure of each asset category and the funding source associated to the delivery of capital works.

6. Cash Backed Reserves (Note 6 Page 12)

The cash backed reserves schedule provides a detailed summary of the movements in the reserve portfolio, including transfers to and from the reserve. The balance as at 31 December 2025 is \$33,192,241.

7. Receivables: Rating Information (Note 7 Page 13)

The notices for rates and charges levied for 2025/26 were issued on 23 July 2025. *The Local Government Act 1995* provides for ratepayers to pay rates by four instalments. The due dates for each instalment are:

	Due Date
First Instalment	29 August 2025
Second Instalment	31 December 2025
Third Instalment	2 January 2026
Fourth Instalment	6 March 2026

At 31 December 2025, the outstanding rates debtors balance was \$11,937,425 including Underground Power service charges. The percentage of collectable outstanding rates and service charges at this date were 21.00% and 32.72% respectively.

8. Receivables: Other Debtors (Note 7 Page 13)

Total trade and other receivables at 31 December 2025 were \$4,534,230. Below is a summary of the significant items with an outstanding balance over 90 days:

- ☐ \$2,609,349 relates to unpaid infringements over 90 days. Infringements that remain unpaid for more than two months are referred to the Fines Enforcement Registry (FER), which then collects the outstanding balance on behalf of the City for a fee.
- ☐ \$136,358 relates to cash-in-lieu car parking debtors. In accordance with the *City's Policy 7.7.1 Non-residential parking*, Administration has entered into special payment arrangements with long outstanding cash in lieu parking debtors to enable them to pay their debt over a fixed term of five years.

9. Beatty Park Leisure Centre – Financial Activity report (Note 8 Page 14)

As at 31 December 2025, the Centre reported a net operating deficit of \$223,803 against the year-to-date budget deficit of \$216,795.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Section 6.4 of the Local Government Act 1995 requires a local government to prepare an annual financial report for the preceding year and other financial reports as prescribed.

Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare a statement of financial activity each month, reporting on the source and application of funds as set out in the adopted annual budget.

A statement of financial activity and any accompanying documents are to be presented at an Ordinary Meeting of the Council within two months after the end of the month to which the statement relates. *Section 6.8 of the Local Government Act 1995* specifies that a local government is not to incur expenditure from its Municipal Fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority decision of Council.

RISK MANAGEMENT IMPLICATIONS:

Low: Provision of monthly financial reports to Council fulfils relevant statutory requirements and is consistent with good financial governance.

STRATEGIC IMPLICATIONS:

Reporting on the City's financial position is aligned with the City's *Strategic Community Plan 2022-2032*:

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Expenditure within this report facilitates various projects, programs, services and initiatives that contribute to protecting/enhancing the City's built and natural environment and to improving resource efficiency.


PUBLIC HEALTH IMPLICATIONS:

Expenditure within this report facilitates various projects, programs and services that contribute to the priority health outcomes within the City's *Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

As contained in this report.

11.3 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 01 NOVEMBER TO 30 NOVEMBER 2025

- Attachments:**
1. November 2025 - Payments by EFT and Payroll 
 2. November 2025 - Payments by Direct Debits 
 3. November 2025 - Payments by Cheque 
 4. November 2025 - Payments by Fuel Cards 

Recommendation:

That Council **RECEIVES** the list of accounts paid under delegated authority for the period 01 November 2025 to 30 November 2025 as detailed in Attachments 1, 2 ,3 and 4 as summarised below:

EFT payments, including payroll		\$6,854,475.14
Cheques	82811	\$ 292.05
Direct debits, including credit cards		\$ 122,280.88
 Total payments for November 2025		 \$6,977,048.07

PURPOSE OF REPORT:

To present to Council the list of expenditure and accounts paid for the period 01 November 2025 to 30 November 2025.

DELEGATION:

Regulation 13(1) and (3) of the *Local Government (Financial Management) Regulations 1996* requires that a list of accounts A list prepared under sub regulation (1) is to be presented to Council at the next ordinary meeting of Council after the list is prepared.

BACKGROUND:

Council has delegated to the Chief Executive Officer (Delegation No. 2.2.18) the power to make payments from the City's 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 Chief Executive Officer is to be provided to Council, where such delegation is made.

The list of accounts paid must be recorded in the minutes of the Council Meeting.

DETAILS:

The Schedule of Accounts paid for the period 01 November 2025 to 30 November 2025, covers the following:

FUND	CHEQUE NUMBERS/ BATCH NUMBER	AMOUNT
Municipal Account (Attachment 1, 2 and 3)		
EFT Payments	3254 -3260	\$5,062,575.24
Payroll by Direct Credit	November 2025	\$1,791,899.90
Sub Total		\$6,854,475.14
Cheques	82811	\$292.05
Sub Total		\$292.05
Direct Debits (including Credit Cards)		
Lease Fees		\$23,536.08
Loan Repayments		\$54,063.78
Bank Charges – CBA		\$25,705.50
Credit Cards		\$18,975.52
Sub Total		\$122,280.88
Total Payments		\$6,977,048.07

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Regulation 12(1) and (2) of the *Local Government (Financial Management) Regulations 1996*:

“12. Payments from municipal fund or trust fund, restrictions on making

(1) A payment may only be made from the municipal fund or the trust fund —

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

(2) Council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to Council.”

Regulation 13(1) and (3) of the *Local Government (Financial Management) Regulations 1996*:

“13. Lists of Accounts

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared –

- ☐ *the payee’s name; and*
- ☐ *the amount of the payment; and*
- ☐ *the date of the payment; and*
- ☐ *sufficient information to identify the transaction.*

(3) *A list prepared under sub regulation (1) is to be —*

- ☐ *presented to Council at the next ordinary meeting of Council after the list is prepared; and*
- ☐ *recorded in the minutes of that meeting.”*

RISK MANAGEMENT IMPLICATIONS

Low: Management systems are in place that establish satisfactory controls, supported by the internal and external audit functions. Financial reporting to Council increases transparency and accountability.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Expenditure covered in this report includes various projects, programs, services and initiatives that contribute to protecting/enhancing the City's built and natural environment and to improving resource efficiency.





PUBLIC HEALTH IMPLICATIONS:

Expenditure covered in this report includes various projects, programs and services that contribute to the priority health outcomes within the City's *Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

All municipal fund expenditure included in the list of payments is in accordance with Council's annual budget.

11.4 AUTHORISATION OF EXPENDITURE FOR THE PERIOD 01 DECEMBER 2025 TO 31 DECEMBER 2025

- Attachments:**
1. December 2025- Payments by EFT and Payroll 
 2. December 2025 - Payments by Direct Debit 
 3. December 2025 - Payments by Cheques 
 4. December 2025 - Payments by Fuel Cards 

Recommendation:

That Council **RECEIVES** the list of accounts paid under delegated authority for the period 01 December 2025 to 31 December 2025 as detailed in Attachments 1, 2 ,3 and 4 as summarised below:

EFT payments, including payroll		\$13,227,718.44
Cheques	82813-82815	\$ 910.70
Direct debits, including credit cards		\$ 155,587.06
 Total payments for December 2025		 \$13,384,216.20

PURPOSE OF REPORT:

To present to Council the list of expenditure and accounts paid for the period 01 December 2025 to 31 December 2025.

