



City of Stirling

Ordinary Meeting of the 41st Council

30 April 2024

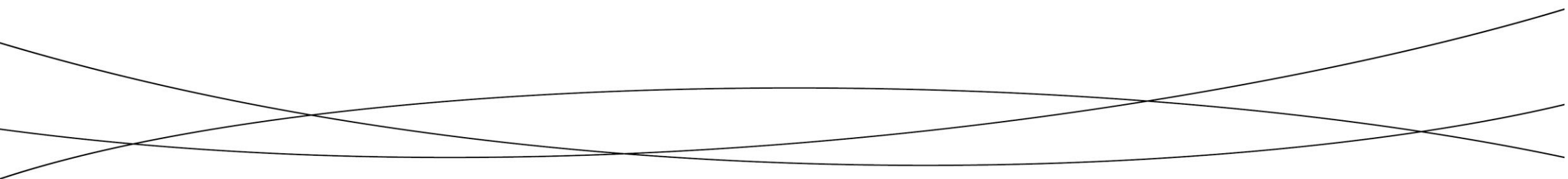
Minutes

To: The Mayor and Councillors

Here within the Minutes of the Ordinary Meeting of Council of the City of Stirling held Tuesday 30 April 2024 in the City of Stirling Council Chamber, 25 Cedric Street, Stirling.

A handwritten signature in black ink, appearing to read 'S. Rodic'.

Stevan Rodic | Chief Executive Officer



Our Vision, Mission and Values

Vision

A sustainable City with a local focus.

Mission

To serve our community by delivering efficient, responsive and sustainable service.

Values

The City of Stirling's core values are:

- Approachable
- Responsive
- Transparent
- Innovative.

Disclaimer

Members of the public should note that in any discussion regarding any planning or other application that any statement or intimation of approval made by any member or officer of the City during the course of any meeting is not intended to be and is not to be taken as notice of approval from the City. No action should be taken on any item discussed at a Council meeting prior to written advice on the resolution of the Council being received.

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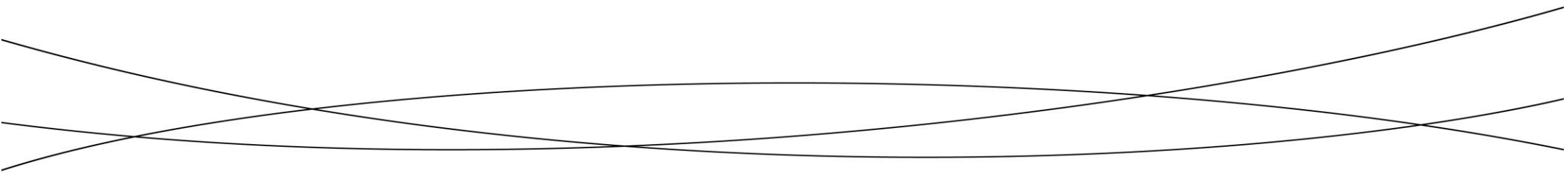


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MINUTES OF THE ORDINARY MEETING OF COUNCIL OF TUESDAY 30 APRIL 2024 HELD IN CITY OF STIRLING COUNCIL CHAMBER, 25 CEDRIC STREET, STIRLING

1. OFFICIAL OPENING

The Presiding Member declared the Ordinary Meeting of Council open at 6.30pm.

2. ATTENDANCE AND APOLOGIES

ATTENDANCE

Mayor

Mark Irwin

Councillors

Councillor Andrea Creado
Councillor Michael Dudek
Councillor Joe Ferrante
Councillor Damien Giudici
Councillor Chris Hatton
Councillor David Lagan
Councillor Suzanne Migdale
Councillor Teresa Olow
Councillor Rob Papparde
Councillor Karlo Perkov
Councillor Stephanie Proud JP

Employees

Chief Executive Officer - Stevan Rodic
Director Community Development - Michael Quirk
Director Corporate Services - Ingrid Hawkins
Director Infrastructure - Andrew Murphy
Director Planning and Development - Amanda Sheers
Manager Community Safety - Peter Mullins
Manager Development Services - Giovanna Lumbaca
Manager Governance - Jamie Blanchard
Manager Strategy and Performance - Michelle Wolsoncroft
Manager Waste and Fleet - Yvette Plimbley
Acting Manager Engineering Services - Frank Strever
Acting Manager Recreation and Leisure Services - Karl Mallet
Service Lead Marketing and Communications - Caitlin Tiller
Community Engagement Coordinator - James Murphy
Acting Coordinator Planning Approvals - Vicky Dimitriou
Lead Governance Officer - Regan Clyde
Lead Governance Advisor - Jackson Mawby
Senior Governance Officer - Daniel Govus
Senior Governance Officer - Amorette Kerklaan
Senior Planning Officer - Cameron Howell

Public

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Press

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APOLOGIES

Councillor Tony Krsticevic
Councillor Elizabeth Re
Councillor Lisa Thornton

3. APPROVED LEAVE OF ABSENCE

Nil.

4. DISCLOSURES OF INTEREST

Where a member has disclosed a financial or proximity interest in an item, they must leave the Chamber for consideration of that item.

Where a member has disclosed an impartiality interest in an item, they may remain in the Chamber. The member is required to bring an independent mind to the item and decide impartially on behalf of the City of Stirling and its community.

Community and Resources Committee - 23 April 2024

Councillor Chris Hatton disclosed an Impartial Interest in Item S12.1/P1 as the applicant Friends of Lake Gwelup is known to him.

Councillor Tony Krsticevic disclosed an Impartial Interest in Item S12.1/P1 as the Rotary Club of Hillarys has worked closely with him from time to time, including giving them donations.

Councillor Karlo Perkov disclosed an Impartial Interest in Item S12.1/P1 as the applicant Friends of Lake Gwelup is known to him.

Councillor Joe Ferrante disclosed an Impartial Interest in Item 12.1/RL1 as the reserves in the Item are in his Ward.

Councillor Tony Krsticevic disclosed an Impartial Interest in Item 12.1/RL1 as most of the clubs are known to him.

Councillor David Lagan disclosed an Impartial Interest in Item 12.1/RL1 as he is a patron for Dianella Soccer Club who are looking for funding for Women's/Girl's sport.

Councillor Karlo Perkov disclosed an Impartial Interest in Item 12.1/RL1 as the Club President and Management are known to him.

Council - 30 April 2024

Councillor Michael Dudek disclosed an Impartial Interest in Item 13.2 as the director of the applicant is known to him.

Councillor David Lagan disclosed an Impartial Interest in Item 13.2 as he has met with local residents on a number of occasions at the proposed development site to go over concerns.

Councillor Suzanne Migdale disclosed an Impartial Interest in Item 13.2 as she is a JDAP member.

Councillor Teresa Olow disclosed an Impartial Interest in Item 13.2 as she is a JDAP member.

5. PETITIONS

5.1 PETITION - NO PARKING ON NATURE STRIP AT ALL TIMES IMPLEMENTED ON THE COUNCIL VERGE OF THE PARK PRIVATE HOSPITAL

The following petition containing 31 verified signatures has been received by the City:

"We, the undersigned, do respectfully request that the Council implement 'No parking on nature strip at all times' for the Council verge of 14 Alvan Street and Park Road, Mount Lawley, ergo, The Park Private Hospital (The Park) as soon as practical.

Reasoning, the nature strip/verge of 14 Alvan Street which encompasses a stretch of Alvan Street and Park Road (to Judge Lane) is of subpar appearance and therefore not in keeping with the area. Due to the neglect to maintain the grass and preserve the trees by the owners/operators of The Park, a significant share of both have obviously died.

By restricting the parking on this verge side, would (ideally) motivate The Park's operators to remedy this neglect, or at the very least encourage the nature strip to recover without the constant parking burden."

The petition will be forwarded to the Engineering Services Business Unit for consideration and appropriate action.

5.2 EPETITION - STOPPING THE 5 YEAR LEASE EXTENSION TO THE BEACH TENNIS CLUB ON DEANMORE ROAD

The following ePetition containing 10 verified signatures has been received by the City:

“We, the undersigned, do respectfully request that the Council: Halt the operation of the beach tennis club on Deanmore Road immediately due to ongoing sound and light exceedances negatively impacting our home lives.”

The ePetition will be forwarded to the Development Services Business Unit for consideration and appropriate action.

Council Resolution

0424/001

Moved Councillor Perkov, seconded Councillor Olow

That Council RECEIVES the petitions tabled at the Council meeting held Tuesday, 30 April 2024 and the petitions be REFERRED to the Chief Executive Officer for the appropriate action.

The motion was put and declared CARRIED (12/0).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Papparde, Perkov, Proud and Mayor Irwin.

Against: Nil.

All petitions will have an update available in due course on the Petition Status Update page of the City’s website which can be accessed [here](#).

6. RESPONSES TO PREVIOUS QUESTIONS FROM MEMBERS OF THE PUBLIC TAKEN ON NOTICE

All Public Question Time responses from the previous Council meeting were published in the minutes of that meeting.

7. PUBLIC QUESTION TIME

Public Question Time is included in the live stream. Members of the public are only required to state their name and suburb when addressing the meeting.

Members of the public who wish to ask question/s at the Council meeting are requested to submit these through the City's online Public Question Time submission form ([click here](#)).

7.1 PUBLIC QUESTION TIME - S WHEELER

The following questions were submitted by S Wheeler, Scarborough WA 6018, at the Council Meeting held Tuesday 30 April 2024.

Q1. *“My questions are in regard to the handling of the motions from the Electors’ General Meeting. Councillors, Officer comments to motion 9.13 requesting the City set a 30% canopy target fail entirely to note that 30% is the current WALGA policy position, not just some number I pulled out of a dark, shady place. It’s an almost universally accepted minimum requirement to provide for health in liveable urban environments in Australia, if not worldwide. The report continues to state that the City has a canopy target of 18% and there is no plan to change this target. I know there’s no plan to change the target, otherwise the question wouldn’t have been raised. And the WALGA position post-dates that 2019 policy. The recommendation requests instead that Council affirm a policy that it itself accepts to a large part through no fault of its own has not worked in the past, does not work now, and will not work in the future.*

So, to say we have a policy, we have a policy for that. It’s broken, but let’s just keep calm and carry on up the Khyber, it’s just not good enough and those comments should be dismissed out of hand. The question asked of Council is, determine what our canopy target should be in line with the best available advice, not what it thinks is the best it can manage. And if the City is to base its strategic future planning and policy around erroneous figures, picked to satisfy KPIs, the best that it can produce is garbage in garbage out. 30% in the current political climate, at least on private property, is as unachievable as the current 18% target.

Councillors, I’m not asking you to engage in some virtue signalling or anything like that, but in the prudent exercise of stating and setting the minimum standards required to provide for the health, amenity, and good governance of the district. And I’m hoping that Councillors will ask the question tonight, among other things, as to why WALGA’s policy position was not part of the report on this item. It’s more of a statement.”

A1. The Mayor advised this Item forms part of the Agenda and will be considered along with the other Electors’ General Meeting motions that have been put.

Q2. *“A question aside from these, Mayor Irwin, are the matters that are in the Electors’ motions subject to disclosures of interest?”*

A2. The Mayor advised in the affirmative.

Q3. *“To motion 9.12/5, requesting disclosure of political or group affiliations by Elected Members, the report notes that five years ago changes to the code of conduct via Councillor Proud’s motion were not supported by Council. The report continues in not noting that only 11 Councillors voted on that Item in 2019 and that four of them are no longer Elected Members. So it’s entirely unclear if that decision represents the views of the current Council. I think I have a good idea. Nonetheless, Councillors would have to have been living in a cave to be unaware of significant public interest in this question statewide, not just in Stirling.*

I therefore ask if Council will consider some alternative motion to the Officer recommendation, or request that this matter be deferred to some later meeting accompanied by a report that is fit for purpose because I think after five years, and there's several new Elected Members, it's not that unfair to ask again."

- A3. The Mayor advised that the Item forms part of those motions from the Electors' General Meeting. It is entirely up to Council whether this evening they pull Items out of that and move an alternative recommendation, or if in future they choose to act on those motions.

"I also asked about disclosures because at that previous vote, all the members of political parties made a disclosure that they were a member of a political party and I wasn't sure if that would apply to this motion."

The Mayor advised that he thought no disclosure would be required at this stage.

- Q4. *"Councillors, my questions have referenced a few of several what I consider the softest arguments and content free statements to be discovered in tonight's Agenda. Reports of the type that I had some hope had been consigned to history at Stirling. So, my question through the chair to the CEO is, Mr. CEO, are you happy with the balance shown in the Officer reports? Do you think improvements are necessary and if so, what measures can be put in place to remediate such concerns?"*

The Mayor queried whether Mr Wheeler would like to highlight any specific concerns.

"Well, I've already covered three of them and there's more in the agenda but how long have we got?"

- A4. The Chief Executive Officer advised that he considered every Officer comment and recommendation and was comfortable with all those put forward.

7.2 PUBLIC QUESTION TIME - R MADDEN

The following questions were submitted by R Madden, Innaloo WA 6018, at the Council Meeting held Tuesday 30 April 2024.

- Q1. *“My questions are regarding the motions before Council tonight regarding cat containment in the City. We thank the City for considering our motions and additionally for discussing further with us the City’s plans recently - the Director Community Development and the Manager Community Safety in particular. Certainly, we are encouraged by some of the forward planning that was indicated to us in the conversation. We were a little surprised though to be seeing that, forgive me for not being able to reference the exact motions on the Agenda tonight, but despite the strong response from the recent surveys that the City has received, where we had put the motion forward to contact the new Minister for Local Government with regards to cat containment, the City appears to be recommending not to write that letter. It seems to us as though there is no drawback to writing this letter. It’s a new Minister and this new Minister seems sympathetic towards the cause that we’re pushing for. So we’re asking for more clarity on why the recommendation is being put to Council that they don’t write this letter.”*
- A1. The Director Community Development advised that as a result of the motion last year, the City did write to the then Minister and whilst it is acknowledged that the Minister has changed, the City has engaged with the Department. The City’s understanding is that the government’s position remains the same; therefore, in writing to the Minister, the City would expect exactly the same response, which is that a statutory review of the *Cat Act 2011* will take place sometime after 2024.
- Q2. *“Surrounding this, whilst we wait for the June recommendations to the review of the local law, what improved and proactive education strategies are the City seeking to employ to ensure better outcomes for pet, social and animal welfare in the City?”*
- A2. The Manager Community Safety advised that from the City’s perspective, the aim is to increase cat registrations. The City is certainly aware that the registration numbers are significantly lower than what Census data suggests. The City is doing a variety of things through education campaigns, subsidised sterilisation, registration, and micro-chipping. It is not as broad an uptake as desired, but the City is continuing with those efforts as well as other marketing campaigns through social media and conducting more activities at its annual Paw-some Day Out.

7.3 PUBLIC QUESTION TIME - J MCGRATH

The following question was submitted by J McGrath, Morley WA 6062, at the Council Meeting held Tuesday 30 April 2024.

- Q1. *“Thank you for the opportunity to listen and act upon our concerns of the Yokine Bowling Club. I am the President of the Yokine Bowling Club. Firstly, I've got a little bit of a preamble that won't take long, so I hope you just bear with me. You'll get to understand what I'm talking about it.*

Approximately 18 months ago, our Club, along with Councillors, had a meeting to get ideas of how we can make our club financial. We're not going well. The Councillors suggested that we look to outside organisations which would be able to lease our D Green, which is not in use. The Council gave us several names and suggested we contact them. I made contact with an organisation called Padel Perth, which was quite eager to discuss opportunities. Padel Perth called in to our club to look over the area we're offering. They were quite enthusiastic about setting up a Padel ball centre on our D and E Greens. After 12 long months of meetings and discussions, Padel Perth put a proposal to ourselves where they will build a Padel ball centre at our club. This centre would cost approximately \$2 million. It will be the biggest Padel ball centre in Australia. It would include three outdoor courts and six undercover courts. The undercover court portion would also include a gymnasium, coffee lounge and Pilates centre. This would attract people in the community to our club in bounds, I believe. Padel ball were going to cover the costs of the building. The Council were up for nothing, and they would pay us a rental of \$35,000 a year.

We discussed this proposal with the then-Service Lead of Recreation and Leisure Services. He, along with other members of the Council, were very supportive and encouraged us to pursue this matter. I have spent, as I said, in excess of 12 months on this proposal, along with Padel Perth, who also spent 12 months plus their cost of plans and surveyors. Approximately four months ago, at a meeting with the Council, we were advised that as the land was A Class Reserve, this proposal would have to be approved by the State Government and it was very unlikely they would approve such a motion. Approximately two months ago, in a casual discussion with the President of Dalkeith Bowling Club, he advised me that Padel Perth was building a smaller three court complex on their grounds and the pads have already been laid and the approval has been granted. Even though their land rating is the same as Yokine's. Further discussions I had with the State Government, I was advised that they were told by the City of Stirling that the City of Stirling did not want this proposal. 12 months later down the track, probably 18 months later down the track.

My question to the Council is, if you did not want the proposal to happen, why encourage us in such a manner that we would proceed with it, wasting time and effort not just for myself but Padel's cost and everything else?”

- A1. The Director Community Development advised that the City did not make a statement that it does not want Padel. The City made contact with Padel in the first place. The City understands that Yokine Bowling Club, like many of our bowling clubs, has an uncertain future and therefore wants to work with all clubs, including Mr McGrath's, to make sure they are sustainable moving forward.

The key challenge the City identified with Padel is that, because of the nature of the land holding, there is no guarantee that the City, let alone the Club, would receive any of the lease revenue because Padel is seen as a commercial venture. There is another proposal that should remain confidential at this stage that the City is working on. That is an option, because it is not commercial in nature, that the City thinks is a much better option to pursue. This is something the City will continue to talk to the Club about.

"That's five years away and we're not sure if we're going to last five years. It's that simple for us. I really just cannot understand why if Padel Perth were to build the building, no cost to the Council, it was going to be a community thing, attract people to the Club, why this was not a viable proposition. It just doesn't gel with me at all. Last but not least, Dalkeith Nedlands, same grading as us, yet theirs has been approved."

At 6.48pm, in accordance with Clause 5.2(14) of the City of Stirling's Meeting Procedures Local Law 2021, the Presiding Member ruled that Public Question Time be EXTENDED.

7.4 PUBLIC QUESTION TIME - P WHITEHEAD

The following question was submitted by P Whitehead, Dianella WA 6059, at the Council Meeting held Tuesday 30 April 2024.

- Q1. *“The Yokine Bowls Club requests that the Council confirm that the funding for the upgrade and refurbishment of the toilets at Yokine Bowls Club has been adequately included within the Council budget for the financial year 2024-2025 and that the relevant departments have commenced working on this work with the view to having them completed within a reasonable but expedient timeframe during our pennant off season from now until October 2024.”*
- A1. The Director Community Development confirmed that funding has been listed in the draft 2024/2025 budget. It does still need to be considered and adopted by Council, but all going well, those works will happen next year. Officers from both the Recreation department and Facilities, Projects and Assets department were on site at the Club last week.

The Mayor advised that he would organise himself, the Director Community Development, and the Councillors to come out and see you soon, to continue that discussion.

7.5 PUBLIC QUESTION TIME - C HUI

The following questions were submitted by C Hui, Yokine WA 6060, at the Council Meeting held Tuesday 30 April 2024.

The below questions are in relation to Item 13.2 on the Agenda.

- Q1. *“The first question is regarding whether the planners agree that the advertised site doesn't show the revised submission and that the site is not positioned to meet the WAPC requirements of being in a prominent position within half a metre of the property boundary and clearly visible?”*
- A1. The Manager Development Services advised that officers review the signage details before the developer installs them on site. That includes the intended locations, so officers did review that through both consultation processes, and were satisfied with those details in that location.
- Q2. *“Second question is still regarding the revision plan, because apparently the first and second floor between the primary school right next to it is still being divided by trees. So let's say after the apartments are sold to the owners, then they will be the owners' responsibility. And let's say if those trees died, then apparently the parents of the primary school, they will need to deal with that with the owners. So is there any way that the Council will be able to address these with the developer?”*
- A2. The Manager Development Services advised that with compliance requirements, the City would be able to enforce that. Maintenance of the trees in perpetuity would be a condition of approval, so that is something that the City would be involved in.
- Q3. *“Is it possible for the developer to raise the fence?”*
- A3. The Manager Development Services confirmed that the query related to the dividing fence between the two properties, and then advised that this could be considered if both parties agree, separate to the development application process. It is a civil matter, separate to this application, but is a matter that the City could consider.

The Mayor further advised that the City can share that information with the developer and then get back to Mr Hui.

Additional Information

- A3. Any dividing fence more than 1.8m in height requires agreement of all adjacent landowners and may require a building permit.

Please see the following information regarding dividing fences:

<https://www.stirling.wa.gov.au/your-city/documents-and-publications/planning-and-building/checklists-and-information-sheets/dividing-fences-information-sheet>

7.6 PUBLIC QUESTION TIME - R HADLEY

The following questions were submitted by R Hadley, Woodlands WA 6018, on behalf of the Ewen Street Community Group, at the Council Meeting held Tuesday 30 April 2024.

Q1. *“On behalf of the Ewen Street Community Group, we recently contacted the Manager Strategy and Performance seeking the names of the experts who are completing this long-awaited trackless tram report. As no reply has been received, can anyone in the City of Stirling provide this information?”*

A1. The Manager Strategy and Performance advised that she had replied to Mr Hadley’s email but apologised as it was just this afternoon. The Manager Strategy and Performance further advised that SMEC were working with the City on the Trackless Tram Business Case.

“Any idea when exactly we can expect this?”

The Manager Strategy and Performance advised that the City was hoping for the Business Case to be finalised by the end of this financial year.

Q2. *“The Federal Government Treasurer’s Department acquit all expenditure by 1 June, therefore will ratepayers see a complete, comprehensive list on the Council Agenda next meeting for your Trackless Tram?”*

A2. The Manager Strategy and Performance advised that it would not be available by next Council meeting. The acquittal will be done once the Business Case project was complete, and then provided to the Federal Government as part of the acquittal of the grant the City received.

Q3. *“Mayor Mark Irwin, why did you seek in the City of Stirling April edition, votes for the City to win a gong in some obscure local government award for your future Trackless Tram project? Ratepayers noticed, however, that there was no provision to record ‘no, we do not support the Mayor’s desperate measure to salvage support for this costly fiasco’.”*

A3. The Mayor advised that the awards were run by the Australian Local Government Association which is quite well known throughout Australia. The Mayor further advised he was happy to pass on Mr Hadley’s vote of ‘no’, but that it was not the City who is running the awards.

“Why was there no provision in your monthly edition to say...?”

The Mayor reiterated that the City did not run the voting for the award.

“But you are asking ratepayers to vote for it, but nothing else?”

The Mayor advised that the City was passing on the Australian Local Government Association’s voting requirements.

7.7 PUBLIC QUESTION TIME - R CRISTOVAO

The following questions were submitted by R Cristovao, Innaloo WA 6018, at the Council Meeting held Tuesday 30 April 2024.

- Q1. *"I have lived overseas for the last 25 years - 23 in Taiwan and two years in China. I was quite appreciative of my experience there, but I noticed there was a lot of garbage in those two countries. And coming back two years ago, I was quite surprised by the amount of garbage that we have along the footpaths and other places around here. I have a few places that I've mapped out that I'd like the Council to send people out there to have a look and take care of this garbage."*
- A1. The Mayor acknowledged that there seems to be a lot of illegal dumping in some areas of the City at the moment, and that it is one of the scourges of local government. He advised that there are provisions for rubbish to be collected - bins are provided, tip passes are supplied and so on, but unfortunately some illegal dumping does occur. The Mayor further advised that City officers would note the specific locations that Mr Cristovao provided, and action appropriately.
- Q2. *"Near Westfield Innaloo, along Scarborough Beach Road, people leave their shopping trolleys everywhere. I've raised this with Coles many times, and I wrote to the group that manages Westfield Innaloo, but have had no response. I do not know who is responsible, but I believe the Council should make Westfield and Coles accountable. They can't run around like cowboys and do whatever they want."*
- A2. The Mayor observed that there were many nods of agreement among the Elected Members, and he acknowledged that dumped shopping trolleys were certainly an ongoing issue.

The Manager Community Safety confirmed that dumped trolleys were an issue not just in Innaloo, but right across the City, and said that the issue is a priority for Council, and for the City's officers. He advised that officers were investigating ways to hold retailers more to account; strengthening local laws around deterrent penalties; and investigating options for the City's 24/7 Community Patrol Service to enforce or impound trolleys, which may create more of an impact with the retailers. The City is focusing efforts on trying to have trolleys collected or contained within the property to which they belong. The Manager Community Safety further advised that the current legislation relies on the goodwill of retailers; the City's intention is to amend the Local Law, which will be presented to Council for consideration as soon as possible.

7.8 PUBLIC QUESTION TIME - F TRIFFITT

The following question was submitted by F Triffitt, West Moonah TAS 7009, prior to the Council Meeting held Tuesday 30 April 2024.

The below question is in relation to Item 13.2 on the Agenda.

- Q1. *“As the owner of apartment 88 in the existing Dianella Apartments I am interested in how close the proposed five storey building is to the footpath on its side of the road. With my balcony looking directly at the proposed building, I am seeking privacy from any apartments in the proposed site.”*
- A1. The proposed setback of the building to the front property boundary line varies, however there are no visual privacy variations proposed to this boundary. The minimum setback of the building, excluding the projecting canopies and arbour, is 3.0m from the Chester Avenue property boundary line.

There is no existing footpath on the same side of the road as the subject development site, however there will be approximately 25m distance between the front of the proposed building and the existing apartment building opposite.

7.9 PUBLIC QUESTION TIME - S ROVASANIN

The following question was submitted by S Rovasanin, Dianella WA 6059, prior to the Council Meeting held Tuesday 30 April 2024.

The below question is in relation to Item 13.2 on the Agenda.

- Q1. *“I have written several complaints and feedback to relevant parties regarding this development voicing my objection and concerns. We have a small cul-de-sac that is already overpopulated by the Finbar apartments and the school. There is no community support for this proposal I have had no consultation from the developers at any time during these past two years. This development should not exceed three storeys and should not have more than 10 units on the block. Why is the council still entertaining a five-storey development? What about my privacy? What about the traffic and safety for the school kids?”*
- A1. Clause 5.5 of Local Planning Scheme No.3 (LPS3) allows the decision-maker, in this instance the Metro Inner Development Assessment Panel (DAP), to consider the approval of the application notwithstanding that the development does not comply with the prescribed building height under LPS3. The City’s Responsible Authority Report (RAR) has considered the performance-based assessment criteria of LPS3 and the Residential Design Codes in preparing the recommendation to the DAP.

The development has been assessed against the visual privacy provisions of the Residential Design Codes, as detailed in the City’s RAR. The City is satisfied that the development has been designed to minimise direct overlooking of the adjoining properties.

The development is anticipated to result in a minor increase to traffic volumes. The City is satisfied that this additional traffic will not cause any substantial functional or safety impact to the local road network.

7.10 PUBLIC QUESTION TIME - F LAM

The following questions were submitted by F Lam, Dianella WA 6059, prior to the Council Meeting held Tuesday 30 April 2024.

The below questions are in relation to Item 13.2 on the Agenda.

- Q1. *“It is impossible to fully comment on the RAR attached to the minutes as it was done in portrait format but the minutes are landscape, therefore 1/3 of the RAR is missing from public viewing, but using what we can view; the architects section that includes through the school is still incorrect. Do the planners acknowledge that residents in the proposed development will have views directly into classrooms of 3 - 12 year old children?”*
- A1. All documents for Item 13.2 are available for the public to view in full on the City’s website.
- Q2. *“The Chester Avenue community; children, families and residents, feel the decision to recommend approval is against everything we have voiced. The revised submission does not fulfil our requests or resolve our concerns. Why have planners neither enforced the DRP required action that the developer engage in community consultation (so the Applicant understands community expectations), nor considered local planning schemes and strategies which state that non-compliance has an adverse effect upon the occupiers and users of a locality?”*
- A2. The Design Review Panel (DRP) has commented that there is an opportunity for the Applicant to communicate with the adjacent school in relation to the degree to which planting along the boundary at ground level would restrict views from the lower levels into the school grounds. The DRP’s advice is not binding on the City, the Applicant or the Metro Inner Development Assessment Panel (DAP). Notwithstanding, neither the City nor the DAP can force the Applicant to undertake consultation or engagement with the local community.
- The City has assessed the application against the requirements of Local Planning Scheme No.3 and all relevant planning documents. The amenity impact to the locality has been considered as part of this assessment.
- Q3. *“Will residents have access to the Construction Management Plan and have the opportunity to comment or discuss with the Council?”*
- A3. The Construction Management Plan is not subject to a public consultation process. The key concerns on the effects of construction to neighbouring properties, such as noise, dust and worker parking, are uniform concerns applicable to all construction sites across the district, and will be reviewed by the relevant technical officers within the City.

8. APPLICATIONS FOR LEAVE OF ABSENCE

Council Resolution

0424/002

Moved Councillor Lagan, seconded Councillor Papparde

1. That Council APPROVES Councillor Tony Krsticevic's request for a leave of absence for 30 April 2024.
2. That Council APPROVES Councillor Andrea Creado's request for a leave of absence for 11 June 2024.

The motion was put and declared CARRIED (12/0).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Papparde, Perkov, Proud and Mayor Irwin.

Against: Nil.

9. CONFIRMATION OF MINUTES

Council Resolution

0424/003

Moved Councillor Migdale, seconded Councillor Giudici

That the Minutes of the Ordinary Meeting of Council of 26 March 2024 be confirmed as a true and correct record of proceedings.

The motion was put and declared CARRIED (12/0).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Papparde, Perkov, Proud and Mayor Irwin.

Against: Nil.

10. ANNOUNCEMENTS BY THE PRESIDING MEMBER**10.1 ANNOUNCEMENT - COUNCILLOR ROB PAPPARDE - NORTH BEACH FOOTBALL CLUB SCOREBOARD AWARD**

Councillor Rob Papparde made the following announcement:

"I had the pleasure on Saturday of attending an ANZAC Day tribute at the North Beach Football Club. They played Scarborough and it was a very thrilling game, but the Club also appreciated the Council's contribution towards their new scoreboard. They presented us, along with Councillor Krsticevic and Councillor Perkov, an award which is for 'appreciation for participating in the designing, manufacturing, and installation of our electronic scoreboard 2024', and there is a lovely picture of the scoreboard right there. And it is a magnificent scoreboard, I am told that they could be watching movies there as well, bring the Primary Schools in to fundraisers, which would be fantastic, so it will be utilised off-season as well. So, just wanted to present that to the Council on behalf of the Club. Thank you very much.

Just one more thing, Councillor Hatton was there as well."

11. UNRESOLVED BUSINESS FROM PREVIOUS MEETING

Nil.

12. REPORTS AND RECOMMENDATIONS OF COMMITTEES

12.1 COMMUNITY AND RESOURCES COMMITTEE - 23 APRIL 2024

Councillor Joe Ferrante disclosed an Impartial Interest in Item 12.1/RL1 as the reserves in the Item are in his Ward.

Councillor Tony Krsticevic disclosed an Impartial Interest in Item 12.1/RL1 as most of the clubs are known to him.

Councillor David Lagan disclosed an Impartial Interest in Item 12.1/RL1 as he is a patron for Dianella Soccer Club who are looking for funding for Women's/Girl's sport.

Councillor Karlo Perkov disclosed an Impartial Interest in Item 12.1/RL1 as the Club President and Management are known to him.

12.1/RL1 UPGRADES TO CLUBROOMS FOR FEMALE PLAYERS

Business Unit:	Recreation & Leisure Services	Service: Leisure Services
Ward:	City Wide	Location: Not Applicable
Applicant:	Not Applicable	

Role

Executive - *Governing the City and the community through executive powers.*

Council Resolution**0424/004****Moved Councillor Perkov, seconded Councillor Migdale**

1. That Council **RECEIVES** the overview of current female sporting club participation and facility provision standards (circulated to Elected Members under confidential separate cover).
2. That Council **ENDORSES** the Play Our Way Program application for consideration by the Australian Government – Office for Sport, for upgraded sporting facilities at Sheldrake Reserve in Stirling to support female sporting club participation.
3. That Council **SUPPORTS** a \$200,000 City of Stirling co-contribution within the Play Our Way Program application, for future budget consideration subject to the Sheldrake Reserve grant application being successful.
4. That Council **NOTES** other priority projects, based on the current status of female sporting club participation and facility provision standards, will be considered through the City's draft 2024/2025 budget and four-year capital works program.

The motion was put and declared CARRIED (12/0).**For:** Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Papparde, Perkov, Proud and Mayor Irwin.**Against:** Nil.

Committee Recommendation

1. That Council RECEIVES the overview of current female sporting club participation and facility provision standards (circulated to Elected Members under confidential separate cover).
2. That Council ENDORSES the Play Our Way Program application for consideration by the Australian Government – Office for Sport, for upgraded sporting facilities at Sheldrake Reserve in Stirling to support female sporting club participation.
4. That Council NOTES other priority projects, based on the current status of female sporting club participation and facility provision standards, will be considered through the City’s draft 2024/2025 budget and four-year capital works program.

The motion was put and declared CARRIED (7/0).

For: Councillors Dudek, Ferrante, Krsticevic, Lagan, Olow, Perkov and Re.

Against: Nil.

3. That Council SUPPORTS a \$200,000 City of Stirling co-contribution within the Play Our Way Program application, for future budget consideration subject to the Sheldrake Reserve grant application being successful.

The motion was put and declared CARRIED (4/3).

For: Councillors Dudek, Olow, Perkov and Re.

Against: Councillors Ferrante, Krsticevic and Lagan.

Officer's Recommendation

1. That Council RECEIVES the overview of current female sporting club participation and facility provision standards (circulated to Elected Members under confidential separate cover).
2. That Council ENDORSES the Play Our Way Program application for consideration by the Australian Government – Office for Sport, for upgraded sporting facilities at Sheldrake Reserve in Stirling to support female sporting club participation.
3. That Council SUPPORTS a \$200,000 City of Stirling co-contribution within the Play Our Way Program application, for future budget consideration subject to the Sheldrake Reserve grant application being successful.
4. That Council NOTES other priority projects, based on the current status of female sporting club participation and facility provision standards, will be considered through the City’s draft 2024/2025 budget and four-year capital works program.

Purpose

To respond to the Notice of Motion submitted by Councillor Creado and provide Council with information regarding external grant funding opportunities to improve female sporting participation opportunities within the City.

Details

At its meeting held 20 June 2023, Council resolved (Council Resolution Number 0623/028) as follows:

“That a report be PRESENTED to Council on the number of clubs utilised by female sports teams and the nature of the upgrades that are required to make these facilities user friendly for female players.”

Female Sports Participation

Female sports participation continues to grow nationally, statewide and locally. While Australian Rules football and soccer have seen significant increases following the recent FIFA Women’s World Cup and expansion of the AFLW competition, other sports such as athletics, swimming, netball, tennis, basketball and cricket are also experiencing increases in female participation.

Current participation data from the 126 sporting clubs across the City identifies that 64 (51%) have junior female participants and 57 (45%) have senior female participants. A detailed list of participation numbers across each of the City’s sporting clubs is provided as a confidential attachment to this report. The table below provides a summary by sporting code along with the percentage of clubs who have junior and senior female teams within that code:

Sport	Number of Clubs	Jnr Female	Snr Female
Football (AFL)	22	50%	41%
Athletics	5	60%	40%
Ball Clubs	10	80%	50%
BMX	1	100%	100%
Bowls	9	0%	100%
Cricket	21	38%	10%
Hockey	4	50%	100%
Horse & Pony	1	100%	100%
Model Engineering	1	0%	100%
Netball	1	100%	100%
Remote Controlled Vehicles Clubs	5	0%	0%
Rugby League	1	100%	100%
Rugby Union	1	100%	100%
Soccer	21	62%	38%
Surf Life Saving	2	100%	100%
Tennis	6	100%	100%
Touch/Oz Tag	2	50%	100%
Ultimate	2	50%	50%

AusPlay, a large-scale national population tracking survey funded and led by the Australian Sports Commission, released the latest results from its national sport and physical activity participation survey in October 2023. The *AusPlay National Sport and Physical Activity Participation Report* identifies that the most popular sport related activities in 2022/2023 for females are:

- Aged 0 to 4 – swimming, gymnastics, dancing, netball, football/soccer, basketball, running/athletics, dancesport, tennis and Australian Rules Football.
- Aged 15-34 – running / athletics, swimming, netball, soccer, cycling, basketball, volleyball, tennis, Australian Rules Football and rock climbing/abseiling/caving.
- Aged 35-54 – swimming, running/athletics, cycling, tennis, netball, surfing, soccer, basketball, canoeing/kayaking and equestrian.
- Aged 55 plus – swimming, cycling, running/athletics, golf, tennis, bowls, martial arts, canoeing/kayaking, surfing and dancesport.

The data also identified that not having enough time to exercise is becoming more of a barrier for women and participation rates among females aged over 15 years have declined across regular frequencies. Notably, in Western Australia, the most popular sport for those aged 15 years and over were swimming, cycling, and running/athletics. For children aged 0-14 the most popular sports or physical activities were swimming, Australian rules football and basketball.

Sporting Club Amenities & Facilities

There is clearly a need for the City to continue to ensure that sporting club amenities, facilities and supporting infrastructure are gender inclusive, cater for diverse cultural and social needs, and enable access for all. Upon review of the 53 sporting clubrooms on the City's reserves it is evident that:

- 44 out of the 53 clubrooms currently accommodate female sport.
- 28 are considered female/unisex friendly.
- 25 do not meet the female/unisex participation/provision standards.
- 14 of the 53 clubrooms are scheduled for design and/or improvements on the current four-year capital works program.

Feedback from local sporting clubs and state sporting associations identifies that one of the main barriers for female, and more inclusive participation and involvement in sport, is the provision of appropriate amenities. Therefore, providing universally designed clubroom and changeroom amenities remains a key facility design consideration for the City. Design elements include lockable universal access toilets and showers (removing the open shower cubicle design) larger sized changing spaces and separate universal umpire/official change amenities.

Recent investment to deliver better sporting facilities to achieve better universal design have been delivered at Hamer Park (Mount Lawley), Inglewood Oval (Mount Lawley), Birralee Reserve (Innaloo), Robinson Reserve (Osborne Park), Princess Wallington Reserve – Soccer Clubrooms (Balga), and Charles Riley Reserve, soccer clubrooms (North Beach). Current projects scheduled for completion in 2024 include improvements to the Wembley Downs Tennis Clubrooms and Robertsbridge Reserve sporting clubrooms (Nollamara).

Play Our Way Program (Australian Government)

The recent hosting of the FIFA Women's World Cup 2023 by Australia and New Zealand emphasised the importance of inclusive facilities. The event highlighted gaps in suitable amenities in community facilities and led to the announcement of funding opportunities to ensure a positive legacy for female and inclusive participation.

Announced in August 2023, the Australian Government is providing \$200 million for the Play Our Way Program focused on providing greater opportunities for women and girls to access, participate in and remain involved in sport and physical activity. Recently released information outlines that the program will run over three financial years from 2024/2025 to 2026/2027. One application round is proposed and applicants will be able to seek between \$50,000 and up to \$1.5 million for Stream 1 (infrastructure) projects and between \$50,000 and up to \$1 million for Stream 2 (equipment and program) projects. Local Governments, community, not-for-profit, sporting and other eligible organisations are able to seek funding to:

- Provide safe, inclusive, quality and sustainable facilities, equipment and initiatives; and
- Projects and programs that help women and girls to remain involved in sport and physical activity for life.

An initial expression of interest application is due by the end of April 2024 with successful applicants then requested to submit a more detailed application.

Based on upon an assessment of current sports participation data and facility provision standards, it is proposed that the City submit a Stream 1 (infrastructure) application to seek funding towards new/upgraded clubroom and changeroom amenities at Sheldrake Reserve in Stirling. The reserve is utilised by several local soccer clubs including Balcatta (Etna) Soccer Club, Hamersley Rovers Soccer Club and Stirling Macedonia Soccer Club. It is located within an area with high female participation with over 250 female soccer players using the reserve and amenities. However, the infrastructure requires significant works to bring them up to a contemporary standard. The current infrastructure is no longer functional and is already identified as a priority on the City's four-year capital works program. Participation data also shows that female participation in soccer continues to grow with local clubs identifying increases in female registration, particularly with younger age groups.

While the Play Our Program provides a short-term external funding opportunity, it remains necessary for the City to improve sporting club facilities to better support female participation. The attached female sporting club participation and facility provision standards information identifies several clubrooms/changerooms requiring facility improvements. A number of these are listed for consideration through the draft 2024/2025 capital works budget and four-year program. Current priority projects based on the number of female participants and facility provision standards include:

- Princess Wallington Reserve, Soccer Clubrooms, Balga – additional new changeroom.
- Mirrabooka Regional Open Space, Mirrabooka – improvement of current changeroom amenities.
- Woodchester Reserve, Nollamara – New internal toilet amenities.
- Aintree Eglinton Reserve, Hamersley – new changeroom facilities for players and officials as part of the Hamersley Hub project.
- Karrinyup Reserve, Karrinyup – upgrade change room amenities.
- Woodlands Reserve, Woodlands – upgrade change room amenities.
- Empire Avenue Reserve, Wembley Downs – upgrade change room amenities.

Financial Assessment and Implications

The capital cost estimate to improve facilities at Sheldrake Reserve is \$1.3 million including upgraded changerooms, umpire/officials changerooms, universal design toilets, clubroom social space, equipment storage, kiosk and external servery. A need to replace and upgrade the current reserve floodlighting has also been identified as a priority with a cost estimate of \$350,000. More detailed designs and costs will be progressed should the City's Play Your Way Program application progress to the next phase.

The Play Your Way Program guidelines strongly encouraged co-contribution from the applicant and will be viewed favourably for larger-scale projects. On that basis, it is recommended that the City include a co-contribution up to \$200,000 to support this grant application through either the 2025/2026 or 2026/2027 budget.

Should the grant application be unsuccessful, the Sheldrake Reserve improvements remain a priority. Designs will be progressed in the 2024/2025 financial year to enable consideration within the draft 2025/2026 budget.

Stakeholder Engagement

The City will continue to engage with State Sporting Associations to gain insights on infrastructure and equipment/program priorities to support female sports participation. The City will also engage with Football West, Balcatta (Etna) Soccer Club, Hamersley Rovers Soccer Club and Stirling Macedonia Soccer Club regarding the improvement of facilities at Sheldrake Reserve should the Play Your Way Program application progress to the next phase.

Relevant Policies, Legislation and Council Resolutions

[Local Government Act 1995](#)

Meeting Date	Council Resolution Number	Council Resolution
20 June 2023	0623/028	That a report be PRESENTED to Council on the number of clubs utilised by female sports teams and the nature of the upgrades that are required to make these facilities user friendly for female players.

Sustainable Stirling 2022-2032

Key Result Area: Our community

Objective: An active and healthy City

Priority: Facilitate a range of recreation and leisure opportunities for everyone in the City

Strategic Risk

Strategic Risk	Risk Appetite
Funding	The City will take sufficient financial risk to enable it to achieve its strategic objectives, providing it does not significantly impact on the long term financial sustainability of the City.
Community	The City will ensure that it engages with the community in accordance with its Community and Stakeholder Engagement Plan.

Relevant Documents and Information

Attachments

Attachment 1 - Sporting Club Female Membership - Confidential Memo (previously circulated to Elected Members under confidential separate cover)

Available for viewing at meeting

Nil

Linked Documents

Nil.

12.1/WF1 FOOD ORGANICS AND GARDEN ORGANICS (FOGO) SYSTEM

Business Unit:	Waste and Fleet	Service: Waste Operations
Ward:	City Wide	Location: City Wide
Applicant:	Not Applicable	

Role

Executive - *Governing the City and the community through executive powers.*

Council Resolution

0424/005

Moved Councillor Perkov, seconded Councillor Proud

That Council DOES NOT APPROVE the current Business Case for the adoption of a three bin Food Organics/Garden Organics (FOGO) system for the City of Stirling as the future of residential waste management at the City of Stirling requires further analysis.

The motion was put and declared CARRIED (11/1).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Olow, Papatde, Perkov, Proud and Mayor Irwin.

Against: Councillor Migdale.

Committee Recommendation

That Council DOES NOT APPROVE the Business Case for the adoption of a three bin Food Organics/Garden Organics (FOGO) system for the City of Stirling.

Officer's Recommendation

That Council APPROVES the Business Case for the adoption of a three bin Food Organics/Garden Organics (FOGO) system for the City of Stirling.

Purpose

To seek Council's approval of the attached Business Case (Confidential Attachment 1) for the introduction of a three bin Food Organics/Garden Organics (FOGO) system for the City of Stirling.

Details

The City of Stirling currently spends around \$40 million per annum on its Waste and Recycling Services, which comprises of: kerbside collections for domestic rubbish, recycling and garden waste, commercial rubbish and recycling collections, bulk verge green waste collections, on-demand skip bin services for bulk hard waste, on-demand whitegoods and mattress collection, resident drop off and recycling facilities via the Recycling Centre Balcatta, public space litter collections and street cleaning, City event bins, waste education and community engagement events and workshops.

One of the objectives in the City's Strategic Community Plan, *Sustainable Stirling 2022-2023*, is to 'Support a low-waste, circular economy that protects our environment from impacts of waste.' As part of this objective, the City has set a target to increase its material recovery rate by 75% by 2030.

The City currently operates a 3-Bin Garden Organics (GO) system, which was introduced in 2015. The services consist of the following bin types and collection frequencies:

- 140L red lid bin for general waste, collected every week;
- 240L yellow lid bin for recycling materials, collected fortnightly on alternative weeks; and
- 240L lime green bin for garden organics, collected fortnightly on alternative weeks (this service is an opt-in service).

The current recovery rate under the City's GO system sits at 49%. With the upcoming availability of Waste to Energy processing facilities within Perth, the recovery rate of the current GO system, coupled with Waste to Energy could increase to 69%. If the City would move to a FOGO system with all residual waste being processed at a Waste to Energy facility, a recovery rate of 85% could be achieved.

The current kerbside collection contract has reached its maximum extension period and is due to expire 30 June 2025, which would present a good opportunity to change the kerbside collection system.

A FOGO collection service would consist of the following bin types and collections frequencies:

- 240L lime green bin for food and garden organics, collected weekly (current GO bins would be used for this service);
- 140L red lid bin for general waste, collected fortnightly on alternative weeks; and
- 240L yellow lid bin for recycling materials, collected fortnightly on alternative weeks.

The proposed implementation details of the project are outlined in the attached Business Case (Attachment 1).

An Elected Member workshop was held on 11 March 2024 which included a presentation from City officers with items for consideration on the future of waste management for the City and a potential introduction of a FOGO kerbside collection system.

Financial Assessment and Implications

The financial appraisal remains high level and includes a number of tonnage and rate assumptions. The modelling for the preferred FOGO 3-Bin system shows one-off rollout costs to be \$4,061,142 with an additional annual cost saving of approximately \$484,000 - resulting primarily from cheaper FOGO processing costs.

The one-off rollout cost in year one includes for the provision of additional GO bins (for households who have currently not opted in the City's Garden Organics service), as well as marketing and education costs associated with a comprehensive Communications and Engagement Strategy and aligning campaign.

It is anticipated that the implementation costs will be spread over the 2024/2025, 2025/2026 and 2026/2027 financial years, as part of a phased roll out. The phased roll out will be based on dwelling type, as detailed in the Business Case (Attachment 1).

The ongoing service costs includes the collection and processing costs for the organics, residual and recycling waste streams, as well as ongoing bin maintenance, provision of caddy liners and waste education and engagement activities.

There is also the opportunity apply for State Government Better Bins Plus Grant funding which is currently up to \$15 per participating household, potentially offsetting the one-off costs by \$1,412,445.

Funding is subject to Council endorsement of this project and applications for the funding close 30 June 2024.

The remaining implementation costs of circa \$2.65 million would be fully funded from the Waste Reserve.

A breakdown of the high-level modelling and the assumptions made may be referred to in the attached confidential Business Case (Attachment 1).

Stakeholder Engagement

If the project is endorsed, it is essential that the City develops a comprehensive public engagement and communications strategy to inform, educate and promote this major service change.

Communication tools would include:

- Dedicated FOGO webpage addressing common FAQ's such as:
 - What goes into the new FOGO bin and how often will it be collected?
 - Odour – Will this be an issue with the FOGO system?
 - How to use the kitchen caddy correctly to prevent odours.
 - Concerns on perceived reduction in service or capacity.
 - What happens if residents already have a compost bin at home.
- Videos explaining the system and service change.
- City's newsletter/social media.
- Staff training: customer service staff would be trained to respond to most resident enquiries when the service begins.
- Community engagement session at events etc.
- Pop-up information sessions and workshops.
- Online and printed support material such as 'do's and don'ts' collateral.

There are various resources and lessons learnt available from other Local Governments in WA that have already implemented FOGO. Currently 19 Local Governments have rolled the bin system out, so the City would be in a great position to utilise the best examples of successful communication and engagement practices.

Recommended Action

It is recommended that Council approves the business case for the adoption of a 3-Bin Food Organics/Garden Organics (FOGO) system for the City of Stirling, in accordance with the proposed Business Case (Attachment 1).

Key considerations:

Opportunities:

- Increased material recovery.
- Significant step forward in achieving our recovery targets (a 3-Bin FOGO system averages 65% recovery).
- Step towards delivery of strategic community plan objectives.
- Ongoing operational costs reduced.
- Protects against future landfill/residue levy rises.
- Standard service across the metro region – consistent messaging to the WA community (19 of 33 councils are on FOGO).
- Better Bins Funding available.

Challenges:

- Service change for residents.
- Behaviour Change.
- Fortnightly red lid bin collection (Resident concerns around odour, pests, capacity, etc.).
- Multi-unit dwellings (unique set of challenges).
- Approx 28% of dwellings currently without a 3rd green lid bin.

Relevant Policies, Legislation and Council Resolutions

The introduction of a FOGO system aligns with an objective of the City's Strategic Community Plan to '*Support a low-waste, circular economy that protects our environment from impacts of waste*'.

'The City aims to support a circular economy which reduces consumption and recaptures waste to be reused or recycled. To achieve this, we will provide a comprehensive waste management and recycling service to our community to reduce the impact of waste on our environment. We will also reduce waste generated through our own operations and engage and educate our community to reduce, reuse and recycle.'

The service change would also align with the Western Australia Waste Strategy 2030 that suggests "A consistent three bin kerbside collection system, which includes separation of food organics and garden organics from other waste streams, to be provided by all local governments in the Perth and Peel region by 2025 and supported by State Government through the applications of financial mechanisms."

Legislation:

[Waste Avoidance and Resource Recovery Act 2007.](#)
[Local Government Act 1995](#)

Sustainable Stirling 2022-2032

Key Result Area: Our natural environment

Objective: A waste-wise City

Priority: Increase the City's use of recycled and recyclable materials

Priority: Reduce the City's waste generation

Priority: Improve resource recovery for all waste streams across the City

Priority: Support, engage and guide our community to reduce waste generation and divert waste from landfill

Strategic Risk

Strategic Risk	Risk Appetite
Environment	The City will prioritise protection, enhancement and sustainability of the natural environment unless this cannot be achieved without significantly compromising the City's economic or social sustainability.

Relevant Documents and Information

Attachments

Attachment 1 - Attachment 1 - FOGO Business Case (previously circulated to Elected Members under confidential separate cover)

Attachment 2 - Attachment 2 - FOGO Project Timeline [↓](#)

Available for viewing at meeting

Nil

Linked Documents

Nil

Business Case Attachment 1: High level project timeline																								
Tasks and milestones	2023/2024												2024/2025											
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Council approval received																								
COMMUNICATIONS PLAN																								
Media release / News Story																								
Awareness building (phased waste education, activations, events)																								
Lead-up and launch of service																								
Immediately post launch																								
Post launch embedding of FOGO service & ongoing evaluation																								
PROCUREMENT																								
Procurement activities (separable portions for kerbside collection and processing services and infrastructure provision and roll-out)																								
INFORMATION TECHNOLOGY SYSTEMS																								
Data gathering & analysis tools, communication channels, site visits																								
LOGISTICS																								
Recruitment, training, rollout, post roll-out follow-ups																								
FOGO Service Commences																								
Single unit dwellings (SUDs)																								
MONITORING & EVALUATION																								
Post rollout service evaluations, diversion and contamination rate monitoring, targeted comms for improvement and participation.																								
FOGO Service Commences (tailored roll-out)																								
Multi unit dwellings (MUDs)																								

Council Resolution

0424/006

Moved Councillor Perkov, seconded Councillor Proud

That the balance of the Community and Resources Committee recommendations be ADOPTED by exception resolution in accordance with Clause 4.7 of the City of Stirling Meeting Procedures Local Law 2021.

The motion was put and declared CARRIED (12/0).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Papparde, Perkov, Proud and Mayor Irwin.

Against: Nil.

Councillor Chris Hatton disclosed an Impartial Interest in Item 12.1/SP1 as the applicant Friends of Lake Gwelup is known to him.

Councillor Tony Krsticevic disclosed an Impartial Interest in Item 12.1/SP1 as the Rotary Club of Hillarys has worked closely with him from time to time, including giving them donations.

Councillor Karlo Perkov disclosed an Impartial Interest in Item 12.1/SP1 as the applicant Friends of Lake Gwelup is known to him.

12.1/SP1 COMMUNITY GRANTS PROGRAM - ROUND 3 LARGE GRANTS

Business Unit:	Strategy and Performance	Service: Strategy & Performance
Ward:	City Wide	Location: Not Applicable
Applicant:	Not applicable	

Role

Executive - *Governing the City and the community through executive powers.*

Council Resolution

0424/007

Moved Councillor Perkov, seconded Councillor Proud

That Council APPROVES the Community Grants Program Round 3 Large Grant recommendations for a total cash amount of \$96,665.85 as per Attachment 2.

The motion was put and declared CARRIED (12/0) by exception resolution.

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Papparde, Perkov, Proud and Mayor Irwin.

Against: Nil.

Committee Recommendation

That Council APPROVES the Community Grants Program Round 3 Large Grant recommendations for a total cash amount of \$96,665.85 as per Attachment 2.

Officer's Recommendation

That Council APPROVES the Community Grants Program Round 3 Large Grant recommendations for a total cash amount of \$96,665.85 as per Attachment 2.

Purpose

To approve the Community Grants Program Round 3 Large Grant applications that have been recommended for funding by the City's internal grant assessment panels.

Details

At its meeting held 20 June 2023, Council resolved to adopt the City's new Community Grants Policy. This policy replaces the Community Arts and Events Policy, the Grants and Funding Policy and the Financial Assistance, Donations, Grants and Recognition Policy.

On 1 July, the City launched its new Community Grants Program, a centralised approach to the distribution of grants to the community. The Community Grants Program Guidelines provide detail on eligibility requirements and priorities for the program. Grant funds will be distributed to the community via five grant streams:

- Active and Healthy Communities
- Innovative and Productive Communities
- Locally-led and Creative Communities
- Sustainable Communities
- Vibrant Communities

An overview of the priorities and eligibility criteria for each grant stream can be found in the Community Grants Program Guidelines (Attachment 1). Three types of grants are available - small, medium and large. Grant applications are assessed by a panel of City officers who provide recommendations for funding. As per the Guidelines those applications recommended by the panel to receive \$20,001 or more will be submitted to Council for approval.

Small and medium grants, which are those recommended by the panel to receive \$20,000 or less, will be submitted to a City Director for approval. All grants awarded or declined will be reported on a quarterly basis to the City's Audit Committee to provide full transparency to Council and all successful grant projects will be listed on the City's website to ensure this information is provided to the community. Prior to Round 3 a total of \$703,939 was distributed in grant funds of the total funding pool of \$1,084,200.

Round 3 Large Grant Recommendations

Round 3 of the Community Grants Program opened on 1 February and closed on 29 February 2024 with 14 small, 23 medium and eight large applications received. Of the 14 small and 23 medium grant applications, a total of six small and 12 medium applications were approved by a City Director for a total value of \$148,465.46.

Of the eight large grant applications, four applications have been recommended by the City's assessment panels with a total cash value of \$96,665.85. A summary of the recommendations can be found in the table below:

Applicant	Activity	Grant Stream	Score	Grant Amount Recommendation
Crumbs in the Wall	Parklet at 225 Main Street, Osborne Park	Innovative & Productive Communities	75	\$20,991.85
Rotary Club of Hillarys	Rotary Carine Community Fair	Vibrant Communities	70	\$21,000
Salty Folk Inc.	Summer X Salt Markets 2024/25 Season	Vibrant Communities	79	\$31,000
Friends of Lake Gwelup	2024 Program for Lake Gwelup	Sustainable Communities	70	\$23,674

A detailed assessment is provided (Attachment 2) which outlines further information including the activity details, assessment panel score, recommended grant amount and estimated value in kind (VIK) contribution by the City. Please note that to ensure an accurate picture of the VIK costs associated with these grant activities will be reported as part of an update to the Audit Committee on 20 May 2024.

A table outlining all ineligible or declined large grant applications is also provided for information (Attachment 3). One large grant application that was received in Round 3 was recommended for partial funding and deferred to a medium grant category which was approved by a City Director.

All approved small, medium and large grant applications are published on the City's website [here](#).

Financial Assessment and Implications

A total funding pool of \$1,084,200 for the Community Grants Program is included in the City's Corporate Business Plan and Budget for 2023/2024. A total of \$703,939 has been distributed via the Community Grants Program this financial year. The large grants recommended within Round 3 of \$96,665.85 are within current budget parameters.

Stakeholder Engagement

The Community Grants Program has been promoted widely in the community. A targeted marketing campaign launched the new program with flyers placed in community centres, libraries and the City's Administration Centre, along with various social media advertising. A new webpage was created to provide one central point on the City's website for all grant related information. A contact list was also developed and utilised to distribute newsletter updates. Past applicants were also contacted directly to notify them of the new grants program.

In the first week of July, information sessions for potential applicants were held to provide an overview of the Community Grants Program which included a Q&A session. The workshops were held at the following locations:

- Tuesday, 4 July from 4.30pm - 6.30pm at the Reception Hall.
- Wednesday, 5 July from 5.30pm - 7.30pm at Scarborough Community Centre.
- Thursday, 6 July from 5.30pm - 7.30pm at Herb Graham Recreation Centre.

Ahead of Round 3 of the Community Grants Program, additional information sessions were also held as follows:

- Wednesday, 7 February from 5.00pm – 6.30pm at Scarborough Community Centre
- Thursday, 15 February from 5.00pm – 6.30pm at Herb Graham Recreation Centre

The City also offers all applicants the opportunity for pre-lodgement advice to assist with the development of grant applications.

Recommended Action

That Council APPROVES the Community Grants Program Round 3 Large Grant recommendations for a total cash amount of \$96,665.85 as per Attachment 2.

Relevant Policies, Legislation and Council Resolutions

Community Grants Program Policy and Guidelines

[Local Government Act 1995](#)

Meeting Date	Council Resolution Number	Council Resolution
20 June 2023	0623/023	<i>"That Council ADOPTS the City of Stirling Community Grants Policy, to replace the Community Arts and Events Policy; the Grants and Funding Policy; and the Financial Assistance, Donations, Grants and Recognition Policy."</i>

Sustainable Stirling 2022-2032

Key Result Area: Our leadership

Objective: A well-governed City

Priority: Comply with legislation, standards and obligations

Strategic Risk

Strategic Risk	Risk Appetite
Governance	The City will act with integrity and implement appropriate processes and controls to avoid breach of legislation.
Purpose	The City will pursue community and sector leadership through forward thinking decision making, and alignment of its services and operations with its strategic objectives.

Relevant Documents and Information

Attachments

Attachment 1 - Community Grants Program Guidelines [↓](#)

Attachment 2 - Round 3 Recommended Large Grant Applications [↓](#)

Attachment 3 - Ineligible/Declined Round 3 Large Grant Applications (previously circulated to Elected Members under confidential separate cover)

Available for viewing at meeting

Nil

Linked Documents

Nil



Community Grants Program Guidelines





Acknowledgement of Country

Ngalak kaadatj Nyoongar nedingar wer birdiya, baalap barn boodja-k wer kaaratj boodja-k koora koora wer yeyi.

Ngalak kaadatj baalabang malayin wer nakolak baalap yang ngalany-al City of Stirling dandjoo Nyoongar moort-al kolbang koorliny.

City of Stirling kaadatj Nyoongar moort Nyoongar boodja-k Wadjak boodja-k, Mooro boodja-k.

The City of Stirling acknowledges the Wadjak people of the Nyoongar nation as the traditional custodians of Mooro country. We pay our respects to Aboriginal and Torres Strait Islander Elders past and present, for they hold the memories, the traditions, the culture and the hopes for Aboriginal Australia.

The City is committed to forging stronger relationships and a deeper respect for Aboriginal and Torres Strait Islander Australians. By acknowledging and respecting the diversity and history of our Aboriginal and Torres Strait Islander community, we will continue to realise our vision for reconciliation.

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About the City of Stirling

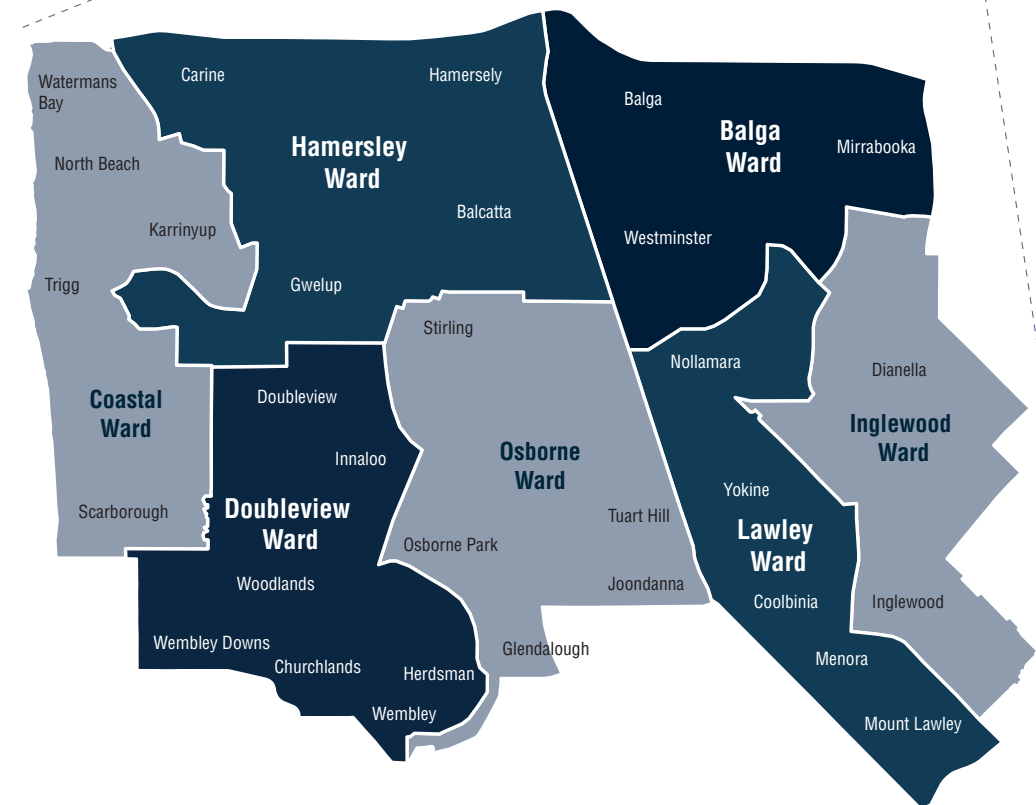
The City of Stirling (the City) is located 8km north of Perth's central business district and covers an area of around 100km². Spanning 30 suburbs – from Scarborough in the west to Inglewood in the east, and from Hamersley in the north to Herdsman in the south – the City is a thriving cosmopolitan, multicultural and economic hub.

We are the largest local government area by population in Western Australia and a leader in achieving social, economic and environmental outcomes by connecting with our community and celebrating the diversity of the City of Stirling.

We are committed to working in partnership with groups, organisations and individuals to strengthen our community and deliver our long-term vision 'to be a sustainable City with a local focus.'

The Community Grants Program is guided by this vision which can be found in our Strategic Community Plan, Sustainable Stirling 2022-2032, and provides financial support for activities and events that help us realise this vision and the objectives in our Plan.

As part of your application we encourage you to refer to Sustainable Stirling 2022-2032 to help you demonstrate how your activity fits with our priorities and will benefit the City of Stirling community.



About the Community Grants Program

The City of Stirling's Community Grants Program aims to build the sustainability of our community through one transparent, consistent and inclusive process. We will provide a range of grants that are aligned to the priorities of our Council and meet the diverse needs of the community. We will support activities that represent excellent value and do not duplicate existing services provided by the City or grants provided by other organisations.

These guidelines provide an overview of our grants process and should be read in conjunction with each grant stream fact sheet that outline specific eligibility criteria.

We look forward to supporting many exciting, innovative, and important community initiatives through our Community Grants Program. We are available to guide you through this process and offer a pre-lodgement advice service. We encourage you to contact us in advance if you are considering applying for a grant or attend one of our information sessions held at the commencement of each grant round.

The process will be reviewed annually to ensure it aligns with Council and community expectations.



Grant Streams

The City of Stirling provides grants across five areas referred to as grant streams. Activities funded through the Community Grants Program must demonstrate that they support the City of Stirling's overall vision and the priorities outlined below in one of the following grant streams:



Active and Healthy Communities

Activities that:

- Promote active and healthy lifestyle choices
- Facilitate access to recreation and leisure opportunities
- Increase access to health services and support.



Locally-led and Creative Communities

Activities that:

- Facilitate social connections and access to services locally
- Build strong relationships with our multicultural and diverse community
- Support the City's cultural sector to create vibrancy in local areas
- Improve the liveability and identity of local areas.



Sustainable Communities

Activities that encourage the community to:

- Transition to net zero emissions
- Conserve and protect water resources
- Connect with nature and improve biodiversity in the City
- Reduce waste generation and divert waste from landfill.



Vibrant Communities

Events that:

- Increase participation in community life
- Increase visitor and economic activity in local areas
- Encourage and support tourism growth.



Innovative and Productive Communities

Activities that:

- Attract and promote investment and partnership opportunities
- Support innovation and entrepreneurship in local business
- Activate local centres to increase visitor and economic activity.

Grant Types

Within each grants stream, four different grant types are available, each with their own requirements. A total funding pool of approximately \$1 million dollars will be available.

Grant type	Package	Available	Outcome notification
Quick response	Up to \$2,000	Available year round	10 business days
Small grants	\$2,001 - \$5,000	Available quarterly	30 business days from round closure
Medium grants	\$5,001 - \$20,000	Two rounds per year	30 business days from round closure
Large grants	\$20,001+	Two rounds per year	50 business days from round closure

The Community Grants Program rounds will open on 1 July each financial year and will run until all funds are exhausted. Applications for the first round of grants will close on 31 July.