DELEGATION:

Regulation 13(1) and (3) of the *Local Government (Financial Management) Regulations 1996* requires that a list of accounts A list prepared under sub regulation (1) is to be presented to Council at the next ordinary meeting of Council after the list is prepared.

BACKGROUND:

Council has delegated to the Chief Executive Officer (Delegation No. 2.2.18) the power to make payments from the City's 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 Chief Executive Officer is to be provided to Council, where such delegation is made.

The list of accounts paid must be recorded in the minutes of the Council Meeting.

DETAILS:

The Schedule of Accounts paid for the period 01 December 2025 to 31 December 2025, covers the following:

FUND	CHEQUE NUMBERS/ BATCH NUMBER	AMOUNT
Municipal Account (Attachment 1, 2 and 3)		
EFT Payments	3261-3273	\$10,503,031.85
Payroll by Direct Credit	December 2025	\$2,724,686.59
Sub Total		\$13,227,718.44
Cheques	82813-82815	\$910.70
Sub Total		\$910.70
Direct Debits (including Credit Cards)		
Lease Fees		\$23,536.08
Loan Repayments		\$107,929.63
Bank Charges – CBA		\$11,284.08
Credit Cards		\$12,837.27
Sub Total		\$155,587.06
Total Payments		\$13,384,216.20

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Regulation 12(1) and (2) of the *Local Government (Financial Management) Regulations 1996*:

“12. Payments from municipal fund or trust fund, restrictions on making

(1) A payment may only be made from the municipal fund or the trust fund —

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

(2) Council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to Council.”

Regulation 13(1) and (3) of the *Local Government (Financial Management) Regulations 1996*:

“13. Lists of Accounts

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared –

- ☐ *the payee’s name; and*
- ☐ *the amount of the payment; and*
- ☐ *the date of the payment; and*
- ☐ *sufficient information to identify the transaction.*

(3) *A list prepared under sub regulation (1) is to be —*

- ☐ *presented to Council at the next ordinary meeting of Council after the list is prepared; and*
- ☐ *recorded in the minutes of that meeting.”*

RISK MANAGEMENT IMPLICATIONS

Low: Management systems are in place that establish satisfactory controls, supported by the internal and external audit functions. Financial reporting to Council increases transparency and accountability.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Expenditure covered in this report includes various projects, programs, services and initiatives that contribute to protecting/enhancing the City's built and natural environment and to improving resource efficiency.

PUBLIC HEALTH IMPLICATIONS:

Expenditure covered in this report includes various projects, programs and services that contribute to the priority health outcomes within the City's *Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

All municipal fund expenditure included in the list of payments is in accordance with Council's annual budget.

11.5 INVESTMENT REPORT AS AT 30 NOVEMBER 2025

Attachments: 1. Investment Report as at 30 November 2025 

RECOMMENDATION:

That Council **NOTES** the Investment Statistics for the month ended 30 November 2025 as detailed in Attachment 1.

PURPOSE OF REPORT:

To advise Council of the nature and value of the City's Investments as at 30 November 2025 and the interest amounts earned YTD.

DELEGATION:

Regulation 34 (4) of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare a statement of financial activity each month, which is to be presented to Council within two months after the end of the relevant month.

BACKGROUND:

The City's surplus funds are invested in bank term deposits for various terms to facilitate maximum investment returns in accordance with the City's Investment Policy (No. 1.2.4).

Details of the investments are included in **Attachment 1** and outline the following information:

- ☐ Investment performance and policy compliance charts;
- ☐ Investment portfolio data;
- ☐ Investment interest earnings; and
- ☐ Current investment holdings.

DETAILS:**Summary of Key Investment Decisions in this Reporting Period**

Total funds invested in the month of November 2025 were \$8.0m and \$10.0m of funds matured during the same period.

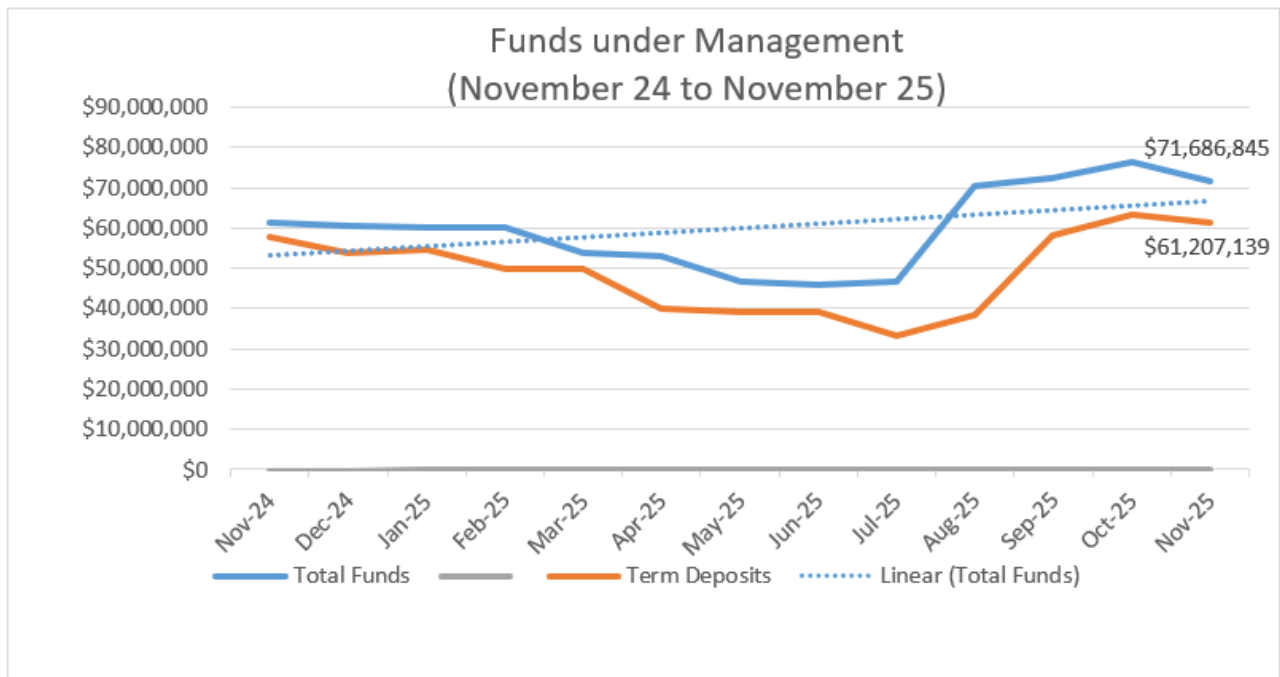
Investment Status

The City's investment portfolio is diversified across several accredited financial institutions.

As at 30 November 2025, the total funds held in the City's operating accounts (including on call) was \$71,686,845 compared to \$61,463,884 for the period ended 30 November 2024. All funds are interest bearing as at 30 November 2025.

The total term deposit investments for the period ended 30 November 2025 were \$61,207,139 compared to \$57,606,168 for the period ended 30 November 2024.

The following chart shows funds under management from November 2024 to November 2025:



Interest Status

Total accrued interest earned on investments as at 30 November 2025 is:

Total Accrued Interest Earned on Investment	Budget Annual	Budget YTD	Actual YTD	% of YTD Budget	FY24/25 Actual
Municipal	860,000	348,300	505,628	145.17%	1,269,032
Reserve	800,000	385,200	522,612	135.67%	1,200,000
Subtotal	1,660,000	733,500	1,028,240	140.18%	2,469,032
Leederville Gardens Inc. Surplus Trust*	0	0	81,461	N/A	197,586
Total	1,660,000	733,500	1,109,701	151.29%	2,666,618

*Interest estimates for Leederville Gardens Inc. Surplus Trust were not included in the 2025/26 Budget as actual interest earned is restricted.

The City has a weighted average interest rate of 4.18% for current investments compared to the Reserve Bank 90 day accepted bill rate for November 2025 of 3.65%.

Sustainable Investments

The City's investment policy requires that in the first instance, the City considers rate of return of the fund. All things being equal, the City then prioritises funds with no current record of funding fossil fuels. The City can increase the number of non-fossil fuel investments but will potentially result in a lower rate of return.

Administration utilises a platform called 'Yield Hub' to ascertain the level of exposure banks have in fossil fuel activities and to determine daily interest rates published by banks.

The investment guidelines which is the supplementary document to the Council Investment Policy sets the maximum exposure limits to financial institutions at 90% as reflected in the below table. The majority of financial institutions lie within A-2 and A-1+ categories.

Short Term Rating (Standard & Poor's) or Equivalent	Direct Investments Maximum %with any one institution		Maximum % of Total Portfolio	
	Guideline	Current position	Guideline	Current position
A-1+	30%	27.2%	90%	45.7%
A-1	25%	0%	90%	0%
A-2	20%	16.7%	90%	54.3%

Administration will continuously explore options to ascertain if a balanced investment strategy can be developed where investments in divested banks can be increased with a minimal opportunity cost of loss in interest rate returns for instances when banks not divested in fossil fuel activities offer a higher rate of return.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Section 19(2)(b) of the *Local Government (Financial Management) Regulations 1996* requires that a local government establish and document procedures to enable the identification of the nature and location of all investments.

RISK MANAGEMENT IMPLICATIONS

Low: Administration has developed effective controls to ensure funds are invested in accordance with the City's Investment Policy. This report enhances transparency and accountability for the City's investments.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2023-2032:

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any specific sustainability outcomes of the City's Sustainable Environment Strategy 2019-2024, however focussing on non-fossil fuel investments contributes to a sustainable environment.

PUBLIC HEALTH IMPLICATIONS:

This does not contribute to any public health outcomes of the City's Public Health Plan 2020-2025.

FINANCIAL/BUDGET IMPLICATIONS:

The financial implications of this report are as noted in the details section of the report. Administration is satisfied that appropriate and responsible measures are in place to protect the City's financial assets.

11.6 INVESTMENT REPORT AS AT 31 DECEMBER 2025

Attachments: 1. Investment Report as at 31 December 2025 

RECOMMENDATION:

That Council **NOTES** the Investment Statistics for the month ended 31 December 2025 as detailed in Attachment 1.

PURPOSE OF REPORT:

To advise Council of the nature and value of the City's Investments as at 31 December 2025 and the interest amounts earned YTD.

DELEGATION:

Regulation 34 (4) of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare a statement of financial activity each month, which is to be presented to Council within two months after the end of the relevant month.

BACKGROUND:

The City's surplus funds are invested in bank term deposits for various terms to facilitate maximum investment returns in accordance with the City's Investment Policy (No. 1.2.4).

Details of the investments are included in **Attachment 1** and outline the following information:

- ☐ Investment performance and policy compliance charts;
- ☐ Investment portfolio data;
- ☐ Investment interest earnings; and
- ☐ Current investment holdings.

DETAILS:**Summary of Key Investment Decisions in this Reporting Period**

Total funds invested in the month of December 2025 were \$0.9m and \$0.9m of funds matured during the same period.

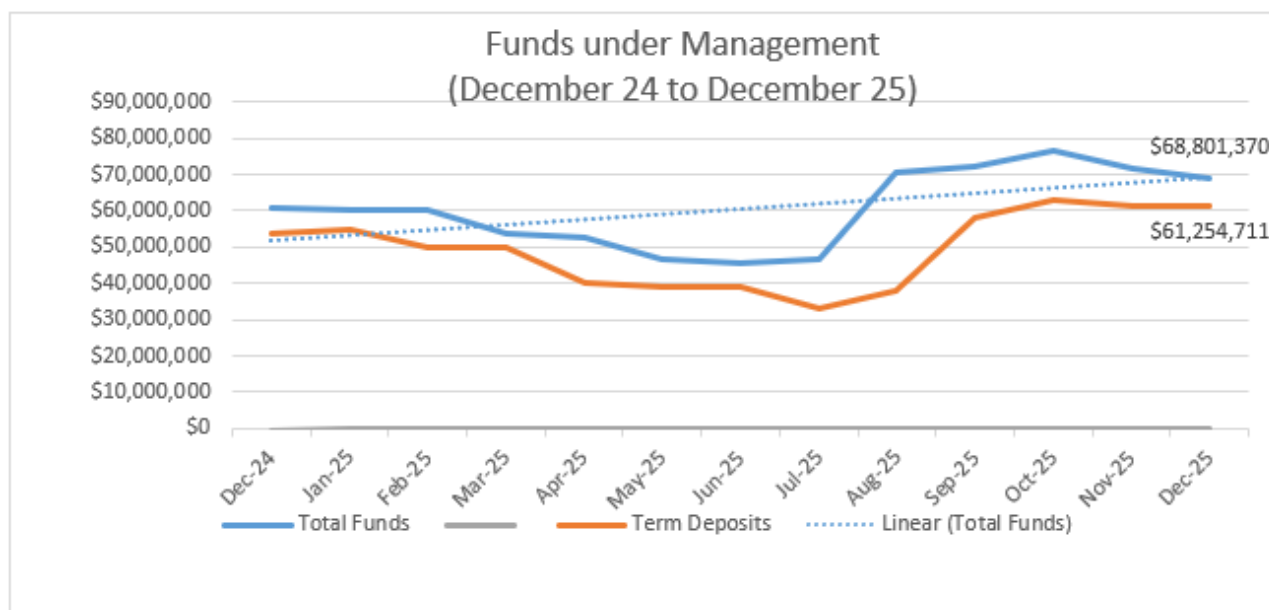
Investment Status

The City's investment portfolio is diversified across several accredited financial institutions.