Additional grant rounds will occur during the year. Be sure to check the closing dates published on our website at www.stirling.wa.gov.au/grants. Applications close at 5pm on the due date.

Applicants will not be able to receive more than two grants within the same financial year.

Please note that late applications will not be accepted.

Quick Response Grants

The quick response grants are for small amounts up to \$2,000 and will be quickly assessed. Grants are provided throughout the financial year, with an anticipated notification time of 10 business days from receipt of application.

Grants will be provided to eligible individuals, community groups and organisations for activities that fit within one of the grant streams found on page 7. Please visit www.stirling.wa.gov.au/grants and view each grant stream fact sheet to see specific eligibility criteria.

Additionally support for organisations to become incorporated (up to the value of \$1,000) or insurance costs for public liability (up to the value of \$500) may be applied for.

Applications will not be accepted for activities that have already occurred. Applicants will not be able to receive more than one Quick Response Grant within a financial year.

Small Grants

Small grants of between \$2,001 - \$5,000 are available quarterly. Applications will be assessed by a Community Grants Panel and recommendations will be submitted for approval by a delegated City Officer. Applicants will be notified within 30 days of the closing date.

Grants will be provided to eligible individuals, community groups and organisations for activities that fit within one of the grant streams found on page 7. Please visit www.stirling.wa.gov.au/grants and view each grant stream fact sheet to see specific eligibility criteria.

Applications will not be accepted for activities that have already occurred. Once the funded activity is completed, evidence of the grant terms and conditions will be required and may be subject to audit.

Medium Grants

Medium grants between \$5,001 - \$20,000 are available via two grant rounds. Grant rounds will open on 1 July and 1 February each financial year. Applications will be assessed by a Community Grants Panel and recommendations will be submitted for approval by a delegated City Officer. Applicants will be notified within 30 days of the closing date.

Grants will be provided to eligible individuals, community groups and organisations for activities that fit within one of the grant streams found on page 7. Please visit www.stirling.wa.gov.au/grants and view each grant stream fact sheet to see specific eligibility criteria.

Applications will not be accepted for activities that have already occurred. Once the funded activity is completed, evidence of the grant conditions will be required and may be subject to audit.

Please note that late applications will not be accepted.

Large Grants

Large grants of over \$20,001 are available via two grant rounds. Grant rounds will open on 1 July and 1 February each financial year. Applications will be assessed by a Community Grants Panel and recommendations will be submitted for approval to Council. Applicants will be notified within 50 days of approval.

Grants will be provided to eligible individuals, community groups and organisations for activities that fit within one of the grant streams found on page 7. Please visit www.stirling.wa.gov.au/grants and view each grant stream fact sheet to see specific eligibility criteria.

Applications will not be accepted for activities that have already occurred. Once the funded activity is completed, evidence of the grant conditions will be required and may be subject to audit.

Please note that late applications will not be accepted.

Value in-kind

Value in-kind components of grant packages will be assessed on a case-by-case basis for the following:

- Venue hire of City-managed facilities (venue bond charges and any other costs associated with the event/project will still apply)
- Promotion (provided by the City via existing marketing and communication channels);
- Waste management
- Development Application fees
- Other City services as deemed appropriate.

These services will form part of the total grant package. Please discuss value in-kind contributions from the City of Stirling with the Grants Officer before submitting your application and these will be assessed on a case-by-case basis.



Eligibility Criteria

Who can apply?

We provide a variety of grants to different entities which are listed below:

- Not-for-profit community groups
- Incorporated associations
- Applicants through an auspice arrangement
- Commercial businesses
- Registered schools
- Individuals
- Community groups.

Not all grant streams/types are available to all entities so please check below and the specific grant stream fact sheet before you apply.

Applications from Schools, P&Cs, P&Fs and other educational institutions must be in accordance with the eligibility for the grant stream they are applying for and satisfy the following additional criteria:

- There is an identified community need for the project or activity
- The project or activity provides benefit to and is accessible to the wider City of Stirling community (clearly outside the Education Department's area of responsibility)
- There is a financial or in-kind contribution of at least 50% or more to the project or activity.

	Individuals/groups with no abn	Small business with abn	Registered schools	Not-for-profit organisations and incorporated associations
Active and Healthy Communities	○		●	●
Innovative and Productive Communities		●		●
Locally-led and Creative Communities	○	●	●	●
Sustainable Communities	○	●	●	●
Vibrant Communities				●

○ Eligible with conditions (eg. only under quick response category) ● Eligible



What could be funded?

To be eligible for a grant in the City's Community Grants Program applicants must:

- Be based within the City of Stirling and/or provide the activity within the boundaries of the municipality
- Demonstrate that the program, event or activity benefits the City of Stirling community
- Demonstrate that the program, event or activity aligns with one or more of the City's Sustainable Stirling 2022 – 2032 objectives
- Hold an adequate public liability insurance policy
- Disclose if the activity has received funding outside of the grants program
- Demonstrate they have the resources and experience to deliver the activity
- Be able to appropriately acknowledge the City of Stirling's support
- Have complied with all terms and conditions, including project delivery and acquittal reports, for any previous grants
- Have no overdue debts to the City.

What won't be funded?

The City of Stirling does not provide grants for activities that:

- Support recurrent operational funding, including but not limited to, wages, salaries or administrative overheads - an exemption applies to community group insurance
- Are outside of the City of Stirling local government area
- Are commercial, have the potential to make significant profit or be self-sustaining
- Promote the core beliefs of political or religious groups
- Duplicate existing services already delivered by the City
- Donations or fundraising for recurrent operations
- Have received another City of Stirling grant for the same activity in the same financial year
- Are the funding responsibility of other levels of government.



Application process

How do I apply?

Once you have confirmed that you and your activity is eligible within the City's Community Grants Program, you need to submit your application online using a program called SmartyGrants.

SmartyGrants lets you complete sections of your application in stages, save your progress and return to it later so you don't need to complete it all at once. Your application will be stored online, so there's no need to save it to your computer.

Important notes on using the SmartyGrants online form

SmartyGrants is user friendly, but please keep the following in mind:

- It is helpful to read the SmartyGrants Help Guide for Applicants before you start the application form
- Allow plenty of time to complete your online application, so that if you run into difficulties, you can receive support from a City of Stirling Grants Officer before the closing date
- As part of completing the form, you need to upload supporting documents - files must not be greater than 25mb however are best kept under 5mb each

- If you aren't familiar with uploading files, please see if someone in your group knows how, or contact our Grants Officer
- Please ensure the supporting documents you upload are the appropriate documents required for your application
- To avoid losing your work, remember to regularly save your progress in SmartyGrants every 10-15 minutes, as the form logs you out after 30 minutes of inactivity.

Support for applicants

We highly recommend contacting the City for pre-lodgement support prior to submitting your application. Please contact the City's Grants Officer. Information sessions are also conducted at the commencement of each round for applicants. Please see our website for information session details.

Additionally, you'll find all the information you need to know at www.stirling.wa.gov.au/grants.

Please visit www.stirling.wa.gov.au/grants to check opening and closing dates of each grant round. Applications close at 5pm on the due date. Please note that late applications will not be accepted.



Assessment process

How will my application be assessed?

We assess eligible applications using the criteria listed below and grants are awarded based on merit.

% of score	Criteria (what you need to tell us)	Measure (how we will assess it)
25%	<ul style="list-style-type: none"> • What is your activity? • How does it achieve the criteria within the grant stream you have applied for? • What are the expected outcomes of the activity? 	<ul style="list-style-type: none"> • Are the aims and outcomes clearly identified and do they align with at least one of the objectives of Sustainable Stirling 2022-2032? • Does the activity deliver the specific criteria/outcomes of the grant stream?
40%	<ul style="list-style-type: none"> • Why is the project important? • How will the local community benefit from your activity? • Who will be involved in your activity? • How will you know if your activity is a success? 	<ul style="list-style-type: none"> • Is there a clearly identified and demonstrated local need for this project? • How effectively will the project meet this need? • How many City of Stirling participants will benefit? • Is there anything else like this in Stirling? • Does the application provide evidence of community support or partnerships?
35%	<ul style="list-style-type: none"> • What do you need to deliver the activity? • What do you have planned? • What is your budget? • Will you be contributing towards the project? • How will you manage your budget? • Will there be any benefits beyond the life of the funding period? 	<ul style="list-style-type: none"> • Does the applicant have the necessary resources and experience to successfully manage the project or program? • Is the project well planned and achievable within the timeframes? • Is the budget clear and realistic? • Is the activity/project financially viable and does it demonstrate value for money? Is there evidence of financial and/or in-kind contribution? • Will the proposed project and its outcomes continue beyond the funding period?

Please note, these are example questions only. Further information is available in the specific grant stream fact sheets and within the Community Grant Program application forms at www.stirling.wa.gov.au/grants

Stages of the Assessment Process

The assessment process involves several stages, which is why it takes some time before you are notified of the outcome of your application.

The Community Grants Team conduct eligibility checks based on the Community Grants Policy and Guidelines. Applications that meet the eligibility criteria progress to the next stage.



Eligible applications are then assessed by a Grant Assessment Panel who will come up with a list of applicants recommended to receive a grant.



Applications recommended for grants under \$20,000 will be approved by a delegated City Officer.



Applications recommended for grants of more than \$20,001 are presented to Council for approval.



All applicants, successful or unsuccessful will be notified in writing.

Outcome

All decisions regarding grant outcomes are final.

We will notify you in writing of the outcome of your application. Please refer to page 8 to see when you will receive notification of the outcome of your application.

Approval of a grant does not imply that the City has given any other approval. Applicants should note that many activities (including events and projects) that require approvals or permits from the City of Stirling or any other State Government agencies will need to be obtained separately or the City may revoke the grant.

Unsuccessful applications

If your application is not successful, the decision does not necessarily reflect the worthiness or community benefit of the proposal. The City's Community Grants Program is a very competitive process and the number of applications may exceed the funds available. All applicants are encouraged to arrange a phone or face-to-face meeting with the Senior Grants Officer to discuss feedback from the assessment panel on their application.

Payments

Once contracts are finalised, payments are processed with a standard period of a 30-day turnaround time from the invoice date or within seven days of providing your details for a direct transfer as a RCTI (Recipient Created Tax Invoice).



Grant agreements

Successful applicants must enter into a written grant agreement as supplied by the City of Stirling before any funds are provided. You must not commence your activity until the funding agreement has been signed by both parties.

The grant agreement will outline:

- A description of the activity for which the grant is being provided
- Amount of the grant being provided
- Value-in-kind services being provided
- Schedule of payment for grant

- Timeline of the activity
- Activity objectives and outcomes
- Approved budget
- Recognition and acknowledgement requirements
- Acquittal report requirements including the date the report is due
- Other grant conditions.

If the activity does not proceed, or if the activity does not meet the Terms and Conditions within the grant agreement, the grant must be returned partially or in full.



Recognition requirements

Acknowledgement of the City's support

If you receive a grant from the City of Stirling, you'll be required to acknowledge the City's support. The level of recognition required depends on the type of grant you receive. These details can be found in the table below:

Recognition	Quick response grants	Small grants	Medium grants	Large grants
Verbal acknowledgement of the City of Stirling in all speeches, presentations, advertising and media releases associated with the activity or event				
Photographs of the event or activity provided to the City				
Displays the City of Stirling logo on all promotional material associated with the activity invites, brochures, posters etc)				
Display the City of Stirling logo on signage displayed at the event or activity				
Invite a City of Stirling Council representative to the event or activity				
Display the City of Stirling logo on the organisation's website and social media pages				
Acknowledgement of funding in the organisations Annual Reports, newsletters etc				
Submit a media release on the event or activity				
City of Stirling promotional opportunity (i.e. media, advertising or publication) as agreed. This may include quotes from the Mayor on behalf of the City				
Display the City's logo on equipment or uniform purchase for the event or activity (ie. Organisation polo shirts)				
Joint naming/presenting rights for the project, activity or event				
Additional arrangements as agreed				

Reporting and acquittals

Once you have completed your activity you will be required to submit a report to the City of Stirling to acquit the grant via SmartyGrants.

Acquittal reports provide feedback to the City on the success of the approved activity, relevant data, images or video and any lessons learnt. You must provide detailed financial reports. You may be asked to provide further documentation and evidence of expenses.

If the grant is valued at more than \$20,001, we may request you provide audited financial statements on acquitting the activity.

Acquittal reports for quick response grants must be submitted no later than one month after the activity has been completed.

All other grants require final reports to be submitted no later than three months after the agreed completion date of the activity, unless otherwise agreed in your funding agreement.

As part of the Community Grants Program accountability process, we reserve the right to audit any and all grant recipients for compliance with the grant conditions and expenditure of grant monies received.



FAQs

What does it mean to be incorporated?

Groups can be set up for many social, sporting and community purposes. Incorporating an association provides a simple and affordable way for you to establish a group as a legal entity.

As an example, if an unincorporated group needs to rent a property or arrange insurance, an individual member would need to sign under their name, placing them at personal financial risk.

An incorporated group can instead do this under the group name, which shares and reduces the risk to individual members.

Your community group may not want to become incorporated, particularly if you only ever handle small amounts of money, and have no need to enter into legal agreements. However, many grants are unavailable to unincorporated groups, and this is why auspicing is suggested in these situations.

For more information on incorporation, refer to the following helpful guides:

A Guide for Incorporated Associations in Western Australia: www.commerce.wa.gov.au/books/inc-guide-incorporated-associations-western-australia

What is auspicing?

You can approach a larger organisation to partner with your community group/organisation to fund a grant. This is helpful if you are otherwise ineligible for the grant (for example, if your group is not incorporated.)

The 'auspice organisation' takes responsibility (legal and financial) of the grant on your group's behalf.

They will sign your grant agreement, receive and distribute grant funds under the grant agreement, ensure activities or events are completed, and submit accountability and evaluation reports on your behalf. Your group/organisation will still be known as the 'grant recipient'.

Important information on auspice organisations:

- The auspice organisation you choose must be incorporated and have an ABN.
- The auspice organisation accepts legal and financial responsibility for the grant and will need to meet all eligibility criteria and provide public liability insurance coverage for the project(s).
- Grant money will be paid to the auspice organisation, not the applicant.

If you choose to apply for a grant as part of an auspice agreement, you need to provide the auspice organisation's contact details, ABN, their most recent financial report, and evidence outlining your agreement with them.

Does my group need an ABN?

Your group may need to supply an ABN as part of your application. An ABN refers to an Australian Business Number issued by the Australian Taxation Office (ATO). If your organisation has an ABN, it must be included in your application.

The holder of the ABN is either:

- Registered for the Goods and Services Tax (GST) or
- Not Registered for the Goods and Services Tax (GST).

It's a good idea for any incorporated group to register for an ABN. You can read more at the ATO website www.ato.gov.au/business/registration.

What if my group doesn't have an ABN?

If your organisation doesn't have an ABN, you're requested to complete a Statement by Supplier Form and lodge it together with your application. The form is available on the Australian Taxation Office's

(ATO) website: www.ato.gov.au/forms/statement-by-a-supplier-not-quoting-an-abn/

Please note, if you don't have an ABN and don't supply this form, we are obliged to take 46.5% of the grant allocated and send this to the ATO. For information about taxation, contact the ATO

on 13 28 66 between 8am and 6pm Monday-Friday, or visit www.ato.gov.au.

If you want to talk to a Tax Officer and require an interpreter, you can call the Translating and Interpreting Service on 12 14 50.

If you have a hearing or speech impairment and have access to appropriate TTY or modem equipment, you can phone 13 36 77.

If you have access to TTY or modem equipment, you can phone the Speech to Speech Relay Service on 1300 555 727.

Why do we need public liability insurance?

We understand that Public Liability Insurance (PLI) may cost a significant amount, however the risks of not having PLI could cost your group much more.

Your community group/organisation will most likely interact with the public as part of running your activities or events. While it's unlikely anything will go wrong, mishaps can occur, and a member of the public could be injured or a property damaged.

PLI protects your group/organisation against the liability to pay damages for a bodily injury, death, or for property damage that occurs as a result of an activity you run. It also covers the legal costs you would face if you had to defend a claim for bodily injury or property damage.

Because of the enormous potential costs your group could face if something went wrong and you didn't have PLI, we only fund groups who manage the risk by having PLI.

Why doesn't the City of Stirling's public liability insurance cover our activity?

The City of Stirling has taken out its own very specific Public Liability Insurance (PLI) policy, which covers specific activities and locations. The Community Grant Program funds community-led events and activities and therefore is outside the scope of City's PLI.

Can you organise our public liability insurance for us?

There are many variables when calculating PLI, such as the type of activities being run, how many activities take place, and where. Therefore each group is unique and needs to have its own PLI.

We don't have public liability insurance yet, can we still apply?

To help new groups apply for grants, you are able to apply for our Quick Response before you have PLI but if your application is successful, you must prove you have PLI by the time you sign your contract, or you won't receive the money.

Important note:

PLI doesn't cover everything you may expect it to. You may need separate insurance when required, such as volunteers' insurance to cover volunteers in the event of an injury claim, or building and contents insurance, to cover damage to a property in your organisation's control (if you're renting a space).

What is an income and expenditure statement?

Whether it's called an Income and Expenditure Statement or a Profit and Loss report, this is a summary of income and expenses for your group that shows how much money has actually been spent against what type of activity. i.e. \$150 on catering for five events, \$200 on printing, \$300 on advertising, \$2,600 on wages. You can see an example as part of a board's financial report at www.ourcommunity.com.au

Do you have a question we haven't covered?

Please visit www.stirling.wa.gov.au/grants or call (08) 9205 8555 and ask to speak to the Senior Grants Officer. Alternatively, you can email grants@stirling.wa.gov.au







Administration Centre 25 Cedric Street Stirling WA 6021

Telephone (08) 9205 8555

Enquiries www.stirling.wa.gov.au/enquiries

Web www.stirling.wa.gov.au | [f](#) [@](#) [in](#) [t](#) [v](#) [/citystirlingwa](#)

This information is available in alternative formats on request. Please contact the Customer Contact Centre on (08) 9205 8555.

Applicant:	Crumbs in the Wall
Activity:	Parklet
Location:	225 Main Street, Osborne Park
Grant stream:	Innovative and Productive Communities – Large Grants

Assessment

Total Averaged Weighted Score = 75

What is the activity?	<p>A parklet at 225 Main St, Osborne Park will serve to enhance the community's access to outdoor recreational spaces and foster social interaction among residents.</p> <p>The proposed parklet project aims to transform an underutilised urban space into a vibrant community hub that promotes health, wellness, and community engagement. The parklet will feature greenery, seating areas and amenities such as trash receptacles, lighting and music, creating an inviting environment for residents and visitors alike.</p> <p>The parklet will feature greenery, seating areas and amenities such as trash receptacles, lighting and music, creating an inviting environment for residents and visitors alike.</p>	Average Weighted Score 20
Why is it important?	<p>The establishment of a parklet at 225 Main St aligns with the goals and priorities of the City of Stirling and the applicant is committed to working collaboratively with the City to bring this project to fruition. It is expected that the parklet will make a positive impact on the community and enhance the quality of life for residents. The centre at main street is an aged facility, with limited seating outdoors for patrons to sit and connect. This parklet will create a new meeting place for City of Stirling residents and increase the attractiveness of the streetscape.</p>	Average Weighted Score 30
How will it be delivered?	<p>Crumbs In the Wall will be responsible for the installation of the non-permanent timber seating platform structure and the ongoing maintenance. Crumbs In the Wall will also be contributing 50% of the cost of the project.</p>	Average Weighted Score 25

Recommendation

Total Activity Budget	Requested Funds	Funded in 2022/23	Recommended funds
\$41,983.70	\$20,991.85	No	\$20,991.85

Applicant:	Rotary Club of Hillarys
Activity:	Rotary Carine Community Fair
Date:	27 October 2024
Location:	Carine Regional Open Space
Grant stream:	Vibrant Communities – Large Grants

Assessment

Total Averaged Weighted Score = 70

What is the activity?	<p>The first Rotary Carine fair was held in 1989 however due to Covid-19 the fair was cancelled for 2020-21 and 2022. 2023 saw the return of the fair being the 32nd year of the Carine Fair to strengthen its position and continue the history.</p> <p>It is expected that participation will increase within the community with the event inclusive of an entertainment lineup based of locals, local schools and community groups. The event will also be promoted to include the local dog activity groups as well as the local running clubs to base two events built in with the fair itself.</p>	Average Weighted Score 17
Why is it important?	<p>The Rotary club has held and managed this event since 1989 as it provides an opportunity to raise money and build awareness whilst engaging with our community. We de-risk and provide a platform for all of these community organisations to come together and be successful in building better relations whilst spreading community spirit and goodwill. Our volunteers collectively put in over 700 hrs of our time into this event and its delivery whilst we work with the City of Stirling.</p>	Average Weighted Score 29
How will it be delivered?	<p>We have delivered this event many times with the network of Rotarians across Western Australia on the delivery. The 2023 Carine fair working group is returning with an expansion of volunteers. We have a database of stall holder and event providers who we call on to deliver services and make stall positions available. The management of all setup is overseen by the Carine Fair Coordinator and the executive team and well as constant consultation with the City of Stirling.</p>	Average Weighted Score 24

Recommendation

Total Activity Budget	Requested Funds	Funded in 2022/23	Recommended funds
\$71,000.00	\$30,000.00	No	\$21,000 plus VIK (venue hire, promotion, waste management)

Applicant:	Salty Folk Inc
Activity:	Summer X Salt Markets
Date:	19/10/2024 to 29/03/2025
Location:	Clarko Reserve, Trigg
Grant stream:	Vibrant Communities – Large Grants

Assessment

Total Averaged Weighted Score = 79

What is the activity?	<p>The Summer X Salt Markets began as a vision to promote local, conscious creatives, artisans and small businesses specifically interested in ocean sustainability and 'the salty life'. Today, Summer X Salt is now known as WA's iconic Surf and Salty Lifestyle Market-Place, a platform that engages and provides positive growth to the creative coastal community, whilst working towards a more sustainable future.</p> <p>Each beachside market showcases a curated line-up of surf and salty inspired artists and designers, small businesses, live music, food and drink trucks steps away from the beach!</p>	Average Weighted Score 20
Why is it important?	<p>The Summer X Salt Markets is an important series of events for the residents of the City of Stirling as it brings vibrancy, joy and positivity to the community.</p> <p>Our series of markets encourage business expansion, growth and stimulation for over 300 small local businesses. Each year our markets bring in over \$1.6million in revenue to the local economy.</p> <p>We collaborate with impact driven organisations such as Saltwater Cleanups for coastal clean ups, Kids Nature Club for sustainable workshops and health and wellness activities such as yoga, pilates and meditation increasing the physical wellbeing and mental health of the community.</p>	Average Weighted Score 32
How will it be delivered?	<p>Salty Folk Inc have been running the Summer X Salt Markets for the last 8 years in the City of Stirling. The team are experienced and trusted in running community events. We have been at Clarko Reserve for the last 5 years and prior to that at Brighton and Scarborough.</p>	Average Weighted Score 27

Recommendation

Total Activity Budget	Requested Funds	Funded in 2022/23	Recommended funds
\$334,425.00	\$50,000.00	Yes \$30,000	\$31,000.00 Plus VIK (venue hire, promotion and

			DA fees)
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Applicant:	Friends of Lake Gwelup
Activity:	Restoring and preserving endemic flora and fauna around Lake Gwelup
Date:	30/05/2024 to 31/12/2025
Location:	Gwelup
Grant stream:	Sustainable Communities – Large Grants

Assessment

Total Averaged Weighted Score = 70

What is the activity?	<p>In 2024 Friends of Lake Gwelup’s (FoLG) activities are aimed at restoring and preserving endemic flora and fauna around Lake Gwelup. Here’s a breakdown of its activities:</p> <ul style="list-style-type: none"> • Tree planting program to increase the tree canopy around Lake Gwelup • Infill planting of site to expand and continue infill planting of Site 4 with 1000 native tube stock plants. • Fauna restoration to reinstate wildlife habitats and monitor wildlife populations around Lake Gwelup. • Wildlife First Aid Training Course for its members 	<p>Average Weighted Score</p> <p>21</p>
Why is it important?	<p>FoLG’s activities are important for promoting biodiversity conservation, restoration habitats, engaging communities in conservation efforts, building climate resilience, raising awareness, and contributing knowledge about local ecosystems. These actions are essential for the long-term health and sustainability of Lake Gwelup and its surrounding environment.</p>	<p>Average Weighted Score</p> <p>26</p>
How will it be delivered?	<p>FoLG plans to deliver these activities through a combination of community engagement, volunteer participation, partnerships with the City of Stirling and research institutions, effective use of technology for data collection and analysis and a range of contractors.</p> <p>FoLG currently has a dedicated committee, a strong volunteer base with approximately 20-25 people who regularly attend its monthly bush care mornings and a following of 2.5K members on Facebook.</p> <p>FoLG will engage the community primarily through social media to encourage participation, raise awareness of the importance of its activities and to connect the community.</p>	<p>Average Weighted Score</p> <p>23</p>

Recommendation

Total Activity Budget	Requested Funds	Funded in 2022/23	Recommended funds
\$88,747.84	\$38,747.00	Yes	\$23,674.00

		\$1,499.01	
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12.1/ES1 HECTOR STREET SAFE ACTIVE STREET

Business Unit:	Engineering Services	Service: Transport Services
Ward:	Osborne & Lawley	Location: Hector Street, Mitchell Freeway (Osborne Park) to Banksia Street (Tuart Hill)
Applicant:	Not Applicable	

Role

Executive - *Governing the City and the community through executive powers.*

Council Resolution
0424/008
Moved Councillor Perkov, seconded Councillor Proud

That Item ES1 - Hector Street Safe Active Street be REFERRED to the Community and Resources Meeting to be held 21 May 2024 to allow further information to be provided to Elected Members.

The motion was put and declared CARRIED (12/0) by exception resolution.

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Paparde, Perkov, Proud and Mayor Irwin.

Against: Nil.

Committee Recommendation

That Item ES1 - Hector Street Safe Active Street be REFERRED to the Community and Resources Meeting to be held 21 May 2024 to allow further information to be provided to Elected Members.

Officer's Recommendation

That Council APPROVES the implementation of Stage 1 of the Safe Active Street along Hector Street, between Mitchell Freeway (Osborne Park) and Banksia Street (Tuart Hill).

Purpose

To seek Council endorsement of the implementation of the Hector Street Safe Active Street (SAS) project, and to advise on the extensive consultation with the local community and State Government agencies that has led to the detailed design for this route.

Details

Project Origins

The City's approach to the provision of cycling infrastructure has been guided by several strategies and programs.

- In 2009, Council adopted the Integrated Transport Strategy, which seeks to prioritise transport options for pedestrians, cyclists and public transport through the adoption of a New Footpath policy and a strategic cycling network.
- In 2015, Council adopted the Integrated Cycling Strategy (ICS), which defines how the City should deliver a strategic cycling network that caters to the needs of all groups of cyclists, with a particular focus on cycling as a mode of transport for 'everyday people wearing everyday clothes and going to everyday places'.
- Between 2018 and 2020, the Department of Transport developed a Long Term Cycle Network (LTCN) plan. This involved collaboration with 33 local government authorities in Perth and Peel to agree on a long-term aspirational bicycle network for the region that supports and addresses local and regional bicycle connections. This includes strategic cross-boundary routes that link parks, schools, community facilities and transport services. The City's component of the LTCN was endorsed at the Council meeting held on 17 November 2020.

The first primary route developed by the City was the Moorland Street Bicycle Boulevard project, which was constructed in three stages between 2018 and 2020. The next primary route developed by the City under the LTCN is the east-west route known as the Hector Street Safe Active Street (SAS).

Project Description

The proposed Hector Street SAS will provide an important east-west corridor for bicycle riding, as defined within the City's LTCN, ultimately connecting the Mitchell Freeway Principal Shared Path (PSP) with the Midland PSP at the Mount Lawley Train Station. Hector Street was selected as the ideal east-west route based on the Department of Transport's criteria for a SAS, including:

- **Traffic volumes:** A review of average weekday traffic volumes for roads in the general area identified that Hector Street is a quieter street than other east-west routes (McDonald, Roberts, Cape, Lawley), carrying less than 1,500 vehicles per day.
- **Travel speeds:** A review of 85th percentile speeds showed that vehicles on Hector Street were travelling at or below 50km/h, and with relatively short sections between intersections, the introduction of a 30km/h limit will have negligible effect on travel times.
- **Crashes:** A review of 5-year crash data showed a relatively small number of midblock crashes along the Hector Street route. The proposed SAS measures should lead to a reduction in all crashes along the route.
- **Bus route:** Hector Street is not a bus route and only has one intersection (Stoneham) where buses travel across the route. Other local roads such as McDonald Street form part of designated routes.
- **Key connectors:** Stage 1 of the route will provide connection to several key community locations, including five schools, three reserves and a community centre.

The Hector Street SAS is proposed to be constructed in several stages:

- Stage 1 – Along Hector Street, from Mitchell Freeway (Osborne Park) to Bourke Street (Yokine).
- Stage 2 – Along Bourke Street (Yokine) to Bradford Street then Holmfirth Street to Alexander Drive (Coolbinia).
- Stage 3 – From Alexander Drive (Coolbinia) through Mount Lawley and ultimately connecting to Railway Parade (Mount Lawley).

The City submitted a funding application for the Hector Street SAS in August 2020 under the Department of Transport's WA Bicycle Network Program. Due to the deadlines imposed by the Department of Transport, the funding application needed to be submitted prior to the adoption by Council of the LTCN in December 2020. However, the City's application was subject to endorsement of the LTCN by Council.

Stage 1 was initially proposed to extend to Bourke Street, Yokine. However, the \$750,000 maximum funding amount reduced the length of route that could be covered, with Stage 1 now terminating at Banksia Street, Tuart Hill (adjacent to the Tuart College site). The route and alignment of subsequent stages has not been finalised at this stage.

Project Design

The design for Stage 1 was developed in line with the Department of Transport's requirements for the delivery of a SAS. The transformation of Hector Street to an SAS aims to encourage people to replace a few short car trips each week with riding or walking by creating a safer, more attractive and more liveable environment.

The current design for Stage 1 consists of various traffic calming and urban greening features to further support a welcoming and connected neighbourhood. These include:

- Landscaped buildouts and pocket parks, providing space for 100+ additional trees;
- Formalised on-street parking;
- Various traffic calming measures, including:
 - A reduced road width of 4.8m and raised plateaus at the intersections of Hector Street with Albert Street and Stoneham Street, which are aimed at reducing the traffic speed to 30km/h.
 - The implementation of filtered movements (closure for motorised vehicles while supporting active transport options) at the intersections of Hector Street with Main Street and French Street with Hodgson Street, which are aimed at reducing traffic volumes.
 - Change of priority at the Hector Street intersections with Tyler Street and Stoneham Street, which are aimed at supporting the SAS users.

Furthermore, the design included extensive consultation with the local and wider community, internal stakeholders, and several Advisory Groups. The outcome of this consultation process demonstrated a clear majority of support for the project and the selected route.

The detailed design plans for Stage 1 of the project are provided in Attachment 1.

Project Benefits

The provision of safe active transport routes helps to manage congestion and traffic volumes, despite the ongoing population growth. The routes also support and guide people riding bikes and e-scooters away from busy roads towards these dedicated corridors, which minimises conflict and crash risks between motorised vehicles and active transport users.

Beyond the cycling aspect, this project is expected to result in direct benefits to the adjoining residents and the wider community, as detailed below.

- Creating a quieter street to aid health and wellbeing. The 30km/h speed limit is supported by traffic calming measures such as raised intersections and a reduced road width through additional planting and formalised on-street parking to create the necessary 'edge friction'.
- Improved safety and path connections will assist the most vulnerable road users. This project includes the creation of user-friendly pedestrian crossings, improved path connections to local destinations and the introduction of formalised on-street parking. The parking bays will ensure clear sightlines and reduce potential conflicts between people riding or walking and vehicles parked on paths and verges.
- Greening the street to support increased urban canopy cover and the reduction of CO₂ as well as the urban heat island effect. The proposed additional tree plantings and landscaping will create shaded thoroughfares along the route between destinations including local parks and schools. The project will also create an opportunity to work together with the local residents and schools to co-create attractive and waterwise verges and pocket parks.

- Creating a safe and welcoming environment will foster a sense of belonging. Pocket parks and green verge spaces will activate the street by creating more places for neighbours to meet and to nurture and build connections to grow a sense of belonging and enhance the local identity.

Additional Project Benefits

To support the principles of the SAS, the City has also created the initiative Verges of Hector to celebrate the verges, the people, and stories of the street. As a Platinum Waterwise Council, the City will be offering incentives, workshops and support to residents to create sustainable verge gardens. The City's Sustainable Verge Makeover Guide will inform the initiative and we will be collecting verge stories from the street and bringing them to life in a photoblog.

Financial Assessment and Implications

A budget amount of \$1.5 million was listed for the construction of Stage 1 of the Hector Street SAS project on the 2023/2024 Annual Budget and will be carried forward to the 2024/2025 financial year. This amount is based on a co-contribution of 50% from the Department of Transport, which reflects the joint objectives of the State Government and the City in developing a strategic cycling network under the Long Term Cycle Network.

It is anticipated that the funding available will allow the implementation of a section of Stage 1 between Mitchell Freeway (Osborne Park) and Banksia Street (Tuart Hill). Funding for the remaining stages will be sought in future budgets under the normal budgeting process, and with the assistance of funding grants sought from the State Government through the Department of Transport.

Stakeholder Engagement

In line with the City's commitment to drive improvement through community engagement, extensive community consultation has been undertaken from project inception through to the development of the detailed design plan to ensure community expectations for the Hector Street SAS are understood and met.

The following outlines the actions and related responses received during the first two of the three proposed engagement phases.

Engagement Phase 1 – Project Inception (2022-2023)

The City used several methods to inform members of the public and encourage them to get involved in the proposed project. This community engagement process was undertaken at the feasibility stage in March and April 2022, which included the following:

- Direct mail sent to more than 4,500 owners and residents to notify residents along and within 400m of the route corridor and to encourage property owners/occupants to participate in an online survey.
- Emails were sent to around 2,100 residents to cover a wider area along the route.
- Social media posts were targeted to reach residents who live in the suburbs of Osborne Park, Tuart Hill and Yokine, including posts on community group pages.

The City received 170 responses to the online survey, of which 128 responses (75%) supported the proposals and 42 responses (25%) were opposed. Support from residents living along the route was 69% and from those in the wider neighbourhood was 78%. The responses received from this engagement were presented in a Community Engagement Report, which can be accessed via a link at the end of this report. The information obtained from this process allowed the City to progress with the Detailed Design Plan.

Following the consultation on the overall route, a second community engagement process was undertaken in May 2023, where residents were asked to provide input on the treatment of five specific locations referred to as 'pocket parks'. These pocket parks are locations where filtered movements are being proposed to restrict access for motorised vehicles while still allowing through movements for pedestrians and cyclists. This second round of consultation included:

- Direct mail sent to more than 3,000 owners and residents,
- Door knocking on the route from Mitchell Freeway to Wanneroo Road; and
- Three drop-in sessions were held at Grenville Reserve.

For each of the five locations, residents were invited to indicate their preference for one of two options. A total of 52 survey responses were received, and the responses received for these five locations have assisted in the preparation of the Detailed Design Plan. While some reservations were expressed by some directly affected residents, the proposals were largely met with support and a preference for those options that provided a more substantive green space.

Consultation with Schools

In addition to the above, a set of survey questions was sent to the primary schools and colleges along the route to gain their feedback regarding the project.

The Department of Education were also invited to provide their feedback and have sent a letter of support for the project, as provided in Attachment 2. The Department considers the project to be a complementary measure to their strategies aimed at increasing the number of children walking and cycling to school.

It is important to note that, since 2019, every primary school submitting a development application to accommodate increasing student numbers will only receive approval under the condition that the school becomes an active participant of the Your Move School Program. This highlights the importance of supporting schools in their efforts to promote active transport options.

Engagement Phase 2 – Project Familiarisation (January-April 2024)

Responses received during Phase 1 of the consultation provided valuable feedback for the development of the Detailed Design Plan. Commencing January 2024, the aim of Phase 2 of community engagement was to re-engage with stakeholders to seek feedback on the Detailed Design Plan and to raise awareness and understanding within the community to ensure that there are no hidden strong oppositions to the project. A detailed feedback register was maintained throughout the engagement process.

The engagement with the wider community in this round of engagement included the following:

- Update of the Hector Street SAS website ‘Shaping our City’ (February 2024).
- Providing a more descriptive text, figures of the proposed filtered movements (road closures), updated and additional FAQs as well as the updated project timeline and links to important documents such as the design plans.
- Project presentation and information drop-in session (25 February 2024 at Down to Earth Markets, Osborne Park).
- An A1-sized poster clearly showing figures of the proposed filtered movements (road closures) was presented with officers and a print of the full Detailed Design Plan on hand to answer queries and explain the various elements of the plan.
- 3,500 project leaflets delivered (11 March 2024).
- The leaflets clearly stated the project and purpose to inform about the next project steps as well as a link to the updated project website and how to contact the City with enquiries.
- 30 corflute signs set up along Hector Street (9 April 2024).
- Similar to the leaflets, the signs clearly stated the project and purpose to inform about the next project steps as well as a link to the updated project website and how to contact the City with enquiries.

To date, there have more than 350 visits of the project website and three resident enquiries.

Further Consultation with Schools

Throughout February and March 2024, City officers contacted the schools and businesses currently located in proximity of the project. To date, the sporting clubs using Grenville Reserve as well as the Principals of Osborne Primary School and St Denis Primary School could not be reached despite several emails and phone call attempts. The below table shows details of the engagement.

Educational Institution	Contact Record	Outcome
Servite College and St Kieran Primary School	4 emails to Servite College 5 emails to St Kieran Primary School 6 combined emails to both schools 1 meeting with Servite College (15 February 2024) 2 meetings with St Kieran PS (6 February 2024) 1 combined meeting with both schools (5 March 2024)	Servite College are currently developing a masterplan for the site to accommodate extension plans and voiced concerns about the proposed road closure at Main Street. St Kieran Primary School is generally supportive of the project (survey response from April 2022).
Tuart Hill Primary School	6 emails 1 meeting (25 January 2024) Ongoing contact through Your Move Schools Program	Supportive of the project.
St Denis Primary School	2 emails 1 visit (unannounced) 1 call	No reply
Tuart Hill Community Kindy	3 emails 1 visit with kindergarten teacher 1 visit with the parent committee	Supportive of the project, as shown by list of signatures from parents and carers in Attachment 3.
Tuart Hill Baby and Childcare (includes OSH Club for local schools)	3 emails 1 visit and meeting with the owner	Has some concerns about closure of Main Street and how this will impact vehicle access to the facility. City officers discussed the provision of maps showing alternative access ways to/from the centre.

Consultation with Advisory Groups and City of Stirling Internal Stakeholders

Project details with links to the design plans and website requesting feedback were sent to the coordinators of the following Advisory Groups:

- Cycling
- Environment
- Road Safety
- Access and Inclusion

In addition, the project was presented at the meetings of the Road Safety Advisory Group on 20 March 2024 and the Access and Inclusion Advisory Group on 3 April 2024. The Detailed Design Plan is currently undergoing a thorough internal review with a focus on drainage, utilities and maintenance to proceed the drawings to Issued for Construction standard.

Future Phase 3 – Construction (subject to approval)

If approved, all statutory notification requirements will be met, including notification of the commencement of works and the road closures. All required data including traffic and road user counts will be gathered to allow for evaluation of the success and impacts of the project.

During construction, the City officers will work closely together for a smooth delivery of the project, including the scheduling of works in proximity to the schools during school holidays and regular project updates through regular means (community newspaper, website, social media, etc).

Future Phase 4 – Activation (subject to approval)

At the completion of Stage 1, all stakeholders, as defined during Phase 1 and 2 of the engagement process, will be notified and engaged in additional communications and events to activate the new active transport route and neighbourhood. The following post construction actions are proposed:

- Publicly announce the completion of the project through regular means (community newspaper, website, social media, etc).
- Verges of Hector Initiative – A waterwise verge garden initiative engaging the residents directly along the Hector Street SAS.
- Pocket Park Student Design – Engaging the schools in close proximity of the project.
- Activation Events – ‘Walk to school’ and/or ‘VIP ride along’ events inviting the adjacent school students, relevant dignitaries and key stakeholders.

Summary of Major Concerns and Mitigation Strategies

The major concerns communicated by residents, schools and businesses included changes in access to their property, parking issues (particularly in the area of Grenville Reserve) and the implementation of the filtered movement (road closure) at the intersection of Main Street with Hector Street. All but the latter were resolved through further one-on-one communication with the residents and the provision of answers and solutions.

Regarding the implementation of the filtered movement (road closure) at the intersection of Main Street with Hector Street, the main concerns are related to the redistribution of traffic to the adjacent roads and accessibility for parents dropping-off and picking-up kids to/from schools and day care centres. It was also mentioned that additional traffic on Cape Street may lead to further congestion of the already congested road and safety concerns for the parents and students accessing the schools.

With input from the Department of Transport, the following points are provided in response to these concerns:

- Based on the grid like road network surrounding the site (as shown in Figure 1), car drivers are presented with many alternative routes to their destinations equating to all destinations in question remaining accessible.
- Traffic counts on Cape Street (located between Main Street and French Street) show typical weekday traffic volumes of approximately 6,300 vehicles, with peak hour traffic volumes of between 580 and 660 vehicles.
- In contrast, traffic counts on Hector Street (located between Main Street and Waterloo Street) show typical weekday traffic volumes of approximately 850 vehicles, with peak hour traffic volumes of between 70 and 120 vehicles.
- A comparison of traffic counts on Hector Street east and west of Waterloo Street, shows that traffic volumes grow significantly in eastbound direction (AM: growth from 24 to 134 vehicles; PM: growth from 16 to 79 vehicles; refer to Figure 2(a). Similarly, traffic volumes drop in westbound direction (AM: drop from 152 to 94 vehicles; PM: growth from 70 to 46 vehicles; refer to Figure 2(b).
- This data supports the following assumptions:
 - Waterloo Street is being used as an alternative to Main Street to access Hector Street.
 - The additional traffic load on Cape Street between Main Street and Waterloo Street due to the proposed road closure is negligible (additional 24 and 16 vehicles during AM and PM peak respectively).
 - There should be no increase in traffic on Cape Street between Waterloo Street and Stoneham Street, which serves as the major school drop-off and pick-up area.
 - An alternative access via Lawley Street would be the most practical in terms of traffic flow within the school area, with ample unrestricted on-street parking available and existing footpaths supporting a safe stopping and walking environment to/from school.
- The current congestion and safety issues experienced during drop-off and pick-up of students to/from the schools along Cape Street will most likely not be affected by the implementation of the filtered movement at the Hector Street intersection with Main Street. However, the City is obliged to undertake pre and post construction traffic counts, which may support the solution finding process for existing congestion issues along Cape Street.

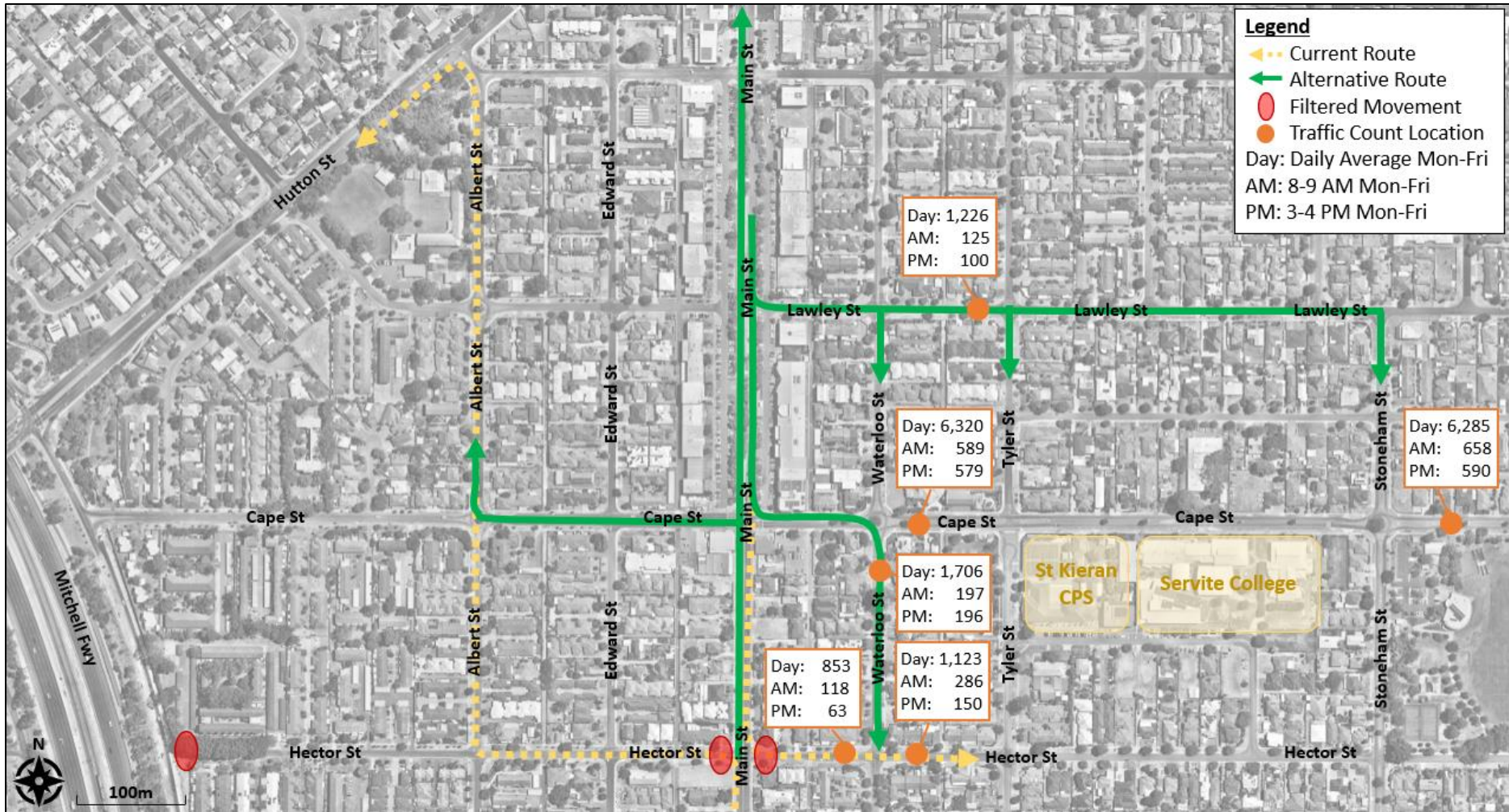


Figure 1: Alternative Access Routes and Existing Traffic Counts

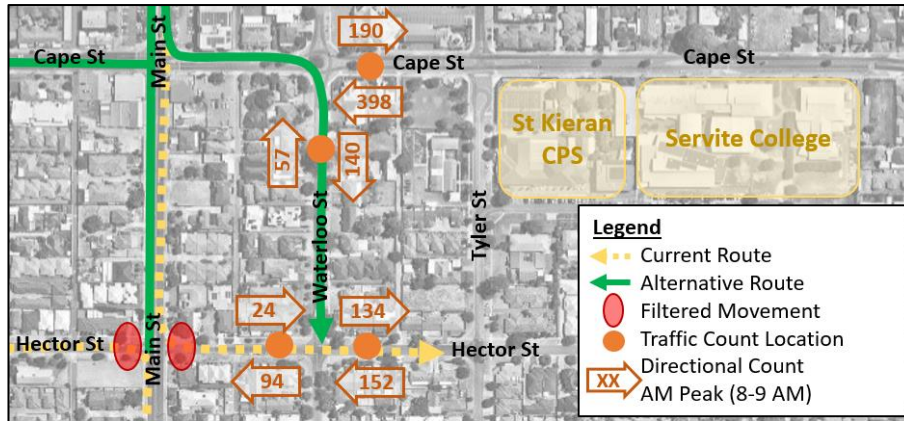


Figure 2(a). Alternative Access Routes and Existing Directional Traffic Counts in AM Peak 8am-9am

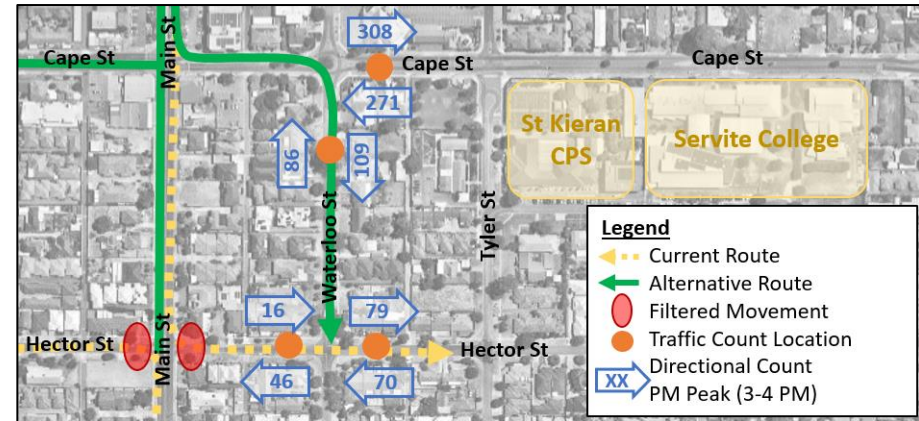


Figure 2(b). Alternative Access Routes and Existing Directional Traffic Counts in PM Peak 3pm-4pm

As proven by previous SAS projects, the implementation of the filtered movement (road closure) at the intersection of Main Street with Hector Street is a necessity to reduce traffic numbers to a level which will be perceived safe for users of the SAS, it is recommended to commence with the proposed SAS design.

To mitigate concerns, the City proposes to further communicate with all stakeholders through regular means (community newspaper, website, social media, etc) and provide information to schools, parents and businesses (daycare centres) including the following:

- Benefits of the SAS;
- Reasoning behind the proposed road closure, including data and outcomes of previously installed SAS; and
- A map showing alternative access routes.

Options Summary

OPTION	
1.	That Council APPROVES the implementation of Stage 1 of the Safe Active Street along Hector Street between Mitchell Freeway in Osborne Park and Banksia Street in Tuart Hill.
2.	That Council DOES NOT APPROVE the implementation of Stage 1 of the Safe Active Street along Hector Street between Mitchell Freeway in Osborne Park and Banksia Street in Tuart Hill.

Recommended Action

It is recommended that Council approves the implementation of Stage 1 of the Safe Active Street along Hector Street, between Mitchell Freeway in Osborne Park and Banksia Street in Tuart Hill. The project will provide numerous benefits to the community, including creating a quieter street to aid health and wellbeing, improving safety and path connections to assist vulnerable road users, and greening the street to support increased urban canopy cover.

Relevant Policies, Legislation and Council Resolutions

[Local Government Act 1995](#)

Sustainable Stirling 2022-2032

Key Result Area: Our built environment

Objective: An accessible and connected City

Priority: Provide a safe network of cycleways and pathways to link people and places

The City's Strategic Community Plan, *Sustainable Stirling 2022-2032*, identifies two emerging priorities: Environmental Sustainability and Connection to Local Areas. The Hector Street SAS project is aligned with the objectives of three key results areas in *Sustainable Stirling 2022-2032*, as detailed below.

- **Our Community**

- *An inclusive and harmonious City:* The Hector Street SAS shared neighbourhood spaces will facilitate social connections and help to build strong relationships within our multicultural and diverse community while providing access to services.
- *An active and healthy City:* Hector Street SAS will encourage active transport options creating a range of recreation and leisure opportunities for the people living in the neighbourhood and the wider community.
- *A safer City:* The reduction in traffic speed and volume will create a shared road space that supports safe active transport for people of all ages and abilities.

- **Our Built Environment**

- *A liveable City:* The Hector Street SAS aims to improve the quality, liveability and identity of the local area by reducing noise and air pollution by decreasing vehicle volume and speed in the area and will further increase amenity through added green space in buildouts and pocket parks as well as the Verges of Hector initiative.
- *An accessible and connected City:* The Hector Street SAS will connect to existing and future shared paths, significantly contributing to a safe network of cycleways and pathways. This will provide high-quality safe routes for pedestrians and cyclists to access and connect with public transport options including bus stops and Scarborough and Glendalough train stations. The enhanced accessibility will reduce vehicle reliance as well as improve local destination connectivity to schools, business, public transport, recreational facilities and the CBD and beyond.
- *An attractive and well-maintained City:* Hector Street SAS, will provide quality shared spaces for community enjoyment including pocket parks and open spaces and a high amenity route to Grenville Reserve.

- **Our Natural Environment**

- *An energy-smart City:* Through the Hector Street SAS and related community engagement, the City will support, engage and guide our community to transition to net zero emissions.
- *A water-wise City:* The increase in green spaces along the Hector Street SAS corridor, in combination with the Verges of Hector initiative, will improve stormwater management and support, engage and guide the community to conserve and protect water resources.
- *A biodiverse City:* The increase of green spaces and reduced traffic volume along the Hector Street SAS corridor will contribute to reducing the impact of climate change by reducing CO2 and the urban heat island effect. Through community engagement for the planting and design of the pocket parks, the City supports, engages and guides our community to connect with nature and improve biodiversity across the City.

Strategic Risk

Strategic Risk	Risk Appetite
Purpose	The City will pursue community and sector leadership through forward thinking decision making, and alignment of its services and operations with its strategic objectives.
Community	The City will ensure that it engages with the community in accordance with its Community and Stakeholder Engagement Plan.

Relevant Documents and Information

Attachments

Attachment 1 - Detailed Design Plans [↓](#)

Attachment 2 - Department of Education - Letter of Support [↓](#)

Attachment 3 - Tuart Hill Community Kindy - Support from Parents and Carers [↓](#)

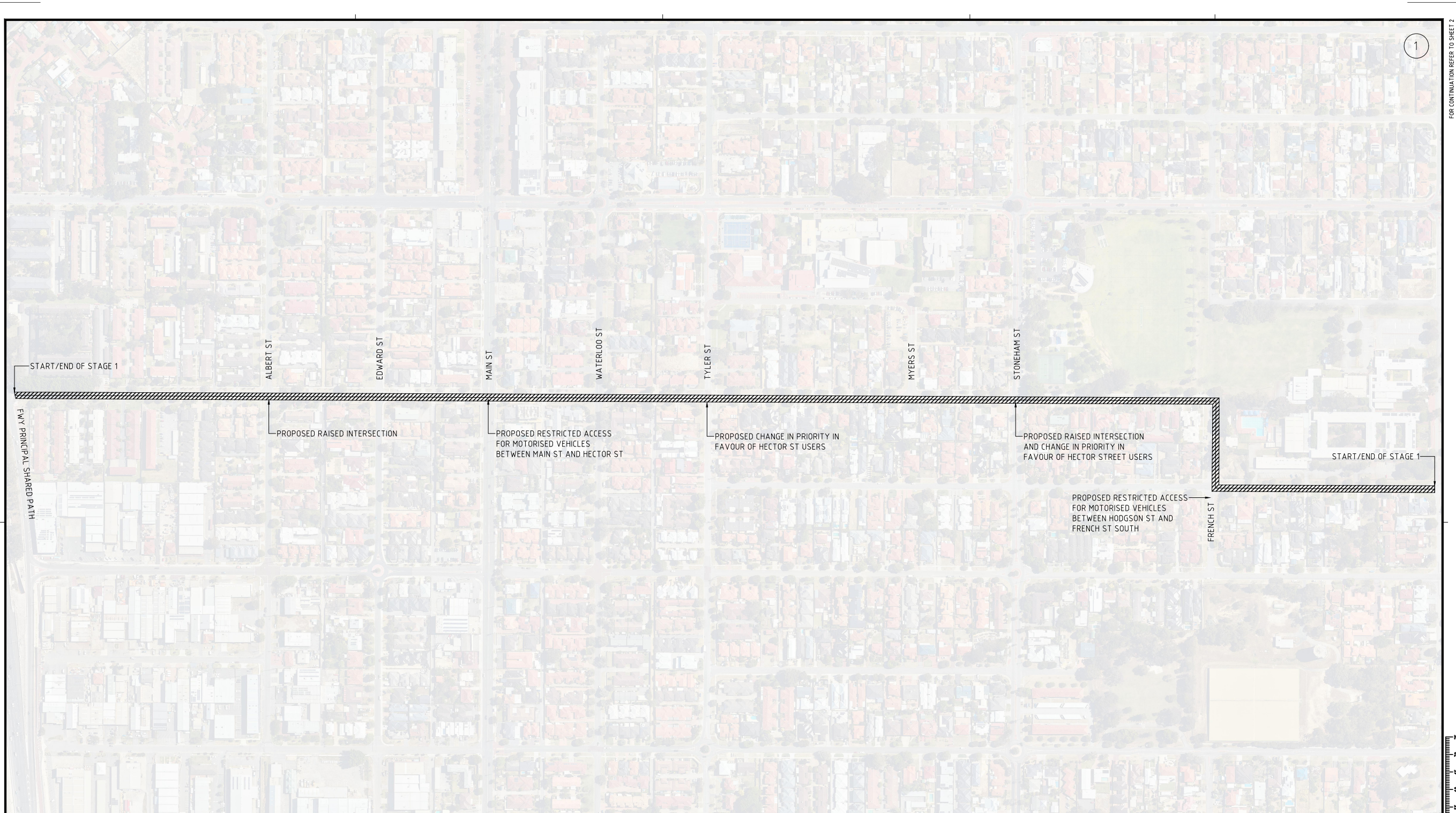
Available for viewing at meeting

Nil

Linked Documents

[Hector Street Safe Active Street – Feasibility Report](#)

[Hector Street Safe Active Street – Community Engagement Report](#)





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FOR CONTINUATION REFER TO SHEET 2

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TRAFFIC CALMING

-  AREA OF 30mm BLACK ASPHALT OVERLAY
-  AREA OF 30mm RED ASPHALT OVERLAY


LANDSCAPING

-  NEW TREE WITH ROOT BARRIER
-  AREA OF PROPOSED LANDSCAPING

SIGNS AND LINES

-  ROUTE DIRECTIONAL STENCIL

SIGNS

-  SAFE ACTIVE STREET ROAD STENCIL

PEDESTRIAN ACCESS

-  AREA OF PROPOSED FOOTPATH

NO.	DATE	REVISION	BY	APPD.