As at 31 December 2025, the total funds held in the City's operating accounts (including on call) was \$68,801,370 compared to \$60,623,360 for the period ended 31 December 2024. All funds are interest bearing as at 31 December 2025.

The total term deposit investments for the period ended 31 December 2025 were \$61,254,711 compared to \$53,652,824 for the period ended 31 December 2024.

The following chart shows funds under management from December 2024 to December 2025:



Interest Status

Total accrued interest earned on investments as at 31 December 2025 is:

Total Accrued Interest Earned on Investment	Budget Annual	Budget YTD	Actual YTD	% of YTD Budget	FY24/25 Actual
Municipal	860,000	431,720	648,263	150.16%	1,269,032
Reserve	800,000	401,600	621,105	154.66%	1,200,000
Subtotal	1,660,000	833,320	1,269,368	152.33%	2,469,032
Leederville Gardens Inc. Surplus Trust*	0	0	97,285	N/A	197,586
Total	1,660,000	833,320	1,366,653	164.00%	2,666,618

*Interest estimates for Leederville Gardens Inc. Surplus Trust were not included in the 2025/26 Budget as actual interest earned is restricted.

The City has a weighted average interest rate of 4.21% for current investments compared to the Reserve Bank 6 month accepted bill rate for December 2025 of 4.06%.

Sustainable Investments

The City's investment policy requires that in the first instance, the City considers the risk and return of the investment. All things being equal, the City then prioritises investments with no current record of funding fossil fuels while complying with the investment policy.

Administration utilises a platform called 'Yield Hub' to ascertain the level of exposure banks have in fossil fuel activities and to determine daily interest rates published by banks.

The City has 43.3% of its total investment portfolio allocated to banks with fossil fuel exposure as at December 2025, specifically National Australia Bank (NAB) and the Commonwealth Bank of Australia (CBA) which both have A-1+ rating. Both institutions have taken steps to reduce their financing of fossil fuel activities, with CBA in particular implementing stricter requirements for fossil fuel clients to disclose credible climate transition plans. Since the introduction of these requirements in 2024, CBA has achieved significant reductions in its fossil fuel financing. The City maintains its operating accounts with CBA.

The investment guidelines which are the supplementary document to the Council Investment Policy sets the maximum exposure limits to financial institutions at 90% as reflected in the below table. The majority of financial institutions lie within A-2 and A-1+ categories.

Short Term Rating (Standard & Poor's) or Equivalent	Direct Investments Maximum %with any one institution		Maximum % of Total Portfolio	
	Guideline	Current position	Guideline	Current position
A-1+	30%	24.2%	90%	43.3%
A-1	25%	0%	90%	0%
A-2	20%	17.4%	90%	56.7%

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Section 19(2)(b) of the *Local Government (Financial Management) Regulations 1996* requires that a local government establish and document procedures to enable the identification of the nature and location of all investments.

RISK MANAGEMENT IMPLICATIONS

Low: Administration has developed effective controls to ensure funds are invested in accordance with the City's Investment Policy. This report enhances transparency and accountability for the City's investments.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2023-2032:

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any specific sustainability outcomes of the City's Sustainable Environment Strategy 2019-2024, however focussing on non-fossil fuel investments contributes to a sustainable environment.

PUBLIC HEALTH IMPLICATIONS:

This does not contribute to any public health outcomes of the City's Public Health Plan 2020-2025.

FINANCIAL/BUDGET IMPLICATIONS:

The financial implications of this report are as noted in the details section of the report. Administration is satisfied that appropriate and responsible measures are in place to protect the City's financial assets.

11.7 OUTCOME OF ADVERTISING - DRAFT YOUTH ACTION PLAN 2026 AND BEYOND DELIVERABLES

- Attachments:**
1. **Draft Youth Action Plan 2026 and Beyond Deliverables** 
 2. **Summary of Submissions - Administration Response** 

RECOMMENDATION:

That Council ENDORSES the Youth Action Plan 2026 and Beyond deliverables at Attachment 1

PURPOSE OF REPORT:

To present the outcome of community consultation and seek endorsement of the Youth Action Plan 2026 and Beyond Focus Areas and Deliverables.

DELEGATION:

Council is responsible for setting the strategic direction of the organisation. The Youth Action Plan 2026 and Beyond deliverables are required to be adopted by Council.

BACKGROUND:Youth Action Plans

A Youth Action Plan (YAP) is a strategic framework that guides a local government's approach to supporting and engaging young people. It identifies priorities, sets actions and outlines initiatives across areas such as wellbeing, participation, leadership, education, employment and recreation, ensuring that programs and services respond to the needs and aspirations of the youth community.

Current Youth Action Plan

Vincent has a long-standing commitment to supporting young people, with the Youth Action Plan 2020–2026 developed in two phases to respond to the impacts of COVID-19.

The YAP aligns with the City's Strategic Community Plan 2022–2032, supporting priorities such as Healthy & Connected Community, Thriving Places, and Innovative & Accountable and was informed by broader frameworks including the WA Government's Youth Action Plan.

Phase one (2020–2022) focused on extensive community consultation, including a six-month engagement period during which over 400 young people, community members, service providers and government agencies contributed. This phase established priorities in health and wellbeing, recreation, community support and education and employment.

Phase two (2022–2026) built on these insights, analysing feedback and refining actions to ensure the YAP remained responsive to emerging youth needs, with clear initiatives across wellbeing, participation, leadership and skills development.

Development of Youth Action Plan 2026 and Beyond

With the Youth Action Plan 2020–2026 approaching its conclusion, the City initiated a review and renewal process to ensure continued alignment with the needs of young people. In November 2024, the City partnered with the Youth Affairs Council of WA (YACWA) to develop the next phase of the YAP, lead consultations and mentor a peer research team. As WA's peak youth body, YACWA ensured initiatives were evidence-based and informed directly by young people.

YACWA recruited five peer researchers from Vincent to lead the youth engagement. They were trained in conducting peer interviews, with guidance on handling disclosures, mandatory reporting and ethical engagement. Ongoing support from YACWA ensured the consultations were safe, youth-led and aligned with community needs, producing deliverables that authentically reflect the experiences, priorities and aspirations of Vincent's young people.