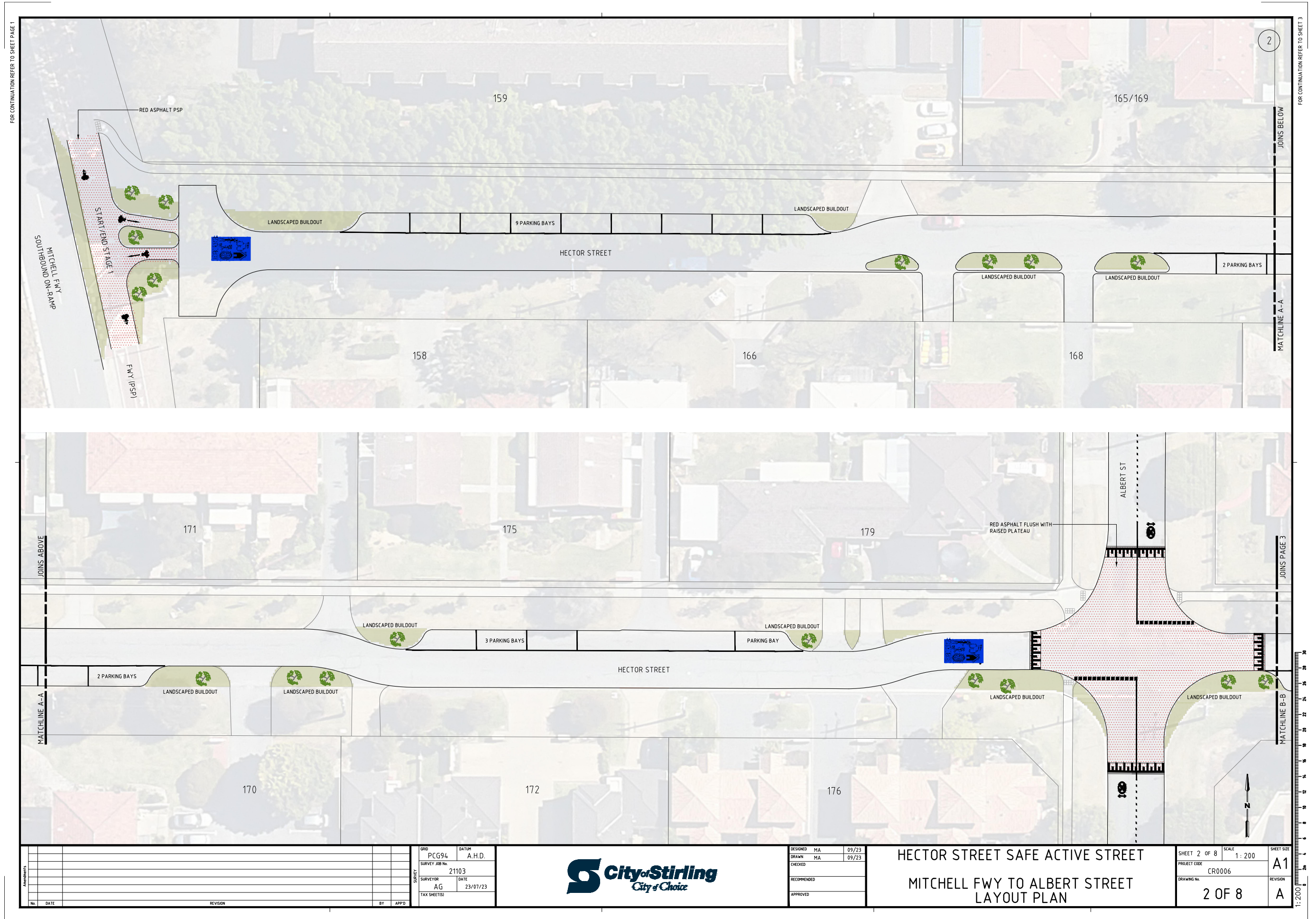
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SURVEY JOB No.	21103		
SURVEYOR	AG	DATE	23/07/23
TAX SHEET(S)			



DESIGNED	MA	09/23
DRAWN	MA	01/24
CHECKED		
RECOMMENDED		
APPROVED		

**OVERVIEW - HECTOR STREET
SAFE ACTIVE STREET - STAGE 1**

SHEET 1 OF 8	SCALE 1:500	SHEET SIZE A1
PROJECT CODE CR0006		REVISION
DRAWING NO.		
1 OF 8		A



FOR CONTINUATION REFER TO SHEET PAGE 1

FOR CONTINUATION REFER TO SHEET 3

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MATCHLINE A-A

MATCHLINE B-B

NO.	DATE	REVISION	BY	APP'D

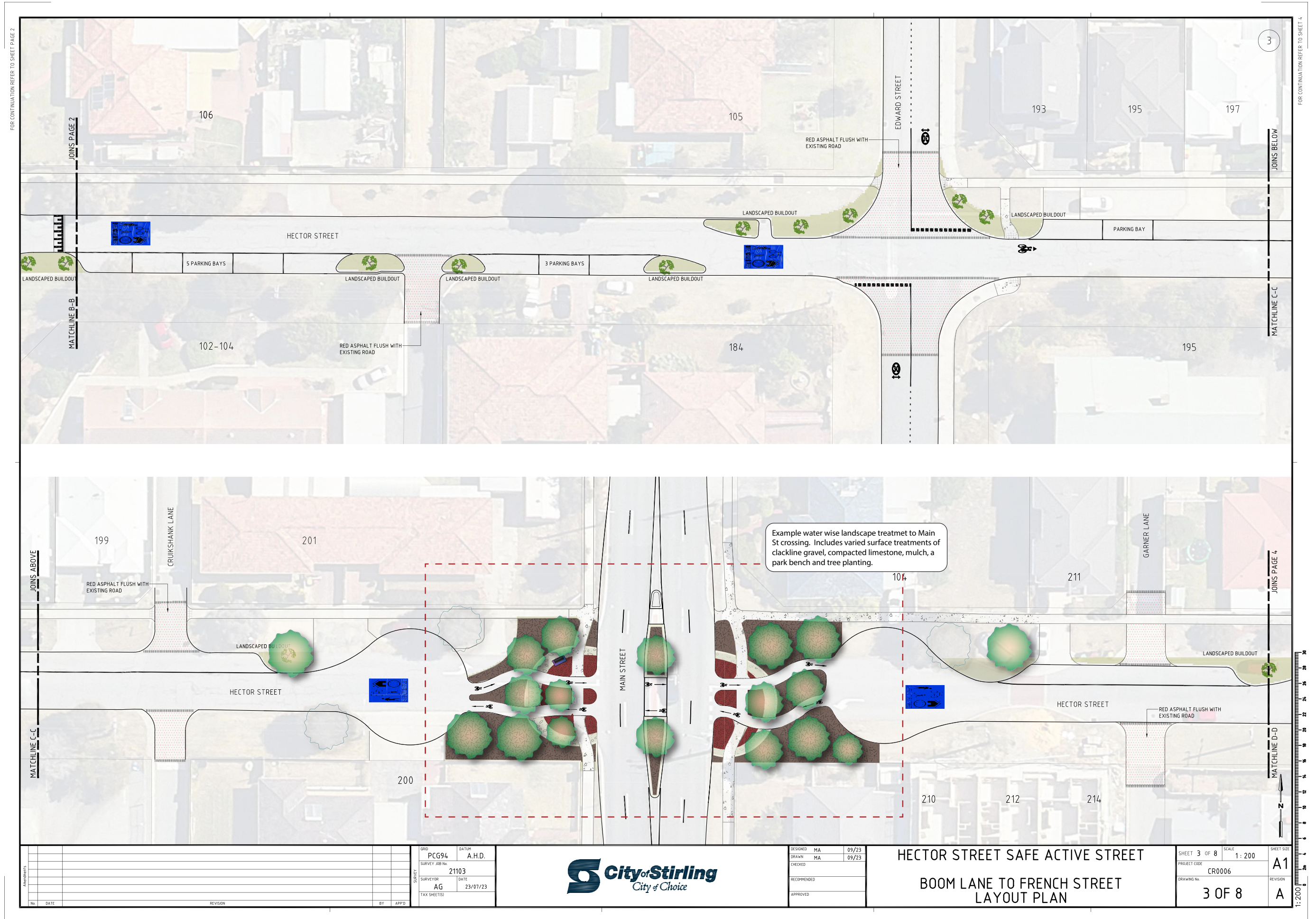
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SURVEYOR	AG	DATE	23/07/23
TAX SHEET(S)			

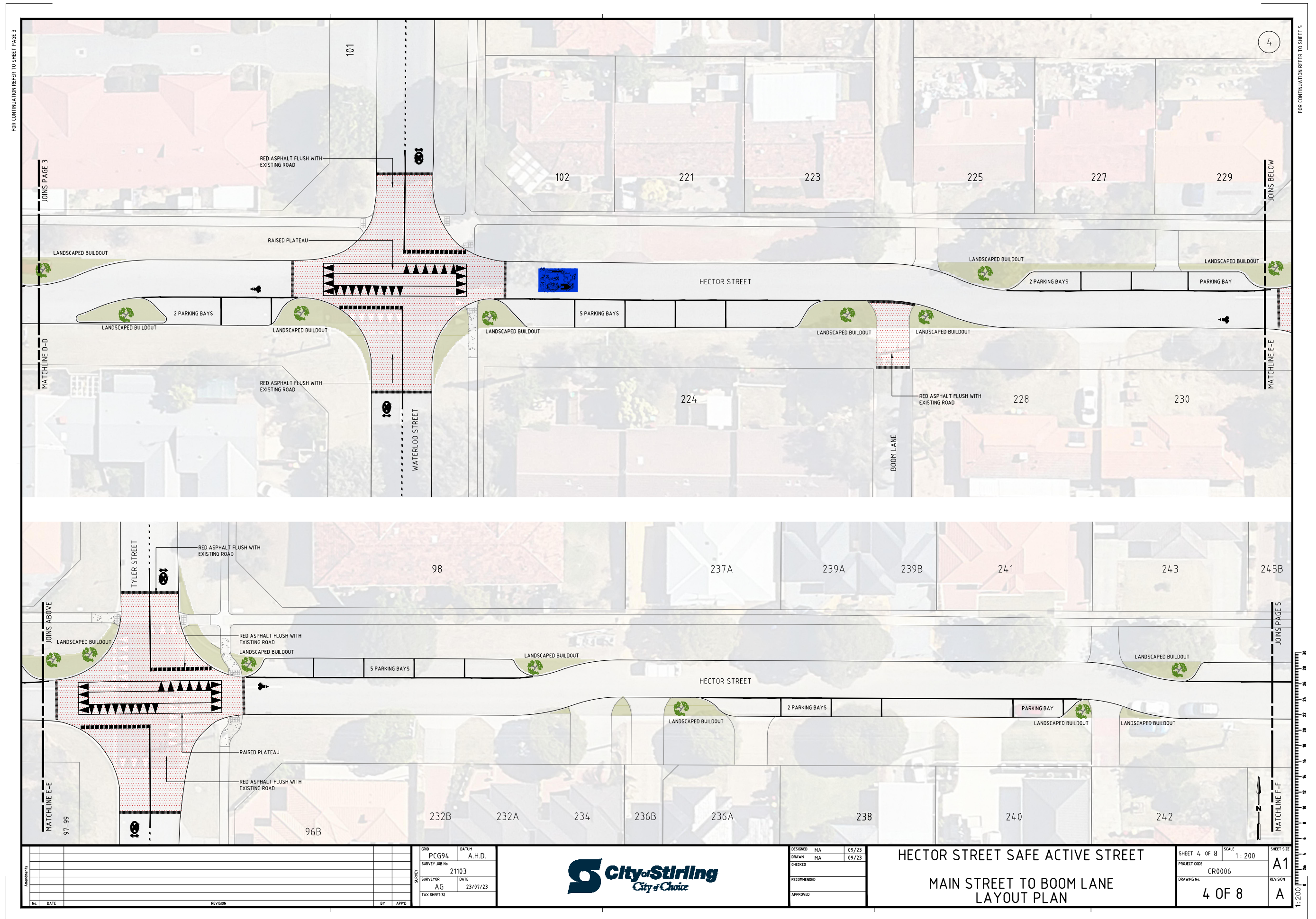


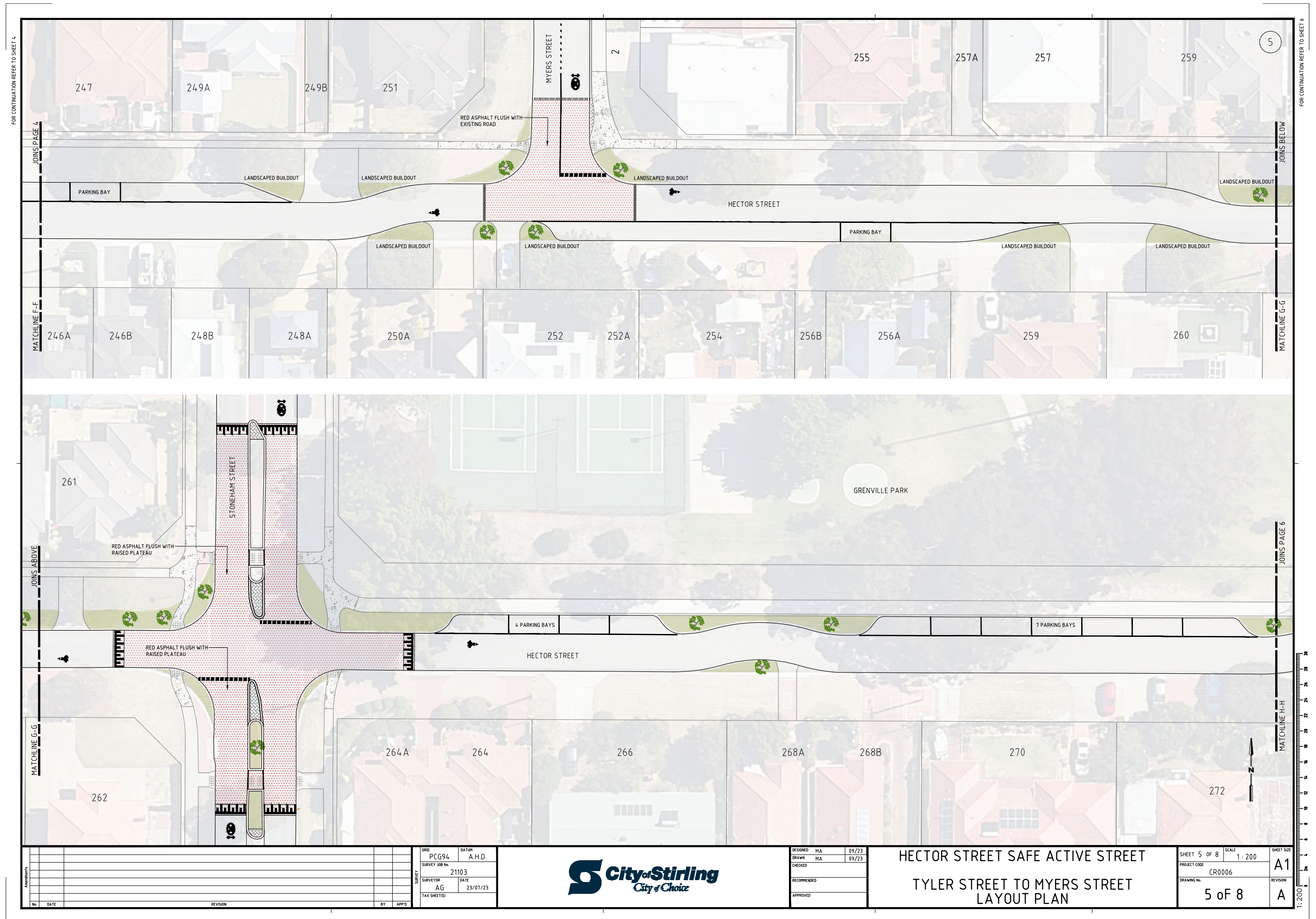
DESIGNED	MA	09/23
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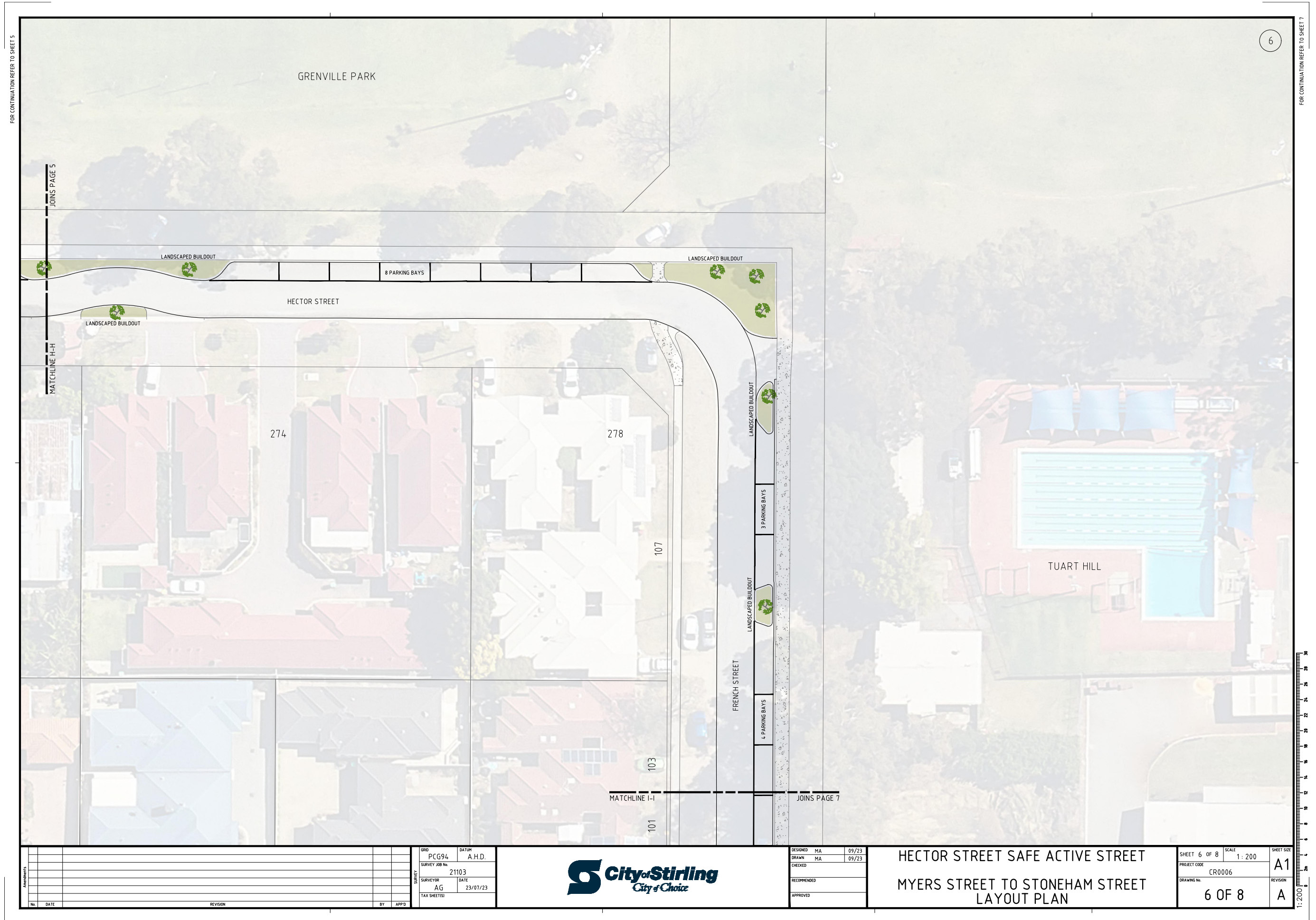
HECTOR STREET SAFE ACTIVE STREET
MITCHELL FWY TO ALBERT STREET
LAYOUT PLAN

SHEET	2 OF 8	SCALE	1:200	SHEET SIZE	A1
PROJECT CODE	CR0006			REVISION	A
DRAWING No.	2 OF 8				









FOR CONTINUATION REFER TO SHEET 5

FOR CONTINUATION REFER TO SHEET 7

6

No.	DATE	REVISION	BY	APP'D

GRID	PCG94	DATUM	A.H.D.
SURVEY JOB No.	21103		
SURVEYOR	AG	DATE	23/07/23
TAX SHEET(S)			

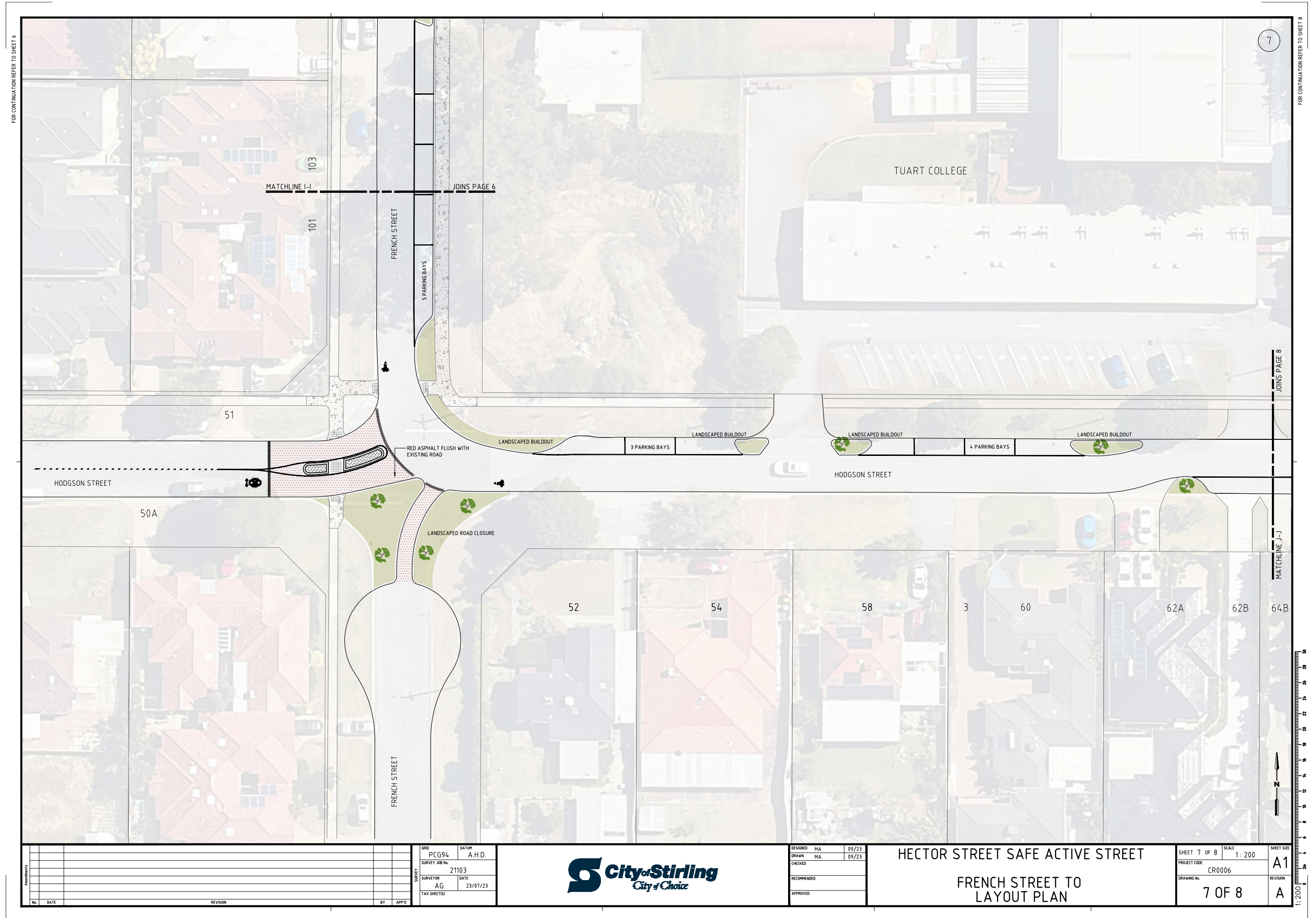


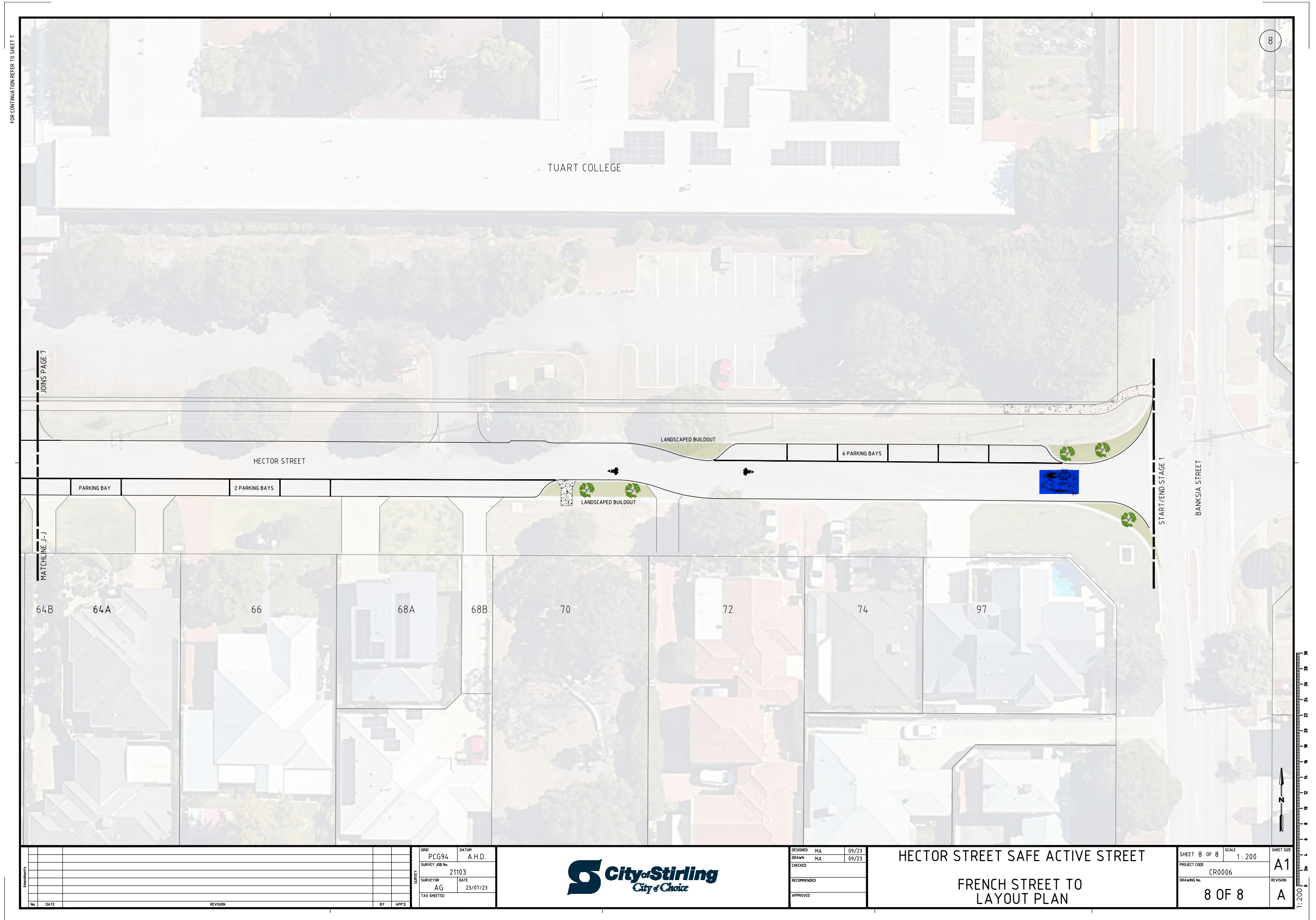
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**HECTOR STREET SAFE ACTIVE STREET
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LAYOUT PLAN**

SHEET	6 OF 8	SCALE	1:200	SHEET SIZE	A1
PROJECT CODE	CR0006			REVISION	A
DRAWING No.	6 OF 8				

1:200





Department of
EducationYour ref: -
Our ref: D22/0265470
Enquiries: Sharnie StuartChief Executive Officer
City of StirlingEmail: development@stirling.wa.gov.au

Attention: Special Projects

Dear Sir / Madam

Proposed Safe Active Streets – Hector Street

Thank you for your letters dated 3 March 2022 providing the Department of Education (the department) with the opportunity to comment on Stage 1, Safe Active Streets (SAS) proposal. The department has reviewed the supporting information and wishes to raise the following comments:

As per the Western Australian Planning Commission's Operation Policy 2.4 - Planning for School Sites (OP 2.4), the department is to have due regard to the design elements adjacent to and surrounding school sites. An important design element is the provision of bicycle paths and / or principal shared paths (PSPs) as it improves safety and accessibility to school sites.

The department notes the SAS will provide a direct route / nearby route to several public schools including Tuart College, Edith Cowan University Mount Lawley and Mount Lawley Senior High School. By incorporating active transport networks adjacent to and surrounding schools, it improves safety and provides active transport opportunities for school children and the wider community.

In November 2021, the Minister for Transport launched *The Declining Rate of Walking and Cycling to School in Perth* which highlights a decline in children walking and riding to school. The department has partnered with the Department of Transport (DoT) to promote active and healthy transport options. One of the initiatives has been introducing the Your Move program to schools. The program focuses on active transport behavioural change and in some cases the implementation of the Safe Routes to Schools, which is an initiative that identifies safe route options in addition to embarking on infrastructure improvement works around schools.

The department is supportive of the SAS as traffic calming measures will be implemented within the urban environment to improve safety near schools, hence, complementing the strategies currently being undertaken by the department and DoT.

Should you have any questions in relation to the above, please do not hesitate to contact Sharnie Stuart, Senior Consultant – Land Planning on (08) 9264 4046 or by email at sharnie.stuart@education.wa.edu.au.

Yours sincerely

**Manager Land and Property**

6 April 2022





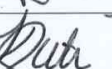










151 Royal Street, East Perth WA 6004 | 9264 4111

education.wa.edu.au

Community
TUART HILL
Kindergarten

Parents and Carers

The undersigned parents and carers of the children attending the Tuart Hill Community Kindergarten (2024 cohort) are in support of the implementation of the Hector Street, Safe Active Street.

NAME	CONTACT (optional)	SIGNATURE/COMMENT
Alexis Ryan		
Aimee Marbeck		
Anna Matacz		
Rachana Gurung	0466 809 599	
Kylie Duthie	040 222 9946	
Christal Houghton	0428563703	
Laurine Cavo	0431527774	
Steven Lukon		
Meagan Mayhills		
Amanda Svarcas	0421 548 222	
Andre Siebers	0481 733 464	
Rodrigo Lima	0401 197 379	
Chi Mei So	0475 415 855	
Sabine Bouquitt	0404257454	
James Treweek	0412412031	

Community
TUART HILL
Kindergarten

Parents and Carers

The undersigned parents and carers of the children attending the Tuart Hill Community Kindergarten (2024 cohort) are in support of the implementation of the Hector Street, Safe Active Street.

NAME	CONTACT (optional)	SIGNATURE/COMMENT
Jessica Watts		
Debra Jones		
Jenny Pendlebury		

12.1/ES2 TRAFFIC CALMING MEASURES ON KARRINYUP ROAD, TRIGG

Business Unit:	Engineering Services	Service: Design Services
Ward:	Coastal	Location: Karrinyup Road, between West Coast Drive and Arnott Street, Trigg
Applicant:	Not Applicable	

Role

Executive - *Governing the City and the community through executive powers.*

Council Resolution

0424/009

Moved Councillor Perkov, seconded Councillor Proud

That the construction of traffic calming measures on Karrinyup Road between West Coast Drive and Arnott Street, Trigg, be LISTED for consideration on the Draft 2025/2026 Annual Budget to allow time for detailed design and community consultation.

The motion was put and declared CARRIED (12/0) by exception resolution.

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Papparde, Perkov, Proud and Mayor Irwin.

Against: Nil.

Committee Recommendation

That the construction of traffic calming measures on Karrinyup Road between West Coast Drive and Arnott Street, Trigg, be LISTED for consideration on the Draft 2025/2026 Annual Budget to allow time for detailed design and community consultation.

Officer's Recommendation

That the construction of traffic calming measures on Karrinyup Road between West Coast Drive and Arnott Street, Trigg, be LISTED for consideration on the Draft 2025/2026 Annual Budget to allow time for detailed design and community consultation.

Purpose

To report on possible traffic calming measures on Karrinyup Road, between West Coast Drive and Arnott Street, Trigg.

Details

Background

The section of Karrinyup Road between West Coast Drive and Arnott Street is 560m in length and is classified as a District Distributor (B) Road under the City's Functional Road Hierarchy. The road is governed by a 60km/h posted speed limit and incorporates two lanes of traffic in each direction separated by a wide landscaped median. The abutting properties are all residential, and control and management of this section of Karrinyup Road rests with the City of Stirling.

Traffic count surveys were undertaken for the subject section of Karrinyup Road in July 2023. These surveys showed an average weekday traffic volume of 9,400 vehicles per day with an 85th percentile travel speed of 62.1km/h (in a 60km/h zone).

Crash data for the most recent 5-year period on record (between 2019 and 2023) showed that there were three reported midblock crashes along this section of Karrinyup, including two midblock crashes (one in each carriageway) and one intersection crash (at Lefroy Street). All three crashes resulted in property damage only, and there were no serious injuries resulting from the crashes.

Resident Concerns

Residents have previously raised concerns with the City regarding excessive travel speeds and poor driver behaviour along the section of Karrinyup Road between West Coast Drive and Arnott Street. While not exclusively confined to one direction, the concerns primarily relate to traffic travelling in the eastbound direction and heading away from the coast. Anecdotally, the steep uphill grade of Karrinyup Road combined with the change in speed zone from 50km/h (on West Coast Drive) to 60km/h (on Karrinyup Road) and divergence from a single lane into two eastbound lanes were contributing to the excessive noise and speed generated by eastbound vehicles.

In response to the concerns raised by residents, the City previously implemented a low-cost solution consisting of line marking. The volume of traffic along this section of road can be safely accommodated with a single lane of traffic, and two lanes of traffic are not required for capacity until further east along Karrinyup Road. For this reason, the City sought Main Roads WA approval to install a white centre line that effectively designated the kerbside lane as a parking area and left the median lane as the sole eastbound traffic lane. Parking embayments were also line marked within the kerbside lane to further reinforce to drivers that it was intended to accommodate parking.

While this treatment has been mostly effective to date, the lack of any physical treatments or parking nibs still allows eastbound vehicles to utilise the kerbside lane to overtake other vehicles in the median lane (subject to there being no parked vehicles in the kerbside lane).

Options Considered

Traffic management measures typically comprise of vertical deflections treatments (such as speed humps, raised plateaus or speed cushions) or horizontal deflection treatments (such as slow points and chicanes). These types of treatments may not be suitable for this section of road for several reasons. Firstly, residents have already expressed their concerns about vehicle noise, and the installation of vertical treatments on a road carrying 9,400 vehicles per day would exacerbate the noise impacts due to braking and acceleration. Secondly, given that there are two lanes of traffic, horizontal deflection devices may induce sideswipe crashes due to the sideways movement of vehicles.

An option that would be considered an appropriate treatment for this class of road is to formalise the current treatments and reinforce the eastbound kerbside lane as a parking lane only. This can be achieved by resurfacing the eastbound kerbside lane in red asphalt (which is typical for many parking embayments) and constructing raised parking nibs that would physically deter eastbound vehicles from changing lanes into the kerbside lane.

A concept plan showing a red asphalt kerbside lane and raised parking nibs in the eastbound direction of Karrynup Road are shown in Figure 1. The location of parking nibs is indicative only and may be subject to change based on detailed design and feedback during community consultation.



**KARRYNUP ROAD, WEST COAST DRIVE TO ARNOTT STREET, TRIGG
CONCEPT PLAN**



Figure 1. Karrynup Road Concept Plan

These types of modifications would typically be considered when the road is due for resurfacing. However, the section of Karrinyup Road between West Coast Drive and Arnott Street was last resurfaced in March 2015, and the state of the pavement remains in good condition. As such, this road section would not be due for resurfacing for another 10+ years. The City would therefore need to list this road as a stand-alone traffic management treatment in the Draft 2025/2026 Annual Budget. This timing would provide the opportunity to undertake a detailed design and consultation with the directly affected owners prior to any works being committed.

Request for Reduced Speed Zone

At its meeting held 29 August 2023, Council resolved Council Resolution Number 0823/086) to request approval from Main Roads WA for a reduction in the posted speed limit on Karrinyup Road, between West Coast Drive and Arnott Street, from 60km/h to 50km/h. The City wrote to Main Roads WA in September 2023 and provided the most recent traffic count surveys in support of the request.

Main Roads WA responded to the City in January 2024 to advise they do not support a reduction of the speed limit to 50km/h. It considered that 60km/h was an appropriate speed zone for the environment and classification of road.

Financial Assessment and Implications

An estimate of the construction costs has been prepared, taking into consideration project management, asphalt profiling, concrete islands and kerbing, line marking and traffic control. Based on these elements, the estimated cost of construction is in the order of \$220,000. A more accurate cost estimate for budgeting purposes will be determined after completion of the detailed design.

Stakeholder Engagement

There has not been any formal stakeholder engagement with the wider community regarding the traffic management treatment recommended in this report. Consultation with abutting residents would form part of the future design process.

Notwithstanding the above, the City has previously met with a representative group of residents of Karrinyup Road to discuss their concerns about traffic and speeding issues for eastbound vehicles on Karrinyup Road. The option recommended in this report was discussed with that group and the City understands there would be support for implementation of this option.

Options Summary

The following options were considered, presented in the order in which they are recommended.

OPTIONS	
1.	That the construction of traffic calming measures on Karrinyup Road between West Coast Drive and Arnott Street, Trigg, as shown in Figure 1, be LISTED for consideration on the Draft 2025/2026 Annual Budget to allow sufficient time for detailed design and community consultation.
2.	That Council DOES NOT PROCEED with any traffic calming measures on Karrinyup Road between West Coast Drive and Arnott Street, Trigg.

Recommended Action

It is recommended that the construction of traffic calming measures on Karrinyup Road between West Coast Drive and Arnott Street, Trigg, be listed for consideration on the Draft 2025/2026 Annual Budget. This timeframe will allow the City to prepare a detailed design and then undertake consultation with the abutting owners and residents.

Relevant Policies, Legislation and Council Resolutions

[Local Government Act 1995](#)

Meeting Date	Council Resolution Number	Council Resolution
29 August 2023	0823/086	1. That a report be PRESENTED to Council outlining possible traffic calming measures on Karrinyup Road, between West Coast Drive and Arnott Street, Trigg. 2. That the City WRITES to Main Roads WA to request approval for a reduction in the posted speed limit on Karrinyup Road, between West Coast Drive and Arnott Street, from 60km/h to 50km/h.

Sustainable Stirling 2022-2032

Key Result Area: Our built environment

Objective: An accessible and connected City

Priority: Provide and maintain safe and accessible roads and parking

Priority: Provide a safe network of cycleways and pathways to link people and places

Strategic Risk

Strategic Risk	Risk Appetite
Community	The City will ensure that it engages with the community in accordance with its Community and Stakeholder Engagement Plan.
Funding	The City will take sufficient financial risk to enable it to achieve its strategic objectives, providing it does not significantly impact on the long term financial sustainability of the City.

Relevant Documents and Information

Attachments

Nil.

Available for viewing at the meeting

Nil.

Linked Documents

Nil

12.1/P1 BBQ FACILITIES IN THE DOUBLEVIEW WARD

Business Unit:	Parks and Environment	Service: Open Space & Parks Development
Ward:	Doubleview	Location: Birralee Reserve Yuluma Reserve Bradley Reserve
Applicant:	Not Applicable	

Role

Executive - *Governing the City and the community through executive powers.*

Council Resolution

0424/010

Moved Councillor Perkov, seconded Councillor Proud

That CONSIDERATION be given to listing the supply and installation of BBQs at Birralee Reserve, Innaloo, Yuluma Reserve, Innaloo and Bradley Reserve, Doubleview on the 2024/2025 Parks and Environment capital works budget.

The motion was put and declared CARRIED (12/0) by exception resolution.

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Papparde, Perkov, Proud and Mayor Irwin.

Against: Nil.

Committee Recommendation

That CONSIDERATION be given to listing the supply and installation of BBQs at Birralee Reserve, Innaloo, Yuluma Reserve, Innaloo and Bradley Reserve, Doubleview on the 2024/2025 Parks and Environment capital works budget.

Officer's Recommendation

That CONSIDERATION be given to listing the supply and installation of BBQs at Birralee Reserve, Innaloo, Yuluma Reserve, Innaloo and Bradley Reserve, Doubleview on the 2024/2025 Parks and Environment capital works budget.

Purpose

To respond to Council Resolution Number 0224/022, requesting that a report be presented to Council to consider the installation of BBQ facilities within the 2024/2025 budget for the below three parks/reserves:

- Birralee Reserve, Innaloo
- Yuluma Reserve, Innaloo
- Bradley Reserve, Doubleview.

Details

Budgets are focused mainly on the renewal of existing barbeques (BBQ's). Due to the high cost of installation, proposals for new BBQ's are considered carefully, taking into account the parks classification and community need.

Birralee Reserve and Yuluma Reserve are classified as district Public Open Space under the City's Public Open Space Strategy. The provision of BBQs on this classification of reserve is supported by the Public Open Space Strategy.

Bradley Reserve is identified as a community Public Open Space under the City's Public Open Space Strategy given its unique purpose and use by the local community. The provision of a BBQ at this location is supported by the Public Open Space Strategy and officer assessment on the location given the high level of utilisation of this particular reserve and the need to provide suitable amenities to meet this need for the community.

Financial Assessment and Implications

\$65,000 has been listed on the draft Parks and Environment capital works budget 2024/2025 for the installation of a BBQ at Yuluma Reserve and Birralee Reserve.

\$75,000 has been listed on the draft Parks and Environment capital works budget 2024/2025 for the installation of a BBQ and shelter at Bradley Reserve. The shelter has been included because of an undertaking provided to the local community.

The estimated annual cost of maintaining a BBQ on district and community public open space is \$3,500 per annum (regular cleaning and servicing). The additional annual operational cost for the three BBQs will be \$10,500.

Stakeholder Engagement

Local community and sporting groups will be engaged with when plans have been developed identifying the proposed location of the BBQs.

Options Summary

The following options were considered.

OPTIONS	
1.	List for consideration on the Parks and Environment 2024/2025 capital works budget the supply and installation of BBQs at, Birralee Reserve, Innaloo, Yuluma Reserve, Innaloo and Bradley Reserve, Doubleview.
2.	Do not list for consideration on the Parks and Environment 2024/2025 capital works budget the supply and installation of BBQs at, Birralee Reserve, Innaloo, Yuluma Reserve, Innaloo and Bradley Reserve, Doubleview.

Recommended Action

List for consideration on the Parks and Environment 2024/2025 capital works budget the supply and installation of BBQs at, Birralee Reserve, Innaloo, Yuluma Reserve, Innaloo and Bradley Reserve, Doubleview

Relevant Policies, Legislation and Council Resolutions

Nil.

[Local Government Act 1995](#)

Meeting Date	Council Resolution Number	Council Resolution
13/02/2024	0224/022	That a report be PRESENTED to Council to consider the installation of BBQ facilities within the 2024/2025 budget for the below three parks/reserves: <ul style="list-style-type: none"> a) Birralee Reserve, Innaloo b) Yuluma Reserve, Innaloo c) Bradley Reserve, Doubleview.

Sustainable Stirling 2022-2032

Key Result Area: Our built environment

Objective: An attractive and well-maintained City

Priority: Provide quality, well-maintained facilities for the benefit of the community

Strategic Risk

Strategic Risk	Risk Appetite
Community	The City will ensure that it engages with the community in accordance with its Community and Stakeholder Engagement Plan.

Relevant Documents and Information

Attachments

Nil.

Available for viewing at the meeting

Nil.

Linked Documents

Nil.

12.1/P2 EASTSIDE GROUNDWATER LICENCE AGREEMENT

Business Unit:	Parks & Environment	Service: Sustainability
Ward:	City Wide	Location: Not Applicable
Applicant:	Not Applicable	

Role

Executive - *Governing the City and the community through executive powers.*

Council Resolution
0424/011
Moved Councillor Perkov, seconded Councillor Proud

1. That Council **ENDORSES** the proposed Eastside groundwater licence renewal.
2. That Council **ENDORSES** officers to request the following condition in the licence renewal:
 - a. Consumption reporting is based on a five-year average.
3. That the Council **ENDORSES** officers to agree to the remaining groundwater licence renewals with reduced allocations as they arise before 2028 and request for each a condition that consumption reporting is based on a five-year average.
4. That the City **SUBMITS** a groundwater reduction plan to Council by the end of 2024.

The motion was put and declared **CARRIED (12/0)** by exception resolution.

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Papparde, Perkov, Proud and Mayor Irwin.

Against: Nil.

Committee Recommendation

1. That Council ENDORSES the proposed Eastside groundwater licence renewal.
2. That Council ENDORSES officers to request the following condition in the licence renewal:
 - a. Consumption reporting is based on a five-year average.
3. That the Council ENDORSES officers to agree to the remaining groundwater licence renewals with reduced allocations as they arise before 2028 and request for each a condition that consumption reporting is based on a five-year average.
4. That the City SUBMITS a groundwater reduction plan to Council by the end of 2024.

Officer's Recommendation

1. That Council ENDORSES the proposed Eastside groundwater licence renewal.
2. That Council ENDORSES officers to request the following conditions in the licence renewal:
 - a. Consumption reporting is based on a five-year average; and
 - b. Eastside and Westside groundwater licences are amalgamated.
3. That the Council ENDORSES officers to agree to the remaining groundwater licence renewals with reduced allocations as they arise before 2028 and request for each a condition that consumption reporting is based on a five-year average.
4. That the City SUBMITS a groundwater reduction plan to Council by the end of 2024.

Purpose

To inform Council about upcoming reductions to City groundwater allocations and seek endorsement to propose conditions for the Eastside groundwater licence renewal, and others which may arise prior to 2028.

Details

Groundwater licences

97% of the City's corporate water use is groundwater, sourced via abstraction from the superficial Gngangara Mound aquifer. This is managed under groundwater licences issued by the Department of Water and Environmental Regulation (DWER) as per the *Rights in Water & Irrigation Act 1914*. The City holds five groundwater licences: Eastside, Gwelup, Westside, Hamersley and Mirrabooka; and the groundwater licences are used for the irrigation of Public Open Space and City trees. Each DWER-issued groundwater licence agreement sets out a unique annual volume of groundwater allocation, that cannot be exceeded by the City, and consumption is reported annually to DWER. Each City groundwater licence is made up of many bores (drawpoints) which can be seen in Attachment 1 (Slide 1) and DWER calculate each licence's groundwater entitlement based on a certain volume of water for every hectare of Public Open Space within the licence area. The City has 368 ground water bores irrigating parks, sports fields, streetscapes, Hamersley Golf Course, aquatic and other recreation centres, and civic properties.

Licence duration is 10 years and the City's Eastside licence (GWL156715) is due for renewal. This licence makes up the City's largest groundwater entitlement (2,326,350kL) which is used for irrigation of parks/reserves and tree watering across the East side of the City (suburb coverage can be seen in Attachment 1 - Slide 1). DWER has sent the City a proposed Eastside licence renewal agreement (Attachment 2) and has provided the opportunity for the City to provide comments which will be considered before a final decision is made.

Gngangara Groundwater Allocation Plan

The proposed licence renewal agreement includes a modified (reduced) groundwater allocation as of 2028. This is due to the State Government's planned 10% cuts to local government groundwater licence allocations from July 2028, under the [Gngangara Groundwater Allocation Plan 2022](#). In an effort to rebalance the declining and over-abstracted Gngangara Mound aquifer, and as Action 14 of the [Waterwise Perth Action Plan](#), the Gngangara plan sets out actions to reduce groundwater use amongst all users of this water resource. This includes allocation cuts across the water use categories of: public water supply, agriculture, parks/gardens and recreation, commercial and industrial. These cuts aim to create a more sustainable rate of use of this aquifer, which is Perth's largest and most important water resource.

In 2016, DWER began consultation with local governments about the potential for these future groundwater allocation cuts. The City began serious groundwater reduction/efficiency efforts after a series of total City groundwater allocation exceedances (and unusually dry years) in 2006-2009. The City developed a Water Smart Parks Strategy (2007 & 2013) which has led the way in groundwater efficiency in park design and management and has resulted in a 20.2% reduction in our groundwater consumption compared to 15 years ago (based on a 3-year moving average) with zero breaches of total City groundwater allocations for 14 years.

The proposed Eastside licence renewal contains a 10% reduced allocation, from 2028. The primary mechanism for implementing these licence allocation reductions is through the *Rights in Water & Irrigation Act 1914* where the Minister for Water may reduce a licence allocation in order to protect an aquifer. Under the Gngara plan, City parks/reserves that have shared use by schools will be exempt from the groundwater cuts. The City submitted evidence to DWER for 11 exempt shared-use reserves within the Eastside licence. The exempt sites account for 35% of the licence and DWER have approved all these sites as exempt from the 2028 groundwater cuts. Therefore, the final Eastside licence annual groundwater allocation proposed by DWER in the renewal is 2,175,916kL/year from 2028, which is a 6.47% reduction. This reduction in groundwater allocation per year (150,434kL) equates to more than the annual irrigation supply of Dianella Regional Open Space and Grenville Reserve combined (Attachment 1 – Slide 2).

Proposed conditions to the agreement

These proposed cuts to the City's groundwater allocations present a significant challenge for the City in preserving green public spaces and City trees for community well-being. Compared to some other local governments, the City has a long and proactive history of implementing City-wide groundwater efficiency initiatives in park and irrigation management. Waterwise methods and designs have long been standard practice. However, with standard waterwise initiatives already in place at a large scale, achieving further groundwater savings becomes increasingly difficult and costly. It is in this way that the blanket 10% Gngara cuts across local governments, regardless of their waterwise history, discounts the groundwater savings already achieved by proactive local governments like Stirling and creates additional challenges for the City compared to others yet to adopt standard waterwise practices.

Furthermore, despite the City's innovations in groundwater efficiency measures over the last 15 years, the City's total groundwater consumption has fluctuated between 80% right up to 99.8% of allocation due to seasonal variations and hot spells. For the Eastside groundwater licence these fluctuations have been from 88% to 99%, over the last five years (Attachment 1 – Slide 3). This means it will be challenging for the City to achieve reductions each year and, based on past data, an unusually hot year would result in consumption over the proposed 2028 allocation (Attachment 1 – Slide 3).

For these reasons, the City recommends the inclusion of certain conditions in the City's response to the proposed Eastside licence renewal agreement to assist the City's adaptation to declining water availabilities. Firstly, as of 2028, it is recommended that a 5-year averaged water consumption reporting figure be proposed for this licence. This can be used by the City to account for changes in climate, where groundwater savings in previous years can essentially act as a buffer for exceedances in unusually dry years. It would also assist the City's adaptation to the drying climate, allowing a pace which is practical for implementing and funding adaptation/efficiency projects for a city of Stirling's scale. As can be seen in Attachment 1 – Slide 3, an unusually dry year (and resulting higher-than-usual consumption) is likely to occur over a 5-year period along with multiple low-consumption years, which are far enough below the allocation to make up for the exceedance in the unusually dry year.

Secondly, it is recommended that an amalgamation of the Eastside and Westside licences be proposed to DWER to assist with improved and flexible groundwater management by the City. This would allow greater scope in distributing groundwater to reserves/City trees as the City sees fit, in response to community or environmental priorities. These two licences fall within the same groundwater sub area which should make them eligible for amalgamation.

Groundwater management response to allocation cuts

The *Gnangara Groundwater Allocation Plan's* 10% cuts will apply to all of the City's groundwater licences from July 2028. The cuts will be reflected in each licence's renewal agreement as they come up before 2028, like this Eastside proposed renewal. It is recommended the same request for five-year average consumption reporting be proposed to DWER upon receipt of other groundwater licence renewal agreements prior to July 2028. Consumption within these licences, in terms of annual variability and percent of allocation used, mirrors that of the Eastside licence (Attachment 1 – Slides 4-7) and therefore reductions in groundwater allocation for these licences represent a similar challenge.

The City was successful in attaining a *Gnangara Waterwise Councils Grant* in 2023 to assist with implementing groundwater reduction projects before 2028. These projects include engagement with a consultant to investigate feasible alternative water sourcing opportunities across the City for irrigation of parks/reserves to offset groundwater use, which would minimise impacts to green Public Open Spaces and secure climate-independent water sources. The grant projects also contribute to or expand upon existing groundwater-wise projects in park design and management, including irrigation and local park upgrades, to maximise groundwater savings (per groundwater licence) before the cuts come into effect in 2028.

A Groundwater Reduction Plan for the City is in development which brings together new data analysis, final groundwater targets, existing and new projects to achieve the required groundwater reductions, and a plan for community consultation. This plan will be submitted to Council upon completion in late 2024.

Financial Assessment and Implications

Financial implications cannot easily be defined until the Groundwater Reduction Plan is completed. However, it is certain that reductions to City groundwater allocations in this Eastside license renewal (and every other license renewal) will require further investment to adjust to the water reductions and maintain community wellbeing related to green Public Open Spaces and City trees. Increased funding would be required to expand and escalate existing initiatives (such as the irrigation and local park upgrade programs) and implement new projects (such as alternative water sourcing). Community consultation would also need to increase on this topic and therefore require future investment.

Stakeholder Engagement

Schools with shared-use (exempt sites) –	Collation of evidence of usage and explanation of groundwater cuts the City is facing.
Department of Water & Environmental Regulation -	Undertaking regular liaison with DWER regarding groundwater licenses, reductions, and potential alternative water sourcing opportunities.
Environmental Advisory Group (EAG) -	Delivered a Waterwise City Update presentation to EAG members and Councillors in April 2023.
Community consultation -	This is being planned in the Groundwater Reduction Plan which is in development and due to be submitted to Council in late 2024.

Recommended Action

That Council ENDORSES the proposed Eastside groundwater licence renewal.

That Council ENDORSES officers to request the following conditions in the licence renewal:

- Consumption reporting is based on a five-year average
- Eastside and Westside groundwater licences are amalgamated

That the Council ENDORSES officers to agree to the remaining groundwater licence renewals with reduced allocations as they arise before 2028 and request for each of them a condition that consumption reporting is based on a five-year average.

That the City SUBMITS a groundwater reduction plan to Council by the end of 2024.

Relevant Policies, Legislation and Council Resolutions

[Rights in Water & Irrigation Act \(1914\)](#)

[Waterwise Perth Action Plan \(2019\)](#)

[Gnangara Groundwater Allocation Plan \(2019\)](#)

[Water Smart Parks Strategy \(2013\)](#)

[Public Open Space Strategy 2021-2031](#)

Waterwise Council Action Plan 2021-2026

Water Efficiency Action Plan 2016

[Local Government Act 1995](#)

Meeting Date	Council Resolution Number	Council Resolution
22/11/2016	1116/031	That Council ENDORSES the City's Water Efficiency Action Plan to enable the City to become an accredited Waterwise Council with the Water Corporation
10/05/2022	0522/005	2. That Council ADOPTS the Public Open Space Strategy 2021-2031

Sustainable Stirling 2022-2032

Key Result Area: Our natural environment

Objective: A water-wise City

Priority: Maximise the City's water efficiency and increase use of alternative water supplies

Strategic Risk

Strategic Risk	Risk Appetite
Environment	The City will prioritise protection, enhancement and sustainability of the natural environment unless this cannot be achieved without significantly compromising the City's economic or social sustainability.

Relevant Documents and Information

Attachments

Attachment 1 - Groundwater licence information [↓](#)

Attachment 2 - DWER proposed Eastside licence renewal agreement [↓](#)

Available for viewing at meeting

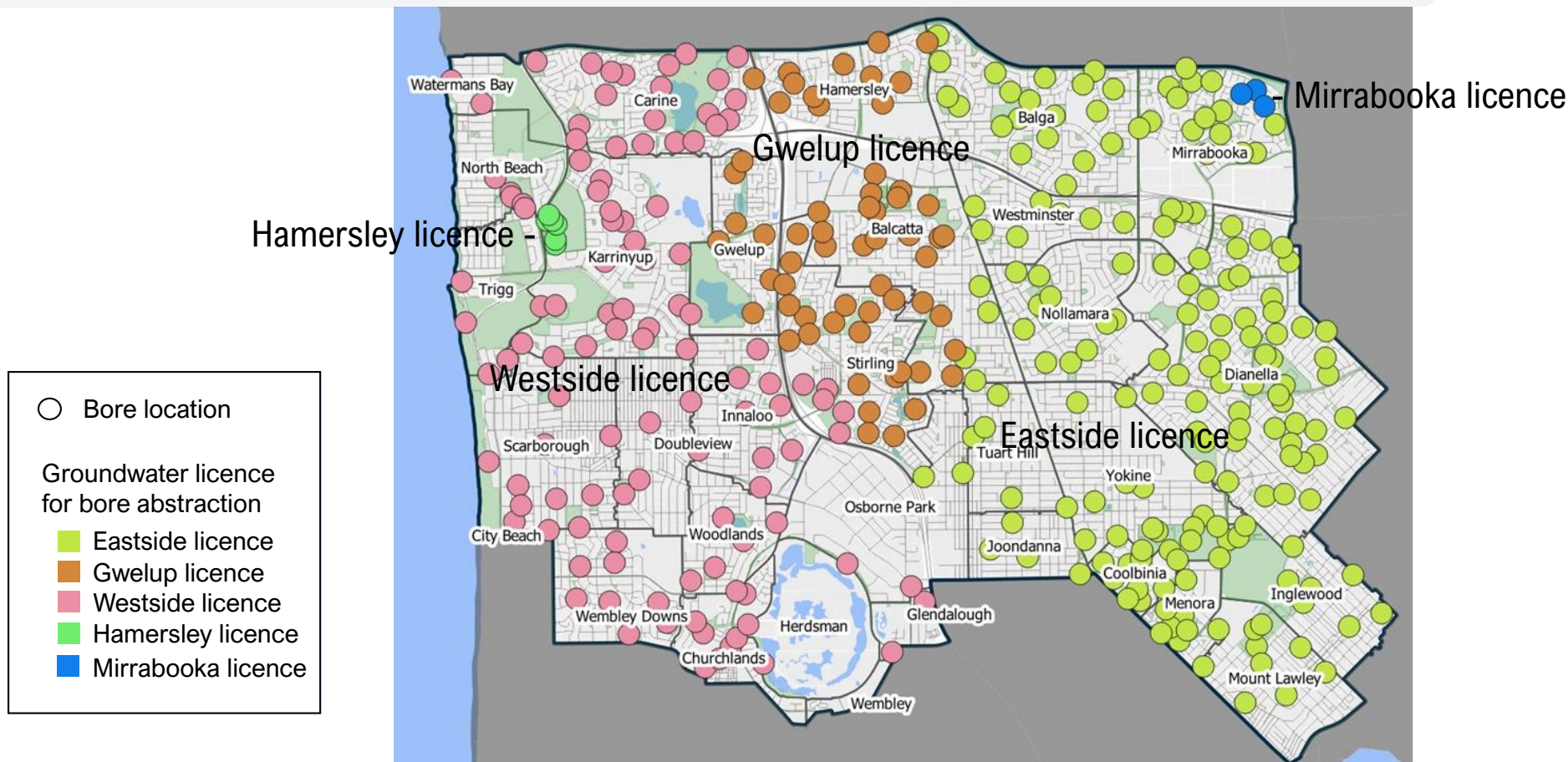
Nil

Linked Documents

[Gnanqara Groundwater Allocation Plan 2022](#)

[Waterwise Perth Action Plan](#)

Slide 1 – City of Stirling groundwater licences and bore locations

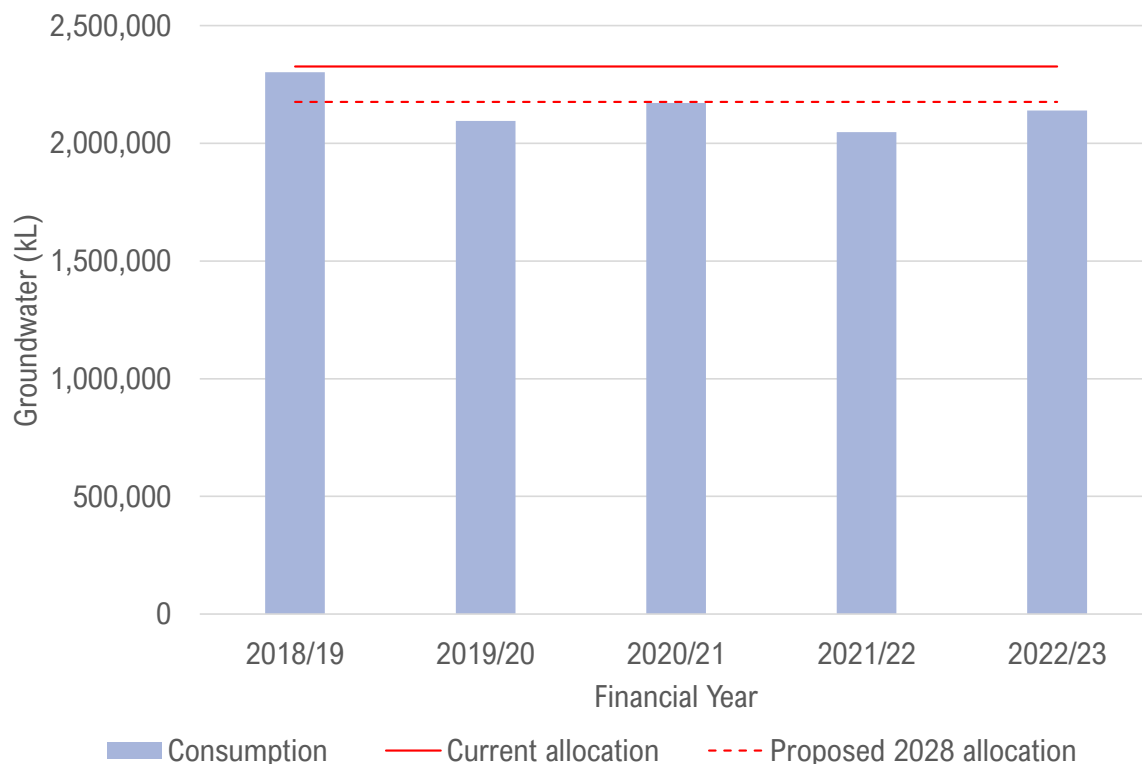


Slide 2 - Area of park irrigation equivalent to the proposed reduction in groundwater supply for the Eastside licence



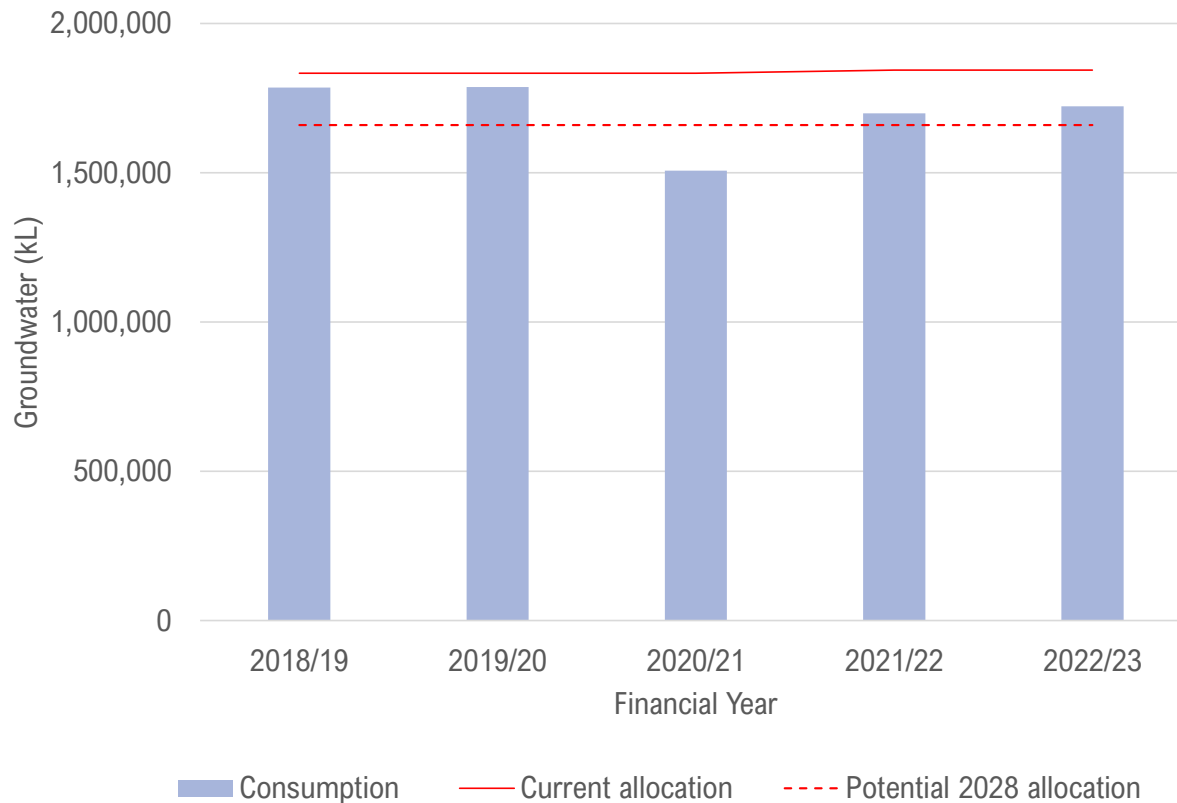
	Annual irrigation supply (kL)	Annual reduction in groundwater allocation (kL)
Dianella ROS	116,475	
Grenville Reserve	28,500	
Total	144,975	150,434

Slide 3 – **Eastside** groundwater licence consumption over five years verses current and proposed allocation



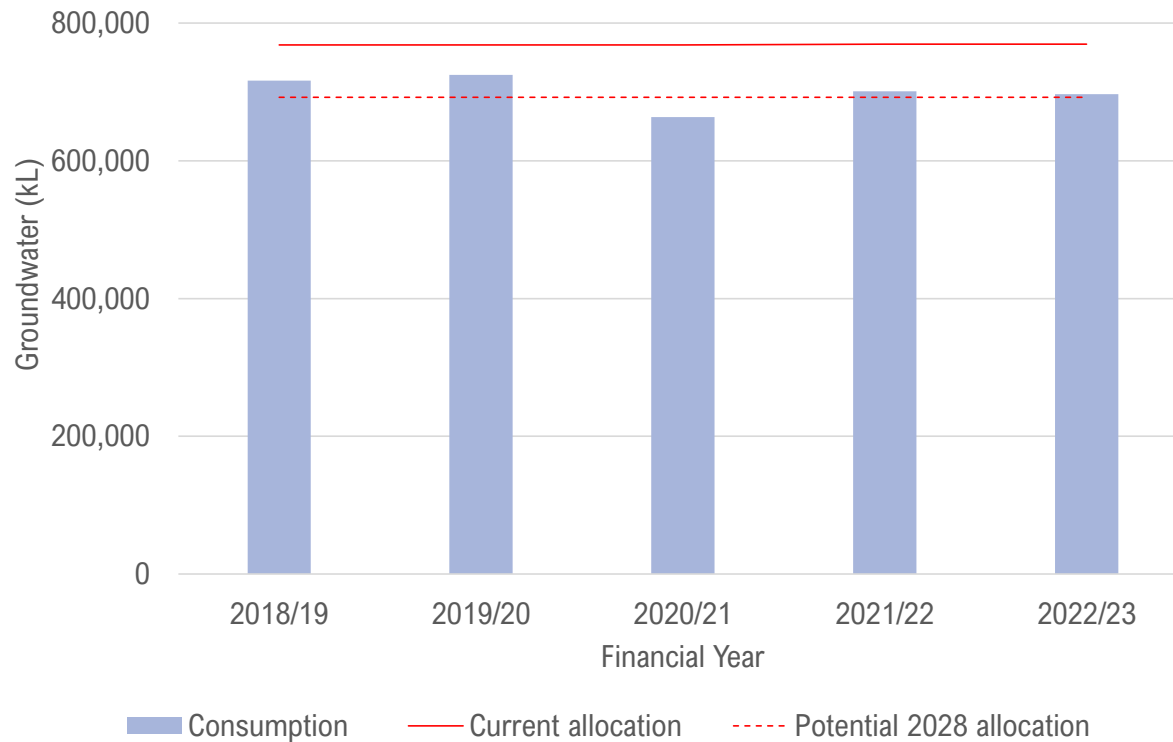
Range in consumption due to climate over last 5yrs	Largest exceedance over proposed 2028 allocation, over last 5yrs
254,596 kL	5.8% (126,374 kL)

Slide 4 – **Westside** groundwater licence consumption over five years verses current and proposed allocation



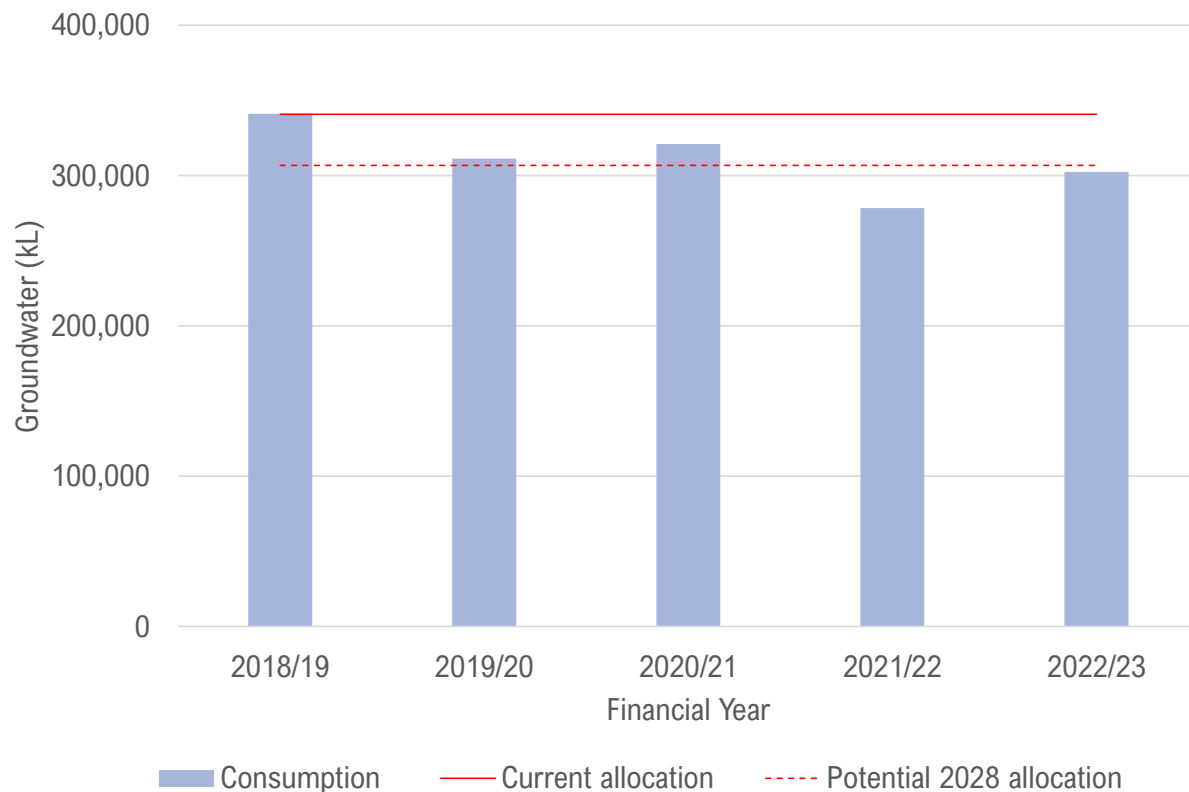
Range in consumption due to climate over last 5yrs	Largest exceedance over potential 2028 allocation, over last 5yrs
279,375 kL	7.7% (127,352 kL)

Slide 5 – Gwelup groundwater licence consumption over five years verses current and proposed allocation



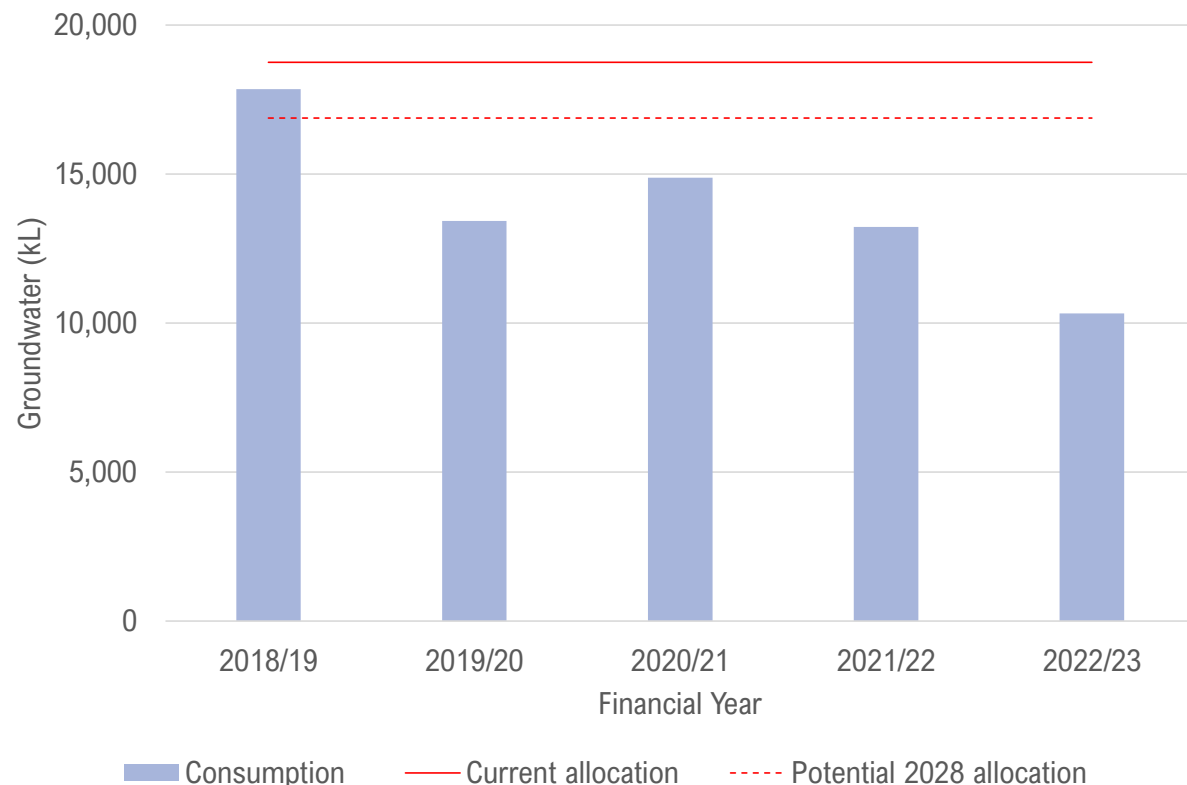
Range in consumption due to climate over last 5yrs	Largest exceedance over potential 2028 allocation, over last 5yrs
61,370 kL	4.7% (32,437 kL)

Slide 6 – Hamersley groundwater licence consumption over five years verses current and proposed allocation



Range in consumption due to climate over last 5yrs	Largest exceedance over potential 2028 allocation, over last 5yrs
62,726 kL	11.2% (34,421 kL)

Slide 7 – **Mirrabooka** groundwater licence consumption over five years verses current and proposed allocation



Range in consumption due to climate over last 5yrs	Largest exceedance over potential 2028 allocation, over last 5yrs
7,524 kL	5.8% (975 kL)



Government of **Western Australia**
Department of **Water and Environmental Regulation**

Your Ref:
Our Ref: RF937-04-3
Enquiries: Sandra Blazeski
Phone: 6250 8026

City of Stirling
25 Cedric St
STIRLING WA 6021

Attn: Rebecca Thomas

Dear Applicant,

Invitation to comment on proposed decision

Thank you for your application received on 28/03/2023 to renew your licence to take water GWL156715 to draw 2,326,350 kL per annum over various properties within the Perth Groundwater area, City of Stirling subarea, Perth.