The survey was open to the public from April to May 2025. During this consultation period, the following engagement activities were conducted:

- ☐ Online and in person youth surveys
- ☐ Online parent/caregiver surveys
- ☐ Pop-up consultation sessions at:
 - o Loftus Recreation Centre
 - o Beatty Park Leisure Centre
 - o Mt Hawthorn Junior Football Club
 - o Bob Hawke College Healthy Lifestyle Expo
 - o Young Makers Christmas Market
 - o Unstoppable All Abilities Youth Week Event
 - o Workshop with the YMCA Youth Squad
 - o Workshop with North Perth Primary School
 - o Two community workshops with Aranmore Catholic College
- ☐ Online and in person meetings with community groups and sporting clubs
- ☐ Online and in-person meetings with key external stakeholders
- ☐ In-person feedback from internal business units
- ☐ Promotion at City run community workshops, events and activities.

An Imagine Vincent page was created for the consultation, providing background information and participation details. The consultation was promoted via social media, flyers, posters, street signage and e-news, as well as through emails to key stakeholders, including Foyer Oxford, The Y, Aranmore Catholic College, School of Distance Education, SEDA, all primary schools and local clubs and community groups.

During the five-week consultation period feedback was received from:

- ☐ Young people aged 10–25
 - o 327 youth survey respondents
 - o Six youth interviews
 - o 70 workshop participants
 - o 275 postcard surveys completed
- ☐ 74 parents/caregiver surveys

Feedback was also received from:

- ☐ Eight youth service providers and community organisations
- ☐ 14 City staff
- ☐ 27 other community members.

This inclusive consultation approach captured the perspectives of diverse ages, cultures, abilities and interests, while encouraging young people to participate early in local decision-making.

This feedback was used by YACWA to develop the draft deliverables of the YAP.

DETAILS:

In accordance with the City's [Community and Stakeholder Engagement Policy](#), community consultation on the draft deliverables was undertaken between 17 November to 8 December 2025.

In addition to community-wide communication, direct contact was made with key stakeholders to provide them with adequate time and opportunity to review the deliverables document and submit their feedback. No feedback was received.

Key stakeholders directly contacted:

- ☐ Local primary schools
- ☐ Playgroups
- ☐ Toy libraries
- ☐ Community groups
- ☐ Sporting clubs

Several options to provide feedback were provided including an online survey on Imagine Vincent, in person, in writing, via email and by phone.

Communications Reach

Supporting communications generated a reach of approximately 21,263 and comprised:

- ☐ News item on City's website on 17 November 2025
- ☐ E-news sent to over 10,000 subscribers on 20 November and 4 December 2025
- ☐ 13 posts across Instagram, Facebook and LinkedIn during the consultation period resulting in 10,838 views
- ☐ Postcards and posters on display at the Community Centre, Administration building and Library & Local History Centre
- ☐ TV/Digital display at the Library & Local History Centre and Beatty Park Leisure Centre.
- ☐ Advert in Perth Now Central on 20 November 2025
- ☐ Postcards, posters and staff interactions at Young Makers Market on 29 November attended by approximately 600 visitors and 150 young stallholders
- ☐ Email contact with 30 key stakeholders, partners, service providers and groups
- ☐ Email contact with those young people who participated in the 1st phase of the engagement and who requested they be kept updated.

While community and key stakeholder feedback was limited, the development of the deliverables as coordinated by YACWA was comprehensive and directly involved the City's young people.

There were 84 unique visitors to Imagine Vincent, with ten responses submitted. These ten residents were from North Perth (3), Highgate (1), Leederville (2), Mt Hawthorn (2), Mt Lawley (1) and West Perth (1). A summary of the submissions, including six from young people and four from other residents, along with Administration's response, is provided in **Attachment 2**.

CONSULTATION/ADVERTISING:

No further consultation is required.

LEGAL/POLICY:

There is no legal requirement for the City to have a Youth Action Plan. The City's actions are guided by the *Local Government Act 1995 (WA)*, which sets out the general functions of local governments to provide for the good governance of persons in their districts. The City's Youth Action Plan aligns with broader strategic frameworks, including the City of Vincent Strategic Community Plan 2022–2032, and supports the City's commitment to evidence-based, inclusive decision-making and community engagement.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to adopt a Youth Action Plan, as it provides a clear framework for supporting young people and outlines how the City can maintain meaningful engagement and participation with the youth community.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Connected and Healthy Community

We have enhanced opportunities for our community to build relationships and connections with each other and the City.

Our many cultures are celebrated.

We are an inclusive, accessible and equitable City for all.

Thriving Places

Art, history and our community's living cultures are evident in the public realm.

Innovative and Accountable

We engage with our community so they are involved in what we are doing and how we are meeting our goals.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any environmental sustainability outcomes. This action/activity is environmentally neutral.

PUBLIC HEALTH IMPLICATIONS:

This is in keeping with the following priority health outcomes of the City's *Public Health Plan 2020-2025*:

Increased mental health and wellbeing

Increased healthy eating

Increased physical activity

Reduced injuries and a safer community

FINANCIAL/BUDGET IMPLICATIONS:

The actions and deliverables of the Youth Action Plan 2026 and Beyond are included in the 2025/26 operating budget and will need to be considered within subsequent financial year budgets.

12 CHIEF EXECUTIVE OFFICER**12.1 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT (NGA) 2026**

Attachments: Nil

RECOMMENDATION:

That Council APPROVES the attendance of Mayor Alison Xamon at the 2026 National General Assembly of Local Government (NGA) in Canberra from 23 – 25 June 2026.

PURPOSE OF REPORT:

To seek approval for the Mayor Alison Xamon to attend the 2026 National General Assembly of Local Government (NGA).

DELEGATION:

In accordance with clause 2 of the [Council Member Continuing Professional Development Policy](#), Council approval is required for a Council Member to attend a course or conference held outside of the Perth metropolitan region.

There is no delegation for this decision.

BACKGROUND:

The Australian Local Government Association (ALGA) National General Assembly (NGA) is an annual event convened by ALGA and attended by council members from local governments across Australia.

The Assembly provides a forum for councils to come together to consider sector-wide issues and share information on matters affecting local government at a national level. Council approval is required for the Mayor or Council Members to attend a course or conference held outside of the Perth metropolitan region in accordance with the Council Members Continuing Professional Development Policy.

DETAILS:

The [Australian Local Government Association 2026 National General Assembly](#) will be held in Canberra from 23 - 25 June 2026, with the theme "Driving Impact through Collaboration" This event will focus on the importance of partnerships and shared knowledge to achieve tangible results in waste management and resource recovery.

The NGA is ALGA's peak annual forum, bringing together mayors and councillors from across Australia to engage on matters affecting the local government sector at a national level.

The Assembly provides an opportunity for councils to participate in national policy and advocacy discussions relevant to local government. It also enables information sharing and collaboration with other local governments on emerging challenges and opportunities.

Key activities include:

- ☐ participation in policy discussions and debate on motions;
- ☐ engagement with the broader local government sector; and
- ☐ information sharing on national initiatives and priorities impacting local communities.

The City is not proposing or submitting any motions to the 2026 ALGA NGA. Attendance will enable the Mayor to represent the City's interests, observe sector trends, and contribute to informed decision-making through exposure to national local government issues.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

In accordance with clause 2 of the [Council Member Continuing Professional Development Policy](#), Council approval is required for a Council Member to attend a course or conference held outside of the Perth metropolitan region.

RISK MANAGEMENT IMPLICATIONS

Risk Category	Risk Appetite/Tolerance Statement	Descriptor/Clarification
<i>Negotiate with Regulators, State & Federal Government Agencies</i>	The City has a high risk appetite to consult and negotiate with regulators, State & Federal Government Agencies to achieve the City's objectives.	Nil

Low: It is low risk for Council to approve the Mayor's attendance at this event, as it provides opportunities for sector engagement, information sharing and representation of the City's interests at a national local government forum and is aligned with the City's adopted Risk Appetite and Tolerance statements.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*

Innovative and Accountable

Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any environmental sustainability outcomes. This action/activity is environmentally neutral.

FINANCIAL/BUDGET IMPLICATIONS:

In accordance with clause 5 of the City's [Attendance at Events Policy](#), where a fee is payable for a Council Member or the Chief Executive Officer to attend an approved event, approval is subject to the availability of an approved budget allocation.

The costs associated with attendance at this event are within the existing approved Professional Development budget.

Cost Item	Description	Cost
Admission – Early Bird Registration	<input type="checkbox"/> Access to all Assembly Sessions <input type="checkbox"/> Access to the Exhibition Hall <input type="checkbox"/> Welcome Reception ticket <input type="checkbox"/> Conference Satchel & materials	\$999
Airfares	Based on the average cost of a return flight from Perth to Canberra in the month of June	\$1,600 (Approx)
Accommodation	Based on the average cost of a corporate hotel in Canberra for 3 nights	\$700 (Approx)
Meals	Based on the average cost of meals for a four-day trip, excluding catering provided as part of the conference	\$300 (Approx)
Total estimated cost		\$3,599

Attendance supports the Mayor's ongoing professional development and the City's representation at a national local government forum, providing value to the City through informed leadership and sector engagement.

12.2 APPROVAL TO ADVERTISE NEW PRIVACY AND INFORMATION BREACH POLICY - STANDARD AMENDMENT

- Attachments:**
1. **Privacy and Information Breach Policy - updated** 
 2. **4.1.31 Privacy Management - current** 

RECOMMENDATION

That Council **APPROVES** the Privacy and Information Breach Policy, at Attachment 1, for the purpose of community consultation, which is proposed to replace Policy 4.1.31 Privacy Management, at Attachment 2.

PURPOSE OF REPORT:

For Council to approve, for the purpose of community consultation, the new Privacy and Information Breach Policy as detailed at **Attachment 1**.

DELEGATION:

Section 2.7 of the *Local Government Act 1995* sets out the Role of Council as being to 'determine the local government's policies'. There is no delegation to Administration to make, review or repeal policies.

BACKGROUND:

The requirement of provisions outlined in clause 1.3 of the [Corporate Document Development Policy](#) were presented to Council Members through the monthly Policy Paper in November 2025.

Western Australia has historically been the only jurisdiction in Australia without its own dedicated privacy legislation. To address this gap, the State Government introduced the Privacy and Responsible Information Sharing (PRIS) Bill in May 2024. The PRIS Bill was introduced into the Western Australian Legislative Assembly on 16 May 2024. It received Royal Assent on 6 December 2024, becoming the [Privacy and Responsible Information Sharing Act 2024](#) (PRIS Act).

The PRIS Act aims to modernise and strengthen privacy protections for Western Australians by providing a framework for the safe and secure sharing of information across government entities and with trusted external parties.

PRIS commencement and rollout

As of 8 January 2026, only Parts 1 through 5 and 7 of the Act have commenced operation. The remaining provisions are yet to come into force in July 2026.

From 1 July 2026, the PRIS Act will:

- ☐ Set clear principles and standards for how government agencies collect, use, store, and share personal information.
- ☐ Allow agencies to share information only if they follow clear principles for risk, decision-making, and transparency.
- ☐ Ensure Aboriginal people are involved when sharing information that affects their communities.

From 1 January 2027, government agencies will be required to report serious information breaches to the Information Commissioner and to the people affected.

PRIS Readiness Plan and the City's obligations

In preparation for the legislation, the State Government has issued a PRIS Readiness Plan and a PRIS Readiness Checklist for all agencies. These documents outline the minimum requirements agencies must put in place by June 2026, including the development of:

- ☐ a Privacy Policy
- ☐ an Information Breach Policy
- ☐ an Information Breach Register
- ☐ collection notices
- ☐ internal procedures for access, correction, complaints and breach response
- ☐ training programs and staff capability building

Additional information about the privacy framework established by the PRIS Act and the *Information Commissioner Act 2024* is available [here](#), and the Information Privacy Principles (IPPs) are available [here](#).

The City's [Privacy Management Policy \(4.1.31\)](#) was adopted in November 2010 and has not been reviewed since. The review was postponed pending the introduction of the PRIS Act.

At the time of adoption, the objectives of the policy were:

- ☐ to ensure that Personal Information is collected, accessed, used, stored, and disposed of in accordance with the *Privacy Act 1988 (Cwth)* and *Privacy Amendment Act 2004 (Cwth)*; and
- ☐ to provide guidelines for the City when dealing with information.

DETAILS:**Requirement for a documented City position (including community need or legislative requirement):**

The review of Policy 4.1.31 – Privacy Management is proposed to ensure alignment with current and emerging legislative obligations under the PRIS Act and the associated IPPs. The existing policy does not adequately reflect the expanded scope of privacy and information governance required under the new legislation and readiness guidance.

In accordance with the PRIS Readiness Plan, agencies are required to develop and publish an Information Breach Policy and Privacy Policy ahead of 1 July 2026. The proposed consolidated **Privacy and Information Breach Policy** therefore ensures the City meets its legislative readiness obligations and is positioned for full compliance when the remaining provisions commence.

The new Policy will:

- ☐ Provide a clear framework for managing, recording and reporting information breaches;
- ☐ Define the scope of personal and sensitive information collected by the City and the circumstances under which it may be disclosed;
- ☐ Clarify the distinction between primary and secondary uses of information;
- ☐ Outline how the IPPs apply to the City's privacy and information governance practices; and
- ☐ Align the policy position with the City's corporate values.

Alignment with the PRIS Act and IPPs will position the City to:

- ☐ Ensure compliance with current legislative requirements;
- ☐ Provide clarity and consistency to the community regarding the City's approach to privacy and responsible information sharing;
- ☐ Meet obligations under the PRIS Readiness Action Plan, including the requirement to establish a publicly available Information Breach Policy; and
- ☐ Strengthen the City's capacity to respond effectively to complaints and incidents involving information breaches.