The properties located under this licence are located in within the *Gnangara groundwater allocation plan, DWER 2022* area. The plan aims to rebalance the Gnangara groundwater system by reducing groundwater use in response to climate change and is based on extensive consultation, modelling, and research. Reducing groundwater abstraction will have long-term benefits for water users and help protect Perth and its natural environment, making them more resilient to climate change.

In accordance with the plan, the department proposes to reduce your annual water entitlement. This reduction will occur in your first water year after 1 July 2028. For more information on how the reductions are calculated and how they apply to you please refer to the *Gnangara groundwater allocation plan, DWER 2022* available from our website.

The department has made adjustments to your future entitlement, taking into consideration that a number of shared use reserves are considered exempt from these cuts under the plan.

Your licence will be reissued with the following two conditions:

- The annual water entitlement of this licence is 2,326,350 kilolitres per water year from the licence re-issue date to 30/06/2028.
- The annual water entitlement of this licence is 2,175,916 kilolitres per water year from 1/7/2028 to the licence expiry date.

Swan Avon Region
7 Ellam Street Victoria Park Western Australia 6100
Telephone (08) 6250 8000 Fax (08) 6250 8050
www.dwer.wa.gov.au

Please note that this is a **proposed decision**.

You now have the opportunity to comment and provide further information in support of your position. Your comments are important and will be considered by the department before a final decision is made.

In order for your comments to be considered you must provide a written submission within **thirty (30) days** from the date you receive this letter.

If we do not receive a written submission from you, we will proceed with the course of action outlined above.

After we have made a final decision, you will be advised of the outcome in writing.

If you would like to discuss this matter further, or arrange a meeting to discuss the proposed decision, please contact Sandra Blazeski at the Department of Water and Environmental Regulation on 6250 8026.

Yours faithfully,



Glenn Simmons
District/Program Manager
Swan Avon Region
20 March 2024

Cc: Rebecca.Thomas@stirling.wa.gov.au

12.1/F1 SCHEDULE OF ACCOUNTS FOR PERIOD 9 ENDING 31 MARCH 2024

Business Unit:	Finance Services	Service: Financial Accounting
Ward:	Not Applicable	Location: Not Applicable
Applicant:	Not Applicable	

Role

Executive - *Governing the City and the community through executive powers.*

Council Resolution
0424/012
Moved Councillor Perkov, seconded Councillor Proud
That the schedules for Period 9 – 1 March – 31 March 2024 comprising of

- a. **Cheques drawn and payments made amounting to \$37,094,574.53 and**
- b. **Fuel card payments made amounting to \$34,511.56**

be RECEIVED.
The motion was put and declared CARRIED (12/0) by exception resolution.
For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Papparde, Perkov, Proud and Mayor Irwin.

Against: Nil.

Committee Recommendation

That the schedules for Period 9 – 1 March – 31 March 2024 comprising of

- a. Cheques drawn and payments made amounting to \$37,094,574.53 and
- b. Fuel card payments made amounting to \$34,511.56

be RECEIVED.

Officer's Recommendation

That the schedules for Period 9 – 1 March – 31 March 2024 comprising of

- a. Cheques drawn and payments made amounting to \$37,094,574.53 and
- b. Fuel card payments made amounting to \$34,511.56

be RECEIVED.

Purpose

To inform Council of funds disbursed for the period 1 March to 31 March 2024.

Details

The reported schedules are submitted in accordance with Regulation 13 and 13A of the Local Government (Financial Management) Regulations 1996. In June 2023, the Regulations were amended to include the requirement to report payments by purchasing cards (Regulation 13A) to be implemented by local governments by September 2023.

Fuel cards are considered purchasing cards and so a separate attachment has been prepared for these transactions. Fuel cards are used for the purchase of fuel for the City's petrol vehicles and plant. The use of fuel cards is controlled with the card assigned to an individual vehicle and transactions limited to the purchase of fuel. Vehicle odometer readings are recorded for each fuel purchase. It should be noted that the full payment to Ampol is shown in the Payments Listing and the amount on the fuel card report may differ due to the timing of invoices.

The value of payments made in the month includes new term deposit investments of surplus cash funds. The surplus cash funds available for investment will be impacted by the City's cashflow cycle including the value of term deposits maturing in the month. The value of new term deposits is the main cause of fluctuations in the level of payments from month to month. Other factors would include progress payments made for major capital projects.

Expenditure on Agency Staffing

The table below shows the spend on agency staffing to March 2024. The actual spend of \$1,085,274 equates to 1.2% of the total spent on direct staffing by the City for the period.

Agency Costs by Business Unit	Year to Date Mar 2024 Actual \$	% of Total Staffing Cost
Finance Services	140,490	4.1%
Facilities, Projects & Assets	77,515	2.7%
City Future	48,318	4.0%
Parks & Environment	362,197	3.0%
Waste & Fleet	290,050	4.2%
Recreation & Leisure Services	19,118	0.2%
Community Development	47,275	0.4%
Governance	23,467	0.9%
Customer & Communications	26,476	0.6%
Property & Commercial Services	21,530	3.4%
Development Services	28,837	0.4%
Total	1,085,274	1.2%

Relevant Policies, Legislation and Council Resolutions

Regulation 13 of the Local Government (Financial Management) Regulations 1996 requires that a list of accounts paid by the Chief Executive Officer is to be prepared each month and presented to the Council at the next ordinary meeting of Council after the list is prepared. Regulation 13A of the Local Government (Financial Management) Regulations 1996 requires that a list of accounts paid includes payments via purchasing cards.

[Local Government \(Financial Management\) Regulations 1996](#)

[Local Government Act 1995](#)

Sustainable Stirling 2022-2032

Key Result Area: Our leadership

Objective: A well-governed City

Priority: Comply with legislation, standards and obligations

Strategic Risk

Strategic Risk	Risk Appetite
Governance	The City will act with integrity and implement appropriate processes and controls to avoid breach of legislation.

Relevant Documents and Information

Attachments

Attachment 1 - Payment Listing - March 2024 (ECM No. 11009422) (previously circulated to Elected Members under separate cover) [⇒](#)

Attachment 2 - Ampol Purchase Fuel Card Report - March 2024 (ECM No. 11009424) (previously circulated to Elected Members under separate cover) [⇒](#)

Available for viewing at meeting

Nil

Linked Documents

Nil.

12.1/F2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH ENDING 31 MARCH 2024

Business Unit:	Finance Services	Service: Financial Accounting
Ward:	Not Applicable	Location: Not Applicable
Applicant:	Not Applicable	

Role

Executive - *Governing the City and the community through executive powers.*

Council Resolution
0424/013
Moved Councillor Perkov, seconded Councillor Proud

That the monthly Statement of Financial Activity and other relevant Financial Reports for the month ending 31 March 2024 be RECEIVED.

The motion was put and declared CARRIED (12/0) by exception resolution.

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Papparde, Perkov, Proud and Mayor Irwin.

Against: Nil.

Committee Recommendation

That the monthly Statement of Financial Activity and other relevant Financial Reports for the month ending 31 March 2024 be RECEIVED.

Officer's Recommendation

That the monthly Statement of Financial Activity and other relevant Financial Reports for the month ending 31 March 2024 be RECEIVED.

Purpose

To apprise Council of the financial position of the City in compliance with the provisions of Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the Local Government (Financial Management) Regulations 1996 as amended.

Details

The City's financial reporting framework provides Council, management, and employees with a broad overview of the City-Wide financial position. The format for the financial report includes:

1. A financial summary comprising a Statement of Financial Activity (Attachment 1) and an explanation of each material variance in accordance with the requirements of Regulation 34 (see below).
2. The composition of net current assets, less committed assets, and restricted assets (Attachment 2) in accordance with the requirements of Regulation 34.
3. An Investment Report (Attachment 3) detailing the performance of the investment portfolio as required by the City's Investment Policy.

Monthly Statement of Financial Activity for the Period Ending 31 March 2024

It should be noted that the statement shown as Attachment 1, only includes transactions as they relate to the Municipal Fund, and it removes the non-cash items to allow an assessment of the City's dependency on rate levies.

An explanation of major variances between YTD Actual and YTD Budget for the month ended 31 March 2024 are as follows:

Operating Revenue

1. Grants & Subsidies

This variance is due to the advance payment of CHSP funding for Day Centres and Senior Services and grant funding from the Department of Communities for the Stirling Women's Centre which is received quarterly in advance.

2. Contributions, Reimbursements & Donations

This revenue item has a positive variance due to the City receiving unbudgeted revenue relating to charges for replacement of street trees for a subdivision on Alexander Drive, Mirrabooka. These funds will be transferred to the Tree Reserve.

Operating Expenditure

3. Employee Costs (including Agency Staff)

For the period to 31 March 2024, the total of direct employee costs (net of the cost of Agency Personnel) and indirect employee costs were in line with budget. The adverse employee costs variance was due to labour recoveries which were \$0.9million below budget.

Labour recoveries relate to the transfer of internal staff time to maintenance services and capital projects and the negative labour recovery variance is offset by reduced costs in these areas.

Investment Activity

4. Loss on Disposals

This variance relates to Council Resolution Number 0823/074 for the disposal of Hamersley Public Golf Course club house including two shade sails.

5. Capital Expenditure

This variance mainly relates to the following:

- \$1.5 million variance relating to IT projects which are budgeted as capital projects, but actual expenditure is included in operating expenses. The relevant project expenditure will be capitalised as an intangible asset on completion of the project.
- Capital renewals programs (mainly Rights of Way, Drainage Renewal, Road Renewal and Building Renewal). These programs have a financial variance but are mostly on track to be completed before the end of the financial year, with officers working hard to complete outstanding projects.

Financial Assessment and Implications

The administration is mandated by Council to operate in a financially sustainable and responsible manner. As such, the City ensures that it closely monitors its financials against approved budget.

Relevant Policies, Legislation and Council Resolutions

The monthly statement of financial activity is prepared in accordance with Regulation 34 of the [Local Government \(Financial Management\) Regulations 1996](#)

[Local Government Act 1995](#)

Meeting Date	Council Resolution Number	Council Resolution
1 April 1997	Item 10.2/A11	A monthly report must be provided to Council detailing the investment portfolio in terms of overall performance, percentage exposure of total portfolio by investment institution and in the case of managed investments, the changes in market value.

Sustainable Stirling 2022-2032

Key Result Area: Our leadership

Objective: A well-governed City

Priority: Comply with legislation, standards and obligations

Strategic Risk

Strategic Risk	Risk Appetite
Governance	The City will act with integrity and implement appropriate processes and controls to avoid breach of legislation.

Relevant Documents and Information

Attachments

Attachment 1 - Statement of Financial Activity in the form of a Rate Setting Statement for the period to 31 March 2024 [↓](#)

Attachment 2 - Net Current Assets Position as at 31 March 2024 [↓](#)

Attachment 3 - An Investment Report for the period to 31 March 2024 [↓](#)

Available for viewing at meeting

Nil

Linked Documents

Nil

City of Stirling
Rate Setting Statement
For the Period Ending 31 March 2024

Description	Notes	YTD Actual \$'000	YTD Budget \$'000	Variance \$'000	%	Amended Budget \$'000
OPERATING ACTIVITIES						
Net surplus/(deficit) start of financial year		45,401	48,277			48,277
Revenue from operating activity (excluding rates)						
Other Rates Revenue		494	400	94	24	500
Underground Power Rates		2	0	2	100	0
Security Charge		4,136	4,093	44	1	4,123
Grants & Subsidies	(1)	8,035	7,249	785	11	9,253
Contributions, Reimbursements & Donations	(2)	2,287	1,829	458	25	2,338
Interest		8,592	8,549	43	1	10,991
Registration, Licences & Permits		3,285	3,293	(9)	(0)	4,046
Service Charges		44,085	43,420	665	2	44,486
Fees & Charges		15,249	14,915	334	2	18,953
Other		3,187	3,325	(138)	(4)	3,865
Total Operating Revenue		89,352	87,073	2,279	3	98,556
Expenditure from operating activities						
Employee Costs (including Agency Staff)	(3)	(78,838)	(77,975)	(863)	(1)	(103,409)
Materials & Contracts Direct MTC of NCA		(20,124)	(20,983)	859	4	(29,358)
Materials & Contracts Other Works		(49,480)	(51,636)	2,156	4	(71,388)
Underground Power Expenditure		(1,462)	(1,353)	(109)	(8)	(1,353)
Utilities		(5,979)	(6,284)	305	5	(8,735)
Impairment		4	0	4	(100)	0
Depreciation		(38,003)	(38,626)	623	2	(51,293)
Insurance		(2,095)	(2,237)	142	6	(2,238)
Other		(3,187)	(3,229)	42	1	(5,057)
Total Operating Expenditure		(199,162)	(202,323)	3,161	2	(272,832)
Sub Total Operating Result		(109,810)	(115,250)	5,440	5	(174,276)
Operating activities excluded						
Profit on disposal of assets	(4)	679	431	248	57	507
(Loss) on disposal of assets	(4)	(1,691)	(92)	(1,599)	(1,744)	(128)
Movement Leave Provisions & Committed Grants		(1,161)	0	(1,161)	0	0
Depreciation on Assets		(38,003)	(38,626)	623	2	(51,293)
Total Excluded from Operating Result		37,853	38,286	(433)	(1)	50,948
Amount attributed to operating activities		(71,957)	(76,964)	5,007	7	(123,328)
INVESTMENT ACTIVITIES						
Grants & Subsidies		5,711	5,234	477	9	10,171
Equity Share of Investment		6,789	6,787	2	0	6,827
Proceeds from Disposal of Assets	(4)	2,253	1,995	258	13	2,937
Profit / (Loss) on Disposals	(4)	(1,012)	340	(1,351)	(398)	379
Total Capital Expenditure	(5)	(45,311)	(51,275)	5,965	12	(116,062)
Amount attributed to investment activities		(31,569)	(36,920)	5,351	14	(95,748)
FINANCIAL ACTIVITIES						
Transfers to/from Trust						
Transfers to Reserves		(5,822)		(5,822)	(100)	(29,286)
Transfers to Accum Funds		476		476	100	40,152
Amount attribute to financial activities		(5,347)		(5,347)	(100)	10,866
Surplus/(deficient) before general rates		(160,031)	(159,933)			(159,933)
Total amount raised from general rates		160,031	159,933			159,933
Net current assets at end of period - surplus/(deficit)		96,558	94,326			0

City of Stirling
**Net Current Asset Position Statement
 As At 31 March 2024**

	\$'000
CURRENT ASSETS	
Cash and cash equivalents	204,194
Trade receivables	25,734
Other financial assets at amortised cost	4,571
Inventories	4,913
Contract assets	945
Total Current Assets	240,356
CURRENT LIABILITIES	
Trade and other payables	27,824
Contract liabilities	1,667
Lease liabilities	80
Employee related provisions	18,055
Other provisions	13,985
Total Current Liabilities	61,609
Closing Funds	178,747
Restricted Assets	
Restricted Investments	100,244
Total Restricted Assets	100,244
NET CURRENT ASSETS LESS RESTRICTED ASSETS	78,503
Add Cash Backed Leave	18,055
CLOSING FUNDS	96,558

CITY OF STIRLING CASH & INVESTMENT REPORT AS AT 31 MARCH 2024

	Short term Rating	Long-term Rating	Allocation %	AV RATE ¹ %	TOTAL FUNDS \$	MUNI FUNDS \$	REST FUNDS \$	TRUST FUNDS \$	RESERVE FUNDS \$
IN HOUSE INVESTMENTS									
Banks									
AMP Bank	BBB	BBB	0	4.75%	900,000	900,000	-	-	-
Bank of Queensland	A2	A-	25	5.10%	55,508,837	10,950,000	1,253,991	-	43,304,845
Bankwest	A-1+	AA-	0	-	-	-	-	-	-
Bendigo / Adelaide Bank	A2	A-	19	4.85%	41,441,461	14,000,000	4,784,258	17,681,603	4,975,600
Commonwealth Bank	A-1+	AA-	0	-	-	-	-	-	-
ME Bank	A2	BBB+	0	-	-	-	-	-	-
NAB	A1+	AA-	31	5.24%	67,531,818	24,080,000	7,820,991	-	35,630,827
Rural Bank	A2	A-	0	-	-	-	-	-	-
Sun Corp Metway	A-1	A+	7	5.04%	15,041,737	3,980,000	-	-	11,061,737
Westpac	A1+	AA-	18	5.17%	39,845,917	34,575,000	-	-	5,270,917
TOTAL INVESTMENTS			100	5.11%	\$ 220,269,770	\$ 88,485,000	\$ 13,859,240	\$ 17,681,603	\$ 100,243,927

¹ Average Rate for each bank relates to the investments held at monthend i.e. Total Funds balance

	INTEREST RECEIVED TO DATE	%	FULL YEAR BUDGET
INTEREST EARNED			
Municipal Fund	8,592,194	107.53%	7,990,804
TOTAL	8,592,194	107.53%	7,990,804

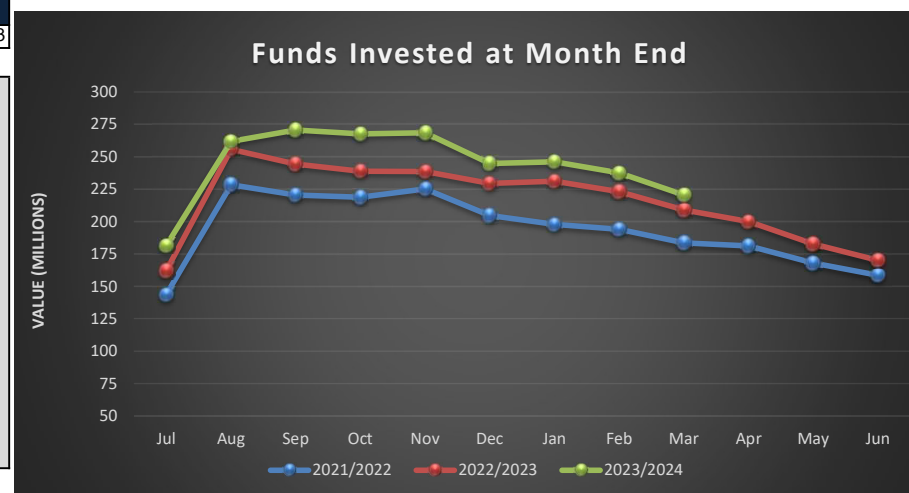
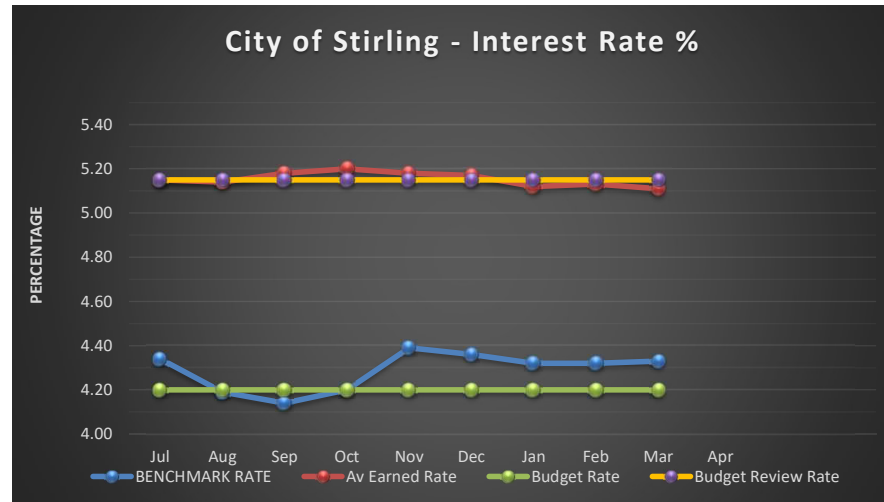
INTEREST RATES	JUL %	AUG %	SEP %	OCT %	NOV %	DEC %
AVGE EARNED RATE (ALL INVESTMENTS)	5.15	5.14	5.18	5.20	5.18	5.17
BENCHMARK RATE	4.34	4.19	4.14	4.20	4.39	4.36

INTEREST RATES	JAN %	FEB %	MAR %	APR %	MAY %	JUN %
AVGE EARNED RATE (ALL INVESTMENTS)	5.12	5.13	5.11			
BENCHMARK RATE	4.32	4.32	4.33			

MARKET AVERAGE INTEREST RATES FOR 2023-24 YEAR ONLY	At Call %	30 Day %	90 Days %	180 Days %	5 Yr Bond %	YTD Av %
	4.35	4.24	4.31	4.44	0.00	4.33

COMMENTARY

- The City of Stirling continues its cautious approach in managing and investing its funds and only invests funds as per the City's investment policy. To date the City only invests in approved and authorised institutions in line with the WA Local Government Act 1995 and its Amendments 2012.
- For this financial year 2023/24, the City continued its cash investments strategy with local banking institutions administrated in house. The City may also consider recommendations from approved advisors should the need arise.
- This report is supported by detailed statements of borrowers of the City's funds with details thereto.



TRUST FUND DETAILS	BALANCE \$
Other Bonds	545,600
Right of Way Bonds	565,298
Payment in Lieu of Public Open Space	9,615,935
Town Planning Schemes	5,724,142
Other Trusts	1,230,629
FINANCE ONE INVESTMENT REGISTER	17,681,603
Funds to be Transferred	-

RESERVE FUND DETAILS	BALANCE \$
Asset Acquisition Reserve	99,182
Cash in Lieu of Public Open Space	1,004,077
Churchlands Lighting Reserve	42,334
Corporate Project Fund	24,046,309
Capital Investment Reserve	22,684,821
Investment Income Reserve	2,994,946
Leave Liability Reserve	13,916,697
Long Service Leave Reserve	844,740
Payment in Lieu of Parking Reserve	3,045,831
Plant Replacement Reserve	5,496,112
Public Parking Strategy Reserve	6,677,269
Road Widening Compensation Reserve	145,334
Security Service Reserve	0
Strategic Waste Development Reserve	14,523,055
Tree Fund Reserve	1,223,116
Workers Compensation Reserve	2,767,826
FINANCE ONE INVESTMENT REGISTER	100,243,927
Funds to be Transferred	732,278

RESTRICTED FUND DETAILS	BALANCE \$
Book Bond	135
Builders Registration Board Levy	99,773
BCITF Levy	71,418
Client Bonds	600
Development Trust	6,230
Hall Hire Bonds	5,400
Other Rest Funds	9,445
Pay in Lieu POS	4,305,809
Payments in Adv	-
Performance Bonds	4,473,613
Reserve Bond	2,600
Section 152 Land	1,722,744
Street Trees Bonds	336,801
Unclaimed Monies	129,482
Verge Bonds	2,820,480
FINANCE ONE INVESTMENT REGISTER	13,984,530
INVESTMENT REGISTER	13,859,240
Funds to be Transferred	125,290

12.1/TE1 49663 MOTORISED GOLF CARTS LEASE AGREEMENT

Business Unit:	Community Development	Service: Leisure Services
Ward:	Coastal	Location: Hamersley Golf Course
Applicant:	Not applicable	

Role

Executive - *Governing the City and the community through executive powers.*

Council Resolution**0424/014****Moved Councillor Perkov, seconded Councillor Proud****That the tender for the Motorised Golf Carts Lease Agreement be ACCEPTED as detailed in Confidential Attachment 1.****The motion was put and declared CARRIED (12/0) by exception resolution.****For:** Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Papparde, Perkov, Proud and Mayor Irwin.**Against:** Nil.**Committee Recommendation**

That the tender for the Motorised Golf Carts Lease Agreement be ACCEPTED as detailed in Confidential Attachment 1.

Officer's Recommendation

That the tender for the Motorised Golf Carts Lease Agreement be ACCEPTED as detailed in Confidential Attachment 1

Purpose

To report on the results from public Invitation for Tender (IFT) and the evaluation of tenders, in accordance with Regulation 18 of the Local Government (Functions and General) Regulations 1996.

Details

Tender Overview

The multi-million-dollar redevelopment of Hamersley Public Golf Course was approved by Council in April 2023 with works subsequently commencing in October 2023 and expected for completion in summer 2024. The redevelopment includes a modern pavilion, new food and beverage offering, state-of-the-art 30 bay two level driving range, new golf cart storage area, and car parking upgrades.

The Redevelopment Business Case identified the need to deliver contemporary golfing amenities, enhance the user experience and optimise revenue opportunities. This includes an increased number of better-quality golf carts. Through a lease agreement it is proposed to increase from 20 to 30 golf carts with an option to further increase up to 40, subject to customer demand. New golf cart technology includes GPS and geo-fencing along with the ability for customers to place food/beverage orders.

Through this tender, and as per the operating budget forecast within the Redevelopment Business Case, it is expected that revenue from golf carts will increase from approximately \$200K per annum to \$400K per annum.

Tender Details

IFT Number 49663
IFT Title Motorised Golf Carts Lease Agreement

Recommended Tenderer(s) As per confidential Attachment 1

Expenditure under this Contract is not capped or fixed. The estimated Contract award value is based on estimated expenditure at this time but may vary depending on budget availability.

Contract Term Initial: 5 years
 Extension Options: Nil

Tendered Rates/Cost Provided in Attachment 1 to this report (confidential)

Advertising: Wednesday, 7 February 2024 The West Australian

Tender Deadline: Monday, 26 February 2024 1.00pm

Tender Opening: Monday, 26 February 2024 3.00pm

Tender Submissions

Two tenders were received, including alternative and non-conforming Tenders:

Tenderer	Trading Name	Stirling or Local Business?
Diamond View Pty Ltd	ADH Golf and Utility Vehicles	YES
Golf Car Rentals Pty Ltd	Golf Cart World	YES

Contract

Commencement Date of New Contract: October 2024
 Completion Date of New Contract: October 2029
 Price Basis of New Contract: Fixed Lease Fees plus Variable Rates for Maintenance

Tender Evaluation Panel

The tender evaluation panel comprised of three members, including a Business Unit Manager (Chairperson), General Manager Hamersley Golf Course and Acting Coordinator Economic Development. Process and probity advice during evaluation was provided by a City Procurement Officer.

Evaluation of Tenders

The objective of the evaluation panel is to recommend a suitably qualified and experienced Contractor or Contractors to satisfy the requirement of the above mentioned IFT.

Based on evaluation of the received submissions and subsequent compliance assessments, the Evaluation Panel recommend that the Tenderer recommended in this report be accepted at the estimated Contract value and Contract term provided, from the anticipated commencement date.

Evaluation Justification

Provided in Confidential Attachment 1 to this report.

Comment

All members of the evaluation panel have made a conflict of interest declaration in writing confirming they have no relationships with any of the tenderers.

It is confirmed that the following checks have been undertaken:

Has the recommended Tenderer(s) undergone Reference Checks successfully?	YES
Nil	
Has the recommended Tenderer(s) undergone Probity assessment and been deemed compliant?	YES
Nil	
Has the recommended Tenderer(s) undergone Financial Viability assessment and been deemed acceptable?	YES
Nil	
Was a Conflict of Interest declared? If yes, please specify how it was managed	NO
Nil	
Has the recommended Tenderer(s) undergone Occupational Safety and Health assessment and been deemed acceptable?	NO
Not applicable for this project.	

Financial Assessment and Implications

Provided in Confidential Attachment 1 to this report.

Stakeholder Engagement

In accordance with Section 1.8 of the *Local Government Act 1995* and Regulation 14(1) of the Local Government (Functions and General) Regulations 1996 the Tender was advertised in a state wide publication. A link to the Tender documents was also made available via the City's website.

Following contract execution, details will be included on the Tender Register on the City's Website.

Relevant Policies, Legislation and Council Resolutions

The Tender has been conducted in accordance with Part 4 of the [Local Government \(Functions and General\) Regulations 1996](#).

[City of Stirling Procurement Policy](#)

[Delegated Authority Register](#)

[Local Government Act 1995](#)

Sustainable Stirling 2022-2032

Key Result Area: Our community

Objective: An active and healthy City

Priority: Facilitate a range of recreation and leisure opportunities for everyone in the City

Key Result Area: Our economy

Objective: A smart and prosperous City

Priority: Attract and promote investment and partnership opportunities

Objective: A vibrant City

Priority: Encourage and support tourism growth

Strategic Risk

Strategic Risk	Risk Appetite
Funding	The City will take sufficient financial risk to enable it to achieve its strategic objectives, providing it does not significantly impact on the long term financial sustainability of the City.
Partnerships	The City will be proactive in improving existing relationships and working with new partners to grow its reputation as an organisation that the community, business, government and other organisations choose to engage with.

Relevant Documents and Information

Attachments

Attachment 1 - Evaluation and Recommendation (previously circulated to Elected Members under confidential separate cover)

Attachment 2 - List of Directors (previously circulated to Elected Members under confidential separate cover)

Available for viewing at meeting

Nil

Linked Documents

Nil.

12.1/8.1 EVENT SPONSORSHIPS 2024**Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 5.23(2) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:-

- (e) *a matter that if disclosed, would reveal -*
- (ii) *information that has a commercial value to a person*

Council Resolution**0424/015****Moved Councillor Perkov, seconded Councillor Proud****That Council PROCEEDS with the confidential recommendation as outlined in the conclusion of this report.****The motion was put and declared CARRIED (12/0) by exception resolution.****For:** Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Paparde, Perkov, Proud and Mayor Irwin.**Against:** Nil.

13. REPORTS FOR CONSIDERATION IN ACCORDANCE WITH CLAUSE 4.2(4) OF THE MEETING PROCEDURES LOCAL LAW 2021

In accordance with Clause 4.2(4) of the City of Stirling Meeting Procedures Local Law 2021, the Chief Executive Officer may include on the agenda of a Council meeting, in an appropriate place within the order of business, any matter which must be decided, or which he considers is appropriate to be decided, by that meeting.

13.1 ELECTORS' GENERAL MEETING 2022/2023

Business Unit:	Governance	Service: Council Governance
Ward:	City Wide	Location: Not Applicable
Applicant:	Not Applicable	

Role

Executive - *Governing the City and the community through executive powers.*

Council Resolution**0424/016****Moved Councillor Perkov, seconded Councillor Ferrante**

1. That the minutes of the Electors' General Meeting 2022/2023 (as shown in Attachment 2) held Monday 18 March 2024, be RECEIVED.
2. That Council PROCEEDS with the recommendations as outlined in Attachment 1, with the exception of Elector Motion 9.12/5, which is to be considered separately.

The motion was put and declared CARRIED (12/0).**For:** Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Papparde, Perkov, Proud and Mayor Irwin.**Against:** Nil.

In lieu of Elector Motion 9.12/5, the following motion was moved:

Council Resolution**0424/017****Moved Councillor Proud, seconded Councillor Migdale****That Council NOTES Elector Motion 9.12/5 and that a review of the City's Code of Conduct for Elected Members be UNDERTAKEN, having regards to Elector Motion 9.12/5, by the end of the calendar year.****The motion was put and declared CARRIED (11/1).****For:** Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Papparde, Perkov and Proud.**Against:** Mayor Irwin.

Recommendation

1. That the minutes of the Electors' General Meeting 2022/2023 (as shown in Attachment 2) held Monday 18 March 2024, be RECEIVED.
2. That Council PROCEEDS with the recommendations as outlined in Attachment 1.

Purpose

To enable Council to consider the outcome of the Electors' General Meeting 2022/2023 (EGM) held 18 March 2024.

Details

In accordance with Section 5.33 of the *Local Government Act 1995*, Council is required to consider any decisions that result from the Electors' General Meeting.

There were 36 motions moved by electors. Each elector's motion has been considered by the City, with a comment addressing each motion provided by relevant officers (refer to Attachment 1). For each motion, an officer's recommendation is also included for Council's consideration.

Each member of the public who moved or seconded a motion at the EGM has been contacted to advise them that their motions will be considered as part of this report, and that the report is being presented at the Council meeting to be held 30 April 2024.

Financial Assessment and Implications

The costs of advertising the EGM were absorbed by utilising methods within the City's existing operational resources. Other related costs to hold the meeting were akin to that of an Ordinary Council Meeting.

Stakeholder Engagement

In accordance with Section 5.29 of the *Local Government Act 1995* there is a statutory obligation to advertise the date, place, time and purpose of the meeting. The EGM was advertised in the Stirling Scene, on noticeboards at the City of Stirling Administration Centre, Libraries, via the City of Stirling website, the City's social media accounts and a direct invitation was emailed to previous attendees via an E-Newsletter. When the EGM minutes were finalised, the attendees were emailed with a link to access these and provided details of the Council meeting where the electors' motions would be considered.

Relevant Policies, Legislation and Council Resolutions

Section 5.27 of the *Local Government Act 1995* states that a general meeting of electors is to be held once every financial year to consider the contents of the Annual Report for the previous year, and to consider other general business.

Section 5.29 of the *Local Government Act 1995* states that local public notice must be given.

Section 5.33 of the *Local Government Act 1995* states that all decisions made at an Electors' meeting are to be considered at a Council meeting.

[Local Government Act 1995](#)

Sustainable Stirling 2022-2032

Key Result Area: Our leadership

Objective: A customer-focused City

Priority: Involve, engage and inform our community

Priority: Provide consistent, responsive and efficient customer service

Strategic Risk

Strategic Risk	Risk Appetite
Community	The City will ensure that it engages with the community in accordance with its Community and Stakeholder Engagement Plan.
Governance	The City will act with integrity and implement appropriate processes and controls to avoid breach of legislation.

Relevant Documents and Information

Attachments

Attachment 1 - 2022-2023 EGM - Motions and Officer Comment [↓](#)

Attachment 2 - 2022-2023 Electors General Meeting Minutes 18 March 2024 [↓](#)

Available for viewing at meeting

Nil

Linked Documents

Nil.

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.1/1	<p>Moved Simon Wheeler, on behalf of the Stirling Tree Canopy and Advocates Association, seconded Felicity Farrelly</p> <p>That the City of Stirling includes in its draft Local Planning Scheme No.4 - provisions to achieve tree protection on private property through the insertion of the following into Schedule A: Supplemental Provisions to the Deemed Provisions:</p> <p>Clause 60A:</p> <p><i>No person shall remove a tree (which includes ring barking, cutting down, topping, lopping, removing, pruning, transplanting, filling or excavating around, injuring, or wilful destruction) that meets the following criteria unless development approval has been granted in accordance with Part 8 of the Deemed Provisions:</i></p> <p><i>a. Tree height of 8m or greater; or</i></p> <p><i>b. Canopy width of 6m or greater; or,</i></p> <p><i>c. A total trunk circumference of 1.5m, and where the tree has multiple trunks average trunk circumferences of 625mm, measured at 1.4m above ground level; or</i></p> <p><i>d. Is on a Significant Tree Register.</i></p> <p>And to add the relevant additions to Clause 61 for circumstances where Clause 60A can be bypassed.</p> <p>The motion was put and declared CARRIED.</p>	<p>On 5 December 2023 Council resolved (Council Resolution Number 1223/010) to advertise draft Local Planning Scheme No.4 (LPS4) and refer the draft LPS4 documents to the Western Australian Planning Commission (WAPC) for consent to advertise. Draft LPS4 is currently under review by the Department of Planning Lands and Heritage (DPLH), with advertising anticipated to commence in the second half of 2024. It is therefore too late to include the requested provisions at this stage.</p> <p>Council may choose to consider this Motion as a submission on draft LPS4 once it has been advertised. Given the significance of the modification, including this motion after advertising may trigger readvertising of draft LPS4 for an additional 60 days, delaying the introduction of the new scheme.</p> <p>Notwithstanding the above, the draft LPS4 will undergo review by the WAPC and, ultimately, require Ministerial approval. It is noted similar recent proposals by other local governments have not been successful, and it is unlikely to be supported due to the State Governments development of the Perth & Peel Urban Greening Strategy.</p> <p>The State Government's current response to addressing tree canopy loss is to prepare the Perth & Peel Urban Greening Strategy. Development of the strategy will explore various elements aimed at enhancing tree canopy and creating more green spaces across the Perth & Peel region.</p>	<p>That Council NOTES Elector Motion 9.1/1 and takes no further action in relation to this motion.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.1/2	<p>Moved Simon Wheeler, on behalf of the Stirling Tree Canopy and Advocates Association, seconded Felicity Farrelly</p> <p>That the City of Stirling adopt WALGA's Model Local Planning Policy for Tree Retention in its entirety which has the effect of defining a regulated tree as works that require development approval.</p> <p>The motion was put and declared CARRIED.</p>	<p>The City's Officers are aware of the WALGA Model Local Planning Policy for Tree Retention, and are reviewing this policy, and its potential role as part of a comprehensive suite of tools to address tree canopy loss.</p>	<p>That Council NOTES Elector Motion 9.1/2 and NOTES that a report will be prepared for a future Council meeting in relation to the motion.</p>
Motion 9.1/3	<p>Moved Simon Wheeler, on behalf of the Stirling Tree Canopy and Advocates Association, seconded Leisha Jack</p> <p>That the City of Stirling commits to a tree canopy target of 30% by 2040 supported by appropriate planning and policy changes, funding, monitoring and annual reporting.</p> <p>The motion was put and declared CARRIED.</p>	<p>In 2019, Council endorsed the City's Urban Forest Plan (Council Resolution Number 0719/014) and extended the average tree canopy cover target across the City to 18% by 2040; there is no plan to change this target. Further support from the State Government to regulate, particularly regarding tree protection on private property is needed for the City to move closer to its existing target.</p> <p>At its meeting on 21 November 2023, Council considered a Notice of Motion relating to Tree Retention on Private Property, and how planning controls could be strengthened to achieve this.</p> <p>Council subsequently resolved that a report be presented to Council by May 2024 regarding the opportunities to retain trees (and canopy) on private property prior to, during and after development including strengthening related planning conditions.</p> <p>This report will address the remainder of the electors' motions from last year's and this year's EGM, as well as an outstanding Notice of Motion from Councillor Lisa Thornton related to tree retention.</p>	<p>That Council NOTES Elector Motion 9.1/3 and AFFIRMS its decision for a tree canopy target of 18% by 2040 as set out in the Urban Forest Plan adopted by Council (2019) in relation to this motion.</p> <p>and</p> <p>That Council NOTES that a report will be presented to a future Council meeting relating to Tree Retention on Private Property, and how planning controls could be strengthened to achieve this.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.1/4	<p>Moved Simon Wheeler, on behalf of the Stirling Tree Canopy and Advocates Association, seconded Katie Madden</p> <p>That Council resolves, subject to officer reports and the outcomes of public consultation, that the City disallow via a local law, building or demolition permits or building or demolition work to commence where such works will - in the opinion of an authorised officer - adversely affect other land to the extent that those works will kill or cause the death of significant trees on adjoining private property.</p> <p>The motion was put and declared CARRIED.</p>	<p>A tree retention local law is currently being developed. The City has engaged legal services in the preparation of the local law to consider its implementation.</p>	<p>That Council NOTES Elector Motion 9.1/4 and NOTES that a tree retention local law is currently under development by the City.</p>
Motion 9.1/5	<p>Moved Simon Wheeler, on behalf of the Stirling Tree Canopy and Advocates Association, seconded Felicity Farrelly</p> <p>That Council resolves, subject to officer reports and the outcomes of public consultation, to implement via a Local Law a City-wide ban on the clear-felling of development sites or the removal of significant trees on such sites in the absence of a development approval and a building permit - linked to that development approval.</p> <p>The motion was put and declared CARRIED.</p>	<p>A tree retention local law is currently being developed. The City has engaged legal services in the preparation of the local law to consider its implementation.</p>	<p>That Council NOTES Elector Motion 9.1/5 and NOTES that a tree retention local law is currently under development by the City.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.1/6	<p>Moved Simon Wheeler, seconded Leisha Jack</p> <p>That approvals for tree removal from all City Managed reserves including Class A reserves, other than those requiring removal due to death or disease or in the case that a tree presents some actual physical danger - be subject to Council for approval and/or that a list of notifications of requested removals be made available to Council prior to any authorisation being given by the tree delegate with a `call in` process being made available to Councillors for proposed tree removals.</p> <p>The motion was put and declared CARRIED.</p>	<p>The City is currently reviewing the Street and Reserve Trees Policy (to be renamed the City Tree Policy) - where the delegation is referenced, and this matter will be the subject of a Council report later in 2024.</p>	<p>That Council NOTES Elector Motion 9.1/6 and NOTES that the Street and Reserve Trees Policy (which contains the delegation) is due to be reviewed and considered by Council later in 2024.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.2/1	<p>Moved Paul Collins, seconded Kieren Kelly</p> <p>That the City of Stirling INITIATE the planning and construction of a performing arts theatre with a stage large enough for an orchestra as a Western Australian Bicentenary Project to open in 2029.</p> <p>The motion was put and declared CARRIED.</p>	<p>The City's recently completed Community Infrastructure Plan 2023 - 2033 identifies that there is a need for future investment in performing arts, visual arts and other cultural infrastructure.</p> <p>Planning for a local performing arts centre at Hamersley Community Hub is currently being progressed. Through discussions with Development WA and the Department of Education, the City is also investigating opportunities for future shared use of the performing arts infrastructure located at Edith Cowan University in Mount Lawley.</p> <p>High-level planning for Stirling City Centre did consider a large-scale performing arts centre, however given the significant capital and operating costs, other community infrastructure opportunities are being pursued.</p>	<p>That Council NOTES Elector Motion 9.2/1 and takes no further action in response to this motion.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.2/2	<p>Moved Paul Collins, seconded Felicity Farrelly</p> <p>That the City of Stirling INVESTIGATE options for an underpass or overpass across Alexander Drive to connect the Terry Tyzack Aquatic Centre with Yokine Reserve.</p> <p>The motion was put and declared CARRIED.</p>	<p>The introduction of a formalised pedestrian crossing (including underpass or overpass) was investigated in detail by the City in 2015 and again in 2019.</p> <p>The City undertook traffic and video surveys along this section of Alexander Drive to quantify the volume of vehicles and the number of pedestrians crossing the road. These surveys demonstrated that the current volumes fall well below the minimum requirements set by Main Roads WA.</p> <p>At the Council Meeting of 3 December 2019, Council considered a report on this matter and resolved (Council Resolution Number 1219/058) to not proceed with a formalised pedestrian crossing on Alexander Drive, between Yokine Reserve and the Terry Tyzack Aquatic Centre, on the basis that recent investigations have shown the minimum warrants have not been satisfied.</p>	<p>That Council NOTES Elector Motion 9.2/2 and AFFIRMS its decision of 3 December 2019 (Council Resolution Number 1219/058) not to proceed with a formalised pedestrian crossing.</p>
Motion 9.2/3	<p>Moved Paul Collins, seconded Simon Wheeler</p> <p>That the City of Stirling ENSURES before the end of Financial Year 2024/2025 every local park or reserve under its responsibility has sufficient green grass suitable for sitting, picnicking or entertaining under shady trees. Because too many parks and reserves are becoming tree museums with either no grass and/or no suitable areas of shade under a tree because the grass and reticulation is removed and replaced with more trees and more mulch.</p> <p>The motion was put and declared CARRIED.</p>	<p>The City has 250 un-irrigated dry parks across Stirling. The City's irrigated parks and reserves use groundwater in accordance with limits determined by the Department of Water and Environmental Regulation (DWER). With a drying climate, parks therefore have a water budget and are designed within these environmental limitations to provide the best mix of amenity options. It should also be noted that the DWER have notified local governments that there will be a 10% reduction in groundwater extraction licences enforced in 2028.</p>	<p>That Council NOTES Elector Motion 9.2/3 and takes no further action in response to this motion.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.2/4	<p>Moved Paul Collins, seconded Felicity Farrelly</p> <p>That the City of Stirling EXTENDS the Mitchell Freeway southbound entry lane off Hutton Street all the way to the intersection with Hamilton Street to reduce traffic congestion.</p> <p>The motion was put and declared CARRIED.</p>	<p>Main Roads WA are proposing changes to the intersection of Hutton Street and the Mitchell Freeway southbound on-ramp as part of their Smart Freeways project. As part of that project, an additional left turn lane will be created to improve the capacity of the left turn movements onto the Freeway on-ramp, which will reduce the length of the queue for left turn vehicles and negate the need for extension of the left turn lane.</p> <p>Notwithstanding this, the length of the left turn deceleration lane on the Hutton Street approach to the Freeway on-ramp extends as far as possible within the allowable road reserve width. Extending the turning lane by a further 200m (to the Hamilton Street intersection) cannot be accommodated within the available verge space. Extension of the turning lane would require compulsory acquisition of land from abutting properties, and the benefit-vs-cost ratio would be low.</p>	<p>That Council NOTES Elector Motion 9.2/4 and takes no further action in response to this motion.</p>
Motion 9.2/5	<p>Moved Paul Collins, seconded Simon Wheeler</p> <p>That the City of Stirling RETICULATE and MAINTAIN arterial median reserves under its responsibility such as Alexander Drive to a greater standard than has been occurring by at least ensuring sufficient grass coverage.</p> <p>The motion was put and declared CARRIED.</p>	<p>Under the City's Water Smart Parks Strategy, limited groundwater supplies are prioritised for irrigation of active/passive parks for community use and wellbeing, not unused medians.</p> <p>As the City faces incoming 10% reductions to already-stretched groundwater allocations, any medians (where it does not pose a threat to tree health) will be reviewed for water reductions in an effort to reach our groundwater reduction target set by the Department of Water and Environmental Regulation (DWER).</p>	<p>That Council NOTES Elector Motion 9.2/5 and takes no further action in response to this motion</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.4/1	<p>Moved Felicity Farrelly, seconded Paul Collins</p> <p>That the City of Stirling be requested to update the community in the next six months in regard to the Council Workshop outcome for the wood chipped hubs on Scarborough main beach, which includes Scarborough Square, an iconic and cultural vista for the community in Scarborough.</p> <p>In the update the timeline for community consultation be given with concurrent letterbox drop and digital communication for a community meeting on this matter.</p> <p>The motion was put and declared CARRIED.</p>	<p>The Scarborough Precinct, including the hubs, is a major strategic priority for the City. City officers will be providing Council with information on the precinct over the next six months and will provide a report to Council.</p>	<p>That Council NOTES Elector Motion 9.4/1 and NOTES that a report will be prepared for a future Council meeting in relation to the motion.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.4/2	<p>Moved Felicity Farrelly, seconded Simon Wheeler</p> <p>That the City of Stirling review the membership of the Coastal Advisory Group and ensure there is a broad spectrum of community members across all beachfront suburbs, especially where parking, shadowing of the beachfront and wind impact concerns are as important as the expertise and professional knowledge of coastal management and beach activities.</p> <p>The motion was put and declared CARRIED.</p>	<p>The Coastal Advisory Group has been established to obtain insights from key stakeholders who have a strong understanding of activities that take place within our coastal areas. These insights then inform City decision making regarding the use, development, management and protection and enhancement of our coastal areas.</p> <p>As such, the Advisory Group includes representatives from Scarborough and Trigg Surf Life Saving Clubs, Stirling Natural Environment Coastcare, Scarborough Beach Association, Surfing WA and local boardrider clubs. Given that the Advisory Group does not consider matters such as parking and beachfront development, it is not considered necessary to add broader community members.</p> <p>Importantly, the Advisory Group has no delegated authority with no power to make decisions, take action or direct City Officers. Any advice from the Group may be included within Council Reports and may inform community engagement/consultation practices.</p>	<p>That Council NOTES Elector Motion 9.4/2 and takes no further action in response to this motion.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.4/3	<p>Moved Felicity Farrelly, seconded Arriadne Bradley</p> <p>That the City of Stirling hold a community consultation within the next six months to review the master plan of Scarborough and including this the outcome of the planning policy for public parking for Scarborough beach front and suburb. Included in that, is that the Coastal Ward will be first off the mark for implementation of parking and transport recommendations of the planning parking policy.</p> <p>The motion was put and declared CARRIED.</p>	<p>The City is commencing a strategic review of its key urban growth areas, including the Scarborough District Centre and its surrounds.</p> <p>In addition to a high-level review of the Masterplan and relevant planning framework documents, the review is proposed to include an investigation of public realm improvements undertaken by DevelopmentWA to measure success against the objectives of the Masterplan and make recommendations for improvements to attract business and tourism investment.</p>	<p>That Council NOTES Elector Motion 9.4/3 and NOTES that a report will be prepared for a future Council meeting in relation to the motion.</p>
Motion 9.5/1	<p>Moved Ewa Walkemeyer, seconded Paul Collins</p> <p>That the issue with clear access to the house are considered by the Council and solution is found to allow unobstructed access to the house.</p> <p>The motion was put and declared CARRIED.</p>	<p>Mayor Mark Irwin, together with City officers, met with Ewa Walkemeyer at her property following the Electors' General Meeting.</p> <p>A solution to provide infrequent access to the dwelling for large vehicles, while allowing for the retention of the established street tree, was agreed.</p>	<p>That Council NOTES Elector Motion 9.5/1 and takes no further action in relation to the matter.</p>
Motion 9.6/1	<p>Moved Ramesh Lingam, seconded Sharmini Lingam</p> <p>That if there are fig trees in residential verge areas, if a local resident requests that they be removed and just replaced with other type of trees that will not cause structural damage, would the Council please do that?</p> <p>The motion was put and declared LOST.</p>	<p>Existing trees in the City are considered on their own merit, assessing and managing them on a case by case basis. City officers have made contact with Ramesh Lingam to assess his situation and provide appropriate assistance.</p>	<p>No recommendation as the motion was lost.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.8/1	<p>Moved Raoul Abrutat, seconded Felicity Farrelly</p> <p>That the City of Stirling is going to liaise with the Town of Cambridge [regarding the Ocean Village Development Application] and keep ratepayers informed.</p> <p>The Motion was put and declared CARRIED.</p>	<p>Although the City has no formal role in the assessment or determination of the proposal local residents are able to track the progress of the application using the following link to the WAPC website: https://www.wa.gov.au/organisation/department-of-planning-lands-and-heritage/state-development-assessment-unit-applications#application-lodged</p> <p>The Ocean Village development application meets the value threshold to be considered of 'state significance' under Part 17B of the <i>Planning and Development Act 2005</i> and has been submitted for assessment to the State Development Assessment Unit (SDAU).</p> <p>The SDAU is a division of the Department of Planning Lands and Heritage (DPLH). Following assessment, the Western Australian Planning Commission (WAPC) will determine the application.</p> <p>To date, no plans have been made available and the SDAU will be responsible for any future consultation with surrounding residents and the Town of Cambridge. The SDAU or Town of Cambridge may choose to seek comment from the City of Stirling when the proposal is formally advertised but are not obliged to.</p>	<p>That Council NOTES Elector Motion 9.8/1 and NOTES that ratepayers may be kept informed of the development application via the Western Australian Planning Commission's website.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.9/1	<p>Moved Robert Madden, seconded Leisha Jack</p> <p>That the City of Stirling Council resolve to create and adopt a policy statement acknowledging the significant adverse effects on both cats and native wildlife, where cats are allowed to roam freely in the City of Stirling, referencing the overwhelming evidence that cats confined to premises live longer and healthier lives and that confining cats to premises, unless under effective control, will have a significant positive impact on supporting biodiversity, promoting a natural and healthier urban environment and amends the City's Strategic Community Plan under the natural environment category to reference the intent of this policy as a priority and amends any other policies to reference that intent of this policy where applicable.</p> <p>The motion was put and declared CARRIED.</p>	<p>The City's Director Community Development and Manager Community Safety met with 'Responsible Cat Ownership Stirling' representatives following the Electors General Meeting to further discuss the motions relating to the keeping and control of cats.</p> <p>The statutory review of the Keeping and Control of Cats Local Law 1999 is being progressed following Council's formal initiation of the review on 5 December 2023. It is expected that the outcomes will be presented to Council for consideration in June 2024, with recommendations on any amendments that may be required.</p> <p>The State Government <i>Cat Act 2011</i> (the <i>Act</i>) is the legislative instrument to provide for the control and management of cats, and to promote and encourage the responsible ownership of cats. The <i>Act</i> also includes a mechanism for local governments to create local laws for its district. Based on previous advice from the Minister it is understood that a statutory review of the <i>Act</i> is due to commence as soon as practicable after 2024.</p> <p>Through the Local Law Review process, the City will demonstrate a position on nuisance/wandering cats, which will inform subsequent contributions to the statutory review of the <i>Act</i>.</p>	<p>That Council NOTES Elector Motion 9.9/1 and NOTES the outcomes of the Keeping and Control of Cats Local Law Review will be presented for consideration in June 2024.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.9/2	<p>Moved Robert Madden, seconded Arriadne Bradley</p> <p>That the City of Stirling Council writes to the new Minister for Local Government and the Minister for the Environment requesting immediate amendments to the <i>Cat Act 2011</i>, to require that cats be under effective control at all times when in public places.</p> <p>The motion was put and declared CARRIED.</p>	<p>The Mayor wrote to the Minister for Local Government in June 2023 requesting that the State Government prioritise the review of, and amendments to, the <i>Cat Act 2011</i>. The Minister advised that the next statutory review of the <i>Act</i> is due to commence as soon as practicable after 2024.</p> <p>This intended approach and timeframe has been confirmed by the Department, and therefore it is not considered necessary to again write to the Minister.</p>	<p>That Council NOTES Elector Motion 9.9/2 and takes no further action in response to this motion.</p>
Motion 9.9/3	<p>Moved Robert Madden, seconded Simon Wheeler</p> <p>That the City of Stirling Council seek external, independent legal advice on the legitimacy of the Joint Standing Committee for Designated Legislation's recent decisions in regard to the control of cats in public places, where such is inconsistent with the gazetted Local Laws of the Shires of Narrogin and Northam, in order to guide and inform Council's decision making during the upcoming review of the City's Keeping and Control of Local Cats Law.</p> <p>The motion was put and declared CARRIED.</p>	<p>The Joint Standing Committee on Delegated Legislation reviews delegated legislation on behalf of the Parliament. The City has reviewed recent decision making which will directly inform the statutory review of the Keeping and Control of Cats Local Law 1999.</p> <p>It is not considered appropriate or necessary to seek legal independent legal advice on the legitimacy of the Joint Standing Committee on Delegated Legislation's decision making.</p> <p>The most effective method to effect change regarding the control of nuisance/wandering cats in public places is through the next statutory review of the <i>Cat Act 2011</i>.</p>	<p>That Council NOTES Elector Motion 9.9/3 and takes no further action in response to this motion.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.9/4	<p>Moved Robert Madden, seconded Simon Wheeler</p> <p>That the City of Stirling Council amends the Keeping and Control of Cats Local Law 1999 to include an effective control of cats provision for cats in public places.</p> <p>The motion was put and declared CARRIED.</p>	<p>The statutory review of the Keeping and Control of Cats Local Law 1999 is being progressed following Council's formal initiation of the review on 5 December 2023. It is expected that the outcomes will be presented to Council for consideration in June 2024, with recommendations on any amendments that may be required.</p> <p>Given recent decisions of the Joint Standing Committee on Delegated Legislation it is expected that they will object to cat containment, and therefore such a clause will not be included in the Local Law.</p> <p>The most effective method to effect change regarding the control of nuisance/wandering cats in public places is through the next statutory review of the <i>Cat Act 2011</i>.</p>	<p>That Council NOTES Elector Motion 9.9/4 and NOTES the outcomes of the Keeping and Control of Cats Local Law Review will be presented for consideration in June 2024.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.10/1	<p>Moved Simon Wheeler, on behalf of Robert Mitchell, seconded Leisha Jack</p> <p>That the State Government Audit Report, or annual contracted Council Audit Report sanctioned, by the Auditor General for a financial year, be held over in the succeeding year and the State Government Audit Report or sanctioned approved report held over for when delivered to a regular City of Stirling monthly Council meeting for Council vetting and or approval and that the annual electors' ratepayer meeting be held no later than October in any given year.</p> <p>The motion was put and declared CARRIED.</p>	<p>Section 5.27(2) of the <i>Local Government Act 1995</i> (the <i>Act</i>), notes that an Electors General Meeting (EGM) is to be held after an Annual Report is accepted.</p> <p>Division 5 of the <i>Act</i>, and in particular Sections 5.53 and 5.54, require a local government to prepare an Annual Report which contains the Auditor General's report.</p> <p>Importantly, this means that the City cannot accept an Annual Report without the Auditor General's report, and cannot hold an EGM until the Annual Report has been accepted.</p> <p>The City is working with the Office of the Auditor General to have the audit completed in time for the EGM to be held prior to the end of the calendar year. If the audited financial statements are received in time for the Annual Report to be presented to Council in October, the EGM would be held shortly after.</p>	<p>That Council NOTES Elector Motion 9.10/1 and takes no further action in response to this motion.</p>
Motion 9.11/1	<p>Moved Leisha Jack, seconded Felicity Farrelly</p> <p>Could the City please do more to promote this particular event [the Electors' General Meeting] going forward.</p> <p>The motion was put and declared CARRIED.</p>	<p>The City uses a number of different methods to communicate the date and relevant information about the EGM, and has exceeded its legislative advertising requirements.</p> <p>The City welcomes the feedback provided by Ms Jack, and will increase the promotion of future EGMs.</p>	<p>That Council NOTES Elector Motion 9.11/1 and ACKNOWLEDGES the City's commitment to increase the promotion of future Electors' General Meetings.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.11/2	<p>Moved Leisha Jack, seconded Raoul Abrutat</p> <p>That the City create a Public Health Plan, like other Cities have, other Councils have, and that it includes extreme heat and the importance, the preventative measure of protecting and planting trees to reduce urban heat.</p> <p>The motion was put and declared CARRIED.</p>	<p>The City's Environmental Health Team is currently working on a draft Public Health Plan internally. The City is working towards having a comprehensive Public Health Plan created by 4 June 2026.</p>	<p>That Council NOTES Elector Motion 9.11/2 and ACKNOWLEDGES that the City will commence the process to create a public health plan by 4 June 2026.</p>
Motion 9.11/3	<p>Moved Leisha Jack, seconded Felicity Farrelly</p> <p>That City not repeat that [the City of Stirling is recognised for its tree-lined streets] in the next Annual Report.</p> <p>The motion was put and declared CARRIED.</p>	<p>The City is working towards provision of tree-lined streets across the City. It is recognised that not every street is "tree-lined".</p>	<p>That Council NOTES Elector Motion 9.11/3.</p>
Motion 9.11/4	<p>Moved Leisha Jack, seconded Raoul Abrutat</p> <p>That they [the City] plant the biggest possible tree species in the space available.</p> <p>The motion was put and declared CARRIED.</p>	<p>In its efforts to progress towards the 18% by 2040 tree canopy cover target, the City seeks to plant the most suitable tree species for each site, taking into account the specific constraints for each location, maintaining diversity and achieving as much canopy cover as possible per tree.</p>	<p>That Council NOTES Elector Motion 9.11/4 and takes no further action in response to this motion.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.11/5	<p>Moved Leisha Jack, seconded Noel Phillips</p> <p>Could the City please do more to encourage businesses to look after the trees to create more shade in their car parks.</p> <p>The motion was put and declared CARRIED.</p>	<p>The City is currently in the process of reviewing Local Planning Policy 6.6 - Landscaping and Local Planning Policy 6.11 - Trees and Development which will consider a range of initiatives relating to tree establishment and sustainability.</p> <p>Conditions of development approval are imposed in relation to the planting and maintenance of landscaping for the lifetime of the development which can be enforced by the City.</p>	<p>That Council NOTES Elector Motion 9.11/5 and NOTES that a report regarding Local Planning Policy 6.6 - Landscaping and Local Planning Policy 6.11 - Trees and Development will be prepared for a future Council meeting.</p>
Motion 9.12/1	<p>Moved Kieran Kelly, on behalf Sunsets not Skyscrapers, seconded Robyn Murphy</p> <p>That the City prepare a report to Council addressing the known issues contained in the Scarborough Special Control Area Master Plan, Design Guidelines and Development Policies inherited in 2023 through a process known as normalization of the DevelopmentWA Scarborough Redevelopment Area Planning Framework, which since its adoption in 2016, has resulted in ad hoc planning and unacceptable and inequitable outcomes, contrary to the expectations of Scarborough and the City of Stirling residents and ratepayers. The report is to include, but not limited to consideration and recommendations of changes for incorporation into the Local Planning Scheme No.4 as follows:</p> <ul style="list-style-type: none"> Building height restrictions; 	<p>As stated in response to Motion 9.4/3 the City is commencing a strategic review of its key urban growth areas, including the Scarborough District Centre and its surrounds. This will include a high-level review of the Masterplan and relevant planning framework documents.</p>	<p>That Council NOTES Elector Motion 9.12/1 and NOTES that a report will be prepared for a future Council meeting in relation to the motion.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
	<ul style="list-style-type: none"> • Overshadowing calculations that take into account the context and character of Scarborough Beach; • The Public Open Space requirements; • Definition of what represents the community benefit in referencing to awarding bonus heights; • How build-to-rent applications should be addressed and how they will fit into the scheme; • More equitable developer contribution; • Public art contributions; • Affordable housing components; • Parking and traffic issues; • Disallowance of made-up provisions such as gross floor area transference, which do not, nor ever have been part of the applicable planning scheme; and • Definitions of design excellence that include amenity to the public and beach uses best practice architecture and aesthetics compatible with coastal environment. <p>The motion was put and declared CARRIED.</p>		

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.12/2	<p>Moved Kieran Kelly, on behalf Sunsets not Skyscrapers, seconded Simon Wheeler</p> <p>That the City of Stirling amend the Scarborough Special Control Area Master Plan design guidelines and develop policies to specify maximum limits on building heights to match the base and bonus heights already considered within the original Master Plan and design guidelines. So, it's maximum building heights of 12 storeys. And amend the discretionary clause 1.7 in the building guidelines to remove the words "including any height provisions" to ensure this clause does not apply to building heights over and above the base and bonus heights described by the scheme.</p> <p>The motion was put and declared CARRIED.</p>	<p>The 'Scarborough Special Control Area Design Guidelines' have been adopted as a Local Planning Policy by Council under the City's Local Planning Scheme No.3.</p> <p>A Local Planning Policy is a guiding document that is given 'due regard' in decision making and is therefore a discretionary document.</p> <p>A Local Planning Policy must not be used to establish a mandatory or controlling status. The use of mandatory language in policy provisions is to be avoided. Instead, Local Planning Policies should make it clear that where a development (or a planning matter) does not satisfy the policy provisions, consideration needs to be given by the decision maker as to whether any alternate/innovative planning and design solutions provided by the applicant could be applied to achieve the objectives of the policy.</p> <p>It is also important that policy is not applied inflexibly – it is a tool to assist with decision-making, not a document requiring slavish compliance regardless of other competing planning considerations.</p> <p>It is noted that draft LPS4 includes a provision in relation to the Scarborough Redevelopment Area that approval of development above the base height, is to be up to the maximum potential bonus height applicable to a site. While this provision clearly states the City's intent, there are no absolutes in planning and variations to this may be considered where sufficient justification is provided by an applicant.</p>	<p>That Council NOTES Elector Motion 9.12/2 and takes no further action in response to this motion.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.12/3	<p>Moved Kieran Kelly, on behalf Sunsets not Skyscrapers, seconded Robyn Murphy</p> <p>That the City of Stirling amend the Scarborough Special Control Area design guidelines to remove the five-star energy rating from the criteria required to the awarding of bonus heights and make a required six-star green energy rating as an absolute minimum to qualify determination of the development in the Special Control Area.</p> <p>The motion was put and declared CARRIED.</p>	<p>As stated in response to Motion 9.4/3 the City is commencing a strategic review of its key urban growth areas, including the Scarborough District Centre and its surrounds.</p>	<p>That Council NOTES Elector Motion 9.12/3 and NOTES that a report will be prepared for a future Council meeting in relation to the motion.</p>
Motion 9.12/4	<p>Moved Kieran Kelly, on behalf Sunsets not Skyscrapers, seconded Robyn Murphy</p> <p>That the City conduct an integrated traffic management study in order to create a traffic management strategy specifically to guide building development in the Special Control Area and that the City suspend consideration of development applications in the Special Control Area until such time as a traffic management strategy is in place to guide responsible planning.</p> <p>The motion was put and declared CARRIED.</p>	<p>The City cannot prevent applicants from submitting development applications under the relevant legislation. However, all major applications need to be accompanied by an independent traffic impact assessment to determine the impact on the surrounding road network and to ensure appropriate measures are considered where required.</p>	<p>That Council NOTES Elector Motion 9.12/4 and takes no further action in response to this motion.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.12/5	<p>Moved Kieran Kelly, seconded Simon Wheeler</p> <p>In the interest of openness and transparency, the City require all Councillors to make an annual declaration of all membership, interest and positions in any political parties, corporations, trade unions, professional or business association or community and sporting organisations. Further all such annual declarations be published online to be available for public scrutiny and should be updated as required.</p> <p>The motion was put and declared CARRIED.</p>	<p>At its meeting held 28 May 2019, Council considered a Notice of Motion report proposing changes to the City's Code of Conduct that would require Councillors to disclose their relevant political and trade union associations, and that this information be publicly available on the City's website.</p> <p>The proposed changes were not supported at that time, with Council resolving not to include any of the amendments to the City's Code of Conduct.</p>	<p>That Council NOTES Elector Motion 9.12/5 and takes no further action to this motion.</p>
Motion 9.13/1	<p>Moved Robyn Murphy, seconded Felicity Farrelly</p> <p>That the City include in its future Annual Report the gender pay gap, that is the difference between women and men's average weekly fulltime earnings for its employees, using the same criteria and method as used by the Australian Bureau of Statistics.</p> <p>The motion was put and declared CARRIED.</p>	<p>The City reports on gender and pay in our Annual Report as required under the <i>Local Government Act 1995</i>. This provides an annual representation of gender equity in pay as required by legislation governing local government in WA (page 59 of our 2022/2023 Annual Report). The City will continue to report on gender and pay as required in future years.</p>	<p>That Council NOTES Elector Motion 9.13/1 and takes no further action in response to this motion.</p>

ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024		OFFICER COMMENT	RECOMMENDATION
Motion 9.14/1	<p>Moved Leonie Carroll-Vianna, seconded Felicity Farrelly</p> <p>That the City considers partnering with the Water Corporation to pump treated water into Carine Wetlands.</p> <p>The motion was put and declared CARRIED.</p>	<p>The City is not involved with wastewater services or water replenishment. This is the responsibility of the Water Corporation and the Department of Water and Environmental Regulation (DWER). However, the City would not be in favour of pumping treated wastewater directly into sensitive wetlands.</p> <p>Currently, there is a replenishment of groundwater system in place where treated groundwater is pumped back into the deep aquifer and eventually finds its way back into the superficial (shallow) groundwater aquifer, which may influence surface water expressions such as Carine Lake. DWER has recently stopped issuing bore licenses in the greater Perth area and has reduced the amount of groundwater being drawn from the aquifers to allow the water levels in the coastal plain wetlands to return to more natural levels.</p> <p>It is important to note that Perth wetlands are seasonal, and some may naturally fluctuate and be intermittently waterlogged depending on rainfall.</p>	<p>That Council NOTES Elector Motion 9.14/1 and takes no further action in response to this motion.</p>
Motion 9.15/1	<p>Moved Katie Madden, seconded Robert Madden</p> <p>That the Council consider implementing a FOGO waste management scheme.</p> <p>The motion was put and declared CARRIED.</p>	<p>The City is currently preparing a business case for the implementation of FOGO.</p> <p>A report and aligning business case for FOGO implementation is scheduled to be included in the Council Agenda for the meeting to be held 30 April 2024 for Council's consideration.</p>	<p>That Council NOTES Elector Motion 9.15/1 and that a separate report relating to this motion is on the agenda for Council's consideration.</p>

<i>ELECTORS' MOTIONS AT THE 2022/2023 ELECTORS' GENERAL MEETING MONDAY 18 MARCH 2024</i>		<i>OFFICER COMMENT</i>	<i>RECOMMENDATION</i>
Motion 9.16/1	<p>Moved Leisha Jack, seconded Raoul Abrutat</p> <p>Could the City please consider a more diverse range of [tree] species on Scarborough Beach, along Scarborough Beach.</p> <p>The motion was put and declared CARRIED.</p>	<p>The City recognises the importance of tree species diversity to ensure resilience of our urban forest in the face of threats and prevent catastrophic loss of canopy cover. This motion has been noted.</p>	<p>That Council NOTES Elector Motion 9.16/1 and takes no further action in response to this motion.</p>



City of Stirling

2022/2023 Electors' General Meeting

18 March 2024

Minutes

To: The Mayor and Councillors

Here within the Minutes of the Electors' General Meeting of the City of Stirling held Monday 18 March 2024 in the City of Stirling Council Chamber, 25 Cedric Street, Stirling.

Stevan Rodic | Chief Executive Officer

Our Vision, Mission and Values

Vision

A sustainable City with a local focus.

Mission

To serve our community by delivering efficient, responsive and sustainable service.

Values

The City of Stirling's core values are:

- Approachable
- Responsive
- Transparent
- Innovative.

Disclaimer

Members of the public should note that in any discussion regarding any planning or other application that any statement or intimation of approval made by any member or officer of the City during the course of any meeting is not intended to be and is not to be taken as notice of approval from the City. No action should be taken on any item discussed at a Council meeting prior to written advice on the resolution of the Council being received.

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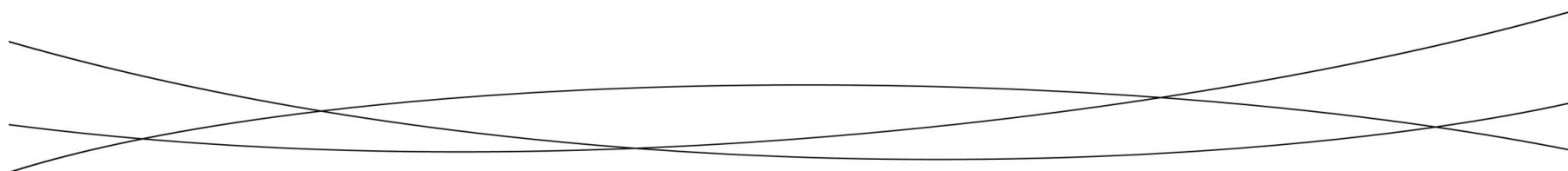


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**MINUTES OF THE 2022/2023 ELECTORS' GENERAL MEETING OF MONDAY 18 MARCH 2024
HELD IN CITY OF STIRLING COUNCIL CHAMBER, 25 CEDRIC STREET, STIRLING**

1. OFFICIAL OPENING

The Mayor welcomed the public and attendees to the City of Stirling 2022/2023 Electors' General Meeting and declared the meeting open at 6.00pm.

2. ATTENDANCE AND APOLOGIES

ATTENDANCE

Mayor	Mayor Mark Irwin
Councillors	Councillor Andrea Creado Councillor Michael Dudek Councillor Joe Ferrante Councillor Damien Giudici Councillor Chris Hatton Councillor Tony Krsticevic Councillor David Lagan Councillor Suzanne Migdale Councillor Teresa Olow Councillor Rob Papparde Councillor Karlo Perkov Councillor Stephanie Proud JP Councillor Elizabeth Re

Employees

Chief Executive Officer - Stevan Rodic
Director Community Development - Michael Quirk
Director Corporate Services - Ingrid Hawkins
Director Infrastructure - Andrew Murphy
Director Planning and Development - Amanda Sheers
Manager Strategy and Performance - Michelle Wolsoncroft
Acting Manager Governance - Candice D'Castro
Service Lead Marketing and Communications - Caitlin Tiller
Communication and Content Officer - Scott Stirling
Community Engagement Coordinator - James Murphy
Lead Governance Officer - Regan Clyde
Lead Governance Advisor - Jackson Mawby
Senior Governance Officer - Daniel Govus
Senior Governance Officer - Amorette Kerklaan
Governance Officer - Katya Bennett

Guests

Office of the Auditor General - Renuka Venkatraman
Ernst & Young - Fiona Drummond

Public 28

Press Nil

APOLOGIES

Councillor Lisa Thornton

3. APPROVED LEAVE OF ABSENCE

Nil.

4. MAYOR'S REPORT

Mayor Mark Irwin read the Mayor's report for the Financial Year ended 2023.

5. ANNUAL REPORT INCORPORATING ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2023

The Director Corporate Services presented the following extract to the meeting regarding the Annual Financial Statements for the year ended 30 June 2023.



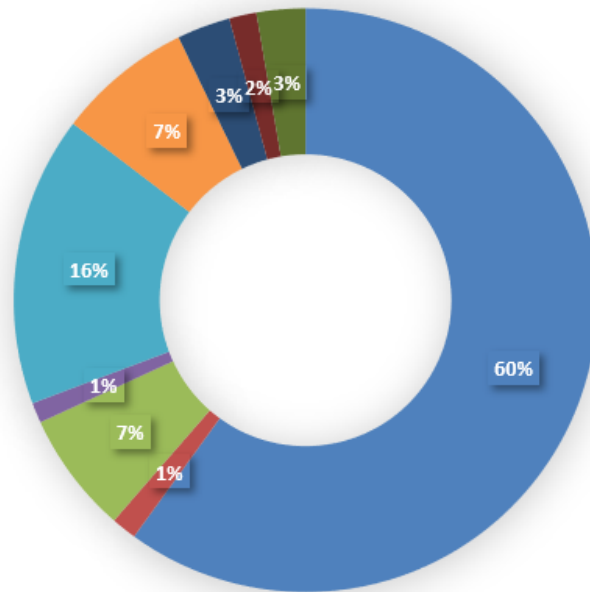
Summary Overview

City of Stirling

Where we collect the money from	\$'m
Rates	154.3
Operating revenue	102.8
Capital grants	16.0
Proceeds from disposal of assets	2.0
Share of profit and equity of associates	6.8
Revenue	281.9
Where we spend the money	\$'m
Operating expenditure excluding non-cash amounts	(278.8)
Capital expenditure	(49.3)
Expenditure	(328.1)
Reserves, Town Planning Scheme, Trust monies and other movements	\$'m
Net transfers to Reserves, Town Planning Scheme and Trust	(24.2)
Other balance sheet movements	68.7
Net movement	44.5
Net opening and closing funds	1.7
Balanced Bottom line	0.0



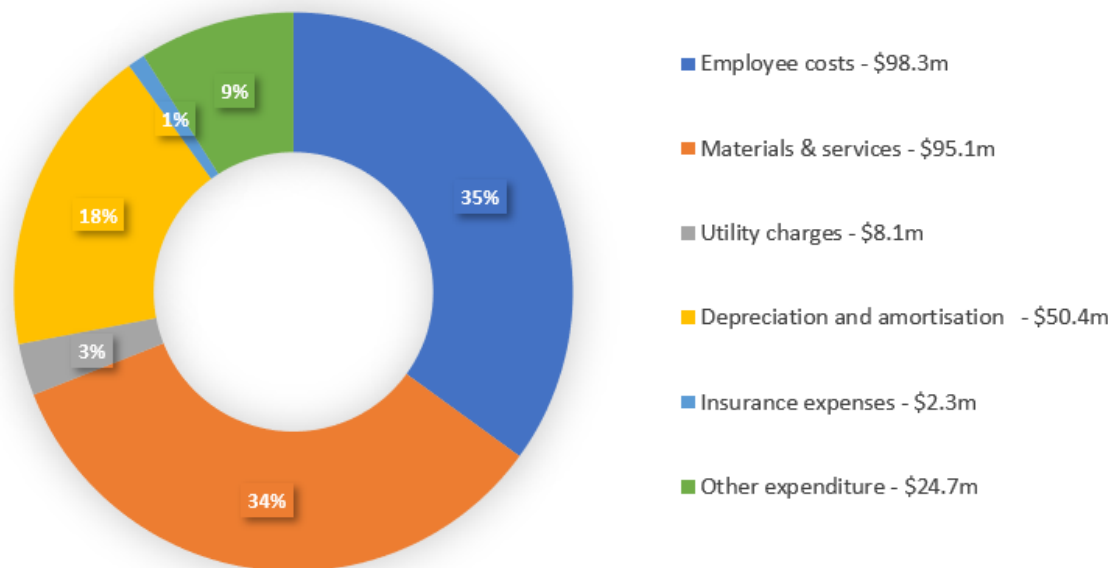
Operating Revenue



- Rates - \$154.3m
- Security service charge - \$3.6m
- Grants & subsidies - \$17.3m
- Contributions, reimbursements & donations - \$2.9m
- Waste service charge - \$41.3m
- Fees & charges - \$19.3m
- Interest revenue - \$7.6m
- Registrations/licences & permits - \$3.9m
- Other revenue - \$6.9m

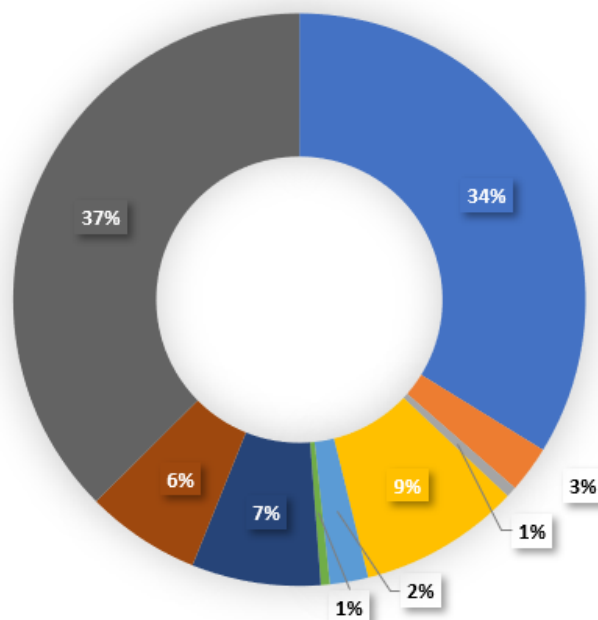


Operating Expenditure





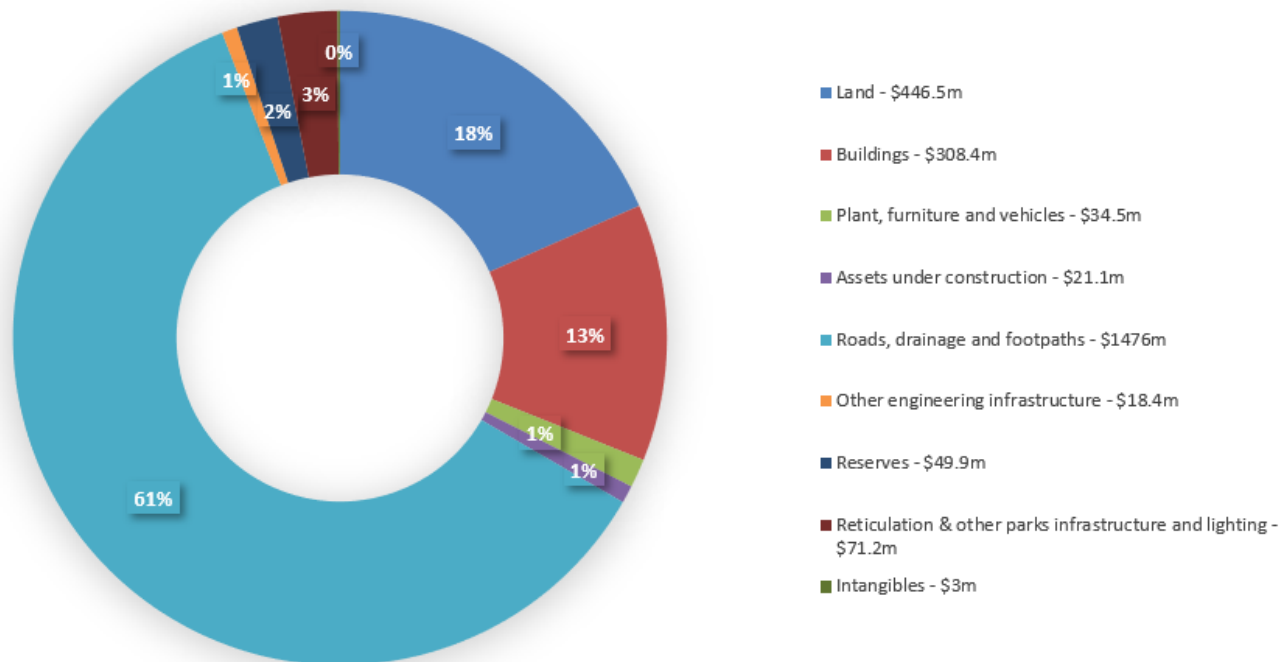
Capital Expenditure



- Land & Buildings - \$16.7m
- Furniture and Office Equipment - \$1.3m
- Intangible Asset - \$0.3m
- Mobile Vehicles - \$4.5m
- Plant and Equipment - \$1.07m
- Recreation Equipment - \$0.25m
- Reserves & Lighting - \$3.6m
- Reticulation - \$3.2m
- Roads, Drainage & Footpaths - \$18.5m



Assets – What we own



6. AUDITOR'S REPORT

Renuka Venkatraman from the Office of the Auditor General provided a summary of the Auditor General's Report regarding the City of Stirling Annual Financial Report for the year ended 30 June 2023.

7. CHIEF EXECUTIVE OFFICER'S REPORT

The Chief Executive Officer's report was included within the 'Year in Review' presentation, outlining the City's achievements and projects for the 2022/2023 Financial Year.

8. ACCEPTANCE OF THE ANNUAL REPORT INCORPORATING ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2023

The Mayor advised that no written questions had been received in relation to the 2022/2023 Annual Report or Financial Statements.

The Mayor then called for any questions related to the Annual Report and the Financial Statements.

8.1 L JACK

The following questions and comments were put forward by L Jack, of Karrinyup 6018 at the Electors' General Meeting held 18 March 2024.

- L Jack:** My first question is about the financial statements. I note in your Annual Report, question one, I note in your Annual Report, it's 286 pages and very comprehensive. I refer to you the statement of comprehensive income for the year ended 30th of June 2023, the profit and loss statement on page 212. You'll note on that page that the profit and loss has a significant number of financial information referenced to notes in the financial statement which are explained transactions. You'll note that the loss of disposal of assets is \$21.4 million. It's a material transaction or transactions that turned the profit of \$22.4 million into a significantly smaller profit of just under \$1 million. So, my question is, given the amount is material to the profit and loss, why was no explanation provided on how this loss occurred?
- Director Corporate Services:** With regards to that entry, that is a non-cash entry with regards to adjustment on the City's reserves and actually related to two things; \$13.7 million which related to reserves and then the other adjustment, which was actually related to our golf course and clubhouses. But that doesn't affect the profit. It is around the revaluation, and we have our revaluation reserve and further information on that is available in note eight. But that's certainly something that we've worked through with our Audit Team.
- L Jack:** Second question, related to this, question two, can you please explain how the City lost \$21.4 million on assets disposed and details behind this transaction, sorry you explained that. Now the, so you say golf club, these were obviously assets that have been devalued, right? Was a golf course devalued? Which golf club is it?
- Director Corporate Services:** It's the Hamersley Public Golf Course. With the redevelopment there in terms of the demolition of buildings, and that impacts the City's non-cash, so that's the adjustment that's going through the accounts.
- L Jack:** So why was there no explanation for that figure of material significance?
- Director Corporate Services:** The requirements through the accounting standards require that the City have that information through its note eight and that's where the City provides the breakdown of that detail of that \$21 million.
- L Jack:** Sorry I couldn't find it anywhere.

Director Corporate Services: The City can certainly provide that to you in writing, Ms Jack.

Additional Information

The \$21.4M loss on asset disposals relates to Reserves at \$13.7M and Buildings at \$6.7M. Notes 8(a) and (c) provide the figure against the asset class. The Reserves adjustment is related to an opening balance from 1995. The City is currently implementing a new Enterprise Asset Management module, consolidating asset registers and restructuring and reconciling asset data. This adjustment is an outcome of the review of all Reserve assets as they are moved to the new asset register. This is a one-off adjustment, and the City agrees that more information should have been provided in Note 8(c) to provide clarity. As noted below, the City will ensure that this is done in future years should such an adjustment be made.

L Jack: Yeah, but I couldn't find it anywhere in the Annual Report, any explanation of what that was. Going forward could figures like that have an explanation? Because, you know, you go over and above you, you know, the audience for this Annual Report are the public, as well as Councillors, who aren't all necessarily in the industry of financial management. So, could you, you know, provide that information next time as an explainer for them?

Director Corporate Services: Yes absolutely, Ms Jack. The City can always look to improve on the information it's providing. So yes, the City is happy to look at that.

L Jack: Look, this Annual Report, the CEO, former CEO, Mr Jardine, has once again given himself a near-perfect performance rating of 96%. In the corporate sector, if a CEO has a performance rating of 75%, it's considered pretty good. 96% would be virtually unheard of, maybe Qantas, that would be about it. To achieve these performance ratings, he sets very low KPIs and very high budgets that can't be missed. A company board of directors would never sign off on an annual report like this. The shareholders would riot, and the CEO would be sacked.

The Mayor: Have you got a question, Ms Jack?

L Jack: Yes. The duty of the CEO is to provide relevant, concise information that's understandable. The State Government's Annual Report, this is 286 pages, the State Government's Report is 174 and Main Roads with all their massive portfolio of projects is only 190 pages. This is full of basically self-congratulatory gloating green wash. It is, I can prove it's green washed, so I don't have a problem saying that.

- The Mayor:** That is a very serious allegation, Ms Jack, as you're aware.
- L Jack:** My question is this, will the new CEO set a higher standard of reporting, and will the Mayor and Councillors make sure that he does before signing off on Annual Reports?
- The Mayor:** Let's be very clear that I disagree with many of your statements there, and to be very clear it's the Council that set the KPIs for the CEO. The prior CEO has not performed at 96% at all his metrics, it was one metric that was mentioned, the customer satisfaction you saw on the video. Other metrics in there, which are KPIs set by this Council, are measured and they certainly weren't 96%.
- I utterly reject any green washing in the Annual Report. I will say that the Annual Report incorporating the Annual Financial Statements has been measured against the sector through an independent Australasian Reporting Awards and was awarded best in sector. So, I beg to differ. The Council certainly will set the KPIs for the new CEO. Your next question?
- L Jack:** The Million Trees Initiative is a false and misleading title. Can you please change that back? Last time I complained about that years ago you changed it back to the Million Trees and Plants, or sorry, Million Trees and Shrubs Project. That would be great if you could do that. My question, is will you change that back to the Million Trees and Shrubs Initiative?
- The Mayor:** Thank you, the City will take that on notice and consider it.

Additional Information

For the past decade, the City has used the banner title of 'Million Trees' for the program's promotion. When the program was first initiated, the mix of vegetation was decided as follows: *"The 'million trees' will consist of a mixture of native and exotic species of varying vegetation types (mainly trees, large shrubs but with some small shrubs and groundcovers) to ensure that maximum vegetation cover across the City can be achieved."*

In this current financial year (2023/2024), the Million Trees Initiative is now referred to as the 'City Greening Initiative' to be more reflective of the planting of trees and other plants to improve biodiversity across the City.

The City reports planting numbers of both trees and shrubs each year in its annual report. The City will reach its program target next year – 2025. It has been very successful in increasing the City's greening efforts for the past 15 years.

- L Jack:** Once again, sorry this is just about the Annual Financial Report and Statements, so my other questions relate to this meeting which is a separate thing.
- The Mayor:** You will be asked back for those later on.

8.2 P COLLINS

The following questions and comments were put forward by P Collins, of Dianella 6059 at the Electors' General Meeting held 18 March 2024.

- P Collins:** I think it's good that you have the Financial Statements in a separate document because it is a very long Annual Report. Since 2019, Mr Mayor, the Council has had deficit after deficit after deficit on net operating activities, and as a Council watcher going back since about 2005, I'm not aware that we ever had net operating deficits prior to that. So, we had a \$3 million deficit in 2019, a \$10 million deficit in 2020, a \$13 million deficit in 2021, a \$6.4 million deficit in 2022 and a \$1 million deficit in 2023. My question to the Auditor is, does the Auditor have any concerns regarding the continued run of deficits from an operating perspective?
- The Mayor:** Mr Collins, you will be passed to the Director Corporate Services to start, then maybe across to the Auditor.
- Director Corporate Services:** With regards to the deficit, particularly you mentioned the 2020 year with COVID as well, what the City looks to do is to fund through the reserves. So that's why we do see years where we have what you're considering an operating deficit, but that is being funded through reserves and a decision of Council with regards to that. So, year on year the City is making that decision, but there's not a deficit. It is just in terms of how Council determines to fund the expenditure within that particular year.
- Fiona Drummond, Ernst and Young:** No, we don't have any concerns with respect to the deficit. As the CFO said, there is funding through the reserve accounts as well. Some of those years you referred to included COVID and obviously some relief through that process as well and you can see that there is a small operating loss this year. You wouldn't expect that the Council would be making significant profits from ratepayers.
- P Collins:** I think that's a very important metric, Mr Mayor, through you, for Councillors to focus on the operating activities of Council, and it is pleasing to see that it is back down to a negative \$1 million and given our budget, but it would be nice to get back into surplus so that we can be pumping some money into reserves rather than taking away from reserves.
- So, then you ask yourself, well, why is it that the money still keeps growing at the bank? And when I look at the investing activities, I see that there was a budget of capital expenditure this year of \$82.5 million, but we only spent \$49.3 million. Why is that?

- Director Corporate Services:** Mr Collins, I just go back to your comment there about the reserves. When the City does its budgeting Council does make a determination to put money into the reserve each year. So, the City is ensuring that within its budget process it continues to top up the reserve so that the City can deal with those major corporate projects, so it's not pulling on rates in a particular year. I just wanted to touch on that. With regards to the investments, sorry, let me have that question again?
- P Collins:** So, you go down the Financial Statements. We've looked at operating activities, and then you go down to financing, which is a nothing line. There's no financing activities because we're not borrowing any money. And then you go over the page, and I think we're going down to page 217, and we're at investing activities. Can that be seen there?
- Director Corporate Services:** Yes.
- P Collins:** So, we had a budget this year of—sorry, beg your pardon, last financial year, of spending \$82.5 million, but I noticed that only \$49 million was spent. That's a significant shortfall to me. Why was that shortfall there?
- Director Corporate Services:** In terms of investing activities, again, part of that is due to the City's multi-year projects as well. So, within budgeting, the City is allowing for those major capital projects that go over multi-years, and therefore is looking at pulling down money from reserves. Now, some of those timelines have shifted, which then means that the City has a difference in terms of its investing activities that happen year on year. The City continues to look at ensuring that cash flow is appropriate for those projects.
- P Collins:** It does, would you agree, it does seem a significant, compared to previous years, a significant discrepancy, and would it suggest that perhaps the Council is biting too many capital projects than it can really chew?
- The Mayor:** This year, and the last few years, the Inglewood Aquatic Centre, the Hamersley Golf Course, and the Recycling Centre Balcatta are indeed three very significant projects with very significant budgets. The timeline has a real material effect on those figures you see. The City is confident it's not biting off too many projects, there are just some really big significant projects.
- P Collins:** But if you're not spending \$30 million on capital projects, so I'm just wondering that capital expenditure, would, for instance, road resurfacing, would that fall under capital expenditure?

- Director Corporate Services:** Yes, the City's road program falls under capital. So yes, Mr Collins.
- P Collins:** So, it's not really clear, is it, where the shortfall is under capital expenditure? Is the shortfall, as the Mayor is explaining, on not being able to deliver projects? I can understand in the building industry at the moment, if you're delivering new projects. Or is it a failure to deliver our bread and butter, say, for example, road resurfacing?
- Director Corporate Services:** What the City provides each year when it sets the budget is the capital program, but it also shows the carry forwards there. So, if you go to the City's budget document for 2022/2023 and equally 2023/2024, you'll see the capital program and there it notes what the carry forward is. You'll be able to see the majority of that are these multi-year projects with significant amounts. So, we make that available when we set the budget.
- P Collins:** Okay, and may I please have an update, Mr Mayor, on the progress in relation to accrued leave, staff leave, compared to the previous financial year?
- Director Corporate Services:** Yes, the City continues to work on its leave liability. The City has seen a significant reduction in staff annual leave. Long service leave tends to fluctuate down but has gone back up. With regards to overall leave, excess annual leave is down now to a matter of five weeks. Long service leave is now under 800 weeks.
- The City continues to work on planning those longer breaks with its Teams. But, yes, certainly the City has had an impact on those, and you will have noted from the Auditor's Report that that's no longer a finding or a recommendation.
- P Collins:** That's very pleasing, that's good. And, Mr Mayor, just on relation, going back as I was thinking there, on that page 217, and I'm talking of the Annual Report because, is it possible to get a breakdown on that short fall of capital expenditure?
- The Mayor:** Yes, the City will provide that to you in writing, Mr Collins.

Additional Information

The main areas of underspend against the capital program were as follows:

- \$13.3M fleet replacement associated with extended lead times
- \$7.4M major and strategic multi-year projects such as Hamersley Public Golf Course, Recycling Centre Balcatta and Terry Tyzack Aquatic Centre redevelopment
- \$6M commercial property acquisition which is dependent on market and appropriate investment
- \$3.5M drainage program related to material and resource supply
- \$2.6M building renewal program related to material and resource supply.

This is reflected in the City's 2023/2024 Annual Budget which can be found on the City's [website](#).

P Collins:

Well, thank you very much and thank you for the opportunity, always in sufficient time in providing the Annual Report and providing ratepayers who generally regularly attend these meetings with a note that they are available and also mentioning it in the Stirling Scene they're available. I very much appreciate it, it's sufficient time.

The Mayor:

Thank you.

8.3 S WHEELER

The following questions and comments were put forward by S Wheeler, of Scarborough 6019 at the Electors' General Meeting held 18 March 2024.

S Wheeler: Mayor Irwin, I only have one quick question on the Annual Report. On page 173, under wildlife recovery, the pest control program resulted in removal from our natural areas of 25 cats. The question is, what happened to those 25 cats and how many were returned to the environment?

Director Community Services: Mr Wheeler, I would have to get confirmation on each of those cats. None of them would have been returned to the environment. They would have most likely gone to the Cat Haven. If it was a registered cat, it would have been returned to its owner.

The City will have clear advice on what happened to each and every one of those cats and will provide you with a response in writing.

S Wheeler: Thank you. Mayor Irwin, I'm sure this is the case, but the City doesn't undertake trap and release in any form, does it?

The Mayor: No, it doesn't.

S Wheeler: One more question on that, Mayor Irwin. Does the figure of 25 include multiple trappings of the same cat or are these unique cats? Or have—sorry, more to the point—has the same cat been caught several times?

The Mayor: I'm guessing we can't answer that tonight, but the City does have that information. Council were provided with a workshop recently, and there's some detailed information sitting behind on those figures. The City is happy to provide all that to you in writing.

Additional Information

Of all the cat captures, one cat was a repeat capture, none were returned to the environment, one semi-feral was euthanised, seven were reclaimed by their owners and the remaining were processed by the Cat Haven for adoption.

- S Wheeler:** Fantastic. Just quickly, Mayor Irwin, with regard to something Ms Jack said about the Annual Report talking about the 96% overall community satisfaction figure.
- If I were to stand on the corner of Scarborough Beach Road and Brighton and give out free money, I wouldn't get a 96% satisfaction rating. Some people would think I'm not giving enough. Some people would think that I'm stark raving mad. Some people would think I'm giving more to others, and not to them. Mayor Irwin, only those who have had all of their critical faculties surgically removed, believe that there's a 96% customer satisfaction survey in the City of Stirling. And I think Ms Jack's comment should be taken in line with that. That's more of a statement.
- The Mayor:** Happy to take your statement. My comment was around it certainly wasn't on all the metrics for the CEO, as was intimated in the comment.
- S Wheeler:** I understand that Mayor Irwin, but its lies, damn lies and statistics, and if one of them is wrong, what faith can we have in the rest of them?
- The Mayor:** Happy to provide you that in writing, but it certainly is an independent statistic. Whilst we all know that you may stand on the corner, and that may be the case, it is a metric that the City is proud of and will use because it is independently certified.

Additional Information

Each year the City conducts an Annual Residents' Satisfaction Survey to measure resident satisfaction with various City services and facilities. The survey is conducted by an independent agency to provide an unbiased opinion of the City's performance in line with Standard ISO 20252 which is the international standard for market, opinion and social research.

The result of 96% satisfaction rating is not in reference to the performance of the CEO. It is in relation to the question in the survey that asks 'How satisfied are you overall with the service provided by the City of Stirling.' In 2023, 96% of respondents were found to be either satisfied or very satisfied.

This question has been included in the City's Annual Residents' Satisfaction Survey for the past 22 years. The result in 2023 was the highest result that the City has received since the survey commenced.

8.4 R MURPHY

The following questions and comments were put forward by R Murphy, of Karrinyup 6018 at the Electors' General Meeting held 18 March 2024.

- R Murphy:** I have a question in relation to the Annual Report, or to the Report that was made tonight by the CEO in relation to tree canopy. As I understood, the Report said that there's an aim for 18% tree canopy in the City of Stirling by 2040.
- The Mayor:** Yes.
- R Murphy:** So that is the correct figure?
- The Mayor:** Yes, that is still the correct figure.
- R Murphy:** Okay, can I ask the question then, does this include any tree protection orders to achieve that rather low figure? Is there anything that the City is doing to protect trees on private property? Is the City considering, when it's looking at tree canopy, public health issues in relation to that? And could we please know what the percentage will be on an annual basis leading up to 2040, which seems to be an extraordinarily low tree canopy for that period of time, considering that the City of Sydney currently has 20% tree canopy? I really think the City has to lift its game in relation to that, but perhaps my questions could be answered.
- The Mayor:** I'll get a brief response from the Director Planning and Development; the City may have to respond to some of these in writing. Whilst the perception is it's a low target, it's still an extremely large target in terms of being realistic. The City is still very concerned it will not reach that target. It's a hard comparison with the City of Sydney; the City of Stirling is a very different make up and 100km².
- Director Planning and Development:** With regard to any particular controls on private land, the City is unable to do that at this stage. The City does try and work through with development applications that come through the door, so it offers a number of services to try and incentivise applicants keeping trees on their properties. But there's nothing the City can do at this stage to mandate them to retain trees. The City often finds that they might keep them through a subdivision process and then, unfortunately, when they come to lodge a development application for a house, those trees are removed. Sometimes the trees are located in unusual spots on the block as well, which makes them difficult to retain.

The City has a number of initiatives it offers applicants to try and retain trees. This includes a free arborist service as well as working with applicants to help them design around a particular tree on a property. The City also will prioritise assessment of applications that do retain trees. The City is doing what it can in the space that's limited in terms of what it can mandate with tree protection. Additionally, at the moment the City has a scheme amendment with the State Government for consideration which is a voluntary tree protection register. It enables people to put their own trees on that register for protection. Tree protection is very difficult to control on private land at this stage.

R Murphy: My other question was in relation to tree protection orders. Are there any plans to put those into effect? I know they can be done.

Director Planning and Development: Unfortunately, no, that's not something the City can do at this stage on private land.

R Murphy: I would appreciate, Mr Mayor, a more thorough response in writing. I'd also like to know, it's easy to say we can't do it, but I'd like to know why.

The Mayor: Sure. The City is happy to provide you any of the recent Council motions and any information around those and the discussions that happened around those private tree orders.

Additional Information

The City is aware there a number of local governments in Western Australia that use tree protection orders to retain tree canopy, however, the City's Local Planning Scheme does not contain such a provision.

To clarify, the City's officers acknowledge the ability to include Tree Protection Order provisions into a Local Planning Scheme, however, the ability to do so relies on State Government approving such changes. It is the City's officers' experience that there are significant delays in State Government considering changes to Local Planning Schemes relating to tree protection.

A recent example is the City's attempt to introduce a Protected Tree Register provision into its Local Planning Scheme. This change dates back to a decision of Council in November 2022 relating to introduce a voluntary Protected Tree Register and highlights current difficulties in introducing tree protection controls into Local Planning Schemes.

The announcement by the State Government of its decision to prepare a Perth and Peel Urban Greening Strategy, the purpose of which is to develop an urban greening strategy to help make Perth and Peel greener, cooler and more liveable into the future, may result in a consistent State Government approach to tree canopy protection being implemented across the Perth and Peel area, allowing local government to better address tree canopy loss.

The City's Urban Forest Plan is the City's strategic document prepared to maintain and seek to grow the City's urban tree canopy, and which recognises that tree canopy is essential for human health and wellbeing.

Before this plan was adopted by Council, the City had already begun to implement changes to grow the City's tree canopy. In October 2017, the City introduced requirements into its Local Planning Scheme requiring trees to be planted on private land and was one of the first local governments in Western Australia to do so. This change also sought to minimise the removal of significant trees on private land as a consequence of development.

The City has also proactively engaged with the development industry to try and identify what planning incentives might be attractive to encourage trees to be retained on private land. The City has also introduced a priority assessment programme which allows development proposals that retain significant trees to be prioritised, as well as providing information and professional services to identify options for tree retention, planting and canopy growth when planning a development.

Most recently, the City has commenced an amendment to its Local Planning Scheme to allow the City to establish a Voluntary Protected Tree Register. Once established, trees on the register would be protected through the City's Local Planning Scheme. In placing a tree on the register, owners would agree that to having a notification placed on the Certificate of Title of any property that notifies future owners that the tree is protected, and to care for the Protected Tree.

R Murphy: May I ask a second question?

The Mayor: Yes, you may.

R Murphy: It relates to staff at the City of Stirling. Is there a requirement to the City of Stirling for reporting on a gender pay gap? I note that the national gender pay gap is 12%, in Western Australia it's 21.7% and this is on full time adult, average, weekly and ordinary time earnings and that gap is obviously between male employees and female employees. Does the City report on that?

Director Corporate Services: With regards to the Annual Report, on page 59 the City provides the male-female split with regards to certain bandings. So, from \$130,000 up to give a feel for what the split is. The City doesn't have to report on the actual gender pay difference, but it does set targets with its equal opportunities plan and that's one of the things that it will look at going forward.

R Murphy: I wonder if I could also receive a reply in writing in relation to the gender pay gap and what the City's policies are in relation to that? I thought it was mandatory to report actually, but perhaps I'm wrong.

The Mayor: Yes, the City will respond to you in writing. Thank you for your questions.

Additional Information

The Gender Equality Reporting program is managed by the Workplace Gender Equality Agency (WGEA), with the Public Sector excluded from this requirement. In relation to remuneration, the majority of the City's employees are covered by industrial agreements which determine a level of pay associated with a role. For those employed under the industrial agreement their pay would be the same regardless of gender – it would be determined by the role and therefore the pay attached to that role. The City can have multiple people in the same role, and all would be paid the same regardless of gender.

The City reports on gender and pay in our Annual Report as required under the *Local Government Act 1995*. This provides an annual representation of gender equity in pay as required by legislation governing local government in WA (page 59 of our 2022/2023 Annual Report). The City will continue to report on gender and pay as required in future years.

8.5 R MITCHELL

The following question and comment were put forward by R Mitchell, of Karrinyup 6018 at the Electors' General Meeting held 18 March 2024.

R Mitchell:

On the annual financial statements, I'd like to ask a question in relation to insurance. I'd like for it to be included in the Annual Report, what the differential is between the purchase of insurance for built form and general equipment and things for the City of Stirling, separate and distinct from anything to do with workers compensation. What I want to know is the differential between 2019, the gross cost of the insurance that year and what it is for this year? And I'd just like to know those two things in relation to the Council's finance.

The Mayor:

The City will provide you all the details and updates in writing.

Additional Information

The expenditure on insurance for 2018/19 and 2022/23, and the budgeted amount for 2023/24 is shown in the table below.

Category	Actual		Budget
	2018/19 \$	2022/23 \$	2023/24 \$
Workers Compensation	1,327,998	1,186,748	1,163,286
Public Liability	919,587	1,023,847	1,123,651
Property	357,455	502,539	577,903
Motor Vehicle	327,704	315,912	363,298
	2,932,744	3,029,045	3,228,138

There being no further questions relating to the Annual Report and Financial Statements, the Mayor called for a mover and seconder to accept the 2022/2023 Annual Report.

Moved Councillor David Lagan, seconded Councillor Suzanne Migdale

That the Annual Report for the City of Stirling for the year 2022/2023, incorporating the 2022/2023 Annual Financial Statements and the 2022/2023 Auditor's Report, be ACCEPTED

The motion was put and declared CARRIED.

9. GENERAL BUSINESS

The Mayor called for any items of general business from the floor.

The Mayor also advised that while any motions moved by electors are non-binding on the Council, the City will ensure that each motion is addressed within a report for Council's consideration.

9.1 S WHEELER

The following comments and motions were put forward by S Wheeler, of Scarborough WA 6019 at the Electors' General Meeting held 18 March 2024, on behalf of the Stirling Tree Canopy and Advocates Association.

S Wheeler

Mayor, I have six motions that I want to put forward. I'm putting them forward on behalf of the Stirling Tree Canopy and Advocates Association, who are part of the West Australian Tree Canopy Advocates Association who will probably not agree with my first sentence. The Honourable Minister, who you were talking about earlier, for Planning, John 'Chainsaw' Carey as some have now branded him, has recently knocked back the proposed Medium Density Codes which would have required more open space for tree retention, planting and outdoor living space in order to provide a healthier, more sustainable and more amenable environments, which mostly would have applied to infill development where most tree loss occurs. The Minister has also refused to accept the Western Australian Planning Commission's approved Scheme amendments for Nedlands and South Perth that include protections designed to stimulate counter-protection in those districts; and is currently in the process of stripping other Local Government Area's proposed Planning Schemes of anything that may protect the urban forest.

Listening to an answer earlier from the Director Planning and Development, I understand the position that the Council finds itself in. The current State Government's clear Policy of 'somewhere to live' rather than 'somewhere one might want to live', or indeed even 'somewhere liveable', is problematic when it comes to the Council putting policy, that may have to go through the Minister, only to be refused. I urge you all to do the right thing regardless. You may not want to do something, but something must be done.

The Scheme of the Local Government Elected Members Association notes in their Canopy Policy the statutory obligations under the *Local Government Act 1995* specify that the general function of a Local Government must be performed, in regard to a list that includes the need to promote the economic, social and environmental sustainability of the district to plan for mitigating risks associated with climate change and in making decisions to consider potential long-term consequences and impacts on future generations.

The City has accepted, quite openly and honestly, that its Urban Forest Strategy has not worked in the past, is not working now, and is not going to work in the future. You have been upfront with that. I do not think I need to go into the benefits of the urban canopy, or trees in general, or the health and the benefit of the urban canopy for the community. Your own policies already do that.

The following motions should be addressed with reference to Council's responsibilities as prescribed in the Act, and bear in mind that neither Local Laws nor Local Policy are subject to ministerial approval. In saying that, Mayor, my first motion would be subject to ministerial approval, but I will move it nonetheless.

MOTION 9.1/1

Moved Simon Wheeler, on behalf of the Stirling Tree Canopy and Advocates Association, seconded Felicity Farrelly

That the City of Stirling includes in its draft Local Planning Scheme No.4 provisions to achieve tree protection on private property through the insertion of the following into Schedule A: Supplemental Provisions to the Deemed Provisions:

Clause 60A:

No person shall remove a tree (which includes ring barking, cutting down, topping, lopping, removing, pruning, transplanting, filling or excavating around, injuring, or wilful destruction) that meets the following criteria unless development approval has been granted in accordance with Part 8 of the Deemed Provisions:

- a. Tree height of 8m or greater; or***
- b. Canopy width of 6m or greater; or,***
- c. A total trunk circumference of 1.5m, and where the tree has multiple trunks average trunk circumferences of 625mm, measured at 1.4m above ground level; or***
- d. Is on a Significant Tree Register.***

And to add the relevant additions to Clause 61 for circumstances where Clause 60A can be bypassed.

The motion was put and declared CARRIED.

S Wheeler:

Mayor, the City will be aware of the Western Australia Local Government Association Model Local Planning Policy for Tree Retention that has been distributed to Western Australia Local Government Association members. It is far too long for me to read out today, but for the benefit of the members of the public who I'm hopeful will vote for this motion, Western Australia Local Government Association policy aims to encourage and facilitate the protection of trees and canopy by: providing a clear definition of a regulated tree; clarify when a development application is required for tree damaging activity; prioritise retention, protection, and the provision of trees on private land; promote and facilitate tree preservation; enhance neighbourhood amenity, character and sense of place; mitigate the urban heat island effect; reduce air pollution; improve groundwater quality and contribute to biodiversity and other environmental benefits. I note that the Western Australia Local Government Association have managed to write a whole daft policy on Tree Retention without using the phrase 'climate change'. Nonetheless, I wish to raise the motion on behalf of the Stirling Tree Canopy Advocates.

MOTION 9.1/2

Moved Simon Wheeler, on behalf of the Stirling Tree Canopy and Advocates Association, seconded Felicity Farrelly

That the City of Stirling adopt WALGA's Model Local Planning Policy for Tree Retention in its entirety which has the effect of defining a regulated tree as works that require development approval.

The motion was put and declared CARRIED.

S Wheeler:

I will skip the pre-amble for the next one, Mayor. You have already spoken about how the City accepts that there's a problem with the tree canopy. Overall, canopy cover in Perth is 16%, the hottest city in the hottest state with the least canopy of any major Australian city, with the City of Stirling sitting at 12%. The Western Australia Local Government Association supports a 30% minimum canopy cover for Perth and Peel regions by 2040. The Local Government Elected Members Association also supports 30% minimum targets by 2040. Doctorates in Environment, and other experts in this field state that the optimal tree canopy target for housing areas is 30%. The Annual Report on page 175 itself states that the value of tree canopy is not simply the number of trees in the area and it cannot be overstated.

MOTION 9.1/3

Moved Simon Wheeler, on behalf of the Stirling Tree Canopy and Advocates Association, seconded Leisha Jack

That the City of Stirling commits to a tree canopy target of 30% by 2040 supported by appropriate planning and policy changes, funding, monitoring and annual reporting.

The motion was put and declared CARRIED.

S Wheeler:

Mayor, a motion of mine from last year at the Electors General Meeting was noted in Council as potentially being problematic in regard to private property rights. The private property rights go both ways, Mayor. I'm aware of a Stirling landowner who has a healthy significant tree, a forty-year-old mature gum on their own property, which all parties agree will become unstable and require removal due to building work from an approved development at an adjacent block. The ratepayer was told correctly by City staff that the City cannot help protect the tree in those circumstances, if the work was to affect a structure on their property, then yes, they could do something about it – that's verbatim. But currently privately owned trees do not count even when they are on their own land. And if my soon-to-be regurgitated final motion fails at any point due to concerns over private property rights, then logically this motion should be adopted without issue.

MOTION 9.1/4

Moved Simon Wheeler, on behalf of the Stirling Tree Canopy and Advocates Association, seconded Katie Madden

That Council resolves, subject to officer reports and the outcomes of public consultation, that the City disallow via a local law, building or demolition permits or building or demolition work to commence where such works will - in the opinion of an authorised officer - adversely affect other land to the extent that those works will kill or cause the death of significant trees on adjoining private property.

The motion was put and declared CARRIED.

S Wheeler: My motion from last year, Mayor. This is the same motion, but with a few extra words, and resolves the clear-felling in the City of Stirling

MOTION 9.1/5

Moved Simon Wheeler, on behalf of the Stirling Tree Canopy and Advocates Association, seconded Felicity Farrelly

That Council resolves, subject to officer reports and the outcomes of public consultation, to implement via a Local Law a City-wide ban on the clear-felling of development sites or the removal of significant trees on such sites in the absence of a development approval and a building permit - linked to that development approval.

The motion was put and declared CARRIED.

S Wheeler: Last one, Mayor Irwin

The Mayor: You've said that twice now!

S Wheeler: At least my counting is better than Roland Hadley. It's the same way he gets on. Mayor, the City on 30 May 2023 had voted to give the authority for tree removals on golf courses under the Street Trees Policy to the tree delegates. Previously referred to as the Tree Committee, despite appearing only to consist of the tree delegates and I assume a mirror. Now, the City of Stirling has some very good Tree Policies, and it's very sensible. And obviously, when a tree is diseased or dying on a verge or on reserves and stuff like that, it needs to come down. That's not the sort of thing that needs to come to Council every single time, I perfectly accept that. However, in the case of the Mount Lawley Golf Club, 94 trees were removed with the knowledge of the tree delegates that were not reported to Council. I do not think that one person should have the power to do that. So again, it wasn't a single dying tree, it was 94 trees. So my motion, Mayor Irwin, is that...

MOTION 9.1/6

Moved Simon Wheeler, on behalf of the Stirling Tree Canopy and Advocates Association, seconded Leisha Jack

That approvals for tree removal from all City managed reserves including Class A reserves, other than those requiring removal due to death or disease or in the case that a tree presents some actual physical danger - be subject to Council for approval and/or that a list of notifications of requested removals be made available to Council prior to any authorisation being given by the tree delegate with a `call in` process being made available to Councillors for proposed tree removals.

The motion was put and declared CARRIED.

9.2 P COLLINS

The following comments and motions were put forward by P Collins, of Dianella WA 6059 at the Electors' General Meeting held 18 March 2024.

P Collins: Mr Mayor, I've been to other Cities' and Local Authorities', Annual Electors Meetings, and this is one of the most organised and civil, so thank you very much.

Just a small pre-amble. Being in Mount Lawley, the really only theatre in the City of Stirling is the Astor Theatre. The City of Stirling is, I understand, one of the largest local authorities in Australia, and what it lacks is a performing arts theatre, hence the following motion.

MOTION 9.2/1

Moved Paul Collins, seconded Kieran Kelly

That the City of Stirling INITIATE the planning and construction of a performing arts theatre with a stage large enough for an orchestra as a Western Australian Bicentenary Project to open in 2029.

The motion was put and declared CARRIED.

P Collins: Number two, that the City of Stirling investigate options, sorry, one of the largest regional reserves in the eastern side of our City and heavily used is Yokine Reserve. However, Alexander Drive is impossible to sometimes cross as a pedestrian.

MOTION 9.2/2

Moved Paul Collins, seconded Felicity Farrelly

That the City of Stirling INVESTIGATE options for an underpass or overpass across Alexander Drive to connect the Terry Tyzack Aquatic Centre with Yokine Reserve.

The motion was put and declared CARRIED.

P Collins:

Mr Mayor, I'm finding that a lot of our local parks, near where I live and as I travel around the city, are becoming tree museums. The grass is being removed, the reticulation is being lifted and is now, even with a public playground, very little opportunity to picnic, sit under a tree, entertain oneself on grass under a shady tree. Even the ability to sit under a tree at Breckler Park and watch a premier grade cricket match, which includes some of our state representatives, is now impossible because all the grass was removed, and it was completely mulched. So, the motion is hence this...

MOTION 9.2/3

Moved Paul Collins, seconded Simon Wheeler

That the City of Stirling ENSURES before the end of Financial Year 2024/2025 every local park or reserve under its responsibility has sufficient green grass suitable for sitting, picnicking, or entertaining under shady trees.

The motion was put and declared CARRIED.

P Collins:

Mr Mayor, one of the busiest roads in our local authority is Hutton Street, crossing the freeway. And there's a simple solution, and hence the following motion...

MOTION 9.2/4

Moved Paul Collins, seconded Felicity Farrelly

That the City of Stirling EXTENDS the Mitchell Freeway southbound entry lane off Hutton Street all the way to the intersection with Hamilton Street to reduce traffic congestion.

The motion was put and declared CARRIED.

MOTION 9.2/5

Moved Paul Collins, seconded Simon Wheeler

That the City of Stirling RETICULATE and MAINTAIN arterial median reserves under its responsibility such as Alexander Drive to a greater standard than has been occurring by at least ensuring sufficient grass coverage.

The motion was put and declared CARRIED.

9.3 M ZACZEK

The following questions and comments were put forward by M Zaczek, of Scarborough WA 6019 at the Electors' General Meeting held 18 March 2024.

M Zaczek:

My first question was about pedestrian crossing in West Coast Highway from Pearl Parade to Ventnor Street. It is really hard for residents to cross it, especially in the rush hour in the morning and afternoon. There's a problem as well during the Sunset Markets. It is very busy and it is really hard, especially with all those visitors parking on the other side of West Coast Highway. So, the question is, is there any plan or idea how to help with that? And I understand there is this maybe an idea, not planning it, for the sinking of West Coast Highway, but there's no timeline really and we have to cross the highway today. So, it is quite important to, especially with those new developments that are happening on both sides of West Coast Highway, there will be much more residents crossing and very busy.

The Mayor:

Thank you. I will give you a quick response. Then the Director Infrastructure can add some extra comments. At the moment, as you're probably aware, there is an all-side pedestrian crossing at the main intersection, which is really the only safe way, at grade to do that. The City is currently investigating into Pearl Parade, at that end, to have a look at how that can be safer, because there are some big developments there that are creating danger trying to cross that particular road. In one of the previous development applications that went through for the corner site there, there was a proposed overpass, which was unfortunate that it did not get up. In the end that development has not occurred anyway, but something along those lines would certainly be supported by the City. Currently, the planning framework for the future sinking of West Coast Highway, whilst the City is supportive of that, one of the key components we envisage is that it needs connectivity across both sides to create that whole Scarborough environment. So, we're certainly concerned with how it is active at the moment.

Director Infrastructure:

The first thing to say is that West Coast Highway is not under the control of the City, it's under the control of Main Roads Western Australia, unfortunately. So, the City's understanding at the moment, is there are no plans to improve pedestrian crossing points, or, your question also mentions cycling, so there's no specific plans to improve either those crossings or cycling infrastructure. Having said that, the City does have an ongoing conversation with Main Roads Western Australia, and the City is happy to take your question to them and see if they have anything to add. The City certainly supports any improvements; we understand the difficulties in crossing between those two intersections.

- M Zaczek:** Can I add as well to that question, the landscaping of West Coast Highway on this? There is no trees, so there is no shade, really, and it is not really aesthetic to go there.
- The Mayor:** Thanks for that comment, I think that was alluded to with Mr Collins' comment. Interestingly, Council had a strategic planning day on Saturday, and it was probably a common theme. All Councillors brought up, in terms of those main arterial roads leading into our districts, whether it be into Mount Lawley, Yokine, Hamersley or Scarborough, because often they are under the control of Main Roads Western Australia. Even the ones that the City has, just trying to work out how we can better look after those to show some pride in those areas.
- M Zaczek:** Great. And the second question was about the Scarborough Sunset Market and understanding the benefits and costs for the City of Stirling and ratepayers. Living there and working there every day, I can see how it impacts the location itself for residents from their perspective of traffic noise and rubbish. I would like to ask about what the metrics are for measuring the success of the Sunset Market and what's the costs of it and benefits for the residents?
- The Mayor:** Thank you for that. I will get the Director Community Development to provide a response. It is important to note that whilst the City provides a small amount of funding for that event, it is led by the community. We can probably take some of it offline too, maybe have a chat to you about it. And also, just from the point of view, as a community member, you have the ability to join that group or be a part of that group and maybe provide that feedback.
- Director Community Development:** As the Mayor correctly mentioned, it is a community-driven event. So it is actually delivered by the Scarborough Beach Association. The only direct cost that the City incurs is a \$40,000 community grant that they get awarded every year. It is acknowledged that it does have a significant impact on Scarborough on Thursdays. However, the Scarborough Square, as part of the Scarborough Beach Redevelopment was actually specifically designed to accommodate large market type events. So it certainly is consistent with the plan for Scarborough. In terms of the impacts from events such as noise and rubbish, we do deal with that through our event management approval process. So the Scarborough Beach Association are required to comply with certain event aspects, but certainly more than happy to have more of a conversation with you about that.
- M Zaczek:** Can I ask another question?
- The Mayor:** Yes, you may.

M Zaczek:

You gave me a microphone. So, I just wanted to ask if we can add some more robust policies around constructions that are happening, especially the big residential constructions that are happening in Scarborough. When it comes to parking for workers and rubbish that is there, so around where I live is at least two, three developments now. And the one on Filburn Street, for example, there is no grass around anymore because of the parking for the two years of workers coming and parking on the grass and the verges, plus the rubbish that is there. The problem with the coast side is when you have a skip that is open, the rubbish just flies because of the wind. So maybe a little bit more robust policies around that or requirements for construction companies.

The Mayor:

Certainly, and they are fair comments, happy to take those on board.

9.4 F FARRELLY

The following comments and motions were put forward by F Farrelly, of Scarborough WA 6019 at the Electors' General Meeting held 18 March 2024.

F Farrelly: As you know, at the Council, I raised Scarborough so many times I think you were distressed by the repetition. But I have put motions forward. I'm going to put that the hubs workshop which I did raise as a motion and I understand it is going to go somewhere. If you haven't held it, you are going to hold it.

Motion 9.4/1

That the City of Stirling be requested to update the community in the next six months in regard to the Council Workshop outcome for the wood chipped hubs on Scarborough main beach, which includes Scarborough Square, an iconic and cultural vista for the community in Scarborough. In the update the timeline for community consultation be given with concurrent letterbox drop and digital communication for a community meeting on this matter.

F Farrelly: I put that forward as a motion. I know I should have done preamble so I will just give you a preamble now. This is one of those, well I'm on the video at the moment so I can say why. I have always promoted the fact that this is the main beach for Scarborough. I think we have got one of the most iconic beaches in the world in terms of having a population nearby and we should really keep that. This as we come into Scarborough to see that makes a huge difference. We lost Pearl Parade and if you ever used to travel down Pearl Parade, we don't see the ocean now and it does make a difference. This is the last really beach opening from the hills of Doubleview and Scarborough so I'd like to put that as a motion.

MOTION 9.4/1

Moved Felicity Farrelly, seconded Paul Collins

That the City of Stirling be requested to update the community in the next six months in regard to the Council Workshop outcome for the wood chipped hubs on Scarborough main beach, which includes Scarborough Square, an iconic and cultural vista for the community in Scarborough.

In the update the timeline for community consultation be given with concurrent letterbox drop and digital communication for a community meeting on this matter.

The motion was put and declared **CARRIED**.

F Farrelly:

The next one is in regard to the coastal advisory group which was just commenced as I was leaving attending one meeting, the consultation was done with the community. In this group there are decisions and there's a whole plethora of information that comes with it and one of them is the expectations and the role of the group members are mentioned and abilities discussed with appropriate organisations with also the general aims of objectives and business of the group, and of course I'm reading the wrong section! To assist the City with decision making; and in the coastal areas for the sharing of valuable local knowledge of history; to obtain comments and perspectives prior to the progression of City proposals and projects within coastal areas; to participate in the review and evaluation of City coastal management activities, plans and strategies where required; to access the key link to the local community; and to identify any of the coastal maintenance and management matters that may require attention.

I think this is a great group by the way, but I am concerned about the membership. I think we've got a lot of the surf clubs. We've got, which is nice to see, is the Stirling Natural Environment Coastcare in WA. Scarborough Boardriders, Trigg Point Surf Boardriders, Trigg Junior Boardriders and the Scarborough Beach Association. But in that we do miss out on the environmental context, we miss out on the community that are not necessarily in those beach associations but very much have the ability and will be interested to contribute more fully. I'm particularly concerned about the urban context and environment in Scarborough and we need to ensure that any decisions made on the beachfront are not going to be decisions that will impact on a huge part of the Coastal Ward that lives in that area compared to the rest of the Coastal Ward. So, I've got a motion to coastal advisory group consultation with Scarborough community.

F Farrelly:

I particularly noticed, that's the end of my motion, but I've noticed that there are things like the public interest groups such as Sunsets not Skyscrapers are not represented, and we don't have urban planning expertise. We've got some marine engineers that reside in the areas where we should have a great input into the way the impact of wave and ocean on the coast and we need to look at the tourism objectives of Scarborough as well which don't seem to be considered in that. Those people are not from those groups who have that capacity so I won't repeat the motion but it's basically.

MOTION 9.4/2

Moved Felicity Farrelly, seconded Simon Wheeler

That the City of Stirling review the membership of the Coastal Advisory Group and ensure there is a broad spectrum of community members across all beachfront suburbs, especially where parking, shadowing of the beachfront and wind impact concerns are as important as the expertise and professional knowledge of coastal management and beach activities.

The motion was put and declared CARRIED.

The Mayor:

To assure you, the commitment is that the Coastal Advisory Group is certainly not a decision-making group and it's not done as an aside to community consultation. It is very much about the built infrastructure and just making sure that the groups are aware of what is happening because obviously they are large club membership groups right from surfing to surf lifesaving to the Stirling Natural Environment Coastcare on the ground so I'm happy to take your motion.

F Farrelly:

I think everything like that can become much better if we have across the board abilities. Look, I might just include, this is not a motion, but the significant trees on private land we've asked that tree protection orders to be registered. In 2003 I did a masters preliminary thesis on what happens when we allow bulldozing into a bush. Actually, the CEO is still holding on to it, I lent it to him about eight months ago. So, if anyone is, you know, you notice I put up my hand to second things at that one. I am really quite concerned about it, and I have done a bit of research on it, so I just want to add that to the thing and also. But the real thing is that down south, down in Mandurah where they had farmland section registered trees and there is a little like penny size marker on the trees and they can't knock them over. So, the blocks are developed around that and we do have some blocks in Scarborough still near the old primary school on Bazaar Terrace, and I notice that some of the Tuarts are disappearing from there. I think that's just a comment but there are ways to do things particularly on Shire owned land. I know we've got Catalina estate group and things like that, and I know we've got the president of Catalina, is that right? Chair, sorry Chair. That should be something pushed forward in the bushland of Catalina because it does make a difference to the community.

I'll get back to it on track now, motion three. This is planning for the master plan and parking and I think most people are aware of how long it took me to get in and I do appreciate, I really do appreciate the fact that Council supported, the legislation to move DevelopmentWA out of Scarborough to make planning decisions. However, with the high-rise development, I think we need to look at what are the real concerns and where we put our sustainability objectives and I just picked up my phone on Saturday morning. there is a group that meet one of them says, *"looks like I won't catch you"*, they say *"no parking"* at 8.22am, I know I parked at the Indie across the road at 8.23am. *"No parking, I give up. Hey girls, no parking, I'm home."* So that's, you know, in a spate of about four minutes, 8.30am on a Saturday morning, that's not untypical, there was a surfing carnival but the last one was coming down to watch the surfing carnival. So, the motion is...

Councillor Michael Dudek left the meeting at 7.27pm after Motion 9.4/2 and returned to the meeting at 7.30pm during Motion 9.4/3.

Councillor Joe Ferrante left the meeting at 7.30pm during Motion 9.4/3.

MOTION 9.4/3

Moved Felicity Farrelly, seconded Arriadne Bradley

That the City of Stirling hold a community consultation within the next six months to review the master plan of Scarborough and including this the outcome of the planning policy for public parking for Scarborough beach front and suburb. Included in that, is that the Coastal Ward will be first off the mark for implementation of parking and transport recommendations of the planning parking policy.

The motion was put and declared CARRIED.

Councillor Joe Ferrante returned to the meeting at 7.32pm prior to Item 9.5.

9.5 E WALKEMEYER

The following questions and motion were put forward by E Walkemeyer, of Wembley Downs WA 6019 at the Electors' General Meeting held 18 March 2024.

E Walkemeyer:

I've been living in Wembley Downs since early 2000 for a very long time and in the current location since 2017. I've got a problem that with the access on my driveway to the house, to the property, I'm at the back, the block has been subdivided and I bought the back part of the block. 10cm from the driveway is a trunk of the large Tuart tree. So, I've been talking to the Council for a number of years asking to possibly trim the branch that is overhanging over the driveway. So I've been talking to Parks Department, I've been talking to the verge people and someone else but so far I didn't get really much help.

So, what I want to say is that the part of the tree that is obstructing my driveway contributes to lowering the value of my property and impacts negatively on security of my property and normal access to my property. For normal cars, passenger cars, the access is no problem but for removal trucks, for service trucks, for large motor home, it's not quite possible. The neighbours make it more difficult because to somehow make the way would be possible to via the side of the driveway and go onto the neighbours' verge, but I don't have permission to do that. So, to drive, just drive up the driveway is not quite possible. So, I've got a question, who is responsible for the problem with clear access on my driveway to the house and what do I need to do to have this problem solved?

The Mayor:

The buck stops with me. So, I will commit, I will bring an officer out to your house and we'll have a look at it.

E Walkemeyer:

Okay, can I put a motion also please?

The Mayor:

You may.

E Walkemeyer:

I'm not an expert but I thought perhaps I would try to put a motion.

MOTION 9.5/1

Moved Ewa Walkemeyer, seconded Paul Collins

That the issue with clear access to the house are considered by the Council and solution is found to allow unobstructed access to the house.

The motion was put and declared CARRIED.

The Mayor: Just make sure we do have all your details before you leave tonight.

E Walkemeyer: Okay, thank you.

The Mayor: We'll see you later on this week.

9.6 R LINGAM

The following questions and motion were put forward by R Lingam, of Woodlands WA 6018 at the Electors' General Meeting held 18 March 2024.

R Lingam: My first question is, why is the Council permitting inappropriate street verge trees like fig trees to exist in residential verge areas against the wishes of local residents when it is evident that fig trees will create structural damage to both houses, street curbs, Council property and streets due to their invasive route structure? That's the first question.

Director Infrastructure: The City will take that question on notice and provide a written response.

Additional Information

The City is committed to increasing its canopy cover to 18% by 2040. The contribution of large mature trees, such as Ficus, to the City's canopy cover is quite significant and would take many decades to replace through new plantings. The removal of these trees for the potential damage they may or may not cause in the future is contrary to the City's objective. Therefore, the City's approach is to implement one or several treatments at the first signs of superficial damage to nearby private property, thus mitigating the risk of structural damage.

The Mayor The City is aware that there are a significant amount of them throughout the suburbs and to be fair they certainly wouldn't be planted today in some of those locations, but they are very significant trees.

R Lingam: The second question is, why is the Council stating that they will only take action once structural damage has already occurred to residential housing and even state that even then there are treatments that can be done rather than removing the problem trees?

Director Infrastructure: The City would remove trees as a last resort. There are a number of measures that can be taken like route barriers. So, every tree is looked at on a case-by-case basis. It sounds like you have a specific case that you want to be looked at.

R Lingam: We do.

Director Infrastructure: The City can look into that particular case.

R Lingam: And just to be clear, we're not opposed to verge trees or Council trees. We actually support the Council putting trees, which leads to my third question. Why is the Council not removing fig trees on residential verge areas when requested by local residents and replaced by other verge trees, which will not cause structural damage, particularly long-term structural damage?

The Mayor: Thank you for that question. Quite simply, as previously alluded to, the significant canopies that are provided by those trees would take 20, 30-plus years to regain by planting a new verge tree. So, it's a last resort to remove a verge tree. In your particular case, the City is happy to get your details.

R Lingam: Well, there's two fig trees on the verge and that's the concern. And already the driveway is being damaged, the curb is being damaged, probably also the street. And the concern is that it will cause foundation damage over time, which leads to my motion.

MOTION 9.6/1

Moved Ramesh Lingam, seconded Sharmini Lingam

That if there are fig trees in residential verge areas, if a local resident requests that they be removed and just replaced with other type of trees that will not cause structural damage, would the Council please do that?

The motion was put and declared LOST.

The Mayor: I'm sorry, your motion isn't carried tonight, but we will follow up with you and make sure we get your details and visit that particular site.

Councillor Suzanne Migdale retired from the meeting at 7.39pm prior to Item 9.7.

9.7 N PHILLIPS

The following questions and comments were put forward by N Phillips, of Balcatta WA 6021 at the Electors' General Meeting held 18 March 2024.

N Phillips: My first time over here and it's amazing. It's quite well done. Very, very cleverly managed.

The Mayor: We've got good residents, many who have been here before.

N Phillips: Good practice. I've got some simple questions here. The first one I'm concerned about, I've only been in Balcatta since August. I've come out of Scarborough. I traded Scarborough for Balcatta, but it's okay. It was for good reasons. My concern is walking around Balcatta, I observe that there's people using their sprinkler system and a lot of the times they're just randomly running loose and it's just like water pouring all over the roads. And I'm just wondering, who manages that? Is it because they've got bores, and nobody cares? Or is it run by the system that we all pay into? A lot of people I've spoken to say...

The Mayor: I'm sorry, can I just clarify, are you talking about private properties or the City's parks?

N Phillips: I'm talking about the private. That's what I'm concerned about. I know the City must be managing its parks beautifully, I hope so.