Examples of current / best practice:

In 2024, the Office of Digital Government (DGov) issued [Readiness Guidance 10](#) to support agencies in the implementation of Action 8, the development and publication of a Privacy Policy. The guidance was designed to assist agencies in creating and maintaining a publicly available Privacy Policy aligned with IPP 5 – Openness and Transparency.

Although DGov has not provided a standardised template for Privacy or Information Breach Policies, the following examples of current practice have informed the development of the new Policy.

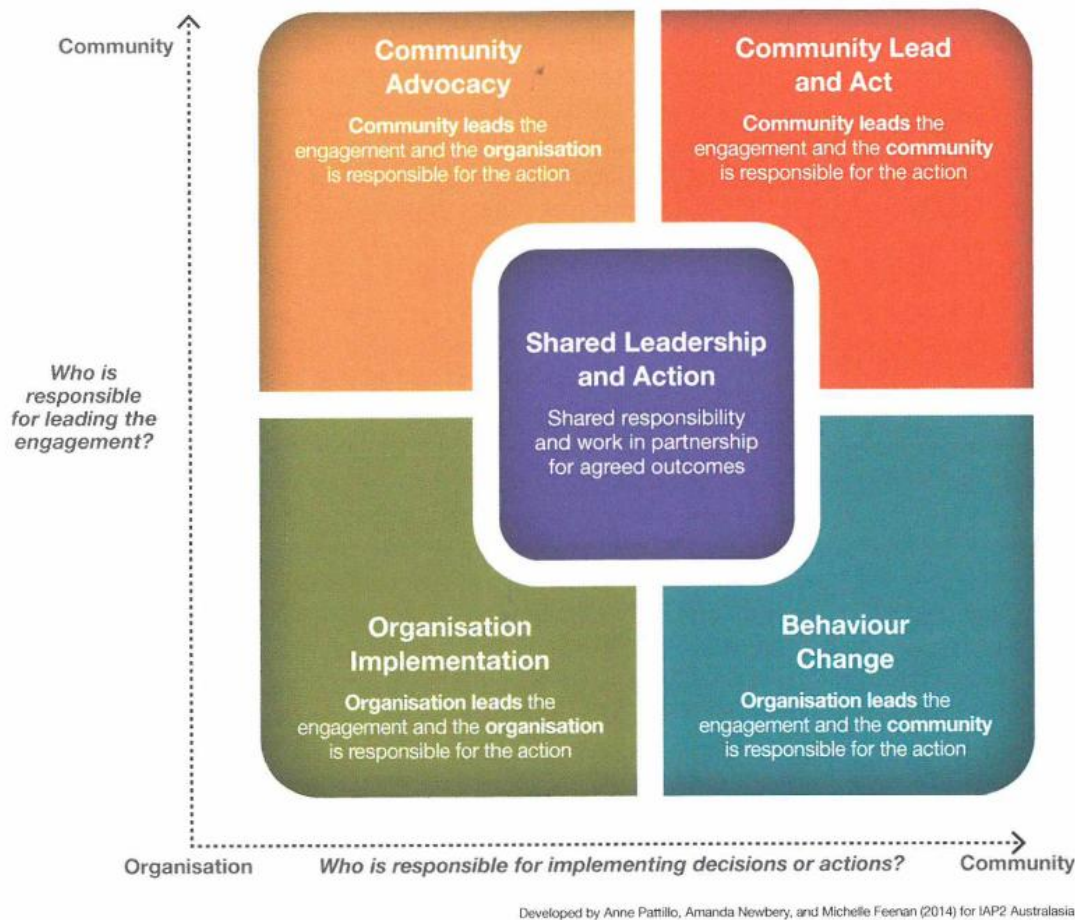
Notably, the Department of Education has published the following policies:

- ☐ [Privacy and Responsible Information Sharing Policy](#)
- ☐ [Information Breach Policy](#)

In addition, several local governments have implemented measures relating to privacy and information breach management, including:

- ☐ City of Stirling – [Information Handling and Breach Policy](#), adopted in 2024.
- ☐ City of Bayswater – [Information Handling and Privacy Policy](#), adopted in May 2025.
- ☐ City of Cockburn – [Privacy Management Policy](#), adopted in July 2025.

CONSULTATION/ADVERTISING:

**Organisation Implementation**

Organisations lead engagement and seek input, shape the policies, projects and services for which they are responsible. This is a familiar and traditional approach to policy development, project management and service delivery.

Tension: People feel forced leading to an unresponsive process.

Mitigation: Increasing the level of influence, and implementing a transparent, robust process.

Required under regulations/legislation

Communicate how community and stakeholder input has influenced the decision-making or implementation

In accordance with the City's [Corporate Document Development Policy](#) draft policy documents are presented to Council for approval and authorisation to commence community consultation.

All proposed changes, other than those covered by clause 5.8, will be advertised in accordance with, but not limited to, the requirements of the City's [Community and Stakeholder Engagement Policy](#) and guided by the following amendment classifications;

- ☐ **Complex Amendments** - Broad public engagement will be required, aligned with the Community and Stakeholder Engagement Policy, to ensure significant changes are thoroughly communicated and reviewed.
- ☐ **Standard Amendments** - Will be advertised for a minimum of 21 days in accordance with the Community and Stakeholder Engagement Policy. Consultation methods will be tailored based on the potential impact of the amendments, with recommendations presented to Council for determination.

The proposed Privacy and Information Breach Policy will be advertised for 21 days via:

- ☐ notice published on Imagine Vincent and the City's website;
- ☐ inclusion in the City's E-news publication; and
- ☐ the notice board at the City's Administration and Library and Local History Centre.

Public notice of this proposed new policy will be provided from 17 February 2026.

LEGAL/POLICY:

Section 2.7(2)(b) of the *Local Government Act 1995* provides Council with the power to determine policies.

The City's [Corporate Document Development Policy](#) sets out the process for the development and review of the City's policy documents.

In accordance with clause 2.3 of the Corporate Document Development Policy:

The purpose of a policy is to provide a general rule or principle to guide Administration and the community on the City's decision making and advocacy;

The objective of the current Privacy Management Policy requires revision, as it references outdated legislation, including the *Privacy Act 1988 (Cwth)* and the *Privacy Amendment Act 2004 (Cwth)*, which have since been amended through the *Privacy and Other Legislation Amendment Act 2024*.

The purpose of the proposed policy is to establish clear guidance on the City's handling of personal and sensitive information. It outlines the types of personal information the City collects, how that information is used and stored, and the safeguards in place to prevent and respond to information breaches.