The Mayor: We try. So the simple answer is that the individual residents manage their own water usage and it needs to be in requirement to the legislation around water. There are significant penalties in place. It's not something that's proactively policed. There aren't people who drive around looking, but certainly if you report any of them, they will be looked into.

- N Phillips:** Well, I did I speak to some guy a while back and he wasn't actually involved in these. I went to speak to your Councillor or speak to your, go to the office of the front of this office here. And I said, you know, I'll give you an example, I'm not going to name or number, give the number of the place, but I walked around Amelia Street when I first came here in August/September. And there is a property, and this particular property, I went on a 20-minute walk towards Balcatta High School, which is all the way down... and on the way back the sprinkler was still going and there was water everywhere on each side of the crossing. So that's really crazy. I mean, that's why I'm concerned. People are, the water table is way down the bottom there underneath us. It's actually sucking water out the land. Common sense. Okay. That's my concern.
- The Mayor:** The City can provide you with information on a quick easy way where you can go online, if you don't mind going online, there are some simple ways you can just report it and it will get actioned.
- N Phillips:** But will it get actioned? Who acts on it? That's the question, who's responsible for that?
- The Mayor:** The City would normally liaise with the owners or go to the Water Corporation.
- N Phillips:** Okay, so I'm not speaking to the right people, I should go to the Water Corporation.
- The Mayor:** The City would be happy to still take the complaints.
- N Phillips:** The next question I'm going to ask you, I know I only put one on the table there, but I'm going to add a few more, what is the purpose of the tram that you got going? Is that under the jurisdiction of Council or is it under the jurisdiction of Transport WA?
- The Mayor:** The Public Transport Authority run any transport within Western Australia. The trackless tram was a trial here, our intent is not to run a trackless tram. The City is happy to provide you with all the details of that in writing.

Additional Information

In accordance with the *Public Transport Authority Act 2003*, the Public Transport Authority (PTA) oversees all public transport in Western Australia. In relation to the Trackless Tram project, the City of Stirling has no intention of being responsible for the operation of this public transport. The role of the City is to advocate for improved public transport for our community and our future vision is to see this innovative and sustainable technology fully integrated into Western Australia's public transport network.

- N Phillips:** I'm getting the message that it's like, wow, it's doing well and we're actually going to take this on.
- The Mayor:** Hopefully one day.
- N Phillips:** Is that just to encourage the transport department or just to see that the City of Stirling are doing a fabulous job?
- The Mayor:** It is certainly to advocate for better transport solutions. As you've heard tonight, areas that are congested with traffic. Currently the state government has its Metronet, as you're probably all very aware of, and there are buses. We believe that the mid-tier transit network that is proposed by the state government needs to be accelerated and we need to fact check those different solutions that can be done in a cost-effective way and a timely way.
- N Phillips:** The last one I'm going to ask you, and it's a very general one, I suppose everybody wants to know, you obviously look at your rates, look at what you're spending. Is our rates equitably being used? Is my rates equitably being used to cover areas around the concerns me and every other member of the City of Stirling? How do I know?
- The Mayor:** Yes, the City certainly does. One of the reasons Councils are made up of elected representatives from each area is that they spend a lot of their time, especially through this period right through to June, advocating for their areas on what needs to be done. If you have issues within your area and you believe that needs more investment, your local Councillors, Councillor Perkov and Councillor Hatton are sitting over there, they will be happy to take your cases on. You may have heard me talk before about the prior year. Sometimes you will see a couple of major buildings in one area. I think there are a couple this year, Scarborough, and Hamersley. Prior years, there might have been a big investment over in Balga or there might have been a big project over in Mount Lawley. So, every year, there's not the same amount of spend on big projects, but overall, with road networks, etc. it is based on priority needs, but also equity across the whole area.
- N Phillips:** Okay. I'll keep an eye out for that, and I'll speak to some of those guys. Thank you very much.

9.8 R ABRUTAR

The following comments and motion were put forward by R Abrutar, of Wembley Downs WA 6019 at the Electors' General Meeting held 18 March 2024.

R Abrutat: I have a motion and only one. So as a background very quickly and intentionally, I live pretty close to the border with the Town of Cambridge and there is a spot high-rise proposed and my motion is about consultation. And I want to draw your attention to an association, which is called International Association for Public Participation. And I will quote for you one of their documents. Let me just find it quickly.

The Mayor: The spot development you're talking about, is it in the Town of Cambridge or the City of Stirling?

R Abrutat: Unfortunately, it's in the Town of Cambridge, so my motion is...

MOTION 9.8/1

That the City of Stirling is going to liaise with the Town of Cambridge and keep ratepayers informed.

R Abrutat: Just to give an idea, this is not about "not in my backyard", but this high-rise is proposed in what's called Ocean Village Park. I'm also a member of that park and there's what is referred to as threatened ecological communities, which are not people, which are trees and nature. So, this high-rise is proposed to be put in the middle of it.

Just for your benefit, because we are all here to a degree about democracy and participation, I, as a ratepayer, have no idea and I'm not the only one. And I invite anybody of you to ever stroll the Ocean Village Park and talk to anybody that comes past your way and ask them what they know about this development. There's lots of secrecy about it. The Mayor knows stuff and doesn't share with Councillors, Councillors asking questions don't get an answer. So, I pretty much request in my motion that you provide some leverage to the Town of Cambridge and inform us what's actually proposed. Thank you.

One last thing. I'd like to read out what this International Association of Public Participation talks about, which is the number one core value; "public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process". And just for your benefit, there's none of that in the Town of Cambridge about that proposal. I mean, none. Thank you.

MOTION 9.8/1

Moved Raoul Abrutat, seconded Felicity Farrelly

That the City of Stirling is going to liaise with the Town of Cambridge [regarding the Ocean Village Development Application] and keep ratepayers informed.

The Motion was put and declared CARRIED.

9.9 R MADDEN

The following comments and motion were put forward by R Madden, of Innaloo WA 6018 at the Electors' General Meeting held 18 March 2024.

R Madden:

As many of you will be aware, last year the Responsible Cat Ownership Stirling group stood here and presented five motions to the Council regarding the effective management of cat ownership in the City of Stirling. And in the year that has followed, a large cross section of the City of Stirling's residents, interested organisations, leading scientists, animal welfare groups, and indeed other local government areas have called on the City of Stirling to do better, not just for our wildlife and community, but also our pets.

The residents of the City of Stirling and ourselves have written to the City and its Councillors and provided factual statements on the issues surrounding free-roaming domestic cats. These facts are still of relevance. And we urge the City's Officers and Councillors to reappraise themselves to the content within. Most notably, we remind the City and its Councillors that roaming, owned pet cats kill 390 million animals a year in Australia. And from the City themselves, a few weeks ago, we were told there were an estimated 30,000 owned cats in the City of Stirling. Cats have already contributed or been directly responsible for 27 native animal extinctions that we're aware of. We also know that free-roaming cats have an average life expectancy of just three years compared to 13 for those kept safely at home. And in 2019, a statutory review of the *Cat Act 2011* demonstrated 73% of people support the confinement of cats' their own as properties.

Together, facts such as these supported default position that the impacts from roaming pet cats are serious and they should be reduced. We also recognise that the City, action by the City rather, on important topics must be led by the residents. So, we are fortunate in that regard that the City Administration canvassed City of Stirling residents in July 2023 for feedback on the motions we put forward last year. 143 written responses, 85% of those indicate strong support for cat containment. The 2019 statutory review of the *Cat Act 2011* provides the recommendation and the basis to confine cats to premises.

In 2019 and 2022, the Shires of Northam and Narrogin respectively passed Local Laws that mandate the effective control of cats in public spaces. These Shires are leading the state with proactive solutions to a systemic problem. Independent legal advice that has been provided to the City of Stirling identifies these Local Laws as consistent with the *Cat Act 2011*. Additionally, the Town of Bassendean, Shires of Esperance, Cuballing, Wyalkatchem and Cities of Bayswater, Bassendean, Wanneroo, Kalamunda, Kwinana, and City of South Fremantle are all simultaneously seeking similar changes to Local Laws.

The City of Stirling then stand to boost their reputation not only with residents but also their local government area peers through advocacy for such Local Law reform. It is noted that Clause 82 of the *Cat Act 2011* clearly articulates that a Council can gazette Local Laws that use the wording of any other gazetted Local Law in WA, for example, Northam. In keeping with the documented community, scientific and government-led recommendations for the effective control of cats and with a view to better animal and social wildlife outcomes, we would like to submit the following four motions to Council.

MOTION 9.9/1

Moved Robert Madden, seconded Leisha Jack

That the City of Stirling Council resolve to create and adopt a policy statement acknowledging the significant adverse effects on both cats and native wildlife, where cats are allowed to roam freely in the City of Stirling, referencing the overwhelming evidence that cats confined to premises live longer and healthier lives and that confining cats to premises, unless under effective control, will have a significant positive impact on supporting biodiversity, promoting a natural and healthier urban environment and amends the City's Strategic Community Plan under the natural environment category to reference the intent of this policy as a priority and amends any other policies to reference that intent of this policy where applicable.

The motion was put and declared CARRIED.

MOTION 9.9/2

Moved Robert Madden, seconded Arriadne Bradley

That the City of Stirling Council writes to the new Minister for Local Government and the Minister for the Environment requesting immediate amendments to the *Cat Act 2011*, to require that cats be under effective control at all times when in public places.

The motion was put and declared CARRIED.

MOTION 9.9/3

Moved Robert Madden, seconded Simon Wheeler

That the City of Stirling Council seek external, independent legal advice on the legitimacy of the Joint Standing Committee for Designated Legislation's recent decisions in regard to the control of cats in public places, where such is inconsistent with the gazetted Local Laws of the Shires of Narrogin and Northam, in order to guide and inform Council's decision making during the upcoming review of the City's Keeping and Control of Local Cats Law.

The motion was put and declared CARRIED.

MOTION 9.9/4

Moved Robert Madden, seconded Simon Wheeler

That the City of Stirling Council amends the Keeping and Control of Cats Local Law 1999 to include an effective control of cats provision for cats in public places.

The motion was put and declared CARRIED.

9.10 S WHEELER, ON BEHALF OF R MITCHELL

The following questions and motion were put forward by S Wheeler on behalf of R Mitchell, of Karrinyup WA 6018 at the Electors' General Meeting held 18 March 2024.

S Wheeler: I hope you don't mind, Mr Mitchell had to go and he had asked me if I can put his motion.

The Mayor: Happy to.

S Wheeler: On behalf of Mr Mitchell, I don't, many of us don't, like picking at the bones of last year's annual electors', ratepayers meeting and Audit Report in March of any given year. We would rather be able to pick at the meat of the issues that affect us earlier than March each year. Matters audit can still be debated and presented at any regular Council Meeting throughout the year. Mr Mitchell would like to raise a motion.

MOTION 9.10/1

Moved Simon Wheeler, on behalf of Robert Mitchell, seconded Leisha Jack

That the State Government Audit Report, or annual contracted Council Audit Report sanctioned, by the Auditor General for a financial year, be held over in the succeeding year and the State Government Audit Report or sanctioned approved report held over for when delivered to a regular City of Stirling monthly Council meeting for Council vetting and or approval and that the annual electors' ratepayer meeting be held no later than October in any given year.

The motion was put and declared CARRIED.

The Mayor: That's actually a good motion, Mr Mitchell. Thank you very much.

9.11 L JACK

The following questions, comments and motions were put forward by L Jack, of Karrinyup WA 6018 at the Electors' General Meeting held 18 March 2024.

- L Jack:** Once again, we have a very, very big Council, huge population, and yet we look around and there's very few people here in the gallery. The City has a very competent Marketing and public relations Team and they do a wonderful job of advertising and promoting anything the City wants to promote in the way of events. As we've seen in the video earlier and in this Annual Report, but when it comes to this meeting, how would people know it was there?
- On Friday, I had to contact the CEO and ask him if he would put it on the homepage of the website of the City of Stirling. People, events for public participation, community participation are well advertised by the City. There's a controlled environment where questions have been, the events orchestrated, the questions are very carefully put to the people, but this is a forum where the public can actually raise concerns or other issues. So next year, can the City please use the marketing department to promote this event to the electors?
- The Mayor:** Yes, happy to provide some information on what was done. It's certainly not the intent, it's widely promoted on the City's social media channels through Marketing, and the date is publicized a year in advance.
- L Jack:** Would you explain where, please? How?
- The Mayor:** Yes, I'll get the Lead Governance Advisor to provide you with the details.
- Lead Governance Advisor:** The EGM was advertised on the City's website, and I do note your feedback that you provided on Friday and the City did action that.
- L Jack:** Yes, it did.
- Lead Governance Advisor:** Notes were placed in the City's Recreation Centres and Libraries, and it was advertised on the City's social media accounts. It was also advertised through an electronic mail out to all of our regular attendees of Council meetings and advertised in the City of Stirling's Stirling Scene newsletter. The date was also included in the Agenda and the Minutes of the 13th of February 2024 Council meeting.

L Jack: I also note that a lot of the events include, and the cover of this page include young, hip-looking groovy people. I did note that the advert that was put up for this meeting was really looked like it was a senior's event, and it often is, but we do get young people here too. I just don't think that the City advertises this event as well as it could. I just ask, my motion is...

MOTION 9.11/1

Moved Leisha Jack, seconded Felicity Farrelly

Could the City please do more to promote this particular event [the Electors' General Meeting] going forward.

The motion was put and declared CARRIED.

The Mayor: Happy to look into that.

L Jack: This is a really important one. It is related to the urban forest, the City's Public Health Plan. Some Cities have them, City of Bayswater, a few others, have Public Health Plans. I'm aware that the State Government Department of Health, is currently working on guidelines for Councils, for local governments, to put together Public Health Plans. But it's stalled. It's reached stage five of five, but it's stalled since last June. It's hit the built environment and it doesn't seem to be progressing. I'm only assuming that maybe public trees and public health are a very important issue for Western Australia and urban areas. As I've mentioned before, The Lancet, and there's been more articles recently that have said that are saying that the Australian Bureau of Statistics are not providing the true figures for heat-related deaths and hospitalisations. The number of people dying from heat or heat-related deaths are as much as 50-fold worse. That was in The Lancet, you can look that up.

MOTION 9.11/2

Moved Leisha Jack, seconded Raoul Abrutat

That the City create a Public Health Plan, like other Cities have, other Councils have, and that it includes extreme heat and the importance, the preventative measure of protecting and planting trees to reduce urban heat.

The motion was put and declared CARRIED.

L Jack: I'd just like to note, Mr Mayor, that you didn't really have a comment on that. This is a question, is there a Public Health Plan being put together at the moment? What's happening there at the City of Stirling?

The Mayor: Yes, it is in draft form. I'll get the Director Planning and Development to provide some comment on it.

Director Planning and Development: Yes, that's correct. There is one being drafted internally with the City's Environmental Health Team. It's in its early stages, so it's not something that will be completed quickly. That's something the City is working through at the moment.

L Jack: When was the last time the City had a Public Health Plan, please? I think you attempted this in 2017, if I'm right.

The Mayor: I believe that was the start of the consultation and work on it. Now that your motion is up, the City will provide all that information in a report and that information will come into the public realm.

L Jack: Sorry, I should have said this one in the first part of the meeting. But on page, under the Liveable Neighbourhoods, it says that the City of— I think it's page 164, Liveable Neighbourhoods—the City of Stirling is “renowned for its tree-lined streets”. Really? How is that possible? Here we are. The City of Stirling is “recognised for its tree-lined streets and well-planned neighbourhoods”. Page 143, under Liveable City. The City is “recognised for its tree-lined streets”. Is that the case in Balga? For some of those suburbs in the Balga Ward? Maybe Osborne Park? What about Glendalough, some of those areas? I don't think that's really very accurate. So my motion is...

MOTION 9.11/3

That the City not repeat that [the City of Stirling is recognised for its tree-lined streets] in the next Annual Report.

The Mayor: I quite like that one, Ms Jack!

MOTION 9.11/3

Moved Leisha Jack, seconded Felicity Farrelly

That City not repeat that [the City of Stirling is recognised for its tree-lined streets] in the next Annual Report.

The motion was put and declared CARRIED.

L Jack: Well, at least you can't sue me for green washing now because that's a glaring example.

The Mayor: There was no intent to sue anyone.

L Jack: Good, you wouldn't be able to so that's why I said it. Look, tree species. As we've said many times before, and I think the City of Stirling have said it themselves, it's the size and density of the canopy of a tree that creates the shade. If it's a big tree with a dense canopy, it creates a lot of shade. But I'm getting really concerned about the size of some of the species that I see being planted on verges and also, the number of jacarandas that are being planted. Personally, I like Jacarandas in the right place, and when they're healthy, they're beautiful, especially in November when they flower. But they have a very thin canopy, and many of them are struggling. They don't thrive. Some of them just seem to be saplings and half-dead. They just don't go anywhere. So my motion on that one is...

MOTION 9.11/4

Moved Leisha Jack, seconded Raoul Abrutat

That they [the City] plant the biggest possible tree species in the space available.

The motion was put and declared CARRIED.

L Jack:

Another question and motion. I'm very, very concerned about a lot of business car parks. Now, I know the City asks, makes, businesses plant trees. But they're not planting really big trees. Again, a lot of them are planting very small species, just maybe barely three-metre species, some of them seem to be. And they're not watering them, they're not maintaining them. So, there's no point in forcing businesses to plant trees if those trees are not going to be maintained.

I mean, I can say this because it's true, if you go to the Ikea car park, for example. They're really struggling, those trees are struggling. Bunnings in Balcatta. A lot of half-dead trees in that car park, I don't know whether they're watering them or what they're doing with them. Is there anything the City can do to make businesses look after the trees and make sure they understand why they're planting them and that shade trees attract customers and that's a proven fact in retail associations around the world. So, my motion would be...

MOTION 9.11/5

Moved Leisha Jack, seconded Noel Phillips

Could the City please do more to encourage businesses to look after the trees to create more shade in their car parks.

The motion was put and declared CARRIED.

9.12 K KELLY

The following comments and motions were put forward by K Kelly, of Scarborough WA 6019 at the Electors' General Meeting held 18 March 2024.

K Kelly: I have four motions on behalf of Sunsets not Skyscrapers and one from myself. So, I'll start with the Sunsets. Okay, the motion...

MOTION 9.12/1

Moved Kieran Kelly, on behalf Sunsets not Skyscrapers, seconded Robyn Murphy

That the City prepare a report to Council addressing the known issues contained in the Scarborough Special Control Area Master Plan, Design Guidelines and Development Policies inherited in 2023 through a process known as normalization of the DevelopmentWA Scarborough Redevelopment Area Planning Framework, which since its adoption in 2016, has resulted in ad hoc planning and unacceptable and inequitable outcomes, contrary to the expectations of Scarborough and the City of Stirling residents and ratepayers. The report is to include, but not limited to consideration and recommendations of changes for incorporation into the Local Planning Scheme No.4 as follows:

- Building height restrictions;
- Overshadowing calculations that take into account the context and character of Scarborough Beach;
- The Public Open Space requirements;
- Definition of what represents the community benefit in referencing to awarding bonus heights;
- How build-to-rent applications should be addressed and how they will fit into the scheme;
- More equitable developer contribution;
- Public art contributions;
- Affordable housing components;
- Parking and traffic issues;
- Disallowance of made-up provisions such as gross floor area transference, which do not, nor ever have been part of the applicable planning scheme; and
- Definitions of design excellence that include amenity to the public and beach uses best practice architecture and aesthetics compatible with coastal environment.

The motion was put and declared CARRIED.

K Kelly:

Okay, whilst partially addressed in the first motion, the following two motions are specific. The first relates to the use of discretion in relation to bonus heights routinely awarded to developers contrary to the original planning framework and design guidelines. Noting that discretion is a sensible inclusion in any planning scheme, we are seeking the following in relation to the use of planning discretion by the City in the adoption of the Scarborough Special Control Area Master Plan.

MOTION 9.12/2

Moved Kieran Kelly, on behalf Sunsets not Skyscrapers, seconded Simon Wheeler

That the City of Stirling amend the Scarborough Special Control Area Master Plan design guidelines and develop policies to specify maximum limits on building heights to match the base and bonus heights already considered within the original Master Plan and design guidelines. So, it's maximum building heights of 12 storeys. And amend the discretionary clause 1.7 in the building guidelines to remove the words "including any height provisions" to ensure this clause does not apply to building heights over and above the base and bonus heights described by the scheme.

The motion was put and declared CARRIED.

K Kelly:

Okay, motion three, bonus heights.

MOTION 9.12/3

Moved Kieran Kelly, on behalf Sunsets not Skyscrapers, seconded Robyn Murphy

That the City of Stirling amend the Scarborough Special Control Area design guidelines to remove the five-star energy rating from the criteria required to the awarding of bonus heights and make a required six-star green energy rating as an absolute minimum to qualify determination of the development in the Special Control Area.

The motion was put and declared CARRIED.

K Kelly: And motion four, the Council has no doubt heard of the concerns over traffic and parking in the Scarborough Foreshore Area.

MOTION 9.12/4

Moved Kieran Kelly, on behalf Sunsets not Skyscrapers, seconded Robyn Murphy

That the City conduct an integrated traffic management study in order to create a traffic management strategy specifically to guide building development in the Special Control Area and that the City suspend consideration of development applications in the Special Control Area until such time as a traffic management strategy is in place to guide responsible planning.

The motion was put and declared CARRIED.

K Kelly: Okay and this is just for myself, this one. My concern is that the City is failing to uphold the higher standards of openness and transparency by not requiring Councillors to declare any membership of political parties. Failure to declare political party membership encourages Councillors to pursue party political agendas, sometimes for the personal ambition and often at the expense of public interest.

Such a public declaration is therefore necessary to ensure any actual or perceived conflict of interest are properly addressed and an annual declaration should be required and should include not only political party memberships but also any membership interest or positions in any corporation, trade union, professional or business association or community and sporting organisation. Further noting that there is no statute preventing the adoption of such a register, and other Councils in Western Australia such as Bayswater and South Perth have already adopted registers of political party membership. I therefore propose the following motion...

MOTION 9.12/5

Moved Kieran Kelly, seconded Simon Wheeler

In the interest of openness and transparency, the City require all Councillors to make an annual declaration of all membership, interest and positions in any political parties, corporations, trade unions, professional or business association or community and sporting organisations. Further all such annual declarations be published online to be available for public scrutiny and should be updated as required.

The motion was put and declared CARRIED.

9.13 R MURPHY

The following comments and motion was put forward by R Murphy, of Karrinyup WA 6018 at the Electors' General Meeting held 18 March 2024.

R Murphy: Mr Mayor, this actually follows on from a question that I asked during the reporting stage for the Annual Report. It is about the gender pay gap at the City of Stirling employees.

MOTION 9.13/1

Moved Robyn Murphy, seconded Felicity Farrelly

That the City include in its future Annual Report the gender pay gap, that is the difference between women and men's average weekly fulltime earnings for its employees, using the same criteria and method as used by the Australian Bureau of Statistics.

The motion was put and declared CARRIED.

R Murphy: I just wanted to make the point really that the City of Stirling has in the past had an overwhelmingly male-dominated workforce, particularly at senior levels. It's been obvious to me with my involvement with Council over many, many years. And I would point out that the statistics actually appear in the Annual Report that the Executive Team is 80% male. The Business Unit managers are 67% male, first tier supervisors are 65% male. And in the senior salary band, those earning over \$130,000 a year, 59% are male and 41% are females. The workforce coming up under the age of 24, 53% male and 47% female. So, unless we start doing better at the City of Stirling at those younger age groups' recruitment, I can't see that it's going to change too much in the future. I'd really appreciate if this City would take this more into consideration.

The Mayor: I appreciate those comments. You'll certainly see a change in next year's reporting. The City is happy to provide that information in the 2023/2024 Annual Report.

9.14 L CARROLL-VIANNA

The following comments and motion were put forward by L Carroll-Vianna, of Hamersley WA 6022 at the Electors' General Meeting held 18 March 2024.

L Carroll-Vianna:

I'd like to ask the City of Stirling to consider following the example set by Water Corporation and the Town of Cambridge. They've partnered together and the treated water from the Water Corporation is being pumped into the Perry Lakes. And for the first time in over a decade the large pond or lake area, Perry Lakes from the smaller one is full. So, if that's something that the City of Stirling could consider for Carine. As you can see, currently Carine wetlands is drylands. And we are losing, that water loss is causing trees to be stressed. If you have a look around the trees at Carine, you'll see they're very stressed. So, we're losing them and in relation to what was mentioned earlier about trees in car parks, that's also why we're seeing loss of trees there as well to go to the water table dropping. So that's my motion.

The Mayor:

Do you want to put that as a motion?

L Carroll-Vianna:

Yes.

MOTION 9.14/1

Moved Leonie Carroll-Vianna, seconded Felicity Farrelly

That the City considers partnering with the Water Corporation to pump treated water into Carine Wetlands.

The motion was put and declared CARRIED.

9.15 K MADDEN

The following question, comments and motion were put forward by K Madden, of Innaloo WA 6021 at the Electors' General Meeting held 18 March 2024.

K Madden:

I just had some curiosity lately about the FOGO waste management system for food waste and garden waste. I moved to City of Stirling from a Council that had a two-bin system. I got rid of my compost bin thinking I'd be able to put all my organic waste into the green bin and then very quickly learnt it's the garden waste only. So, my question to Council, is there any consideration or plans to introduce the FOGO waste management system within the City of Stirling?

The Mayor:

Council just had a workshop last week. So, if Council hasn't made a resolution yet to do it, but in April, so if you want to put a motion forward that we do investigate, we'll basically be able to put in that report of when the Council dates are coming back. And Council certainly has had workshops on it and the report will come to Council on the implications of moving to FOGO and it will be a Council decision whether we do.

K Madden:

Okay, great. Thank you. In that case, I'd like to put a motion forward.

MOTION 9.15/1

Moved Katie Madden, seconded Robert Madden

That the Council consider implementing a FOGO waste management scheme.

The motion was put and declared CARRIED.

9.16 L JACK

The following comments and motion were put forward by L Jack, of Karrinyup WA 6018 at the Electors' General Meeting held 18 March 2024.

L Jack: Before I ask my question, I just want to inform everyone that I have cats that I keep in my property and they're very, very happy and healthy. And it's all working out very well, I've made a cat run and we've got lots of things for them to play with in the house and it's all working out beautifully. The cats are very well. They have survived.

The Mayor: You might get yourself a shirt if you keep that up!

L Jack: So are the birds in my garden. The question, I noted today, I've been going down to Scarborough a lot for a Pilates class and I listened to Felicity Farrelly, about the parking. I missed a class one Saturday morning at 8.30am because I just couldn't get parking and it was just terrible.

But anyway, I noticed the trees, the pine trees along Scarborough Beach, many of them are looking very unwell. They're in decline, which means they're dying, or probably going to die. It's been long known in Perth, probably for a couple of decades, that there is a disease, maybe a phytophthora style disease, I'm not sure of type disease, that is killing conifers, hedges, trees and pine trees are conifers from that plant species group. Why is the City continuing to plant so many pine trees when it is actually against the monoculture resilient urban forest train of thought that you have to have a variety of trees, just in case one variety gets sick and dies, you're not left with no trees. But there seems to be too many pine trees and many of them, as I said, are dying on Scarborough Beach. So, they can't be treated. I know that from ArborCarbon. I'd just like to say that the motion is...

MOTION 9.16/1

Could the City please consider a more diverse range of species on Scarborough Beach, along Scarborough Beach?

- The Mayor:** I will just mention though, they're not a favoured planting throughout the City. There were some planted in Scarborough to match the existing ones during the redevelopment for theming the area.
- L Jack:** They look gorgeous, I love them, they look like Cottesloe, I can understand why you plant them.
- The Mayor:** The City is happy to look into it because it certainly hasn't noticed a significant decline.
- L Jack:** They're going to die.
- The Mayor:** That's a sad thought to leave us with tonight!

MOTION 9.16/1

Moved Leisha Jack, seconded Raoul Abrutat

Could the City please consider a more diverse range of [tree] species on Scarborough Beach, along Scarborough Beach.

The motion was put and declared CARRIED.

9.17 L CARROLL-VIANNA

The following questions, and comments were put forward by L Carroll-Vianna, of Hamersley WA 6022 at the Electors' General Meeting held 18 March 2024.

- L Carroll-Vianna:** Just in reference to FOGO, so I know that the State Government required all local governments to go to FOGO by 2025. So, is that still a State Government requirement?
- The Mayor:** It's not a requirement that you have to. It's certainly an encouragement with funding attached to it. All of that information will form part of that report and Council will make a decision, it's got to weigh up all the benefits and implications of moving to FOGO and then make a decision on it.
- L Carroll-Vianna:** And the Neerabup Recycling Rail Refuge Facility, which is currently not operating, would that actually start operating since it comes under Mindarie Regional Council?
- The Mayor:** I'm not aware of a plan for that to be a FOGO recycling. I might get the Director Infrastructure to provide some updates if he can.
- Director Infrastructure:** The Neerabup facility owned by Mindarie Regional Council did close a couple of years ago. It was designed to compost the organics in a mixed bin, so from a tubing system. For a lot of reasons, that plant was closed and the contract was ended. That facility is currently subject to a public tender, which is being run by Mindarie Regional Council for it to potentially be an organics processing plant for processing materials such as FOGO. So there's no decision as yet, but it is part of a public tender as an option. So that's the current state.
- L Carroll-Vianna:** It's actually owned by Mindarie Regional Council, which means all the Councillors that come under Mindarie Regional Council so why would you put out public tender?
- The Mayor:** It's complicated, but all of the regional Councils, who are members of the Mindarie Regional Council, made a decision to close that plant as it was no longer operational or fit for purpose. Member Councils would have to decide to either run that facility or put it out to a tender process to see if it was to be run as a FOGO facility. There are significant cost implications in changing and upgrading the facility to do that. This Council's decision isn't necessarily based on that being up and running as a FOGO facility. There are plenty of other facilities within Western Australia that can take FOGO.
- L Carroll-Vianna:** Okay, thank you.

10. CLOSURE

The Mayor declared the meeting closed at 8.29pm.

These minutes were confirmed as a true and correct record of proceedings on:

...../...../ 2024

SIGNED:

Presiding Member Name:

PRESIDING MEMBER

Councillor Michael Dudek disclosed an Impartial Interest in Item 13.2 as the director of the applicant is known to him.

Councillor David Lagan disclosed an Impartial Interest in Item 13.2 as he has met with local residents on a number of occasions at the proposed development site to go over concerns.

Councillor Suzanne Migdale disclosed an Impartial Interest in Item 13.2 as she is a JDAP member. She left the meeting at 7.18pm prior to consideration of the Item.

Councillor Teresa Olow disclosed an Impartial Interest in Item 13.2 as she is a JDAP member. She left the meeting at 7.18pm prior to consideration of the Item.

13.2 PROPOSED MULTIPLE DWELLING DEVELOPMENT - LOT 201, HOUSE NUMBER 39, CHESTER AVENUE, DIANELLA

Business Unit:	Development Services	Service: Planning Services
Ward:	Inglewood	Location: Lot 201, House Number 39, Chester Avenue, Dianella
Applicant:	Urbanista Town Planning	Reference: DA23/0883 and DAP/23/02548

Role

Advocacy - *Advocating to government or other organisations.*

Council Resolution

0424/018

Moved Councillor Giudici, seconded Councillor Lagan

1. That Council **DOES NOT ENDORSE** the City's Responsible Authority Report (as shown in Attachment 1) to the Metro Inner Development Assessment Panel, which recommends **APPROVAL** of the proposed 35 Multiple Dwellings at Lot 201, House Number 39, Chester Avenue, Dianella.
2. That Council **RECOMMENDS** to the Metro Inner Development Assessment Panel that DAP Application reference DAP/23/02548 and accompanying plans for the proposed 35 Multiple Dwellings at Lot 201, House Number 39, Chester Avenue, Dianella be **REFUSED**, in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of the City of Stirling Local Planning Scheme No.3, for the following reasons:
 - a. Pursuant to Schedule 2, Part 9, Clause 67 (2)(b) and (c) of the Planning and Development (Local Planning Schemes) Regulations 2015, the height, bulk and scale of the proposed development is not consistent with the planned built form outcomes for the subject site as identified in Clause 6.12.4 b) and Table 6.12.4 b) of City of Stirling Local Planning Scheme No.3.
 - b. Pursuant to Schedule 2, Part 9, Clause 67 (2)(c) of the Planning and Development (Local Planning Schemes) Regulations 2015, the development does not minimise direct overlooking of adjoining properties.
 - c. Pursuant to Schedule 2, Part 9, Clause 67 (2)(m) of the Planning and Development (Local Planning Schemes) Regulations 2015, the height, bulk and scale of the development is not compatible with its setting and will have a significant negative impact on amenity.
 - d. Pursuant to Schedule 2, Part 9, Clause 67 (2)(y) of the Planning and Development (Local Planning Schemes) Regulations 2015, submissions received in relation to building height which raise valid concerns in relation to the height, bulk and scale of the development and visual privacy which will have an adverse impact on amenity.

The motion was put and declared **CARRIED (9/1)**.

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Papparde, Perkov and Proud.

Against: Mayor Irwin.

Reason for Alternative Motion

Council has considered the revised design of the proposed development and disagrees that the reasons for the original recommendation for refusal are now resolved.

The bulk and scale impacts of the proposed development will have an adverse impact to the locality, as the building will be significantly taller and bulkier than the built form outcome envisaged by the prescribed limits for the subject site under Local Planning Scheme No.3 and the Residential Design Codes. In particular:

- The proposed development exceeds the building height limit prescribed by Local Planning Scheme No.3.
- The proposed development does not comply with the minimum Building Separation and Visual Privacy setbacks to the side and rear lot boundaries prescribed by the Acceptable Outcomes of the Residential Design Codes.
- The proposed development exceeds the plot ratio limit prescribed by Local Planning Scheme No.3.

Additionally, the proposed development will not be consistent with its context. In particular:

- The existing apartment building immediately opposite the proposed development at House Number 36 Chester Avenue is three storeys in height. The tallest building in that development is four storeys in height. The proposed development is two storeys, plus the roof terrace, taller than the neighbouring three storey building.
- The subject site is proposed to be assigned a R80 density coding in draft Local Planning Scheme No.4, which has a building height limit of four storeys. The proposed development will be one storey, plus the roof terrace, taller than the planned future permitted building height limit for the subject site.

Recommendation

That Council ENDORSES the City's Responsible Authority Report (as shown in Attachment 1) to the Metro Inner Development Assessment Panel, which recommends APPROVAL of the proposed 35 Multiple Dwellings at Lot 201, House Number 39, Chester Avenue, Dianella.

Purpose**Decision Required:** Recommendation to the Metro Inner Development Assessment Panel**Element:** Nil.**Location Plan / Photograph:** As per Attachment 2**Proposal Plans:** As per Attachment 2**Development Issue:** Key considerations:

- Height, bulk and scale – building height, plot ratio and overshadowing
- Setbacks to lot boundaries – setbacks, building separation and visual privacy
- Performance-based assessment against the Element Objectives of Residential Design Codes Volume 2

Applicant's Justification: As per Attachment 2**Consultation Required:** Completed - Submissions Recived**Site Details****LPS3:** **Zoning:** Residential R-AC3**Use Class:** Multiple Dwelling**Use Type:** P - Permitted**Site Area:** 1,883m²

Site Context

The subject site is zoned Urban under the Metropolitan Region Scheme (MRS) (as contained in Attachment 2) and Residential with an R-AC3 coding under Local Planning Scheme No.3 (LPS3) (as contained in Attachment 2). On 5 December 2023, Council resolved (Council Resolution Number 1223/010) to advertise draft Local Planning Scheme No.4 (LPS4) and submit the documents to the WAPC for consent to advertise. LPS4 proposes to zone the subject site Residential R80, remove the specific built form controls that current apply through Table 6.12.4 b) of LPS3 and apply the R80 built form controls of the Residential Design Codes.

The neighbouring properties to the southwest, southeast and east are zoned Residential R-AC3 and consist of single storey Single House and Grouped Dwelling developments. The neighbouring property to the northwest is zoned District Centre R-AC2 and contains an Educational Establishment and a Place of Worship (Our Lady's Assumption School and Catholic Church), with single and two storey school buildings and a playground located immediately adjacent to the subject site. The neighbouring property to the northeast on the opposite side of Chester Avenue is zoned Residential R-AC2 and contains a Multiple Dwelling development, with a three-storey building facing Chester Avenue.

Background

The DAP Form 1 application (DA23/0883 refers) is for a Multiple Dwelling development at Lot 201, House Number 39, Chester Avenue, Dianella.

Previous Proposal

The previous proposal consisted of 43 dwellings within a seven storey building (six storeys of apartments and a roof terrace above). The City and Council recommended that the application be refused. The application was considered by the Metro Inner-North Joint Development Assessment Panel at its meeting on 13 December 2023. The Metro Inner-North Joint Development Assessment Panel resolved to defer consideration of the application, as follows:

“That the consideration of DAP Application DAP/23/02548 be deferred until no later than 10 May 2024, in accordance with section 5.10.1a of the DAP Standing Orders 2020, for the following reasons:

For the Applicant to provide more information and consideration of:

- *Overall height, bulk and scale in the context of the planning provisions and the DRP commentary;*
- *Overall height, particularly as it addresses Chester Avenue and surrounding properties;*
- *Built form and scale;*
- *Any deviation relating to the plot and ratio and calculation of plot ratio;*
- *Further clarity around the strategic framework, including future context;*
- *Clarity on overlooking, including perception of overlooking of the school;*
- *Further information of overshadowing and its extents and impacts;*
- *Consistency with the planning framework; and*
- *Information on the transition to surrounding development.*

REASON: For further information to be provided as specified in the deferral reasons, in particular scale, bulk and height, locational context and impacts on overlooking and overshadowing.”

Revised Submission in Response to Deferral

A revised proposal was submitted in response to the deferral. The proposal now consists of 35 dwellings within a six storey building (as per the definition of ‘storey’ in the R-Codes). The development is summarised as follows:

- Five storeys of apartments, including car parking, and a roof terrace above (the roof terrace includes a bathroom and hence this level is the sixth storey of the building in accordance with the definition of ‘storey’ in the R-Codes).
- A total of 54 car parking bays within the basement and mezzanine levels.
- A communal open space area located on the rooftop of the development with other landscaped areas provided on the Ground Level and Level 1.

The key changes to the proposal include:

- The reduction to the overall building height by 3.1m or one storey, by removing the previous Level 3 of the building.
- The total number of dwellings has reduced from 43 dwellings to 35 dwellings.
- Increased setbacks of 0.9m and 1m from the side boundaries are proposed on Levels 3 and 4 of the building (previously Levels 4 and 5).

The City has assessed the application and prepared a Responsible Authority Report (RAR), in Attachment 1.

The City received a ‘call-in’ request dated 20 September 2023, with reference to the variation to the maximum building height requirements prescribed in LPS3, to refer the City’s RAR to Council for consideration. As this application was previously considered by Council on 5 December 2023 and a variation to the maximum building height requirements prescribed in LPS3 remains, the RAR is presented to Council for endorsement.

Council’s resolution will be provided to the Metro Inner Development Assessment Panel prior to their meeting as an addendum to the RAR, as the RAR is due to be submitted to the Development Assessment Panel Secretariat on 29 April 2024. Should the Council resolution differ from the Officer Recommendation, then Council’s recommendation of the application will be taken as the Responsible Authority Recommendation. The application will be determined by the Metro Inner Development Assessment Panel, which is the successor to the discontinued Metro Inner-North Joint Development Assessment Panel. The meeting will be held at least seven days after the RAR is published on the Development Assessment Panel website and no later than 10 May 2024.

Consultation

The revised submission was advertised for a period of 21 days, with advertising commencing on 15 March 2024 and concluding on 5 April 2024. Advertising included letters to owners and occupiers within 200m of the site, the installation of signage on site, and a notice placed on the City’s website. Notification was also provided to Ward Councillors at the commencement of the consultation period.

A total of 17 submissions were received, with the submitters’ locations in respect to the development site summarised in the table below. Detailed officer comments are provided within the Public Consultation section of the RAR, in Attachment 1.

Submissions Received	Within 200m of Proposed Site	Remainder of Submissions	All Submissions
SUPPORT	0% (0)	0% (0)	0% (0)
OBJECT	94.1% (16)	5.9% (1)	100% (17)
OTHER (Not Stated/No Opinion/Conditional)	0% (0)	0% (0)	0% (0)

Planning Assessment

City officers have undertaken an assessment of the application against LPS3 and the relevant Planning Codes, State Planning Policies and Local Planning Policies. LPS3 provides the requirements in respect to zoning and land use permissibility, and specific development standards relating to plot ratio, open space, street setbacks, building height and boundary wall height. Other specific development standards also apply through the Residential Design Codes and relevant state and local planning policies. The RAR, in Attachment 1, contains a detailed assessment of the application.

The key considerations for this application are:

- The proposed height, bulk and scale of the development, including the resultant overshadowing to neighbouring properties. The development exceeds the maximum building height and plot ratio prescribed in LPS3.
- The buildings setback to the adjoining lot boundaries in terms of side setbacks, building separation and visual privacy.
- In addition to the abovementioned matters, whether the development achieves all of the performance-based Element Objectives of R-Codes Volume 2.

Recommended Action

The Officer Recommendation is for the Metro Inner Development Assessment Panel to approve the application, subject to conditions.

It is recommended that Council endorses the Officer recommendation of approval, as shown in the Responsible Authority Recommendation section of the RAR, in Attachment 1.

Policy Implications

Sections 171A to 171G (inclusive) of the *Planning and Development Act 2005* provide for the development of regulations that specify the power and operations of Development Assessment Panels. The Planning and Development (Development Assessment Panels) Regulations 2011 make provision for the operation, constitution and administration of Development Assessment Panels.

In preparing the RAR, the City has assessed the development application against the statutory planning framework and this detailed assessment has resulted in a recommendation for approval. The Metro Inner Development Assessment Panel is the decision-maker for this application.

Financial Implications

Nil.

Sustainable Stirling 2022-2032

Key Result Area: Our built environment

Objective: A liveable City

Priority: Prioritise growth in activity corridors and centres

Priority: Improve the quality, liveability and identity of local areas

Priority: Facilitate diverse housing choice for our community

Strategic Risk

Strategic Risk	Risk Appetite
Governance	The City will act with integrity and implement appropriate processes and controls to avoid breach of legislation.

Previous Council Resolutions

Meeting Date	Council Resolution Number	Council Resolution
5 December 2023	1223/014	That Council ENDORSES the City's Responsible Authority Report (as shown in Attachment 1) to the Metro Inner-North Joint Development Assessment Panel, which recommends REFUSAL of the proposed 43 Multiple Dwellings at Lot 201, House Number 39, Chester Avenue, Dianella.

In reference to Council Resolution Number 1223/014, the reasons for refusal were as follows:

- a. Pursuant to Schedule 2, Part 9, Clause 67 (2)(b) and (c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the height, bulk and scale of the proposed development is not consistent with the planned built form outcomes for the subject site as identified in Clause 6.12.4 b) and Table 6.12.4 b) of City of Stirling Local Planning Scheme No.3.
- b. Pursuant to Schedule 2, Part 9, Clause 67 (2)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the development does not minimise direct overlooking of adjoining properties.
- c. Pursuant to Schedule 2, Part 9, Clause 67 (2)(m) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the height, bulk and scale of the development is not compatible with its setting and will have a significant negative impact on amenity.
- d. Pursuant to Schedule 2, Part 9, Clause 67 (2)(y) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, submissions received in relation to building height which raise valid concerns in relation to the height, bulk and scale of the development and visual privacy which will have an adverse impact on amenity.

Relevant Documents and Information

Attachments

Attachment 1 - Responsible Authority Report [↓](#)

Attachment 2 - Responsible Authority Report Attachments (previously circulated to Elected Members under separate cover) [⇄](#)

Available for viewing at meeting

Nil

Linked Documents

Nil

The agenda of the Metro Inner Development Assessment Panel meeting, including the City's Responsible Authority Report and all attachments, can be viewed on the [Development Assessment Panels website](#) seven days prior to the meeting.

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LOT NO. 201 (HOUSE NUMBER 39) CHESTER AVENUE, DIANELLA – 35 MULTIPLE DWELLINGS

At its meeting on 13 December 2023, the Metro Inner-North Joint Development Assessment Panel resolved as follows:

“That the consideration of DAP Application DAP/23/02548 be deferred until no later than 10 May 2024, in accordance with section 5.10.1a of the DAP Standing Orders 2020, for the following reasons:

For the Applicant to provide more information and consideration of:

- Overall height, bulk and scale in the context of the planning provisions and the DRP commentary;
- Overall height, particularly as it addresses Chester Avenue and surrounding properties;
- Built form and scale;
- Any deviation relating to the plot and ratio and calculation of plot ratio;
- Further clarity around the strategic framework, including future context;
- Clarity on overlooking, including perception of overlooking of the school;
- Further information of overshadowing and its extents and impacts;
- Consistency with the planning framework; and
- Information on the transition to surrounding development.

REASON: For further information to be provided as specified in the deferral reasons, in particular scale, bulk and height, locational context and impacts on overlooking and overshadowing.”

This Responsible Authority Report has been finalised based on the amended plans and additional information submitted by the Applicant in response to the above items.

Form 1 – Responsible Authority Report (Regulation 12)

DAP Name:	Metro Inner DAP
Local Government Area:	City of Stirling
Applicant:	Urbanista Town Planning
Owner:	Affluent Property Investments Pty Ltd and Snow Oak Pty Ltd
Value of Development:	\$8 million <input type="checkbox"/> Mandatory (Regulation 5) <input checked="" type="checkbox"/> Opt In (Regulation 6)
Responsible Authority:	City of Stirling
Authorising Officer:	Amanda Sheers, Director Planning and Development
LG Reference:	DA23/0883
DAP File No:	DAP/23/02548
Application Received Date:	29 August 2023
Report Due Date:	29 April 2024
Application Statutory Process Timeframe:	90 Days, with an additional 16 days agreed between the Applicant and City of Stirling

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	Deferred for a period up to 149 days, in accordance with section 5.10.1a of the DAP Standing Orders 2020
Attachments:	<ol style="list-style-type: none"> 1. Development Plans (date stamped 16 February 2024) 2. Aerial Location Plan 3. Metropolitan Region Scheme Zoning Map 4. City of Stirling Local Planning Scheme Zoning Map 5. Draft Local Planning Scheme 4 6. Applicant's Revised Planning Submission (received 16 February 2024 and 7 March 2024) 7. Schedule of Submissions 8. City of Stirling Design Review Panel Report dated 8 April 2024 9. Planning Assessment – Key Considerations 10. Previous Responsible Authority Report Dated 30 November 2023 (Report Only)
Is the Responsible Authority Recommendation the same as the Officer Recommendation?	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input type="checkbox"/> No <input checked="" type="checkbox"/> To be advised – the Council resolution is scheduled after the RAR due date.

Responsible Authority Recommendation

That the Metro Inner DAP resolves to:

Approve DAP Application reference DAP/23/02548 and accompanying plans (as listed in Condition 3) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Stirling Local Planning Scheme No. 3, for the 35 Multiple Dwellings Development at Lot 201, House Number 39, Chester Avenue, Dianella, subject to the following conditions:

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. The development is to comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements and annotations detailed thereon by the Development Assessment Panel. The plans approved as part of this application form part of the planning approval issued (including any modifications required by conditions of approval).

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List of Development Plans

PLAN TITLE	DATE	REVISION	DRAWN BY
A1-01 Site Plan	12 February 2024	C	Space Collective Architects
A2-01 Ground Floor Plan	12 February 2024	C	Space Collective Architects
A2-02 Mezzanine Floor Plan	12 February 2024	C	Space Collective Architects
A2-03 Level 1 Plan	12 February 2024	C	Space Collective Architects
A2-04 Level 2 Plan	12 February 2024	C	Space Collective Architects
A2-05 Level 3 Plan	12 February 2024	C	Space Collective Architects
A2-06 Level 4 Plan	12 February 2024	C	Space Collective Architects
A2-07 Rooftop Terrace	12 February 2024	C	Space Collective Architects
A2-08 Roof Plan	12 February 2024	C	Space Collective Architects
A3-01 East Elevation	12 February 2024	C	Space Collective Architects
A3-02 North Elevation	12 February 2024	C	Space Collective Architects
A3-03 West Elevation	12 February 2024	C	Space Collective Architects
A3-04 South Elevation	12 February 2024	C	Space Collective Architects
A4-01 Section	12 February 2024	C	Space Collective Architects
A4-02 Section 1A & Section 1B	12 February 2024	C	Space Collective Architects
A4-03 Section 2A & Section 2B	12 February 2024	C	Space Collective Architects

Building Design

4. The colours, materials and finishes of the development shall be in accordance with the details and annotations as indicated on the approved plans which forms part of this approval, to the satisfaction of the City of Stirling.
5. Prior to occupation of the development, the external finish of the boundary walls shall be to the same standard as the rest of the development, to the satisfaction of the City of Stirling.

Construction Management

6. Prior to the submission of a Building Permit application, a Site Management Plan shall be submitted to the City of Stirling for approval. The Site Management Plan shall include specific details on the management of aspects including but not limited to, dust, noise, vibration, waste management, contractor parking, traffic, on-site and street tree protection zones, storage of materials, site safety /

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security and any other relevant matters to the satisfaction of the City of Stirling. The Site Management Plan is to be complied with for the duration of the construction of the development.

Landscaping

7. Prior to the submission of a Building Permit application, a detailed Landscaping Plan is to be provided for the City of Stirling's approval that is generally in accordance with the landscaping plans prepared by UDLA dated 22 February 2024 and that demonstrates compliance with the approved development plans, all conditions of this approval and Local Planning Policy 6.6 – Landscaping, to the satisfaction of the City of Stirling.
8. All street trees located on the verge shall be retained and protected in accordance with Australian Standard AS 4970-2009 Protection of Trees on Development Sites, to the satisfaction of the City of Stirling.
9. Prior to occupation of the development, all Advanced Trees required by the approved detailed Landscaping Plan must be planted on site in the area indicated on the approved plan and be thereafter maintained for the duration of the development. The Advanced Trees must be provided with the approved deep soil area at ground level free of intrusions, to the satisfaction of the City of Stirling.
10. Prior to the occupation of the development, all landscaped areas are to be planted, reticulated and mulched in accordance with the approved plans and maintained thereafter for the duration of the development in accordance with the City of Stirling's Local Planning Policy 6.6 – Landscaping, to the satisfaction of the City of Stirling.

Legal

11. Prior to occupation of the development, notifications, pursuant to Section 70A of the *Transfer of Land Act 1893* are to be placed on Certificates of Title of the development. Notice of these notifications are to be included on the diagram or plan of survey (deposited plan). The notifications are to state:

“The lots are situated in the vicinity of a transport corridor and are currently affected, or may in the future be affected by transport noise. Road and rail transport noise levels may rise or fall over time depending on the type and volume of traffic.”

12. Prior to occupation of the development, notifications, pursuant to Section 70A of the *Transfer of Land Act 1893* are to be placed on Certificates of Title of the development. Notice of these notifications are to be included on the diagram or plan of survey (deposited plan). The notifications are to state:

“The lots are situated in the vicinity of a primary school and are currently affected, or may in the future be affected by noise to a greater extent than typically expected in a residential area. The noise levels may rise or fall over time depending on the school operations.”

13. Where the satisfaction of any condition requires the preparation of a legal agreement, these agreements are to be prepared by the City of Stirling's solicitors and, all costs incidental to the satisfaction of these conditions, including

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the City of Stirling's legal costs and registration fees and stamp duty (if any), must be paid by the landowner.

Lighting and Security

14. Adequate lighting being provided to all public spaces including under awnings, parking areas, service areas, footpaths and entry and exit points, to the satisfaction of the City of Stirling.
15. Any outside lighting to comply with Australian Standard AS 4282-2019 - Control of the Obtrusive Effects of Outdoor Lighting (as amended) for the control of obstructive effects of outdoor lighting and must not spill into any adjacent premises.

Details of any outside lighting to be submitted at the Building Permit application stage demonstrating compliance with Australian Standard AS 4282-2019 (as amended).

Noise

16. Prior to the submission of a Building Permit application, a revised Acoustic Report shall be submitted to the City of Stirling for review and approval. The revised Acoustic Report shall detail specific control measures relating to noise modelling and impact of the development including but not limited to:
 - a. Vibration and noise emissions from all on-site mechanical services, including air-conditioning systems.
 - b. Car park mechanical ventilation and other noise.
 - c. Communal open space abutting habitable rooms of dwellings.
 - d. Compliance with the noise requirements of State Planning Policy 5.4 Road and Rail Noise.

The recommendations and control measures identified in the revised Acoustic Report/s shall be incorporated into the design, development and operation of the proposed development, to the satisfaction of the City of Stirling. The recommendations of the revised Acoustic Report shall be complied with for the duration of the development, to the satisfaction of the City of Stirling.

17. Prior to the submission of an Occupancy Permit application, the landowner is to provide written confirmation that all recommendations in the Acoustic Report/s have been incorporated into the building design, to the satisfaction of the City of Stirling.

Parking and Vehicle Access

18. The minimum number and allocation of car parking on-site is to be provided as follows:
 - a. 34 residential car parking bays; and
 - b. 6 residential visitor car parking bays.
19. Prior to the submission of a Building Permit application, a Parking Management Plan shall be submitted to and approved by the City of Stirling. The Parking Management Plan must address, but is not limited to, details of how the security gates and intercom systems are to be operated. The approved Parking

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Management Plan is to be implemented for the duration of the development , to the satisfaction of the City of Stirling.

20. The minimum number and allocation of bicycle and motorcycle / scooter parking spaces provided on-site is to be as follows:
 - a. 18 residential bicycle parking spaces;
 - b. 4 residential visitor bicycle parking spaces; and
 - c. 6 residential motorcycle / scooter parking spaces.
21. All on-site car parking bays are to be compliant with the Australian/New Zealand Standard AS/NZS2890.1:2004 - Parking Facilities Part 1: Off-Street Car Parking, to the satisfaction of the City.
22. Prior to the occupation of the development, all driveways, parking and manoeuvring areas shall be hard surface, drained and maintained in accordance with the City of Stirling Local Planning Policy 6.7 - Parking and Access, to the satisfaction of the City of Stirling.
23. Visitor car and bicycle parking bays shall be permanently marked, maintained and accessible at all times for use exclusively by visitors to the property, be clearly visible or suitably sign posted from the street or communal driveway, unless otherwise approved by the City of Stirling.
24. Prior to the occupation of the development, directional signage shall be located at the entry to the site directing visitors to the visitor car parking bays and bicycle spaces. The signage is to be implemented for the duration of the development.
25. The crossover shall be designed and constructed in accordance with the City of Stirling Local Planning Policy 6.7 - Parking and Access. The crossover is to be installed prior to occupation of the development.
26. Prior to the occupation or use of the development, any redundant crossover shall be removed and the kerbing and road verge reinstated at the owners cost in accordance with the City of Stirling Local Planning Policy 6.7 - Parking and Access.
27. Unless otherwise approved, no walls, fences, letterboxes or other structures above 0.75 metres in height to be constructed within the 1.5 metre width x 1.5 metre depth triangular area of where:
 - a. Walls, letterboxes or fences adjoin vehicular access points to the site, or
 - b. A driveway meets a public or private street, or
 - c. Two streets intersect, or
 - d. A driveway meets a right of way, orunless the further approval of the City of Stirling is obtained.
28. Prior to the occupation of the development, the bicycle parking bays shall be provided on site. The design and construction of the bicycle bays shall be in accordance with Australian Standard AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking.
29. Where a storeroom is solely accessible through an adjacent car parking bay, the storeroom and the car parking bay are to be assigned to the same dwelling.

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30. Where two car parking bays are provided in a tandem arrangement, both car bays are to be assigned to the same dwelling.

Public Art

31. Prior to the submission of an Occupancy Permit application:
- A public art proposal for the subject development to the value of 1.0% of the construction value in accordance with City of Stirling Local Planning Policy 6.12 - Public Art on Private Land must be submitted to, and approved by, the City of Stirling.
 - The approved public art proposal shall be completed and installed by the developer and maintained for the duration of the development by the owners of the development, in accordance with City of Stirling Local Planning Policy 6.12 - Public Art on Private Land, to the satisfaction of the City of Stirling.

Sustainability

32. Prior to the submission of a Building Permit application, a revised Sustainable Design Statement is to be submitted to the City of Stirling confirming all dwellings exceed the minimum NATHERS requirement for apartments by 1 star and the development incorporates sustainable initiatives as per the submitted Sustainable Design Strategy prepared by Emergen dated 22 June 2023.

Universal Design

33. Prior to the submission of a Building Permit application, certification completed by a Livable Housing Australia assessor confirming that the detailed design of the 'Silver Level' dwellings are compliant with the 'Silver Level' of the 'Livable Housing Design Guidelines' produced by Livable Housing Australia, must be submitted to, and approved in writing by, the City of Stirling. A minimum of 20% of dwellings are to be designed to achieve a 'Silver Level' rating. Prior to the submission of an Occupancy Permit application, all required design features shall be installed and operational.

Utilities, Facilities and External Fixtures

34. All clothes drying devices and clothes drying areas shall be located and positioned so as not to be visible from the street, neighbouring properties or a public place.
35. Prior to the occupation of the development, each multiple dwelling shall be provided with a mechanical dryer, where a concealed drying area is not provided exclusively for the dwelling.
36. All external fixtures, building services and utilities of the development are to be integrated into the building, landscape and/or fencing such that they are accessible for servicing requirements but not visually obtrusive areas, in accordance with Residential Design Codes Volume 2 (Element 4.18 Utilities), to the satisfaction of the City of Stirling.

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37. All air conditioning units, plant and roof equipment and other external fixtures are to be screened from view from the surrounding streets and adjoining properties, to the satisfaction of the City of Stirling.
38. The residential storerooms are to be allocated to the dwellings in a manner consistent with Residential Design Codes Volume 2 (Element 4.6 Storerooms), to the satisfaction of the City of Stirling.

Visual Privacy

39. Prior to occupation of the development, all privacy screening shall be visually impermeable and is to comply in all respects with the requirements of Residential Design Codes Volume 2 (Element 3.5 Visual Privacy), to the satisfaction of the City of Stirling.

Waste Management

40. The development is to comply with the Waste Management Plan prepared by Talis Consultants dated 1 March 2024, unless otherwise approved by the City of Stirling.

Water Management

41. The development is to be connected to the sewer.
42. 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. There shall be no connection to the City's drainage infrastructure without the written consent of the City of Stirling.

Advice Notes

1. Where an approval has so lapsed, no development shall be carried out without the further approval of the Development Assessment Panel or City of Stirling having first been sought and obtained.
2. If an applicant is aggrieved by this determination there is a right of appeal under Part 14 of the *Planning and Development Act 2005*. An appeal must be lodged within 28 days of the determination with the State Administrative Tribunal.
3. This is a Development Approval under the City of Stirling Local Planning Scheme and related policies. It is not a Building Permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant to obtain any other necessary approvals, consents and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
4. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the Development Assessment Panel or City of Stirling to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not

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it has been drawn to the Development Assessment Panel or City of Stirling's attention.

5. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
6. Development is to comply in all respects with the attached approved plans which have been stamped accordingly.
7. Where, in the opinion of the City of Stirling, achieving compliance with the conditions of approval require significant modifications to the approved plans, a Form 2 application will be required for consideration in accordance with Clause 17 or 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

Construction Management

8. All construction works to comply with the requirements of the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*. Noisy construction work outside the period 7:00am to 7:00pm Monday to Saturday and at any time on Sundays and Public Holidays is not permitted unless an approved Noise Management Plan for the construction site has been issued.

Landscaping

9. The detailed Landscaping Plan is to include the retention of the existing street trees planted in the verge.
10. An Advanced Tree is defined in Local Planning Scheme No. 3 and Local Planning Policy 6.11 as "a tree which requires planting in at least a 90 litre contained or greater size and which is at least two (2) metres in height and at least two (2) years of age".

Parking and Vehicle Access

11. The proposed crossover configuration is subject to the approval of the City of Stirling's Verge Control and Swimming Pool Business Unit. A "Crossover Installation Application" is required to be submitted and approved prior to the commencement of the crossover installation.

Public Art

12. In relation to the Public Art condition, please refer to the City of Stirling Developer's Guide to Public Art, the City of Stirling Public Art Masterplan and City of Stirling Local Planning Policy 6.12 - Public Art on Private Land.

Based upon the estimated cost of development identified on the development application forms, the 1.0% public art contribution will equate to \$80,000.

Strata Title

13. The applicant is advised that any future strata title or community title subdivision of the property must be consistent with this approval and the lot sizes demonstrated in the application.

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14. The applicant/owner is reminded of their obligation under the Strata Titles Act which may require consent from the adjoining strata owners and/or strata company before commencing any works on site.

Waste Management

15. The bin enclosure is required to comply with the requirements of the City of Stirling's Waste Management Local Law 2010.

Details: outline of development application

Region Scheme	Metropolitan Region Scheme
Region Scheme - Zone/Reserve	Urban
Local Planning Scheme	City of Stirling Local Planning Scheme No. 3
Local Planning Scheme - Zone/Reserve	Residential R-AC3
Structure Plan/Precinct Plan	Dianella Centre Plan
Structure Plan/Precinct Plan - Land Use Designation	Residential
Use Class and permissibility:	Multiple Dwelling – P ¹ P – Use is permitted by the Scheme providing the use complies with the relevant development standards and requirements of the Scheme. P ¹ – A 'P' Use, with a cross reference to Condition 1: Multiple Dwellings not permitted in areas coded R35 or below.
Lot Size:	1,883m ²
Existing Land Use:	Grouped Dwelling
State Heritage Register	No
Local Heritage	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Heritage List <input type="checkbox"/> Heritage Area
Design Review	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Local Design Review Panel <input type="checkbox"/> State Design Review Panel <input type="checkbox"/> Other
Bushfire Prone Area	No
Swan River Trust Area	No

Proposal:

Proposed Land Use	Multiple Dwelling
Proposed Plot Ratio Area	3,856m ² (2.05 plot ratio)
Proposed No. Storeys	Six, comprising five levels of apartments and the roof terrace level
Proposed No. Dwellings	35

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The development application is for a Multiple Dwelling development at Lot 201, House Number 39, Chester Avenue, Dianella, containing 35 dwellings within a six storey building. The development is summarised as follows:

- A six storey development comprising five storeys of apartments, including car parking, and a roof terrace level above.
- A total of 54 car parking bays within the basement and mezzanine levels.
- A communal open space area located on the rooftop of the development with other landscaped areas provided on the Ground Level and Level 1.

The key changes compared to the plans considered by the Metro Inner-North JDAP at its meeting on 13 December 2023 are summarised as follows:

- The reduction to the overall building height by 3.1 metres or one storey, by deleting the previous Level 3 of the building.
- The addition of Apartment G03 on the Ground Floor Level which is a single bedroom dwelling.
- The total number of dwellings has reduced by eight dwellings, from 43 dwellings to 35 dwellings.
- The total number of car bays has reduced by 10 car bays, from 64 car bays to 54 car bays.
- Increased setbacks of 0.9 metres, from 4.5 metres to 5.4 metres, to apartments on Levels 3 and 4 to the south eastern and north western boundaries. Increased setbacks of 1.0 metre, from 4.4 metres to 5.4 metres, to apartments on Level 3 to the north western boundary.
- A reduction to the size of the roof top communal open space area from 200m² to 153m², with an increased setback provided to the south western boundary of 5.3 metres.

Figure 1 below provides a visual representation of the superseded proposal previously considered by the Metro Inner-North JDAP on 13 December 2023 and the revised proposal:



Figure 1: Visual Representation to Chester Avenue – Superseded Proposal (Left) and Final Proposal (Right)

Background:

Pre-Lodgement

The Applicant sought preliminary advice from the City's officers and the City's DRP prior to lodging the development application, as detailed further in the previous Responsible Authority Report, contained in Attachment 10.

Development Application

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The development application was first submitted to the City on 18 July 2023 and formally lodged on 29 August 2023. The original proposal was for a Multiple Dwelling development containing 43 dwellings within a seven storey building. That proposal is summarised as follows:

- A seven storey development comprising six levels of apartments, including car parking, and a roof terrace.
- A total of 64 car parking bays within the basement and mezzanine levels.
- A communal open space area located on the rooftop of the development with other landscaped areas provided on the Ground Level and Level 1.

The application was considered at the Metro Inner-North JDAP meeting held on 13 December 2023. The consideration of the application was deferred, as outlined below:

“That the consideration of DAP Application DAP/23/02548 be deferred until no later than 10 May 2024, in accordance with section 5.10.1a of the DAP Standing Orders 2020, for the following reasons:

For the Applicant to provide more information and consideration of:

- *Overall height, bulk and scale in the context of the planning provisions and the DRP commentary;*
- *Overall height, particularly as it addresses Chester Avenue and surrounding properties;*
- *Built form and scale;*
- *Any deviation relating to the plot and ratio and calculation of plot ratio;*
- *Further clarity around the strategic framework, including future context;*
- *Clarity on overlooking, including perception of overlooking of the school;*
- *Further information of overshadowing and its extents and impacts;*
- *Consistency with the planning framework; and*
- *Information on the transition to surrounding development.*

REASON: *For further information to be provided as specified in the deferral reasons, in particular scale, bulk and height, locational context and impacts on overlooking and overshadowing.”*

A revised submission package was provided to the City on 16 February 2024 with additional technical reports submitted on 7 March 2024 (Attachment 6).

Site Context

The subject site is zoned Urban under the Metropolitan Region Scheme (MRS) (Attachment 3) and Residential with a R-AC3 coding under Local Planning Scheme No. 3 (LPS3) (Attachment 4).

The subject site is 1,883m² in area. The existing development on the subject site is a single storey Grouped Dwelling complex containing six dwellings.

The neighbouring properties to the south west, south east and east are zoned Residential R-AC3 and consist of single storey Single House and Grouped Dwelling developments. The neighbouring property to the north west is zoned District Centre R-AC2 and contains an Educational Establishment and a Place of Worship (Our Lady's Assumption School and Catholic Church), with single and two storey school buildings and a playground located immediately adjacent to the subject site. The neighbouring property to the north east on the opposite side of Chester Avenue is zoned Residential

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R-AC2 and contains a Multiple Dwelling development, with a three-storey building facing Chester Avenue and a four-storey building facing Waverley Street.

Chester Avenue is classified as a Local Road under the City's Functional Road Hierarchy. This section of Chester Avenue is a 'no-through' road to vehicles. Pedestrians and cyclists can pass through the City's Dianella Library site, House Number 44 Chester Avenue, to access the Dianella Plaza Shopping Centre and other areas to the north of the subject site via a pedestrian accessway. The subject site is within the Dianella Activity Centre.

City of Stirling Local Planning Strategy

The City of Stirling Local Planning Strategy was endorsed by the Western Australian Planning Commission (WAPC) in October 2019 and it sets the vision and long-term planning direction for the City of Stirling.

The subject site is within the Dianella Activity Centre and the Grand Promenade Activity Corridor.

An objective of the Local Planning Strategy is to prioritise growth and investment in activity centres and corridors. The Local Planning Strategy identifies density targets for each activity centre. For district centres such as Dianella, this includes a minimum 20 dwelling and desirable 30 dwelling density target per gross hectare.

There are 164 existing dwellings within the Dianella Activity Centre, including six dwellings on the subject site. This equates to an existing density of approximately 14 dwellings per hectare within the boundaries of the Dianella Activity Centre.

Dianella Activity Centre

The Dianella Activity Centre is a District Centre under the Activity Centres Hierarchy in State Planning Policy 4.2 Activity Centres. The Dianella Activity Centre comprises the land bound by Alexander Drive, Waverley Street, Kerry Street and Grand Promenade. The Dianella Activity Centre includes the Dianella Plaza Shopping Centre, the City's Dianella Library and Our Lady's Assumption Church and School.

The Dianella Activity Centre boundary correlates with the Dianella Centre Special Control Area identified in LPS3, as shown in Figure 2. Development within the Special Control Area is subject to the relevant provisions of Clause 6.12 of LPS3.

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Figure 2 Dianella Activity Centre and Dianella Centre Special Control Area Boundaries (in Green)

The Dianella Centre Plan was approved by Council in August 2012 and is a Structure Plan operative under Schedule 2 Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The Dianella Centre Plan was established to provide a broad framework to guide the future development of the Dianella Activity Centre in a way that enhances the operation of the shopping centre, improves amenity, and increases the range of activities and services available to the community.

In reference to building height and built form, the Dianella Centre Plan indicates that the tallest buildings should be located within the commercial area, such as the shopping centre and former hotel sites, with lower heights in the residential areas, to transition to the residential areas outside of the Activity Centre. The Dianella Centre Plan identifies that a three to six storey built form would be acceptable for the commercial areas and the residential areas should have a two to three storey built form. The subject site is identified on the Indicative Development Opportunities Plan contained with the Dianella Centre Plan as two to three storey townhouses, as shown in Figure 3.

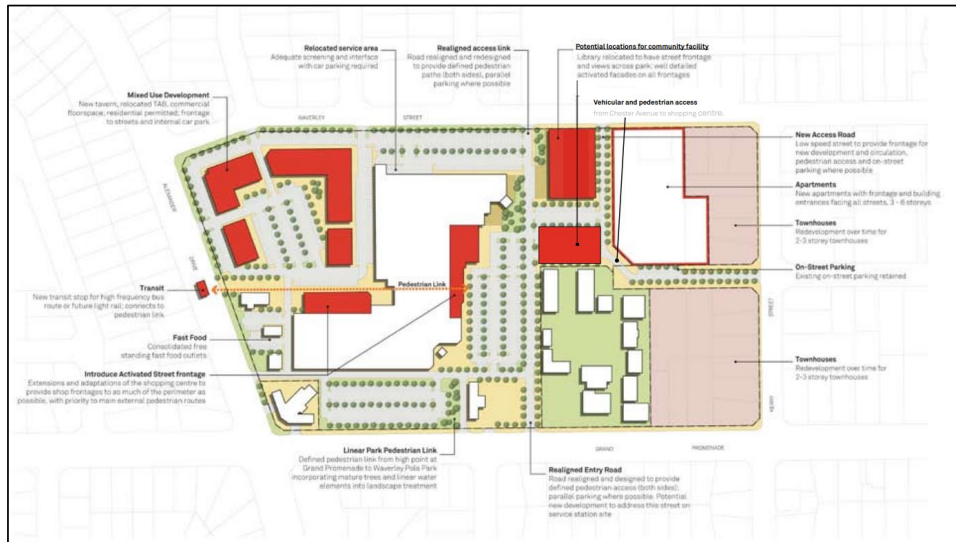


Figure 3 Dianella Centre Plan Figure 17 – Indicative Development Opportunities Plan

The City and Council subsequently progressed a scheme amendment to LPS3, Amendment No. 7, which was ultimately gazetted in September 2014. Amendment No. 7 introduced Clause 6.12, the Dianella Special Control Area, into LPS3 and the current zonings and built form provisions which replace the acceptable development R-AC3 built form provisions of the Residential Design Codes.

The north western portion of the Activity Centre, consisting of the Dianella Plaza Shopping Centre and adjacent commercial properties, was not rezoned at the time, to District Centre with the R-AC2 code applying through a provision and figure in the scheme text, as an amendment was considered premature. At the time, a light rail project was being planned, the design of the Dianella light rail station and bus interchange adjacent to the Activity Centre had not been completed and the State Government had initiatives to create a planning framework along the future Alexander Drive light rail corridor.

The State Government later determined not to proceed with the light rail project. A new scheme amendment to rezone the rest of the Dianella Activity Centre has not eventuated.

Draft Local Planning Scheme No. 4 (LPS4)

On 15 August 2023, Council resolved (Council Resolution 0823/034) to prepare Local Planning Scheme No. 4 (LPS4). On 5 December 2023, Council resolved (Council Resolution 1223/010) to advertise draft LPS4 and submit the documents to the WAPC for consent to advertise.

Whilst no weight is afforded to LPS4 at this time, In relation to draft LPS4, a decision-maker can give due regard to a seriously entertained planning proposal when determining an application, in accordance with Schedule 2 Clause 67(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The final form of draft LPS4 is not imminent nor certain at this time, noting the draft scheme has not been advertised, and accordingly no weight should be given to the proposed development controls when determining this application. Accordingly, the City has not

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assessed the development against draft LPS4. The City has provided a brief summary of the key modifications proposed to the subject site and surrounding area as per draft LPS4 for contextual purposes which is contained in Attachment 5.

Legislation and Policy:

Legislation

- *Planning and Development Act 2005*
- *Planning and Development (Development Assessment Panel) Regulations 2011*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- Metropolitan Region Scheme (MRS)
- City of Stirling Local Planning Scheme No. 3 (LPS3)

State Government Policies

- State Planning Policy 4.2 – Activity Centres (SPP 4.2)
- State Planning Policy 5.4 – Road and Rail Noise (SPP 5.4)
- State Planning Policy 7.0 – Design of the Built Environment (SPP 7.0)
- State Planning Policy 7.2 – Precinct Design (SPP 7.2)
- Residential Design Codes Volume 2 (R-Codes Volume 2)

Structure Plans/Activity Centre Plans

- Dianella Centre Plan

Local Policies

- Local Planning Policy 6.3 – Bin Storage Areas (LPP6.3)
- Local Planning Policy 6.6 – Landscaping (LPP6.6)
- Local Planning Policy 6.7 – Parking and Access (LPP6.7)
- Local Planning Policy 6.11 – Trees and Development (LPP6.11)
- Local Planning Policy 6.12 – Public Art on Private Land (LPP6.12)
- Local Planning Policy 6.18 – Public Consultation (LPP6.18)

Consultation:

Public Consultation

The revised submission was advertised in accordance provisions for a period of 21 days, commencing on 15 March 2024 and concluding on 5 April 2024. Advertising included letters to owners and occupiers within 200 metres of the site, the installation of signage, and a notice placed on the City’s website.

During the public consultation period, the City received 17 submissions. These are summarised with their relative locations in the table.

Submissions Received	Within 200m Radius		Greater than 200m Radius / Not Stated		All Submissions	
Support	0	(0.0%)	0	(0.0%)	0	(0.0%)
Object	16	(94.1%)	1	(5.9%)	17	(100.0%)

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Submissions Received	Within 200m Radius		Greater than 200m Radius / Not Stated		All Submissions	
Other (Not stated / no opinion / 'conditional')	0	(0.0%)	0	(0.0%)	0	(0.0%)
Total	16	(94.1%)	1	(5.9%)	17	(100.0%)

All matters raised in the submissions received during the consultation period have been summarised in the table below. Additionally, the table outlines the number of submissions of which a specific matter was raised, and the City's response to the matter.

Number of Submissions to Raise Issue	Submission Comment	Officer Comment
15	Objections to the height of the building, which exceeds the 11 metres (approximately three storeys) building height limit prescribed by LPS3.	<p>The proposed development exceeds the maximum 11 metres building height limit prescribed by Table 6.12.4 b) of LPS3.</p> <p>The decision-maker has discretion to grant approval to a greater height than prescribed in Table 6.12.4 b) of LPS3, subject to compliance with the discretionary provisions of LPS3 and the Element Objectives of R-Codes Volume 2. The appropriateness of the proposed building height is addressed later in this report.</p>
13	The additional traffic from the proposed development will adversely affect the locality.	<p>The adjacent Educational Establishment has a significant short term parking and traffic impact in the immediate area at school drop off and pick up times, as demonstrated during site visits and correspondence with the community.</p> <p>Although the development may slightly increase the existing congestion during peak periods of the Educational</p>

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Number of Submissions to Raise Issue	Submission Comment	Officer Comment
		Establishment, the additional traffic volume generated by the proposed development is relatively minor and is not anticipated to cause any substantial functional or safety impact to the local road network.
11	The proposed development causes a loss of privacy to the neighbouring properties, including the adjacent Educational Establishment.	The proposed development minimises overlooking of the adjacent properties, using setback distance, screening devices and by setting in the viewing position from the perimeter of the building which restricts the cone of vision looking downwards. Further comments regarding visual privacy are addressed later in this report.
5	Concerns regarding impacts to surrounding properties during the construction of the proposed development.	The City's recommendation includes a Construction Management Plan condition, which will address how potential issues such as noise, dust and parking will be managed, to minimise the impacts of construction to the surrounding properties.
4	The proposed development results in adverse overshadowing to neighbouring properties.	The resultant overshadowing from the proposed development is discussed in detail later in this report.
3	Concerns with the potential impact to infrastructure and services, such as electricity, gas, sewerage and water supply.	The utility providers may require the developer to contribute towards infrastructure upgrades if they cannot service this development.
2	The waste management arrangements will have adverse impacts to	The waste collection arrangements are detailed

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Number of Submissions to Raise Issue	Submission Comment	Officer Comment
	surrounding properties, such as visual amenity and odour and will add to traffic congestion in Chester Avenue.	in the submitted Waste Management Plan. The waste collection vehicle will park on the street and the bins will be taken to the vehicle. It is not expected that the waste collection will impose adverse amenity impacts on the surrounding properties. The bin storage and collection areas are located away from dwellings, minimising the noise and odour impacts. The City intends to collect the bins outside of school drop off and pick up times, when there is little traffic in the street, to minimise traffic and safety impacts on the street.
2	The proposal has too high a density for an existing crowded and overcrowded area.	There is no maximum prescribed density of dwellings for the subject site. The Dianella Activity Centre implementation is in the early stages with transition to the proposed density consistent with the planned future built form outcomes for the Activity Centre, as outlined in the Dianella Centre Plan.
2	The development does not advance a sense of community as the residents of apartments do not integrate with the community of the local street.	Multiple Dwellings are a permitted use on the subject site.
2	The proposed development will result in more anti-social behaviour in the surrounding area.	The development includes windows and balconies on the building façade to provide passive surveillance over Chester Avenue.

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Number of Submissions to Raise Issue	Submission Comment	Officer Comment
2	The proposed development will affect views of the city skyline and suburban vista.	The development does not obstruct prominent significant views, such as the city skyline, river or ocean, from adjoining properties.
2	Concerns regarding adverse impact on property values in relation to the proposed development.	The impact to property values is not a valid planning consideration.
2	Concerns regarding increased noise impacts from proposed development, such as from the communal open space area on the rooftop.	The development is required to comply with the requirements of the <i>Environmental Protection (Noise) Regulations 1997</i> .
2	Concerns regarding the design of the proposed landscaping and communal open space area.	<p>The Applicant has submitted a Landscaping Report which is generally supported by the City, with the exception of the proposed street tree removal.</p> <p>The provision of communal open space has been assessed against the Element Objectives of Element 3.4 of R-Codes Volume 2. The City's assessment concludes the proposed development satisfies these Element Objectives.</p>
1	Query as to why the City changed the contact officer listed in the advertising letter for the 35 Multiple Dwellings proposal.	The change was for operational reasons. City officers have undertaken a comprehensive assessment of the revised submission as outlined in this report.
1	The City is responsible for assessing the proposal against all planning requirements, not the residents.	The City has assessed the proposal against all provisions of the relevant planning framework as outlined in this report.
1	Concerns regarding a perceived conflict of interest between the	The City and the DAP have procedures in place in relation to potential conflicts of interest.

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Number of Submissions to Raise Issue	Submission Comment	Officer Comment
	Applicant and a former Ward Councillor.	Elected Members will manage conflicts of interests in accordance with the requirements.
1	The additional residents will cause more frequent wear and tear to communal amenities and breach of strata rules of adjoining properties.	The development will not affect communal amenities or compliance with strata rules on neighbouring developments. The strata for the subject site will be responsible for managing the communal amenities on the subject site.
1	The proposed development does not include any affordable or diverse housing component.	There are no planning requirements to provide affordable or diverse housing as part of this development.
1	The development will change the character of the neighbourhood.	The Dianella Activity Centre is in the early stages of a transition and the proposed development is consistent with the planned future built form outcomes for the Activity Centre, as outlined in the Dianella Centre Plan.
1	The development will provide additional housing and give an economic boost to local businesses.	It is acknowledged that the addition of residential dwellings on the subject site would provide additional housing and support the non-residential functions of the Activity Centre.
1	Query regarding the effect of the changes to the R-Codes that were released on 8 March 2024 in relation to the proposed development.	The changes to the R-Codes became operative on 10 April 2024. The changes have no effect to the planning framework applicable to proposed Multiple Dwelling developments in areas coded R80 and higher, including the subject site.

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The City forwarded the public submissions to the Applicant to allow the Applicant the opportunity to respond to each submission.

The details and outcomes of the original public consultation process for this application are in the City's previous Responsible Authority Report contained in Attachment 10.

Referrals/consultation with Government/Service Agencies

The proposal has been referred to the relevant state agencies (Water Corporation) and internally within the City, with no objections being raised in principle. Any comments and recommendations of relevance have been accommodated via the imposition of conditions and/or advice notes.

Design Review Panel Advice

The previous proposal considered by the Metro Inner-North JDAP at its meeting on 13 December 2023 had been reviewed by the City's DRP on four occasions. The previous proposal satisfied eight of the 10 Design Principles of SPP 7.0, with the Design Principles of Built Form and Scale and Sustainability remaining outstanding as detailed in the previous Responsible Authority Report contained in Attachment 10.

The revised submission was referred to the Acting Chairperson and one Panel Member of the City's DRP to undertake a review of the revised submission. The Design Review Report concludes the revised submission now satisfies nine of 10 Design Principles, with Built Form and Scale satisfied, with Sustainability remaining outstanding. Additionally, the conclusion of the final Design Review states:

"The previous design review had highlighted concerns with the bulk and scale of the proposal. This was a result of a repetitive footprint extended over six levels, which was significantly more height and plot ratio than the planning framework anticipated. The applicant had worked very hard to ameliorate the impact of the scale of the previous proposal through careful articulation of the built form at a range of scales and attention to materiality. Despite these efforts the envelope of the building was too massive for its context, particularly given the transitional nature of the site and impacts on some sensitive adjacent land uses.

In the revised submission the applicant has maintained the overall strategy but removed a story from the building and revised the footprint on the upper levels to improve side setbacks. This has had a significant improvement in the impacts of overshadowing on adjacent properties and improved the perception of bulk and scale and privacy separation from a number of vantages. It should also be noted that this has improved the presentation of the project to Chester Avenue and its integration with a transitional streetscape. The commitment to architectural design to mitigate impacts of bulk and scale should be commended as it demonstrates the value of good design in achieving more sustainable higher density developments in transitional, well located areas. I would support the built form and scale of the proposed development in its revised arrangement."

The Design Review Report is contained in Attachment 8. The City notes the commentary from the DRP in relation to the proposed development is generally supportive. The role of the DRP is to provide design advice only and it is the role of the City to carry out an assessment of a proposal against the relevant planning framework, including commentary from the DRP.

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Planning Assessment:

The proposed development has been assessed against LPS3 and the relevant State Planning Policies, Planning Codes and Local Planning Policies. LPS3 provides the requirements in respect to zoning and land use permissibility, and specific development standards relating to plot ratio, open space, street setbacks, building height and boundary wall height. Other specific development standards also apply through the Residential Design Codes and relevant state and local planning policies. The following matters have been identified as key considerations in the assessment of the revised proposal application. The assessment of the key considerations of the proposed development is contained within Attachment 9.

1. Reasons for Deferral
2. Proposed Land Use
3. Built Form
 - a. Building Height
 - b. Street Setbacks
 - c. Side and Rear Setbacks, Building Separation and Visual Privacy
 - d. Plot Ratio
 - e. Overshadowing
 - f. Dianella Special Control Area
 - g. Variations to Site and Development Standards and Requirements
4. Landscaping
 - a. Local Planning Policy 6.11 – Trees and Development (LPP 6.11)
5. Planning and Development (Local Planning Schemes) Regulations 2015

1. Reasons for Deferral

The following table identifies the deferral reasons and how these have been addressed.

Reasons for Deferral	
Deferral Reason	Officer Comment
<ul style="list-style-type: none"> • <i>Overall height, bulk and scale in the context of the planning provisions and the DRP commentary;</i> 	<p>The overall height of the building and the podium component of the building have both been reduced by one storey, or 3.1 metres, by deleting the previous Level 3.</p> <p>The bulk and scale of the upper storeys has been reduced by providing greater side setbacks on Levels 3 and 4 compared to the previous scheme. In particular, the 4.4 metres and 4.5 metres side setbacks have been increased to 5.4 on Levels 3 and 4.</p> <p>Building height and setbacks are discussed in further detail later in this report.</p> <p>The comments from the design review of the revised proposal have noted that the abovementioned changes have reduced</p>

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Reasons for Deferral	
Deferral Reason	Officer Comment
	and improved the perception of bulk and scale. Additionally, the DRP advised these changes also build in opportunity for future neighbouring developments to adapt more effectively to the scale and impact of the proposed development.
<ul style="list-style-type: none"> • <i>Overall height, particularly as it addresses Chester Avenue and surrounding properties;</i> 	<p>The building height has been reduced by one storey, or 3.1 metres, by deleting the previous Level 3.</p> <p>Building height is discussed in further detail later in this report.</p>
<ul style="list-style-type: none"> • <i>Built form and scale;</i> 	<p>The scale of the building has been reduced by the deletion of one level of apartments and increasing the side setbacks.</p> <p>The development has retained its previous external colours and materials and has a similar external aesthetic design compared to the previous proposal.</p>
<ul style="list-style-type: none"> • <i>Any deviation relating to the plot and ratio and calculation of plot ratio;</i> 	<p>The plot ratio has reduced from 2.53 to 2.05, equating to 0.48 or 905m² of reduction. Discretion is sought to the maximum 1.5 plot ratio provision of Table 6.12.4 b) of LPS3. This matter is discussed in further detail later in this report.</p>
<ul style="list-style-type: none"> • <i>Further clarity around the strategic framework, including future context;</i> 	<p>The relevant planning framework for this development is identified in the Legislation and Policy section of this report.</p> <p>The Dianella Centre Plan was approved by Council in August 2012 and is a Structure Plan operative under Schedule 2 Part 4 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>The City of Stirling Local Planning Strategy was endorsed by the WAPC in October 2019.</p> <p>Council resolved on 5 December 2023 (Council Resolution 1223/010) to advertise draft LPS4 and submit the documents to the WAPC for consent to</p>

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Reasons for Deferral	
Deferral Reason	Officer Comment
	advertise. The final form of draft LPS4 is not imminent nor certain.
<ul style="list-style-type: none"> Clarity on overlooking, including perception of overlooking of the school; 	<p>The revised proposal includes increased setbacks to the side and rear boundaries and screening devices to mitigate any adverse overlooking to the adjoining properties, including the Educational Establishment.</p> <p>This matter is discussed in further detail in this report.</p>
<ul style="list-style-type: none"> Further information of overshadowing and its extents and impacts; 	<p>The Applicant has prepared overshadowing diagrams for the revised proposal, contained in Attachment 6.</p> <p>The overshadowing impacts are discussed further in this report.</p>
<ul style="list-style-type: none"> Consistency with the planning framework; and 	<p>The consistency of the revised proposal against the City's planning framework is discussed in this report.</p>
<ul style="list-style-type: none"> Information on the transition to surrounding development. 	<p>The revised proposal includes the deletion of one level of apartments and increased setbacks to side and rear boundaries providing for an improved transition to the surrounding properties.</p> <p>The impact of the height, bulk and scale of the proposal on the surrounding development is discussed in this report.</p>

2. Proposed Land Use

The subject site is zoned Residential in accordance with LPS3. The table below lists the proposed land uses and associated permissibility within the Residential zone as per Table 1 – Zoning Table of LPS3.

LPS3 Table 1 – Zoning Table	
Land Use	Use Class
Multiple Dwelling	P ¹
P -	Use is permitted by the Scheme providing the use complies with the relevant development standards and requirements of the Scheme.
P ¹ -	A 'P' Use, with a cross reference to Condition 1: Multiple Dwellings not permitted in areas coded R35 or below.

The subject site is assigned a R-AC3 density coding, which is a higher coding than R35. As such, Multiple Dwelling is a permitted use on the subject site, providing the use complies with the relevant development standards and requirements of LPS3. The City's assessment concludes the development complies with the development standards and requirements of LPS3, and therefore is supported.

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3. Built Form

Part 2 (Primary Controls) of R-Codes Volume 2, and some sections of Part 3 (Siting the Development) can be modified by the local planning framework. The subject site is located within the Dianella Special Control Area of LPS3 which applies specific built form controls relating to plot ratio, open space, primary street setback, maximum building height and maximum boundary wall height which are relevant to the proposal. These specific built form controls of Clause 6.12 of LPS3 replace the default acceptable outcomes of R-Codes Volume 2, however consideration is still required against the relevant Element Objectives of R-Codes Volume 2.

The specific built form controls of Table 6.12.4 b) of LPS3 apply in addition to the general provisions of LPS3, local planning policies and R-Codes Volume 2. A summary of the proposed development in relation to the primary built form controls of Table 6.12.4 b) and Part 2 (Primary Building Controls) of R-Codes Volume 2 is provided below.

Built Form Controls			
Provision	Requirement	Proposal	Assessment
Plot Ratio*	Maximum 1.5	2.05	Discretion sought
Open Space*	No minimum requirements	16% open space at ground level	Complies
Primary Street Setback*	2m	Canopy: 1.4m Main building: 3m	Discretion sought
Height – Top of External Wall Height (Concealed Roof)*	Maximum 11m	Maximum 20m	Discretion sought
Height of Built to Boundary Walls*	Maximum 7m and average 6m	Maximum 5.1m	Complies
Side and Rear Setbacks / Building Separation / Visual Privacy	Development is to achieve the relevant Element Objectives of Elements 2.4 – Side and Rear Setbacks, 2.7 – Building Separation and 3.5 – Visual Privacy R-Codes Volume 2 Further detailed commentary regarding this matter is provided later in this report.	Various building setback and visual privacy setback distances are proposed with further detailed commentary provided later in this report.	Discretion sought

* Refers to a requirement of Table 6.12.4 b) of LPS3

The following sections provide an assessment of the proposed development against the primary controls where discretion is sought. Additionally, this section provides an assessment of the proposed development against Element 3.2 – Orientation of R-Codes Volume 2 as the outcomes relating to overshadowing are intrinsically linked to

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the primary building controls. The City's assessment concludes the proposed development satisfies the discretionary considerations of the Deemed Provisions and LPS3 and the Element Objectives of R-Codes Volume 2.

a. Building Height

LPS3 Table 6.12.4 b) – R-AC3 Provisions			
Provision	Requirement	Proposal	Assessment
Height – Top of External Wall Height (Concealed Roof)	Maximum 11m	Maximum 20m	Discretion sought

The proposed height of the development is a maximum of 20 metres above natural ground level or six storeys in accordance with the 'storey' definition of R-Codes Volume 2 which is defined as:

Storey - the portion of a building which is situated between the top of any floor and the top of the floor next above it and if there is no floor above it, that portion between the top of the floor and the ceiling above it but does not include:

- a basement
- a space that contains only a lift shaft, stairway or meter room
- a mezzanine
- a loft.

Double height floors greater than 5m floor to ceiling are counted as two floors.

The number of storeys includes five storeys of apartments and the roof terrace level above. The roof terrace level is defined as a storey as the lift and fire escape portion of the building that protrudes above the main roof level, contains a bathroom. The height of the building excluding the roof terrace is approximately 16.5 metres.

As the proposal seeks discretion against the building height provisions, consideration against the Element Objectives of Element 2.2 of R-Codes Volume 2 is provided below.

- O 2.2.1 The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change.*
- O 2.2.2 The height of buildings within a development responds to changes in topography.*
- O 2.2.3 Development incorporates articulated roof design and/or roof top communal open space where appropriate.*
- O 2.2.4 The height of development recognises the need for daylight and solar access to adjoining and nearby residential development, communal open space and in some cases, public spaces.*

The existing built form of the developments on the neighbouring properties consists of predominately single storey buildings. Some of the adjacent school buildings are two storeys in height and the apartment building opposite the subject site is three storeys in height as viewed from Chester Avenue and four storeys as viewed from Waverley Street.

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The building height provisions applicable to new development in the Dianella Special Control Area and surrounding residential properties are demonstrated in Figure 6.



Figure 4 LPS3 Zones and Height Requirements – Dianella Special Control Area and Surrounds

The desired future scale and character of the area as per the Dianella Special Control Area and Dianella Centre Plan is for buildings of up to six storeys in height in the commercial area, which is intended to provide the higher density / yield within the Activity Centre. Building heights transition down to three storeys in the residential area towards the periphery of the Dianella Centre Plan boundary which responds to the adjacent properties with residential density codings of R25 and R30 with associated building heights of two storeys.

The subject site directly abuts the abovementioned commercial area of the Dianella Centre Plan area which envisages more intense development with building heights between three to six storeys. The residential zoned properties have permitted heights of three storeys. The revised development has been designed to respond to its setting and the future scale and character of the area with five storeys of apartments and a roof terrace level above with increased setbacks to the adjoining properties to mitigate the impacts of building bulk. As such, the proposed development effectively provides for a transitional height between the envisaged building heights of the 'core' commercial area of the Dianella Centre Plan and the surrounding residential zoned properties with permitted heights of three storeys.

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Whilst the City acknowledges the majority of the surrounding properties are strata titled, which will impact the timeframe for the transition towards the envisioned built form of the area in the short to medium term. The proposed development aligns with the intent of the Dianella Centre Plan to focus higher density development within the 'core' and responds to the desired scale and character of the street and local area.

As the site is relatively flat, the height of the proposed development does not need to vary to reflect topography.

The development incorporates a flat roof with a communal open space area which includes landscaping and amenities for residents. The design of the rooftop communal open space area is generally supported with any adverse impacts regarding overlooking or noise to adjoining properties capable of being addressed via condition setting.

The height of the proposed development will have an overshadowing impact to the southern adjoining properties, however the City is satisfied that the neighbouring properties receive adequate levels of sunlight and that impacts of the shadow cast are not unreasonable in the context of the applicable planning controls. Further detailed commentary regarding overshadowing is discussed in this report. The overshadowing from the proposed development does not impact any communal open spaces or public spaces.

The development satisfies the Element Objectives of Element 2.2 – Building Height of R-Codes Volume 2. As the proposed development seeks to vary the building height provisions of Table 6.12.4 b) of LPS3, further commentary regarding the proposed building height is provided in Section 3g of the Planning Assessment section of this report.

b. Street Setbacks

LPS3 Table 6.12.4 b) – R-AC3 Provisions			
Provision	Requirement	Proposal	Assessment
Primary Street Setback	2m	Canopy: 1.4m Main building: 3m - 5.5m	Discretion sought

The street setback of the main façade of the development varies between 3.0 metres and 5.5 metres. The canopies over the Ground Floor level courtyards for Apartments G01 and G02 project further forward, with a proposed street setback of 1.4 metres. The street setbacks of the revised proposal are identical to the previous proposal with this component of the development supported by the City for the reasons outlined in its previous Responsible Authority Report. As such, further consideration of this matter is not required.

c. Side and Rear Setbacks, Building Separation and Visual Privacy

The planning assessment of the proposed building setbacks and visual privacy setbacks are intrinsically linked to each other, noting the Acceptable Outcomes setback distances for Elements 2.4 – Side and Rear Setbacks, 2.7 – Building Separation and 3.5 – Visual Privacy are cross-referenced as per R-Codes Volume 2. An assessment of the proposed development against the relevant Acceptable Outcomes of R-Codes Volume 2 is contained within Attachment 9, with a summary of

the components which do not satisfy the Acceptable Outcomes of the aforementioned Elements provided below and in Figure 5 through to Figure 8 inclusive:

- North west boundary: The unscreened portion of the balcony for Apartment 302 on Level 3 with a setback of 5.4 metres in lieu of 9.0 metres (increased from previous setback of 4.5 metres for the previous Apartment 402) .
- North west boundary: Unscreened balconies of Apartments 303-305 and 403-405 on Levels 3 and 4 with setbacks of 6.4 metres in lieu of 9.0 metres.
- North west boundary: Communal open space rooftop terrace with a setback of 6.4 metres in lieu of 9.0 metres.
- South west boundary: Unscreened balconies of Apartments 108-109 on Level 1 with setbacks of 5.9 metres in lieu of 6.0 metres.
- South west boundary: The unscreened portion of the balconies of Apartments 307 and 407 on Levels 3 and 4 with setbacks of 8.8 metres in lieu of 9.0 metres (the Apartment 307 setback has increased from the previous setback of 6.6 metres for the previous Apartment 407 and the Apartment 407 setback has decreased from the previous setback of 9.5 metres for the previous Apartment 507).
- South east boundary: The unscreened part of the balcony for Apartment 301 on Level 3 with a setback of 5.4 metres in lieu of 9.0 metres (increased from previous setback of 4.5 metres for the previous Apartment 401).

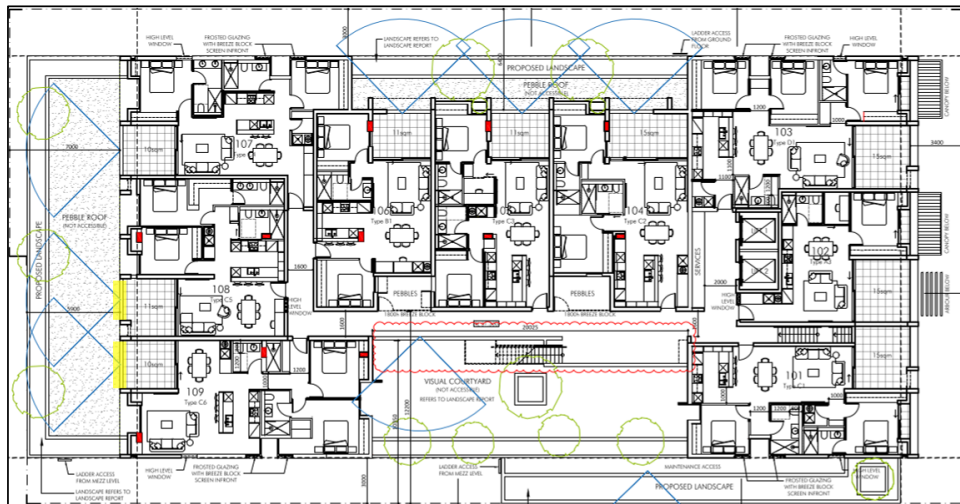


Figure 5 Discretion Sought – Minimum Acceptable Outcome Setback Distances – Level 1 (Highlighted)

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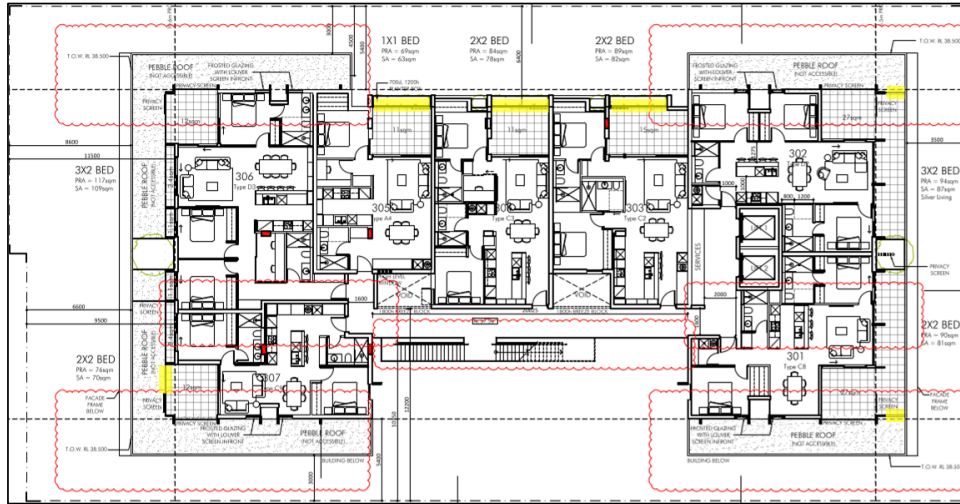


Figure 6 Discretion Sought – Minimum Acceptable Outcome Setback Distances – Level 3 (Highlighted)

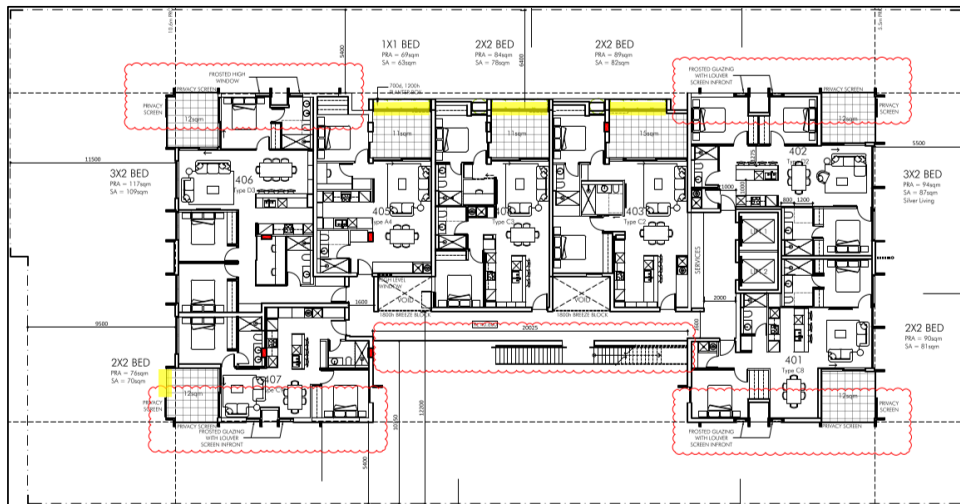


Figure 7 Discretion Sought – Minimum Acceptable Outcome Setback Distances – Level 4 (Highlighted)

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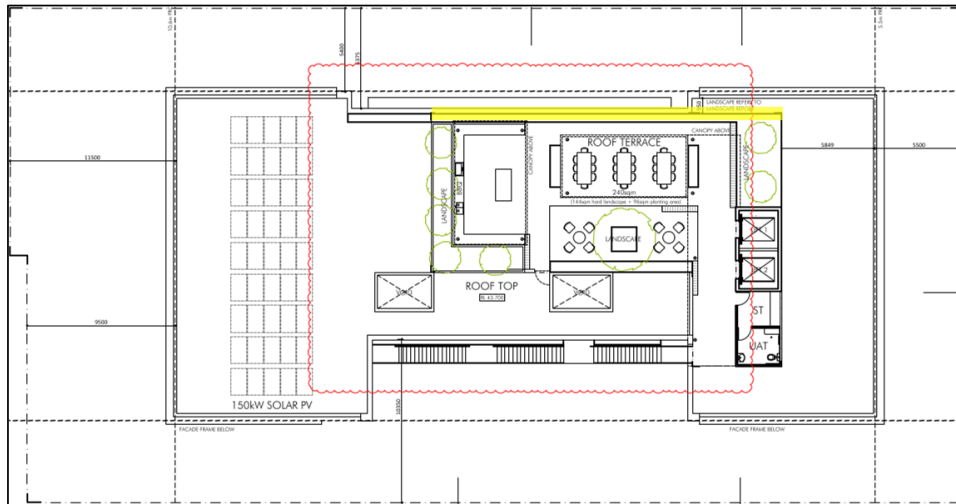


Figure 8 Discretion Sought – Minimum Acceptable Outcome Setback Distances – Roof Terrace (Highlighted)

The following sections provide an assessment of the proposed development against the relevant Element Objectives for Elements 2.4 – Side and Rear Setbacks, 2.7 – Building Separation and 3.5 – Visual Privacy.

Element 2.4 – Side and Rear Setbacks

Consideration of the proposal against the Element Objective of Element 2.4 – Side and Rear Setbacks of R-Codes Volume 2 is provided below.

- 2.4.1 *Building boundary setbacks provide for adequate separation between neighbouring properties.*
- 2.4.2 *Building boundary setbacks are consistent with the existing streetscape pattern or the desired streetscape character.*
- 2.4.3 *The setback of development from side and rear boundaries enables retention of existing trees and provision of deep soil areas that reinforce the landscape character of the area, support tree canopy and assist with stormwater management.*
- 2.4.4 *The setback of development from side and rear boundaries provides a transition between sites with different land uses or intensity of development.*

Although the revised development includes variations to the recommended side and rear setbacks of the R-Codes Volume 2 to the south east, south west and north west lot boundaries, the revised development has been designed to provide adequate separation to adjoining properties to mitigate impacts of building bulk, overlooking and overshadowing which are detailed later in this report.

In terms of streetscape character, the R-AC3 density coding and Table 6.12.4 b) of LPS3 allows the building to be built up to the side boundaries, subject to a maximum 7.0 metres height restriction. The development provides a boundary wall to the south eastern side boundary with a height of up to 4.7 metres. Excluding this boundary wall, the street facing component of the development provides a 3.0 metre side setback up to Level 2 and is set in further above with a 5.4 metre side setback on Levels 3 and 4. The revised design which includes increased setbacks of 0.9 metres to 1.0 metre along

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the side boundaries has assisted in reducing the visual impact of the upper storeys as viewed from the street and is consistent with the desired streetscape character which allows for taller buildings.

At ground level, a 3.0 metre setback is provided to the north western side boundary. While there are no suitable existing trees for retention, these setbacks provide for a deep soil area that supports the growth of the new trees proposed along the boundary.

The development provides a stepped setback to the side and rear boundaries, where the lower storeys are built closer to the boundaries and the upper storeys are set further back. This assists in reducing the building bulk impacts to the existing lower scale neighbouring developments. The building also incorporates a mixture of screening devices, planters and balustrading to mitigate direct overlooking of the adjoining residential properties and Educational Establishment

The development satisfies the Element Objectives of Element 2.4 – Side and Rear Setbacks of R-Codes Volume 2.

Element 2.7 – Building Separation

Consideration of the proposal against the Element Objective of Element 2.7 – Building Separation of R-Codes Volume 2 is provided below.

- O 2.7.1 New development supports the desired future streetscape character with spaces between buildings.*
- O 2.7.2 Building separation is in proportion to building height.*
- O 2.7.3 Buildings are separated sufficiently to provide for residential amenity including visual and acoustic privacy, natural ventilation, sunlight and daylight access and outlook.*
- O 2.7.4 Suitable areas are provided for communal and private open space, deep soil areas and landscaping between buildings.*

As discussed in the Element 2.4 section above, the revised design provides for a reduction in building height and increased setbacks to the side boundaries which provides for sufficient space to the side boundaries and is consistent with the desired streetscape character for taller buildings.

The upper levels of the development are designed with greater setbacks to the side and rear boundaries than the levels below. Coupled with a reduction in building height, this assists in reducing the impact of building bulk from adjoining properties and at street level.

The development has been designed to provide sufficient separation distances to preserve the residential amenity for the future residents of the development and those living in the neighbouring properties. As discussed further in the Element 3.5 section below, the development is designed to minimise privacy impacts to neighbouring properties. The private outdoor living spaces and the communal roof terrace are set off the boundaries, providing separation for acoustic privacy. There is sufficient open air around the building within the setback area to obtain natural ventilation into the building and maintain adequate airflow to the existing buildings and the future development of neighbouring properties.. As discussed further in Section 3e of the Planning Assessment section of this report, the City is satisfied that the development satisfies the Element Objectives relating to overshadowing of neighbouring properties.

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All living areas and balconies within the development are provided with external outlook.

The development meets the Element Objectives of Element 3.4 – Communal Open Space and Element 4.4 – Private Open Space and Balconies relating to the provision of communal open space and private open space. At ground level, a 3.0 metres setback is provided to the north western side boundary, which provides a deep soil area that supports the growth of the new trees proposed to be planted along the boundary.

The development satisfies the Element Objectives of Element 2.7 – Building Separation of R-Codes Volume 2.

Element 3.5 – Visual Privacy

Consideration of the proposal against the Element Objective of Element 3.5 – Visual Privacy of R-Codes Volume 2 is provided below.

O 3.5.1 The orientation and design of buildings, windows and balconies minimises direct overlooking of habitable rooms and private outdoor living areas within the site and of neighbouring properties, while maintaining daylight and solar access, ventilation and the external outlook of habitable rooms.

The proposed development has been designed with all windows from habitable rooms to be highset windows or setback to address the recommended visual privacy setbacks of R-Codes Volume 2.

All upper floor apartments include unscreened balconies which provide an external outlook, however this results in variations to the recommended visual privacy setbacks of R-Codes Volume 2 to the south east, south west and north west boundaries with the impacts considered below.

In relation to the south eastern boundary, the balcony to Apartment 301 on Level 3 is setback 5.4 metres in lieu of 9.0 metres. As per Figure 9 and Figure 10, portions of the balcony are screened with the overlooking mitigated through the 'Pebble Roof' and balustrade which prevents direct overlooking downwards into the adjoining properties which is supported in terms of visual privacy.

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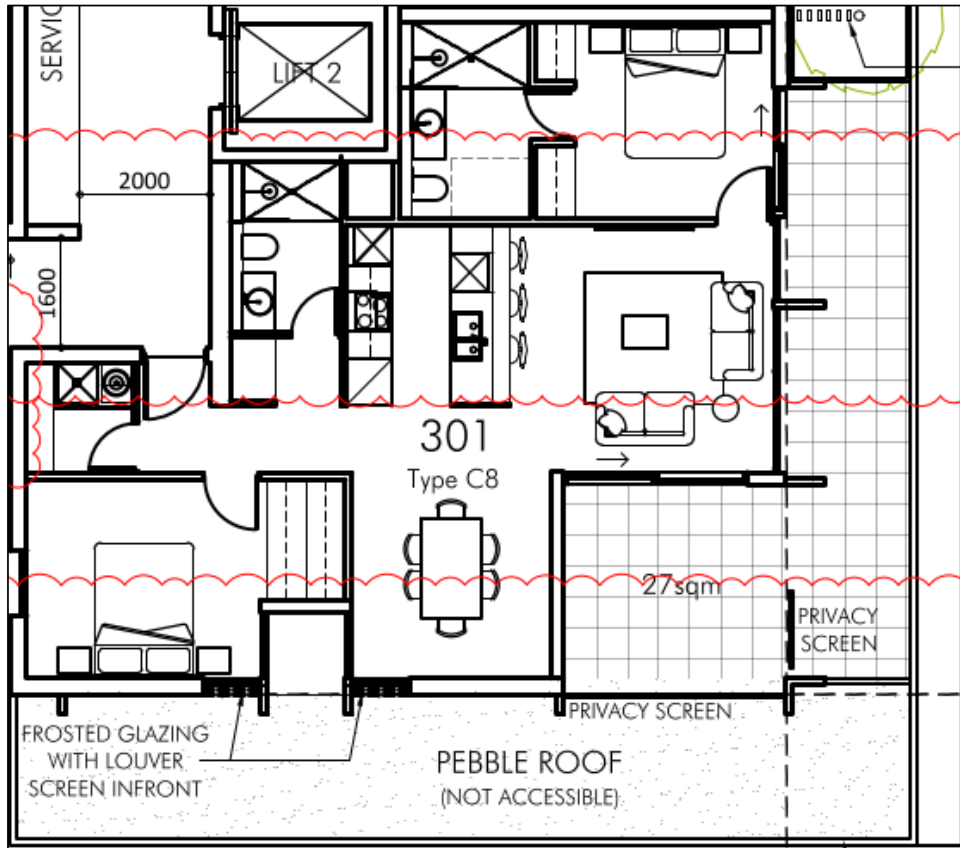


Figure 9 Floorplan of Apartment 301 on Level 3

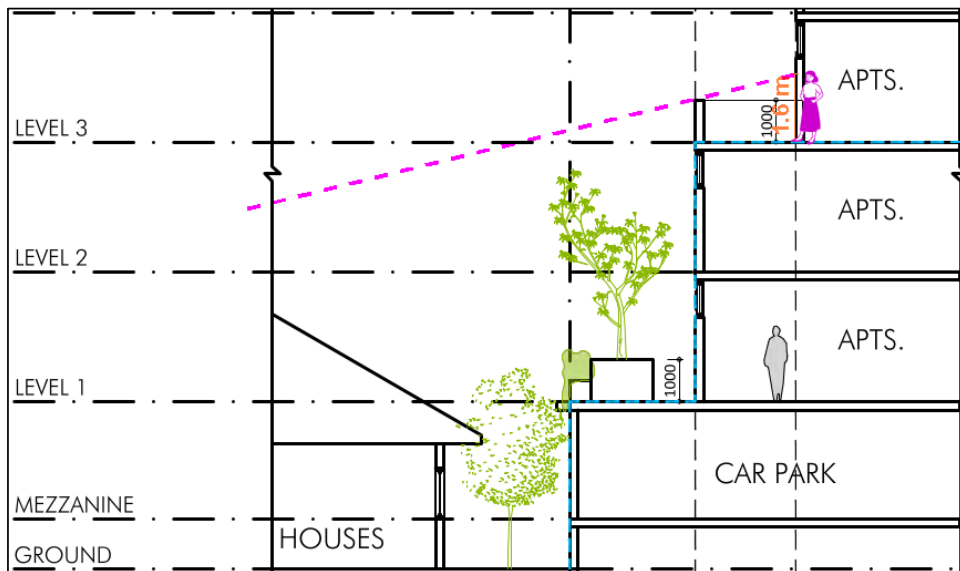


Figure 10 Annotated Extract of Section Plan 2A – South Eastern Lot Boundary

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In relation to the south western boundary, the balconies of Apartments 108 and 109 on Level 1 are setback 5.9 metres in lieu of 6.0 metres. The balconies of Apartments 307 and 407 on Levels 3 and 4 are setback 8.8 metres in lieu of 9.0 metres. As per Figure 11 through to Figure 14 inclusive, the overlooking from the balconies of Apartments 108 and 109 on Level 1 and Apartment 307 on Level 3 is mitigated through the 'Pebble Roof' and landscaping which prevents direct overlooking downwards into the adjoining properties which is supported in terms of visual privacy.

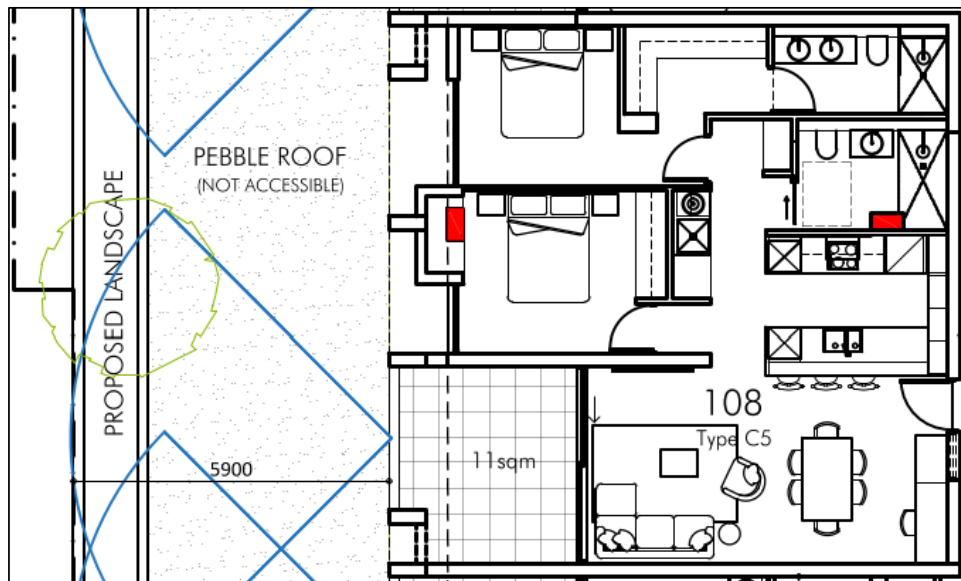


Figure 11 Floorplan of Apartment 108 on Level 1

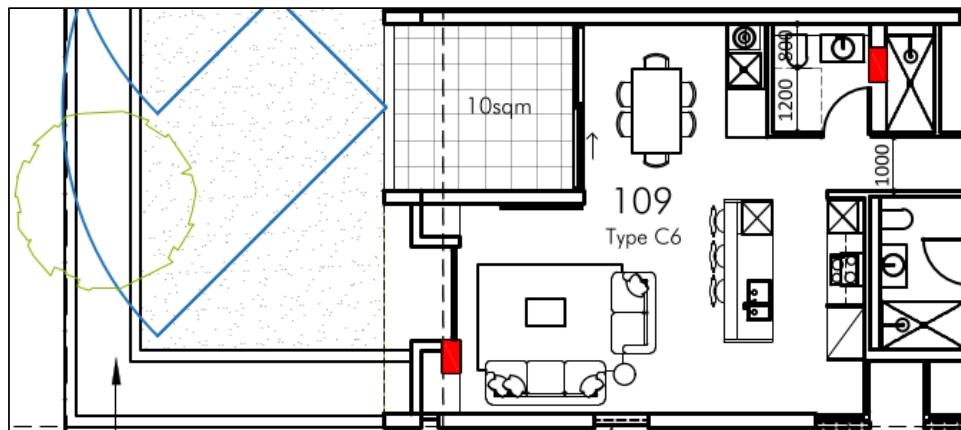


Figure 12 Extract of Floorplan of Apartment 109 on Level 1

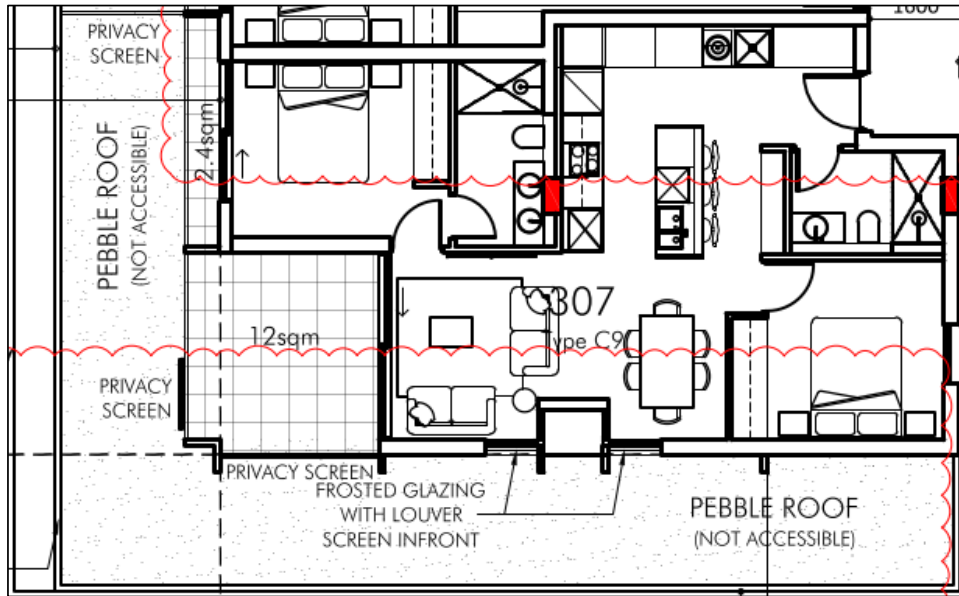


Figure 13 Floorplan of Apartment 307 on Level 3

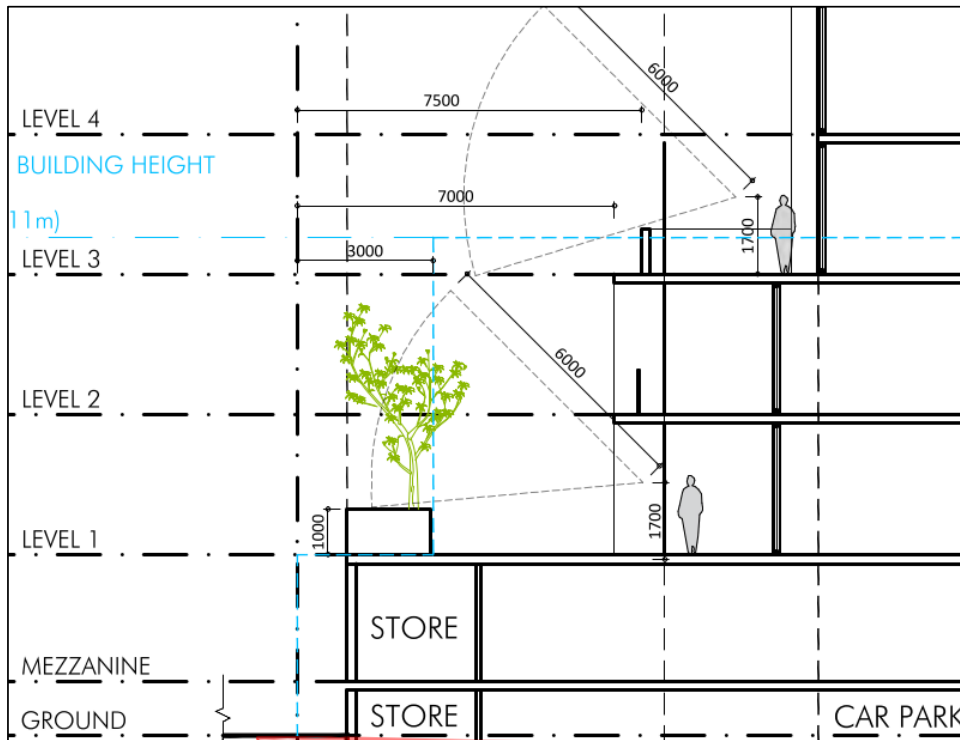


Figure 14 Extract of Section Plan – South Western Lot Boundary

The balcony of Apartment 407 on Level 4 is setback 8.8 metres in lieu of 9.0 metres, with the resultant overlooking projecting into the vacant property at House Number 342 Grand Promenade. This elevation is partially screened by a privacy screen on the exterior of the balcony. At a setback of 8.8 metres, the resultant overlooking is

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consistent with the recommended setback of 9.0 metres as per the Acceptable Outcomes, and therefore does not significantly impact the privacy of the adjoining property. Furthermore, as the adjoining site is currently vacant there is no adverse overlooking to sensitive areas at present and the proposed setback ensures a sufficient level of visual privacy can be accommodated for any future development, consistent with a mid-rise urban centre. Though screening could be provided to enclose the balcony, this is not consistent with Acceptable Outcomes 3.5.2 and 3.5.3 of Element 3.5 – Visual Privacy which recommends balconies are unscreened for at least 25% of their perimeter. As the living room to the dwelling obtains its external outlook solely through the balcony, it is not considered appropriate to impose screening to fully enclose this balcony.

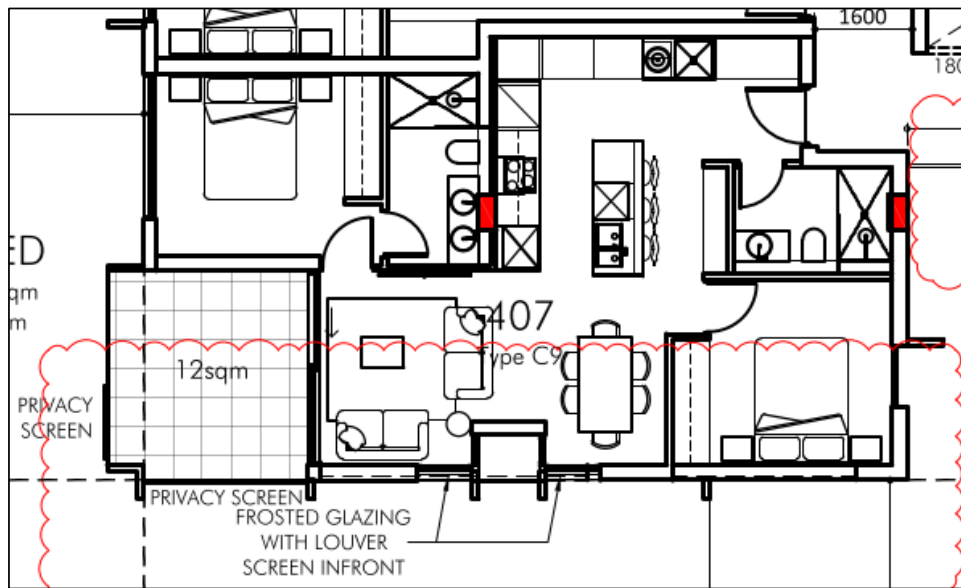


Figure 15 Floorplan of Apartment 407 on Level 4

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Figure 16 Floorplan of Apartment 407 on Level 4 Overlaid February 2024 Aerial Photograph

In relation to the north western boundary, the balcony of Apartment 302 is setback 5.4 metres in lieu of 9.0 metres. The balconies of Apartments 303 to 305 and 403 to 405 and the communal open space area on the rooftop are setback 6.4 metres in lieu of 9.0 metres.

As per Figure 17 through to Figure 19 inclusive, the resultant overlooking from the balcony of Apartments 302 is mitigated through the use of screening, the 'Pebble Roof' and the balustrading which prevents direct overlooking into the playground area of the adjoining primary school. Similarly, the planter boxes to Apartments 303 to 305 and 403 to 405 prevents direct overlooking downwards into the playground area. As such, the proposed setbacks are supported in terms of visual privacy.

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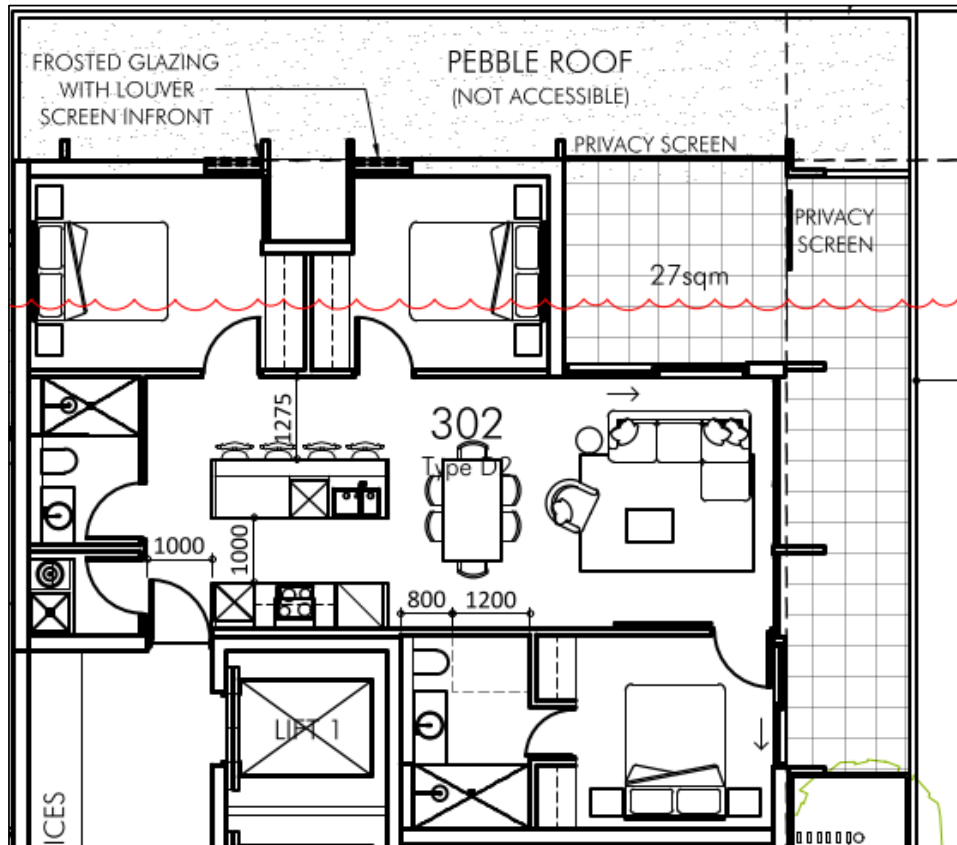


Figure 17 Floorplan of Apartment 302 on Level 3

As per Figure 18 and Figure 19, the resultant overlooking from the rooftop communal open space area is mitigated through the planter which prevents direct overlooking into the playground area of the adjoining school. As such, the proposed setback of the rooftop communal area is supported in terms of visual privacy.

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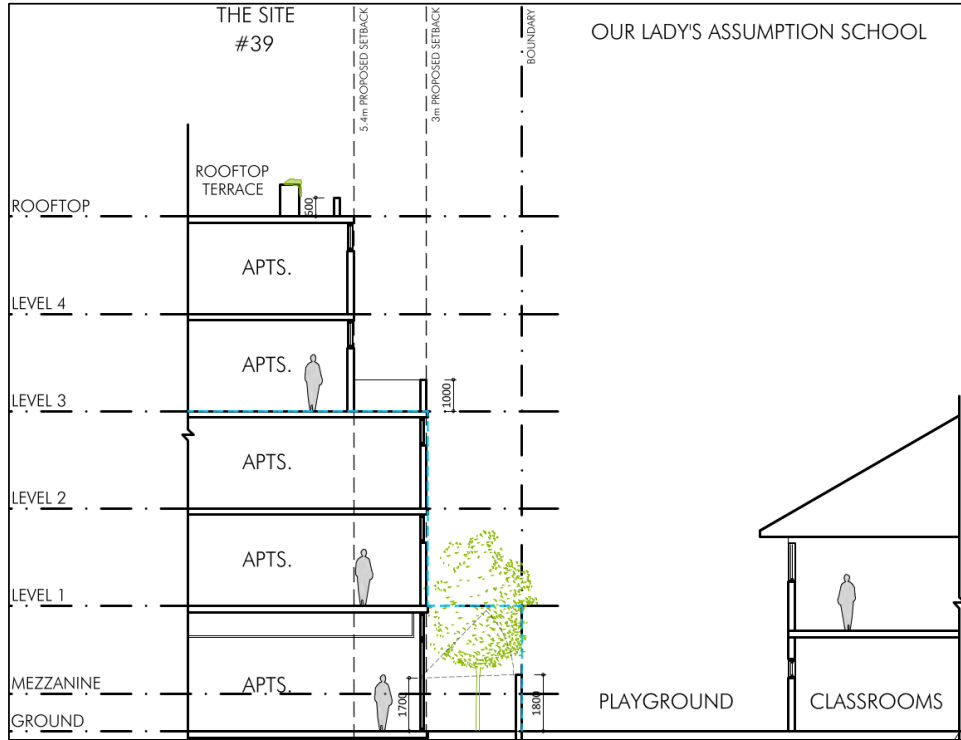


Figure 18 Extract of Section Plan 1A – North Western Lot Boundary

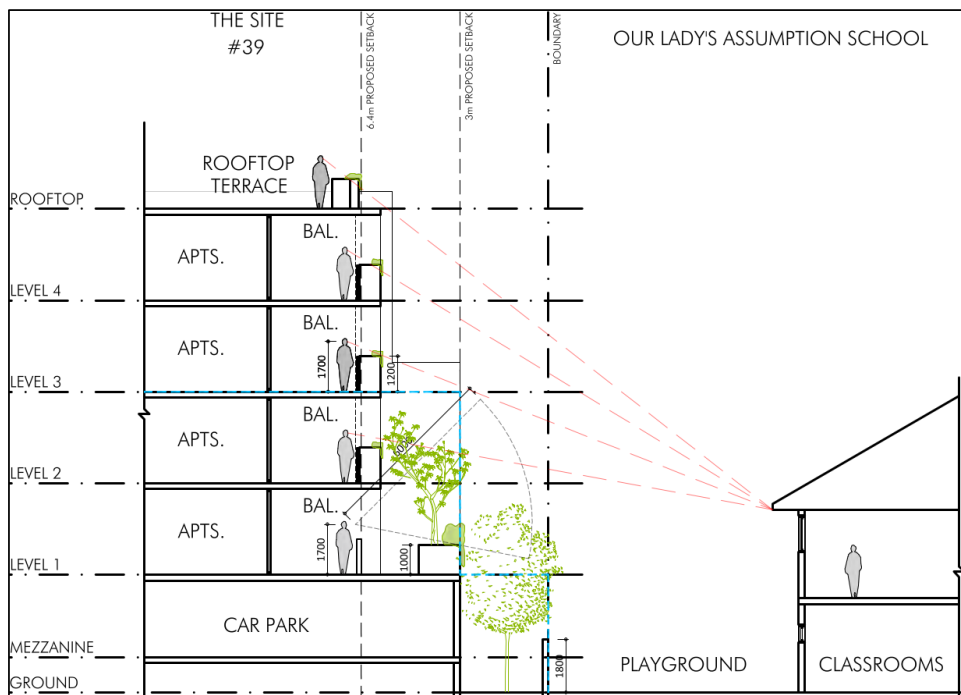


Figure 19 Extract of Section Plan 1B – North Western Lot Boundary

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In relation to Apartments 104 – 106 on Level 1 of the development, the balconies achieve the recommend visual privacy setbacks with a setback of 6.4 metres in lieu of 6.0 metres to the north-west boundary. As per Figure 20 and Figure 19, to further mitigate visual privacy impacts to the adjoining primary school, the proposed development includes the extended ‘Pebble Roof’ and landscaping to prevent overlooking into the playground area and to the second floor classrooms which are setback a minimum 7.5 metres from the boundary. Based on the proposed design of the balcony area and minimum separation of 13.9 metres to the school building, the proposed setback is supported in terms of visual privacy.