LOCAL GOVERNMENT DECISION MAKING HIERARCHY



RISK MANAGEMENT IMPLICATIONS

Low: Adopting the proposed policy is low risk as the proposed changes are required to ensure compliance with the *Privacy and Responsible Information Sharing Act 2024*. This review aligns with Council's adopted Appetite and Tolerance Statements.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Connected and Healthy Community

We recognise, engage and partner with the Whadjuk Noongar people and culture.

Innovative and Accountable

We engage with our community so they are involved in what we are doing and how we are meeting our goals.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any environmental sustainability outcomes.

PUBLIC HEALTH IMPLICATIONS:

This does not contribute to any public health outcomes in the *City's Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

12.3 COUNCIL RECESS PERIOD 2025-2026 - RECEIVING OF ITEMS DEALT WITH UNDER DELEGATED AUTHORITY BETWEEN 10 DECEMBER 2025 AND 2 FEBRUARY 2026

Attachments: Nil

RECOMMENDATION:

That Council RECEIVES the report on items of business dealt with under delegated authority during the Council recess period, 10 December 2025 and 2 February 2026:

- 1. New Lease of Portion of No. 4 View Street, North Perth.**

PURPOSE OF REPORT:

To advise Council of the items approved under delegated authority during the 2025-26 Council recess period, being 10 December 2025 and 2 February 2026, in accordance with Council's resolution of 9 December 2025.

DELEGATION:

The resolution of item 12.2 at the 9 December 2025 OCM required:

- 1.3 A report summarising the items of business dealt with under delegated authority be submitted for information to Council at its Ordinary Meeting to be held on 10 February 2026;*

BACKGROUND:

At its meeting held on 9 December 2025, Council resolved as follows:

1. *That Council DELEGATES BY ABSOLUTE MAJORITY, pursuant to section 5.42 of the Local Government Act 1995, to the Chief Executive Officer, the power to deal with any items of business that may arise between 10 December 2025 and 2 February 2026, and which are not the subject of delegated authority already granted by Council, subject to:*
 - 1.1 *Reports being issued to all Council Members for a period of three business days with Council Members notified by phone prior to the delegated decision being made and no requests for 'call-in' of the matter being received from Council Members;*
 - 1.2 *Reports being displayed on the City's website for a period of three business days prior to the delegated decision being made;*
 - 1.3 *A report summarising the items of business dealt with under delegated authority being submitted for information to Council at its Ordinary Meeting to be held on 10 February 2026; and*
 - 1.4 *A Register of Items Approved under this Delegated Authority is being kept and made available for public inspection on the City's website during the period that the delegation applies;*
2. *DETERMINES for the purpose of section 5.43(d) of the Local Government Act 1995 that the Chief Executive Officer is delegated authority to negotiate and approve the lease in respect of No. 4 View St, North Perth, up to a limit not exceeding the current gross rental value of the property, subject to the conditions in recommendation 1.1 to 1.4 above.*

DETAILS:

The following reports were tabled over the Council recess period and approved under delegation by the CEO.

Item	Responsible Directorate	Subject	Decision and Date
1	Chief Executive	New Lease of Portion No. 4 View Street, North Perth	Approved 27 January 2026

New Lease of Portion No. 4 View Street, North Perth

This report was circulated to Council Members on 20 January 2026 and displayed on the City's website for a period of three business days, commencing on 21 January 2026.

The City received no requests from Council Members for the report to be called in to be considered at the 10 February 2026 Council Meeting.

On this basis, and following appropriate due diligence, the Chief Executive Officer authorised the report under delegated authority on 27 January 2026.

CONSULTATION/ADVERTISING:

All reports were displayed on the City's website during the notification period and a copy of the delegated decision was published on the website [here](#).

LEGAL/POLICY:

Section 5.42(1) of the *Local Government Act 1995* provides that a local government may delegate to the CEO any of its powers or the discharge of any of its duties under this Act, other than those requiring an absolute or special majority decision (see section 5.43).

RISK MANAGEMENT IMPLICATIONS:

Risk Category	Risk Appetite / Tolerance Statement	Descriptor / clarification
<i>A breach in Delegated Authority</i>	The City has a very low risk tolerance for breach in delegated authority.	<p>This report is submitted for information only and provides transparency and assurance to Council regarding decisions made under the recess-period delegation previously approved by Council.</p> <p>All decisions reported were made within the scope, time limits and conditions of the delegation resolved by Council on 9 December 2025, including compliance with sections 5.42 and 5.43 of the <i>Local Government Act 1995</i>. The delegation was time-limited, narrowly scoped, and excluded all matters reserved to Council.</p> <p>Governance controls operated as intended during the recess period, including:</p> <ul style="list-style-type: none"> <input type="checkbox"/> circulation of reports to Council Members for three business days prior to determination; <input type="checkbox"/> opportunity for Council Members to "call-in" matters for Council consideration; <input type="checkbox"/> publication of reports and delegated decisions on the City's website; and <input type="checkbox"/> maintenance of a public register of decisions made under delegated authority. <p>The provision of this report to Council further mitigates risk by ensuring oversight, transparency and accountability for decisions made during the recess period, consistent with the City's very low tolerance for breaches of delegated authority.</p>

Low: It is low risk for Council to receive this report, as it does not confer decision-making authority and confirms that all delegated decisions were exercised in accordance with Council's resolution, legislative requirements and established governance controls.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Innovative and Accountable

We deliver our services, projects and programs in the most inclusive, efficient, effective and sustainable way possible.

PUBLIC HEALTH IMPLICATIONS:

This does not contribute to any public health outcomes in the *City's Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

12.4 INFORMATION BULLETIN

- Attachments:**
1. Unconfirmed Minutes of the Mindarie Regional Council Meeting held on 18 December 2025 
 2. Unconfirmed Minutes of the Catalina Regional Council Meeting held on 11 December 2025 
 3. Statistics for Development Services Applications as at the end of December 2025 
 4. Register of Legal Action and Prosecutions Monthly - Confidential
 5. Register of Legal Action - Orders and Notices Quarterly - Confidential
 6. Register of State Administrative Tribunal (SAT) Appeals - Progress Report as at 22 January 2026 
 7. Register of Applications Referred to the Metro Inner Development Assessment Panel - Current 
 8. Register of Applications Referred to the Design Review Panel - Current 
 9. Quarterly Update - Unrecoverable Parking Infringements Write-Off 
 10. Register of Petitions - Progress Report February 2026 
 11. Register of Notices of Motion - Progress Report - February 2026 
 12. Register of Reports to be Actioned - Progress Report - February 2026 
 13. Council Workshop Items since 19 November 2025 
 14. Council Briefing Notes - 2 December 2025 

RECOMMENDATION:

That Council **RECEIVES** the Information Bulletin dated February 2026.

13 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (WITHOUT DISCUSSION)

Nil

15 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil

16 URGENT BUSINESS

Nil

17 CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

18 CLOSURE