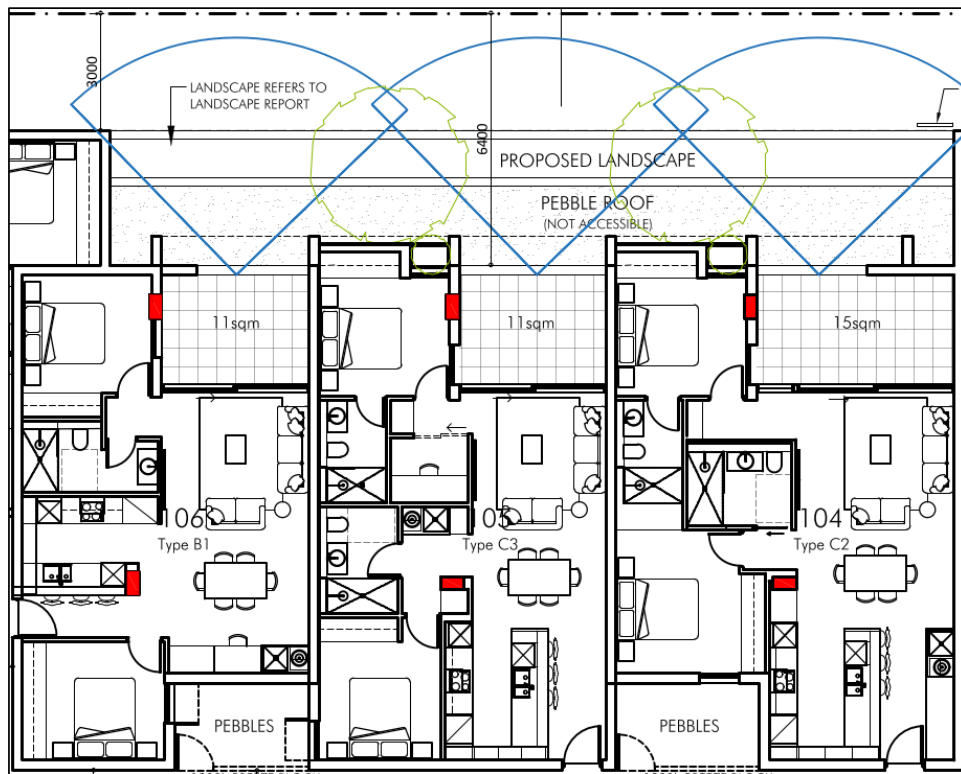


Figure 20 Floorplan of Apartments 104, 105 and 106 on Level 1

The development is considered to satisfies the Element Objectives of Element 3.5 – Visual Privacy of R-Codes Volume 2.

d. Plot Ratio

LPS3 Table 6.12.4 b) – R-AC3 Provisions			
Provision	Requirement	Proposal	Assessment
Plot Ratio	Maximum 1.5	2.05	Discretion sought

The proposed development has plot ratio area of 3,856m² which exceeds the permitted plot ratio area of 2,824.5m² by 1,031m². As the proposal seeks discretion against the plot ratio provisions, consideration against the Element Objectives of Element 2.5 of R-Codes Volume 2 is provided below:

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O 2.5.1 The overall bulk and scale of development is appropriate for the existing or planned character of the area.

In considering the appropriateness of the proposed plot ratio, the City refers to the intent of plot ratio as per Element 2.5 of R-Codes Volume 2 which states:

Plot ratio is the method of establishing an allowable volume of development within the 'container' of the building envelope. It is the ratio of the floor area of a building expressed relative to the site area and sets the building massing for a development site. This allowable volume of built form can be deployed with flexibility within the building envelope to respond to contextual and orientation factors.

The achievable plot ratio for a site is primarily determined by the limitations set for building heights and setbacks. In respect to building height, Table 6.12.4 b) of LPS 3 imposes a permitted building height of 11 metres which is exceeded by the proposed development with a maximum height of 20 metres which alone is likely to result in a variation to the permitted plot ratio. However, as concluded earlier in this report the modifications to the proposal, including the reduction in building height and increased setbacks to the tower component have enabled the development to satisfy the relevant side / rear setback, building separation and visual privacy provisions of the R-Codes Volume 2. As such, the bulk and scale of the development has been effectively managed to mitigate any significant impacts related to building height. This is further substantiated in Section 3e of this report which provides an analysis of the resultant overshadowing from the proposed development.

As previously discussed in this report, the height of the development responds to the desired future scale and character of the area as per the Dianella Special Control Area and the Dianella Centre Plan, by being at a transitional height between the permitted six storeys applicable to the commercial area and the three storeys height applicable to the residential areas.

The development satisfies the Element Objectives of Element 2.5 – Plot Ratio of R-Codes Volume 2. As the proposed development seeks to vary the plot ratio provisions of Table 6.12.4 b) of LPS3, further commentary regarding the proposed plot ratio is provided in Section 3g of the Planning Assessment section of this report.

e. Overshadowing

Element 3.2 – Orientation of R-Codes Volume 2 includes provisions relating to the orientation of buildings to the street, orientation of buildings to maximise northern solar access to living areas and minimising overshadowing impacts to adjoining properties.

In relation to overshadowing, Acceptable Outcome 3.2.3 of Element 3.2 – Orientation of R-Codes Volume 2 stipulates for adjoining properties with a residential density coding of R80 or higher there are 'nil requirements' in relation to the permitted amount of overshadowing. Notwithstanding, the Acceptable Outcomes of R-Codes Volume 2 are not 'deemed-to-comply' provisions to satisfy the relevant Element Objectives. As the building height of the proposed development significantly exceeds the permitted height of Table 6.12.4 b) of LPS3, consideration of the proposed development against the Element Objectives of Element 3.2 – Orientation is provided below:

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- O 3.2.1 Building layouts respond to the streetscape, topography and site attributes while optimising solar and daylight access within the development.*
- O 3.2.2 Building form and orientation minimises overshadowing of the habitable rooms, open space and solar collectors of neighbouring properties during mid-winter.*

The development is designed to address Chester Avenue with appropriate architectural finishes including windows and balconies which provide articulation and passive surveillance opportunities over the street and the lobby entrance which is clearly visible. Most dwellings have either a north eastern or north western orientation and accordingly obtain high levels of natural sunlight. As such, the proposed development achieves Element Objective O 3.2.1.

In relation to overshadowing, the Acceptable Outcomes do not impose a permitted percentage of overshadowing for properties with a residential density coding of R80 and higher. However, this does not imply that any amount of overshadowing is automatically acceptable but rather it is not appropriate to quantitatively define an acceptable level of overshadowing in higher density areas, as site specific performance-based assessment is required, having regard to the site context and applicable primary built form planning controls. This assertion is supported by Element Objective O 3.2.2 which requires that building form and orientation minimises overshadowing of the habitable rooms, open space and solar collectors of neighbouring properties during mid-winter.

To demonstrate the overshadowing of the revised development against a guideline 'LPS No. 3 Envelope' shadow, the Applicant has prepared a series of overshadowing diagrams in their submission, showing the shadow cast by the development at hourly intervals between 9.00am and 3.00pm on 21 June (i.e. Winter Solstice). The City notes the guideline 'LPS No. 3 Envelope' shadow may not fully reflect the design of a potential building as further articulation may be necessary for architectural design, access to natural light and ventilation to dwellings, however this provides for a comparison with these images provided below, in Figure 21 through to Figure 28 inclusive.

The Applicant has included the outline of the shadow cast by the previous proposal, deferred by the Metro Inner-North JDAP, in Figure 21. This shows that the extent of proposed overshadowing has now been reduced compared to the previous proposal due to the reduction to the building height and increased building setbacks from the boundaries to Levels 3 and 4 (previously Levels 4 and 5).

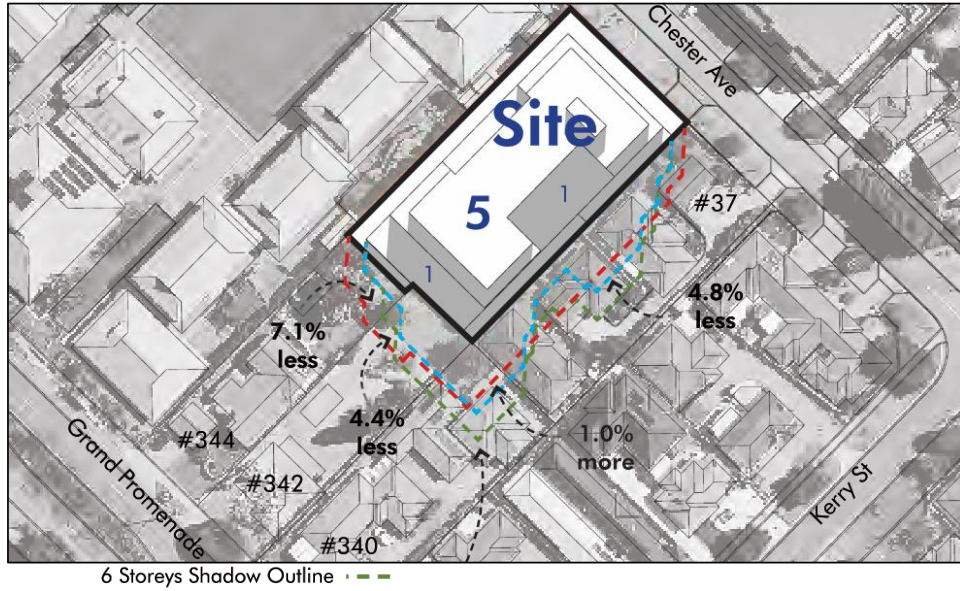


Figure 21 Applicant's Winter Solstice Diagram at 12noon

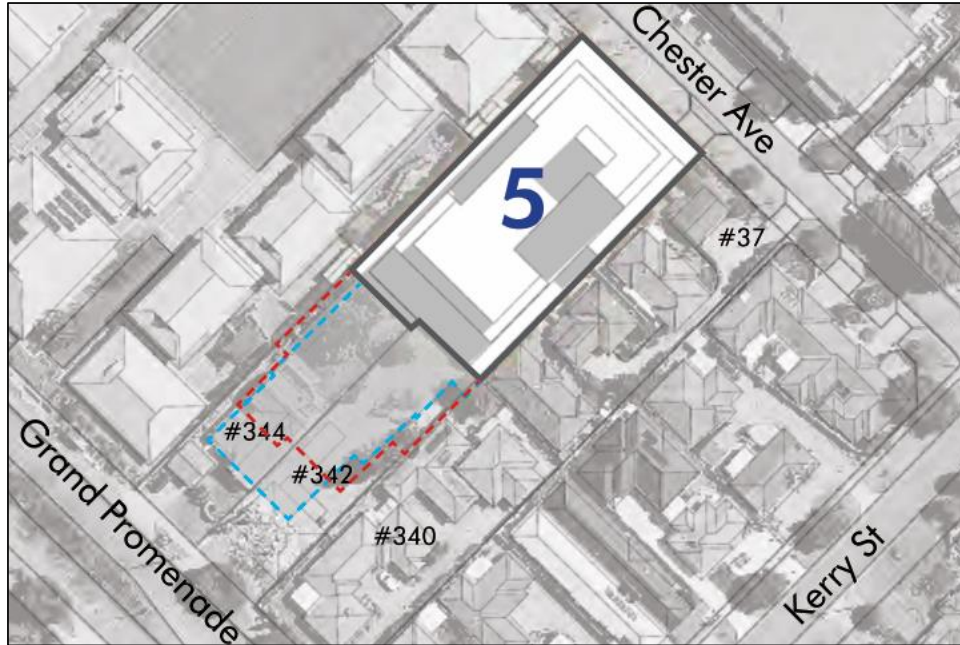
The below table provides an analysis of the proposed scheme overshadow against the guideline 'LPS No. 3 Envelope' shadow to Lot 62 (House Number 35-37) Chester Avenue and Lots 40 (House Number 340), 56 (House Number 342) and 200 (House Number 344) Grand Promenade at 12noon during the Winter Solstice.

Property	Guideline Scheme Shadow	Proposed Scheme Shadow	Variation
Lot 62 (House Number 35-37) Chester Avenue	32%	27.2%	- 4.8% (64.4m ²)
Lot 40 (House Number 340) Grand Promenade	5.5%	6.5%	+ 1.0% (13.4m ²)
Lot 56 (House Number 342) Grand Promenade	17.9%	13.5%	- 4.4% (41.1m ²)
Lot 200 (House Number 344) Grand Promenade	10.0%	2.9%	- 7.1% (65.0m ²)

As demonstrated above, the proposed development results in greater overshadowing to Lot 40 (House Number 340) Grand Promenade with reduced overshadowing to Lot 62 (House Number 37) Chester Avenue and Lot 200 (House Number 344) and Lot 56 (House Number 342) Grand Promenade compared to a guideline scheme. The overshadowing at 12 noon during the Winter Solstice is a net reduction compared to the guideline 'LPS No. 3 Envelope' shadow. In considering the appropriateness of the resultant overshadowing from the proposed development, Figure 22 through to Figure 28 inclusive provide a comparison of the overshadowing from the guideline 'LPS No.

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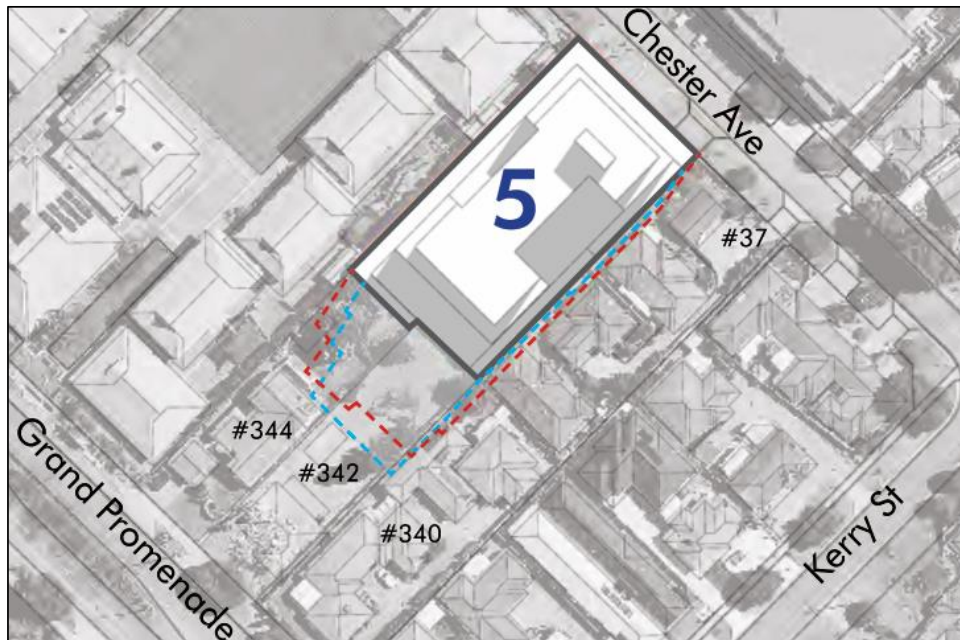
3 Envelope' shadow against the proposed development at hourly intervals between 9.00am and 3.00pm during the Winter Solstice.



LPS No. 3 Envelope Shadow Outline - - -

Proposed Scheme Shadow Outline - - -

Figure 22 Applicant's Winter Solstice Overshadowing Diagram – 9.00am

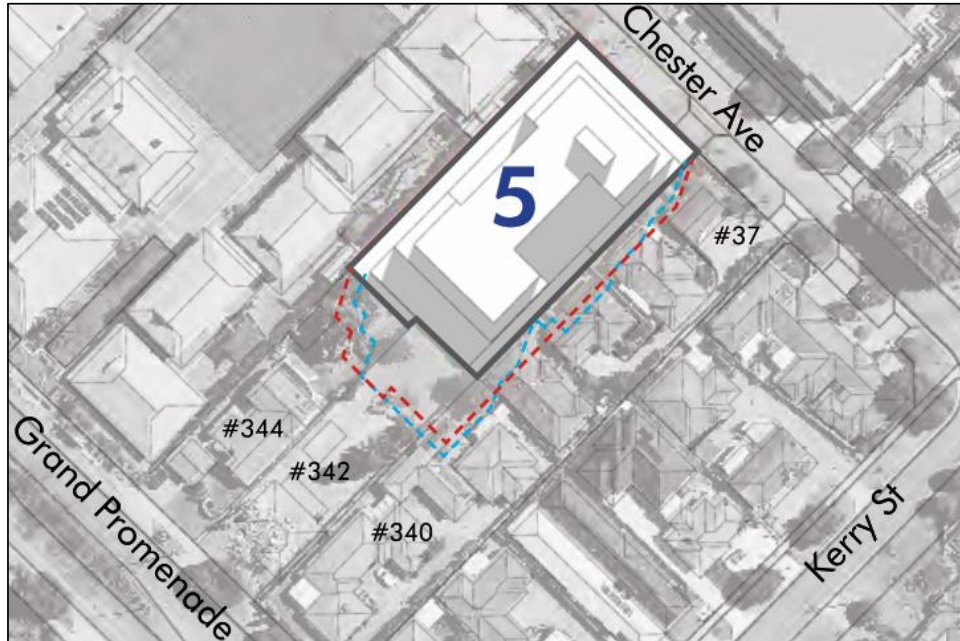


LPS No. 3 Envelope Shadow Outline - - -

Proposed Scheme Shadow Outline - - -

Figure 23 Applicant's Winter Solstice Overshadowing Diagram – 10.00am

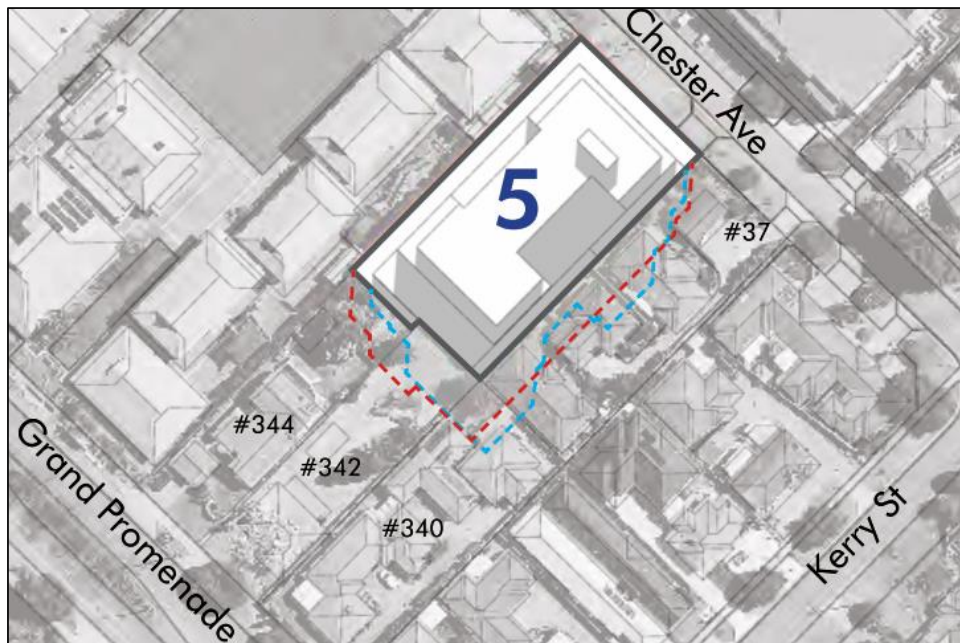
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LPS No. 3 Envelope Shadow Outline - - -

Proposed Scheme Shadow Outline - - -

Figure 24 Applicant's Winter Solstice Overshadowing Diagram – 11.00am

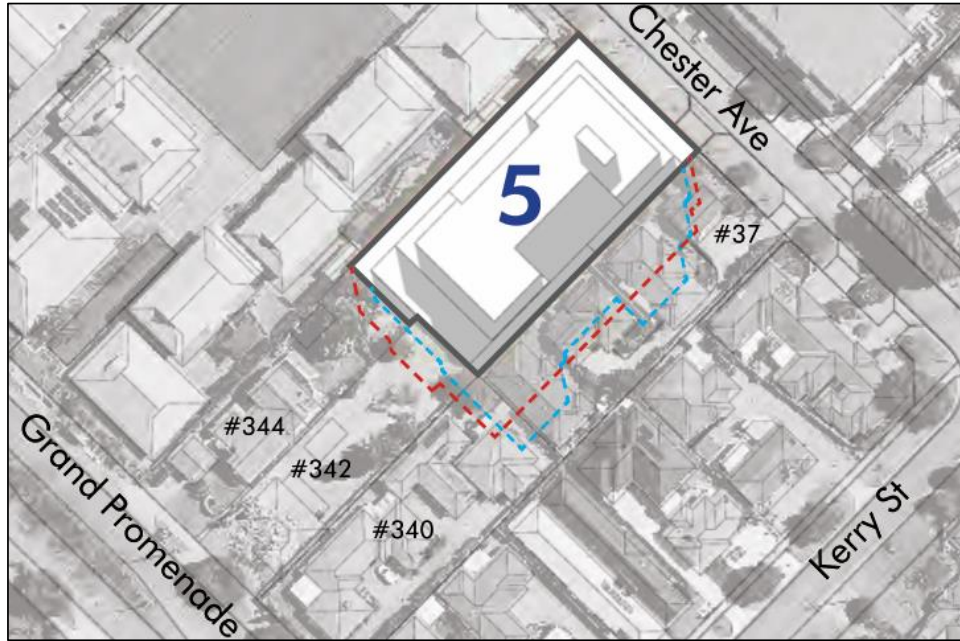


LPS No. 3 Envelope Shadow Outline - - -

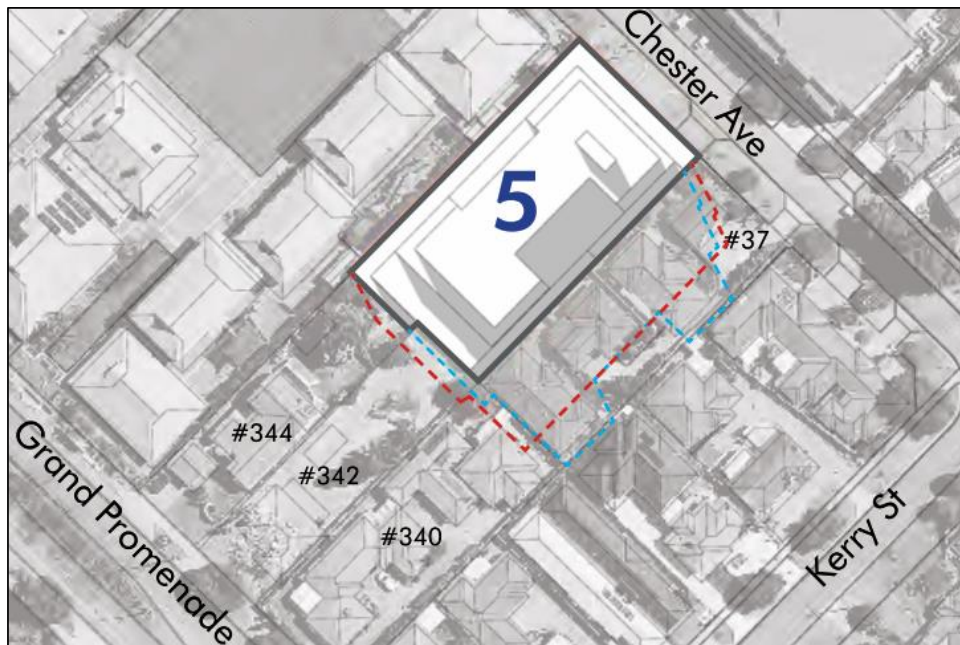
Proposed Scheme Shadow Outline - - -

Figure 25 Applicant's Winter Solstice Overshadowing Diagram – 12noon

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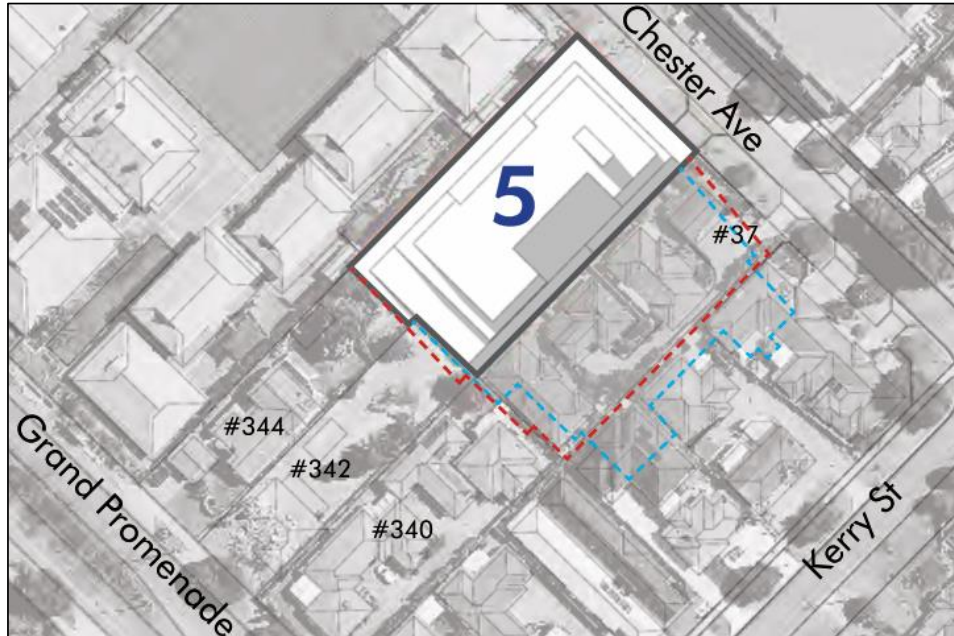


LPS No. 3 Envelope Shadow Outline · - - -
Proposed Scheme Shadow Outline · - - -
Figure 26 Applicant's Winter Solstice Overshadowing Diagram - 1.00pm



LPS No. 3 Envelope Shadow Outline · - - -
Proposed Scheme Shadow Outline · - - -
Figure 27 Applicant's Winter Solstice Overshadowing Diagram - 2.00pm

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LPS No. 3 Envelope Shadow Outline - - - -

Proposed Scheme Shadow Outline - - - -

Figure 28 Applicant's Winter Solstice Overshadowing Diagram – 3.00pm

Figure 22 through to Figure 28 inclusive, demonstrate the resultant overshadowing from the proposed development has both greater and reduced extents of shadow cast at the various internals compared to the guideline 'LPS No. 3 Envelope' shadow which is directly related to the proposed building height and the proposed setbacks of the building from the boundaries.

Figure 29, based upon the Applicant's shadow outlines shown in Figure 22 through to Figure 28 inclusive, demonstrates the manner that the shadow shifts throughout the day during the Winter Solstice.

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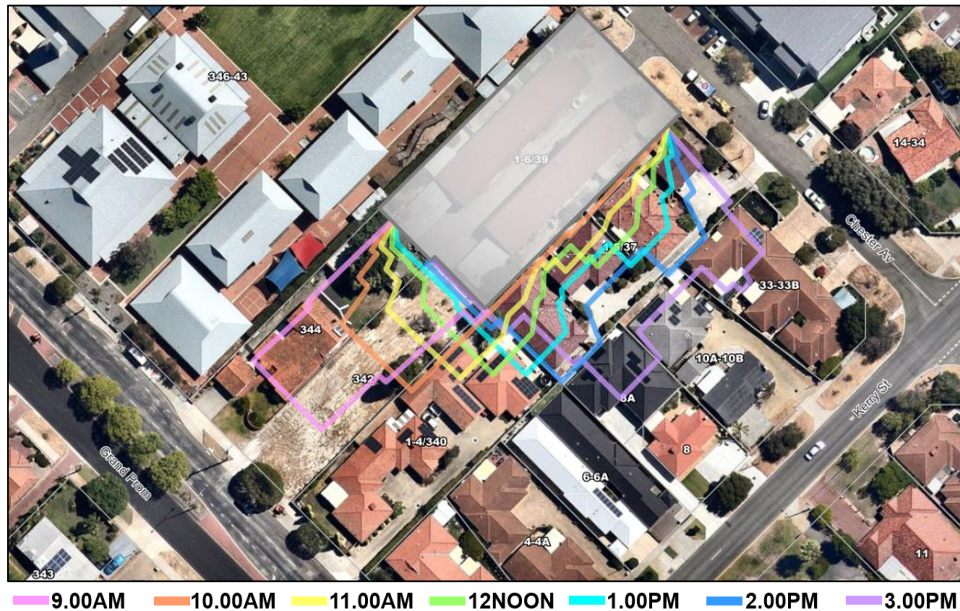


Figure 29 Combined Hourly Winter Solstice Overshadowing Between 9.00AM and 3.00PM Diagram
(Based upon the Applicant's Winter Solstice Overshadowing Diagrams - Figure 22 through to Figure 28 Inclusive)

In relation to overshadowing to outdoor living areas and major openings to habitable rooms, House Number 1-5/35-37 Chester Avenue and House Number 1-4/340 Grand Promenade are most affected in terms of the extent and duration of overshadowing to major openings to habitable rooms and outdoor living areas.

In relation to solar panels, the overshadowing from the proposed development extends to the solar panels at properties House Numbers 1-4/340 and 344 Grand Promenade, 8A and 10A Kerry Street and 33 Chester Avenue. The shadow affects the solar panels for less than two hours per day during the Winter Solstice, though these panels would not be affected by the guideline 'LPS No. 3 Envelope' shadow.

In reference to the proposed overshadowing of House Numbers 342 and 344 Grand Promenade, to the south west of the subject site, the shadow is cast over the rear portion of these properties in the morning, with the greatest impact in the early morning. The City is satisfied that the existing and potential future habitable rooms, open space and solar collectors will receive sufficient sunlight during the day. The length of the shadow reduces throughout the morning and during the late morning and the early afternoon is restricted to the rear-most area of those properties closest to the common boundary with the subject site. There are extensive areas of those properties that have minimal overshadowing during day.

In reference to the proposed overshadowing of House Numbers 1-4/340 Grand Promenade, to the south of the subject site, the shadow sweeps over the rear of that property during the day. The City is satisfied that the existing habitable rooms, open space and solar collectors of the affected dwellings will receive sufficient sunlight during the day. Continuous shadow is restricted to the northern corner of the subject site abutting the subject property. The rest of the outdoor spaces, the dwellings and the roof top solar panels receive hours of sunlight during the day.

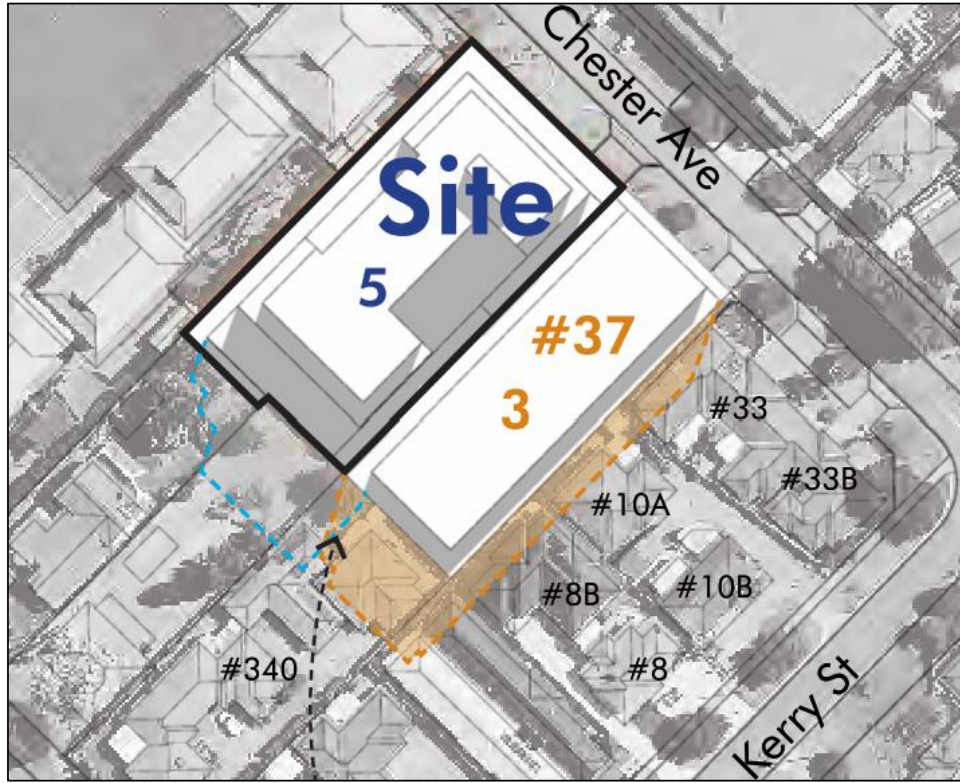
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In reference to the proposed overshadowing of House Number 1-5/35-37 Chester Avenue, to the south east of the subject site, there is minimal overshadowing in the early morning and subsequently the length of the shadow increases throughout the day. The proposed overshadowing will have the greatest impact to the habitable rooms and the open space areas of the dwellings closest to the common boundary with the subject site. The City has not identified any existing roof-top solar collectors on this property. Having regard to the 11 metres building height prescribed in Table 6.12.4 b) of LPS3 and the lot orientation, it is inevitable that this property would be affected by overshadowing from a redevelopment proposal on the subject site. On balance, the City considers that the overshadowing impacts are reasonable in the context of the future built form planned within the Dianella Activity Centre. The building design has redistributed the building bulk adequately to mitigate additional overshadowing impacts relative to the anticipated overshadowing impacts based upon a building constructed in full compliance with Table 6.12.4 b) of LPS3.

In reference to the proposed overshadowing of House Numbers 8A and 10A Kerry Street and 33 Chester Avenue, these properties are unaffected until the late afternoon. The City is satisfied that the existing habitable rooms, open space and solar collectors of the affected dwellings will receive sufficient sunlight during the day.

In further consideration of the impacts of the shadow cast over the properties at House Numbers 1-4/340 Grand Promenade, 8A and 10A Kerry Street and 33 Chester Avenue, the Applicant has prepared a series of overshadowing diagrams in their submission, showing the shadow cast by a potential future development on House Number 35-37 Chester Avenue, the adjoining property to the south east of the subject site, at hourly intervals between 11.00am and 3.00pm on 21 June (i.e. Winter Solstice). This timeframe reflects the period of the day when those properties are most overshadowed by the proposed development. The guideline '#37 LPS No. 3 Envelope' shadow provides the anticipated overshadowing impact of a three storey development built on House Number 35-37 Chester Avenue in accordance with the provisions of LPS3. This information provides an indication of the extent that the future shadow anticipated to be cast over these neighbouring properties will be from the proposed development in line with the expectations of the applicable built form controls. The City notes there is no current proposal for the redevelopment of House Number 35-37 Chester Avenue and the guideline '#37 LPS No. 3 Envelope' shadow may not fully reflect the design of a potential building as further articulation may be necessary for architectural design, access to natural light and ventilation to dwellings. These images are provided below, in Figure 30 through to Figure 34 inclusive.

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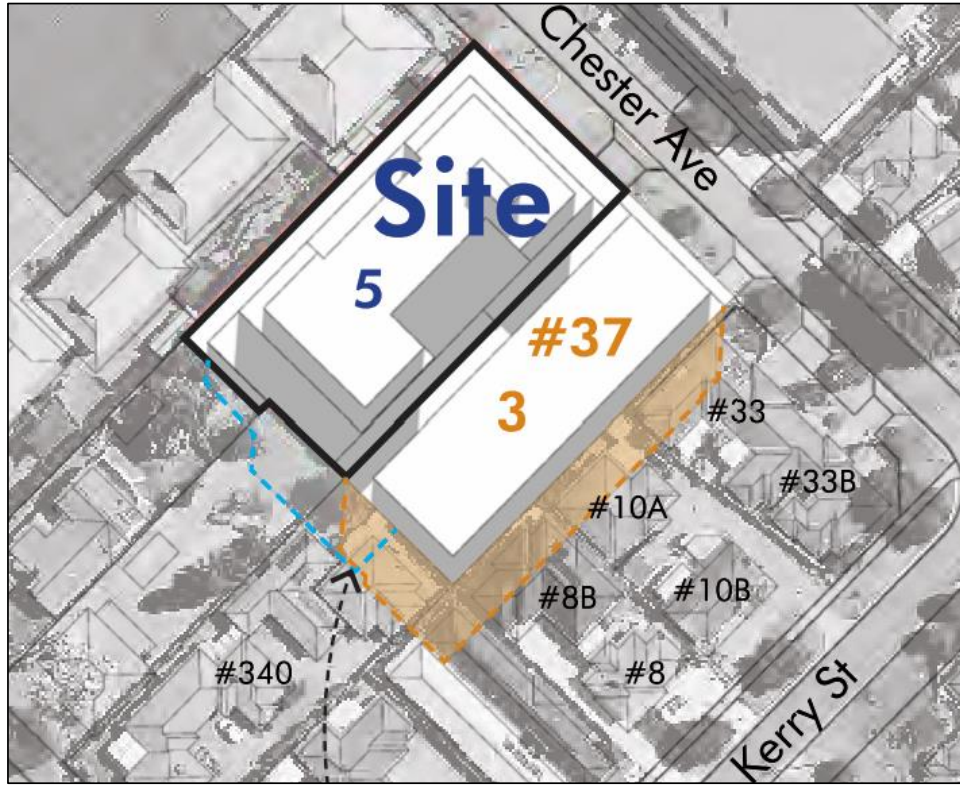


Proposed Scheme Shadow Outline - - - -

#37 LPS No.3 Envelope Shadow Outline - - - -

Figure 30 Applicant's Winter Solstice Overshadowing Diagram for 35-37 Chester Avenue – 11.00am

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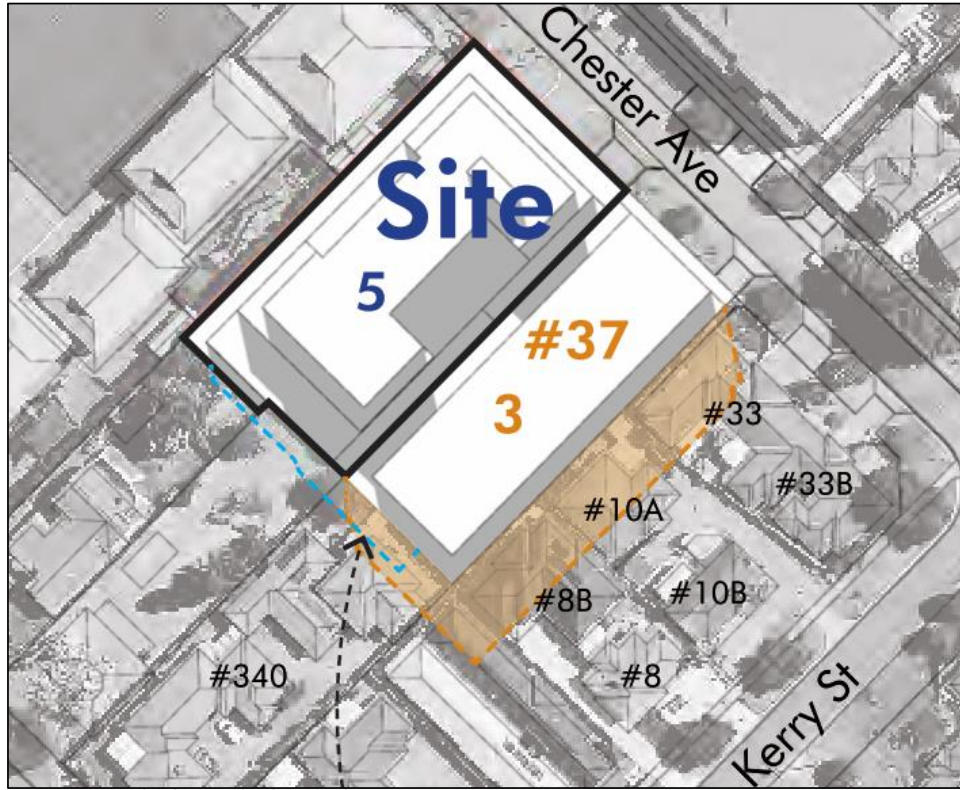


Proposed Scheme Shadow Outline - - - -

#37 LPS No.3 Envelope Shadow Outline - - - -

Figure 31 Applicant's Winter Solstice Overshadowing Diagram for 35-37 Chester Avenue – 12noon

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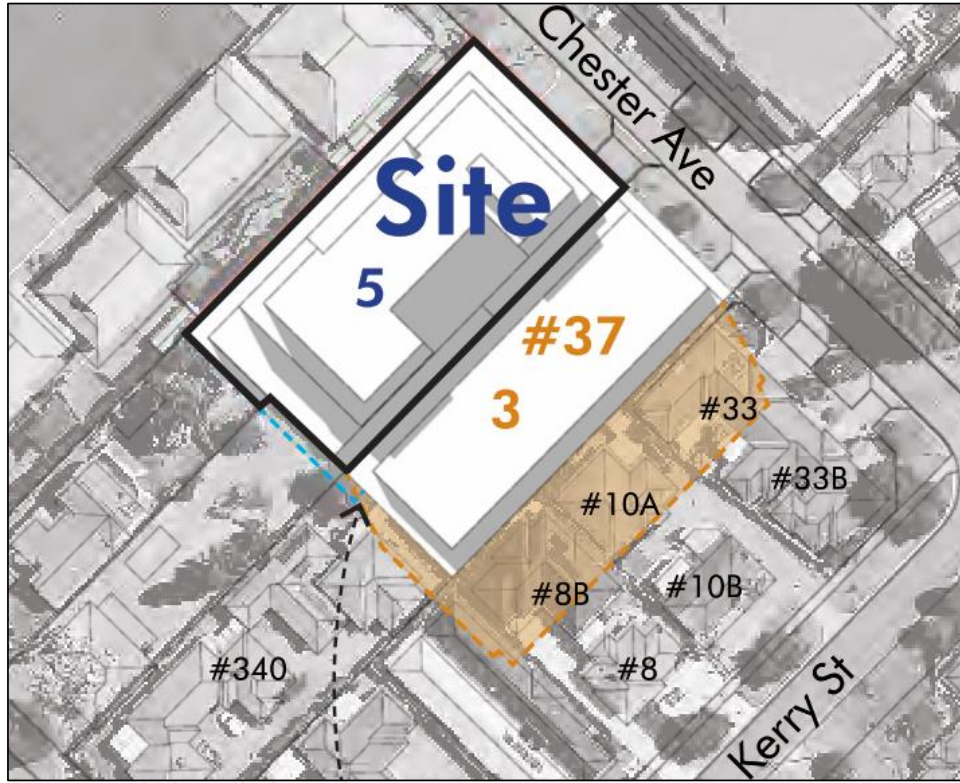


Proposed Scheme Shadow Outline - - - -

#37 LPS No.3 Envelope Shadow Outline - - - -

Figure 32 Applicant's Winter Solstice Overshadowing Diagram for 35-37 Chester Avenue – 1.00pm

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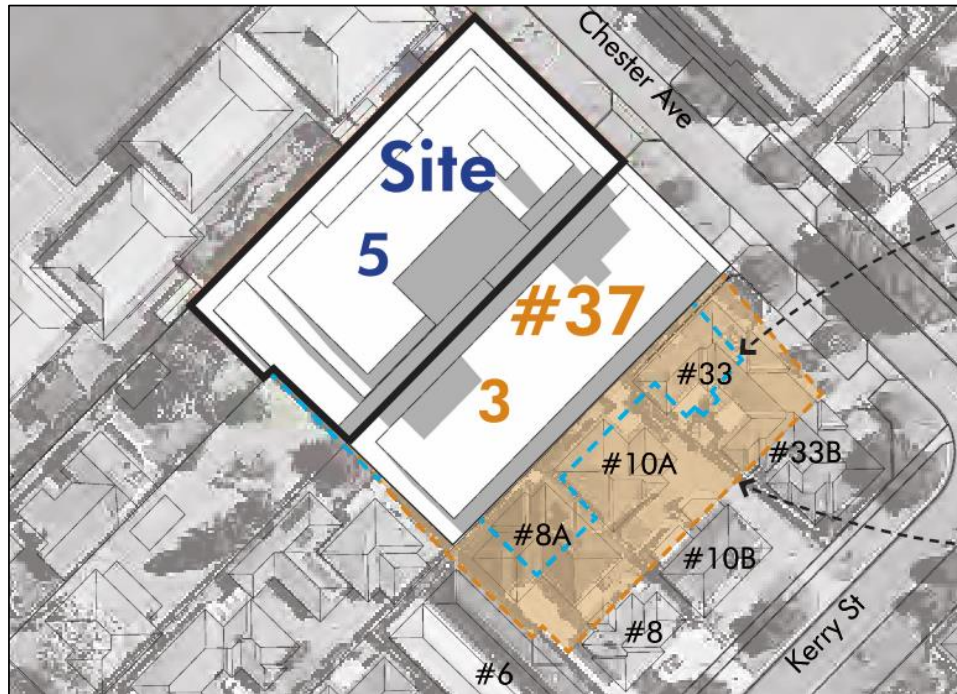


Proposed Scheme Shadow Outline - - - -

#37 LPS No.3 Envelope Shadow Outline - - - -

Figure 33 Applicant's Winter Solstice Overshadowing Diagram for 35-37 Chester Avenue – 2.00pm

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Proposed Scheme Shadow Outline - - - -
 #37 LPS No.3 Envelope Shadow Outline - - - -
Figure 34 Applicant's Winter Solstice Overshadowing Diagram for 35-37 Chester Avenue – 3.00pm

Having regard to the indicative guideline 'LPS No. 3 Envelope' shadow diagrams for House Number 35-37 Chester Avenue, as per in Figure 30 through to Figure 34 inclusive, the proposed development would in effect cause no additional overshadowing of these properties and therefore is considered acceptable in the context of the existing built form outcomes for the area.

In summarising the relevant discretionary provisions of LPS3 and the Element Objectives of R-Codes Volume 2, in considering the development, the decision-maker should be satisfied that the resultant overshadowing from the proposed development minimises the shadow cast over habitable rooms, open space and solar collectors and does not adversely affect the neighbouring properties. However, the assessment of the overshadowing should consider the planned built form outcomes expected from Table 6.12.4 b) of LPS3, as it is unreasonable to expect the redevelopment of the subject site and other future development sites will cause no overshadowing to the adjoining properties.

The development is considered to satisfy the Element Objectives of Element 3.2 – Orientation of R-Codes Volume 2.

f. Dianella Special Control Area

The proposed development seeks discretion against the specific built form provisions of plot ratio, primary street setback and maximum height of Table 6.12.4 b) of LPS3. As such, consideration is provided against the Objectives of the Dianella Special Control Area in Clause 6.12.1 of LPS3 as follows:

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LPS3 Clause 6.12.1 – Dianella Special Control Area Objectives	
Objective	Officer Comment
a) <i>To ensure a diversity of uses and services which encourage reduced car travel, shorter trips and better social interaction.</i>	The development provides additional dwellings within walking distance of the commercial businesses, public facilities and high frequency bus services within and adjacent to the Dianella Activity Centre. The development does not exceed the maximum ratio of car parking bays per dwellings, as per the Acceptable Outcomes of R-Codes Volume 2. The development will contribute towards the achievement of this objective.
b) <i>To ensure the development of multiple functions benefiting the community through appropriate social services and business mix.</i>	The subject site is Residential zoned land, so it would not be appropriate for social services and businesses to be included in this development. However, the development will contribute towards the achievement of this objective by increasing the residential population within the Dianella Activity Centre.
c) <i>To ensure integration of intensive building form and land uses with public transport infrastructure.</i>	Although the proposed development does not satisfy the specific built form provisions of Table 6.12.4 b) of LPS3, the proposed development satisfies all relevant element objectives of R-Codes Volume 2 and is supported. The proposed development does provide for a more intensive building form in close proximity to public transport services and the Dianella Activity Centre.
d) <i>To ensure building forms provide for a long life span and adaptability for use, changing with time.</i>	The development is expected to have a long life span having regard to the built form and materiality. The development is designed for residential purposes, consistent with the zoning of the subject site. The development includes dwellings with universal design features, which assists those residents to changes, such as disabilities, limited mobility and aging, and a variety of apartment types.
e) <i>To apply the activity centre standards of the Residential Design Codes, to encourage consolidated housing forms and diversity.</i>	The City's assessment concludes the development satisfies the discretionary provisions and the performance-based Element Objectives relating to specific built form outcomes of Table 6.12.4 b) of LPS3 and R-Codes Volume 2. The proposed development provides for greater housing diversity in the area.
f) <i>To apply minimum development standards to achieve the desired</i>	The City's assessment concludes the development satisfies the discretionary

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LPS3 Clause 6.12.1 – Dianella Special Control Area Objectives	
Objective	Officer Comment
<i>intensive building form and land use mix.</i>	provisions and the performance-based Element Objectives relating to specific built form outcomes of Table 6.12.4 b) of LPS3 and R-Codes Volume 2.

The proposed development satisfies the Objectives of the Dianella Special Control Area.

g. Variations to Site and Development Standards and Requirements

Clause 5.5.1 of LPS3 provides a decision-maker with the ability to approve an application despite non-compliance with the Scheme requirements. In this instance, discretion is sought in relation to the specific built form controls of building height, plot ratio and primary street setback of Clause 6.12.4 b) ii) and Table 6.12.4 b) of LPS3.

Clause 5.5.2 of LPS3 imposes procedural obligations on the decision-maker when considering discretion under Clause 5.5.1 of LPS3 which are as follows:

- 5.5.2 In considering an application for planning approval under Clause 5.5.1, where, in the opinion of the Council, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for the variation, the Council is to –*
- a) consult the affected parties by following one or more of the provisions for advertising uses under Clause 9.4; and*
 - b) have regard to any expressed views prior to making its determination to grant the variation.*

The City has previously undertaken public consultation for this application on two occasions. The revised submission has a reduced impact compared to the previous proposal, noting the reduction to the building height, the greater building setbacks to the side and rear boundaries and a reduction to the density of the development. The submissions received during public consultation have been provided in Attachment 7 and summarised within the Consultation section of this report.

Clause 5.5.3 of LPS3 allows a decision-maker to exercise discretion in accordance with Clause 5.5.1 of LPS3 where there is significant non-compliance with a standard or requirement as follows:

- 5.5.3 Where:*
- a) An application for planning approval requires the exercise of Council's discretion under clause 5.5.1; and*
 - b) In the opinion of Council, there is significant non-compliance with the standard or requirement;*
- Council may impose conditions on its approval requiring the provision of specified community facilities at the applicants cost.*

Note 1 It is the intention of the Council to require the provision of community facilities where there has been a significant increase in demand for that facility as a direct result of the proposed development.

Note 2 Definition of community facilities is contained within Schedule 1.

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The proposed development does not provide for any community facilities in accordance with Schedule 1 of LPS3, however the development is not expected to result in a demand for community facilities as a direct result of the proposed development which would warrant such provision.

In accordance with Clause 5.5.4 of LPS3, the power conferred by Clause 5.5.1 of LPS3 can only be exercised if the decision-maker is satisfied that:

- a) *approval of the proposed development would be appropriate having regard to the criteria set out in Clause 10.2 [Clause 67(2) of the Deemed Provisions prevails over Clause 10.2 of LPS3]; and*
- b) *the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.*

Despite Clause 5.5.4 of LPS3, Clause 5.5.5 of LPS3 allows for the use of discretion in accordance with Clause 5.5.1 of LPS3 where non-compliance with the standard or requirement would enable the retention of a Significant Tree on site. As no Significant Trees are being retained, consideration of discretion under Clause 5.5.5 of LPS3 is not relevant to the proposed development.

The City's assessment concludes the proposed development would be appropriate having due regard to the relevant matters of Clause 67(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as discussed further in Section 5 of the Planning Assessment section in this report. Accordingly, the application of Clause 5.5.1 of LPS3 to vary the specific built form controls of building height, plot ratio and primary street setback as per Table 6.12.4 b) of LPS3 is appropriate.

4. Landscaping

a. Local Planning Policy 6.11 – Trees and Development (LPP 6.11)

The proposed development includes the removal of the two existing Street Trees located towards the north-west and south-west of the subject site. As per Clause 5.2 e) of LPP 6.11, the removal of street trees can only be considered when no other reasonable design alternative exists.

Consideration of the proposed street tree removal is considered against the Objectives of LPP 6.11 as follows:

- a) *To promote and facilitate development that enables existing significant trees to be retained;*
- b) *To minimise the removal of significant trees on zoned land as a consequence of development;*
- c) *To protect significant trees which are to be retained on zoned land and existing street trees during the demolition and construction phase of development;*
- d) *To ensure appropriate advanced trees are planted which are suited to their environment and location where significant trees have been removed or do not exist on zoned land;*
- e) *To ensure suitable advanced trees are planted on verges forming part of the road reserves abutting a development site where street trees have been removed;*

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- f) *To protect and increase the long term viability of City trees on verges adjacent to development sites; and*
- g) *To preserve the existing streetscapes within the City.*

The proposal includes the removal of two existing street trees (*Koelreuteria Paniculata*) which were planted in August 2022. The City has reviewed the condition of the existing trees and is satisfied they are in good condition and are not affected by the location of the driveway with a minimum setback of two metres achieved from the southernmost street tree to the proposed crossover. As such, there is no suitable reason to support the removal of either of the existing street trees.

The proposed removal of the existing street trees is unnecessary and does not preserve the existing streetscape. A condition is recommended for a revised Landscaping Plan to be submitted with the existing street trees retained.

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

The application is required to be considered against the relevant matters listed under Clause 67(2) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The City's response to each point requiring consideration is outlined in the table below:

Deemed Provisions Consideration of Application by Local Government	
Provision	Officer Comment
<i>(a) the aims and provisions of this Scheme (including any planning codes that are read, with or without modifications, into this Scheme) and any other local planning scheme operating within the Scheme area;</i>	<p>The proposed Multiple Dwelling use is consistent with the Residential zoning of the site as per LPS3.</p> <p>The development satisfies all relevant Element Objectives of R-Codes Volume 2.</p> <p>The appropriateness of the development has been considered in the City's assessment and is supported.</p>
<i>(b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;</i>	<p>The height, bulk and scale of the proposed development satisfies the discretionary provisions relating to the specific built form provisions of Clause 6.12 of LPS3 and the associated Element Objectives of R-Codes Volume 2.</p> <p>Although the City has prepared draft LPS4, the final form of draft LPS4 is not imminent nor certain at this time, noting the draft scheme has not been advertised. Accordingly, no weight should be given to draft LPS4 when determining this application.</p>
<i>(c) any approved State planning policy;</i>	The City's assessment has considered the relevant State Planning Policies. The

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Deemed Provisions Consideration of Application by Local Government	
Provision	Officer Comment
	development satisfies the objectives and provisions of those policies with the development supported.
<i>(fa) any local planning strategy for this Scheme endorsed by the Commission;</i>	<p>The Local Planning Strategy identifies density for each activity centre. For district centres such as Dianella, this includes a minimum 20 dwelling and desirable 30 dwelling density target per gross hectare.</p> <p>There are 164 existing dwellings within the Dianella Activity Centre, including six dwellings on the subject site. This equates to an existing density of approximately 14 dwellings per hectare within the boundaries of the Dianella Activity Centre.</p> <p>The development provides a substantial contribution towards the density targets. As a guide, the density in this development would add approximately three dwellings per hectare to the whole of the Dianella Activity Centre and the density of the subject site is 186 dwellings per hectare.</p> <p>The addition of more dwellings is broadly seen as a positive outcome for the Dianella Activity Centre.</p> <p>The City is satisfied that the manner and form that these dwellings are being proposed does not adversely affect the amenity of the surrounding properties.</p>
<i>(g) any local planning policy for the Scheme area;</i>	The City's assessment has considered the relevant Local Planning Policies. The development satisfies the objectives and provisions of those policies.
<i>(h) any structure plan or local development plan that relates to the development;</i>	<p>The Dianella Centre Plan does not contain any specific development provisions, it articulates the vision for the Dianella Activity Centre and it informed the preparation of the scheme amendment that introduced Clause 6.12 Dianella Special Control Area of LPS3.</p> <p>There are no local development plans applicable to the subject site.</p>

OFFICIAL

Deemed Provisions Consideration of Application by Local Government	
Provision	Officer Comment
<p><i>(m) the compatibility of the development with its setting, including —</i></p> <p style="padding-left: 20px;"><i>(i) the compatibility of the development with the desired future character of its setting; and</i></p> <p style="padding-left: 20px;"><i>(ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;</i></p>	<p>The height, bulk and scale of the development is compatible with the future character of its setting.</p> <p>The City is satisfied that the proposed development does not adversely affect the amenity of the surrounding properties.</p>
<p><i>(n) the amenity of the locality including the following —</i></p> <p style="padding-left: 20px;"><i>(i) environmental impacts of the development;</i></p> <p style="padding-left: 20px;"><i>(ii) the character of the locality;</i></p> <p style="padding-left: 20px;"><i>(iii) social impacts of the development;</i></p>	<p>The development will have enhanced environmental impact as the landscaping proposed is significantly greater than the existing Grouped Dwelling development.</p> <p>The City is satisfied that the height, bulk and scale of the development will not have an adverse impact on the amenity of surrounding properties.</p> <p>The development will have some positive social impacts, through greater housing diversity in the area.</p>
<p><i>(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;</i></p>	<p>The development proposes the planting of 18 medium trees and 17 small trees at ground level and on structure. Landscaped areas include the street setback area, the setback to the north western lot boundary, the Visual Courtyard on Level 1 and within the communal open space on the roof of the building.</p> <p>The existing development on the subject site contains minimal mature vegetation and no trees are being retained. The City requires the existing street trees to be retained.</p> <p>The submitted Landscaping Plan has been reviewed and the City is satisfied with the landscape design on the subject site.</p>
<p><i>(s) the adequacy of —</i></p> <p style="padding-left: 20px;"><i>(i) the proposed means of access to and egress from the site; and</i></p>	<p>The vehicle access and design of the parking areas meets the City's requirements, subject to further review at the detailed design stage.</p>

OFFICIAL

Deemed Provisions Consideration of Application by Local Government	
Provision	Officer Comment
<p>(ii) <i>arrangements for the loading, unloading, manoeuvring and parking of vehicles;</i></p>	<p>The provision of car, bicycle and motorcycle/scooter parking spaces has been assessed against the relevant Element Objectives of R-Codes Volume 2 and the development achieves compliance with these Element Objectives.</p>
<p>(t) <i>the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;</i></p>	<p>The Applicant's Transport Impact Statement predicts the development will generate approximately 18 trips during both the morning and afternoon peak hours.</p> <p>The road network has the capacity to accommodate the additional traffic generated by this development and this traffic is not expected to cause a greater traffic safety risk.</p> <p>It is noted that the adjacent Educational Establishment has a significant short term parking and traffic impact in the immediate area at school drop off and pick up times. Although the development may slightly increase the existing congestion during peak periods, the additional traffic volume generated by the proposed development is relatively minor and is not anticipated to cause any substantial functional or safety impact to the local road network.</p>
<p>(u) <i>the availability and adequacy for the development of the following —</i></p> <p>(i) <i>public transport services;</i></p> <p>(ii) <i>public utility services;</i></p> <p>(iii) <i>storage, management and collection of waste;</i></p> <p>(iv) <i>access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);</i></p> <p>(v) <i>access by older people and people with disability;</i></p>	<p>The site has good access to public transport, being located within a short walking distance of high frequency bus routes.</p> <p>Utility services are available.</p> <p>A Waste Management Plan has been provided and meets the City's requirements.</p> <p>There is a public footpath on the opposite side of Chester Avenue and the development provides a path between the roadway and the lobby entrance. Bicycle parking spaces are provided on site and meet the requirements of R-Codes Volume 2, though specific end-of-trip facilities are not needed as these</p>

OFFICIAL

Deemed Provisions Consideration of Application by Local Government	
Provision	Officer Comment
	functions are accommodated within each dwelling. Universal access has been provided as part of the development.
<i>(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;</i>	The height, bulk and scale of the development has a localised impact.
<i>(y) any submissions received on the application;</i>	The revised submission has been advertised, with all submissions addressed as detailed in the Consultation section of this report.
<i>(za) the comments or submissions received from any authority consulted under clause 66;</i>	The City previously received comments from the Water Corporation with no objections to the proposed development.

Conclusion:

Following the deferral of the previous proposal by the Metro Inner-North JDAP at its meeting on 13 December 2023, the applicant has submitted a revised proposal which has reduced the height of the development from seven storeys to six storeys (consisting of five storeys of apartments and the roof terrace level above), with increased setbacks to the side and rear boundaries. The design has been revised to mitigate the perception of excess bulk and scale and is considered to be a design that will meet the future built form for the area. The revised submission seeks approval for the construction of 35 Multiple Dwellings within a building with five storeys of apartments and the roof terrace level above.

The development is seeking the exercise of discretion from the decision-maker, in relation to the key built form controls of building height, plot ratio and setbacks of the development. As concluded in the City's assessment, the development has been designed to minimise the amenity impacts to the existing neighbouring development, through the positioning of building height on the site to minimise building bulk and scale and overshadowing impacts and designing the building to provide adequate external outlook whilst minimising visual privacy impacts. It is considered the revised proposal is reasonable in the context of the site being located within a District Centre and an Activity Corridor (Grand Promenade).

The subject site is within an Activity Centre in the early stages of transition. The development is consistent with the future built form planned for the Dianella Activity Centre, providing an appropriate transition between the commercial area to the north, where the greatest height, density and intensity of development is intended, and the residential areas to the south.

It is acknowledged that the development provides additional dwellings into the Dianella Activity Centre and this would assist in supporting the non-residential functions of the Activity Centre and provide a greater diversity of housing options within the locality.

OFFICIAL

The City's assessment concludes that the development satisfies the discretionary provisions relating to the planning provisions of LPS3 and satisfies all relevant Element Objectives of R-Codes Volume 2. It is recommended the Metro Inner DAP approve the application, subject to the recommended conditions.

At 7.22pm, Councillor Suzanne Migdale and Councillor Teresa Olow returned to the meeting prior to consideration of Item 13.3.

13.3 INTERNATIONAL CONFERENCE REQUEST - 2024 13TH ASIA PACIFIC CONFERENCE ON TRANSPORT AND THE ENVIRONMENT

Business Unit:	Governance	Service: Council Governance
Ward:	Citywide	Location: Not Applicable
Applicant:	Not Applicable	

Role

Executive - *Governing the City and the community through executive powers.*

Council Resolution

0424/019

Moved Councillor Perkov, seconded Councillor Ferrante

That Council APPROVES the attendance of Deputy Mayor Suzanne Migdale at the 13th Asia Pacific Conference on Transport and the Environment, to be held in Singapore from 8 July 2024 to 10 July 2024.

The motion was put and declared CARRIED (12/0).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Paparde, Perkov, Proud and Mayor Irwin.

Against: Nil.

Recommendation

That Council APPROVES the attendance of Deputy Mayor Suzanne Migdale at the 13th Asia Pacific Conference on Transport and the Environment, to be held in Singapore from 8 July 2024 to 10 July 2024.

Purpose

To seek Council's approval for Deputy Mayor Suzanne Migdale to attend the 13th Asia Pacific Conference on Transport and the Environment (the conference) in Singapore from 8 July 2024 to 10 July 2024.

Details

In accordance with the Elected Member Professional Development Policy, Council may approve an application by an Elected Member to attend an international conference. The conference request must be relevant to the role of an Elected Member.

The conference is being hosted by the National University of Singapore and will focus on current and emerging topics relating to transport and the environment.

The following topics will be discussed:

- Economic, social, energy, climate and environmental issues in transportation;
- Transportation safety;
- Environmental and climate impacts;
- Transport and land use development for sustainability and liveability;
- Transport-environment-climate-energy policy and management;
- Traffic management and intelligent transportation systems; and
- Electric, hydrogen fuel cell, and connected autonomous vehicles.

By participating, Deputy Mayor Migdale will gain invaluable insights into global transportation and environment practices, which can be integrated into City strategies and achieve a positive impact on the environment and community.

Benefit of attendance to the City of Stirling and Elected Member – Provided by Deputy Mayor Suzanne Migdale

"The 13th Asia Pacific Conference on Transport and the Environment from 8-10 July 2024 in Singapore will cover a number of topical issues facing the City of Stirling. Attending the conference will allow myself the opportunity to listen to global challenges and opportunities surrounding transport and environment.

The conference will provide insight from leaders in the industry that can be applied to the City. Particular items of interest include keynote speakers from around the globe, case studies and networking opportunities to learn about current and emerging issues around transport and environment.

I have a significant interest in learning what the latest trends are in transport and environment to support my role on Council, in particular as the Deputy Mayor".

Financial Assessment and Implications

An estimated cost to attend the international conference is tabled below. The currency provided is in AUD, which would be met from the Elected Member's Conference account A0105-A-3949-9575.

Registration Fee	\$990 (Early Bird by 31 May 2024)
Airfare (Economy)	\$684 (Return)
Accommodation (6 nights)	\$3,566
Estimated Total	\$5,240

Deputy Mayor Suzanne Migdale has sufficient funds available to attend the conference from 8 July 2024 to 10 July 2024 in Singapore.

Stakeholder Engagement

Nil.

Relevant Policies, Legislation and Council Resolutions

[Elected Members Professional Development Policy](#)

[Elected Member and Chief Executive Officer Attendance at Events Policy](#)

[Local Government Act 1995](#)

Sustainable Stirling 2022-2032

Key Result Area: Our leadership

Objective: A well-governed City

Priority: Provide local government sector leadership

Strategic Risk

Strategic Risk	Risk Appetite
Governance	The City will act with integrity and implement appropriate processes and controls to avoid breach of legislation.

Relevant Documents and Information

Attachments

Nil.

Available for viewing at meeting

Nil.

Linked Documents

[13th Asia Pacific Conference on Transport & the Environment](#) - 8-10 July 2024 Singapore

14. NOTICES OF MOTION FOR CONSIDERATION

'Notices of Motion for Consideration' include a brief report to assist Council in deciding to approve or not approve the Motion.

A further and more detailed report will be submitted at a future Ordinary Council meeting for Motions that are approved, in accordance with Clause 4.5(2)(c) of the City of Stirling Meeting Procedures Local Law 2021.

14.1 PROPOSED NOTICE OF MOTION - COUNCILLOR LISA THORNTON - REVIEW OF THE INTEGRATED CYCLING STRATEGY

Business Unit:	Engineering Services	Service: Transport Services
Ward:	City Wide	Location: Not Applicable
Applicant:	Not Applicable	

Council Resolution

0424/020

Moved Councillor Proud, seconded Councillor Migdale

That the City of Stirling INITIATES the process to update the Integrated Cycling Strategy to ensure it reflects current trends and needs in cycling infrastructure for our City.

The motion was put and declared CARRIED (12/0).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Papparde, Perkov, Proud and Mayor Irwin.

Against: Nil.

Notice of Motion Recommendation

That the City of Stirling INITIATES the process to update the Integrated Cycling Strategy to ensure it reflects current trends and needs in cycling infrastructure for our City.

Background provided by Elected Member

“Cycling is a vital mode of transport in our City, aligning with our sustainable City and with a local focus mission. The last update of the Integrated Cycling Strategy in May 2015 means some information is outdated, making it essential to base projects and funding on current data through a modern cycling policy.”

Details

Council adopted the Integrated Cycling Strategy (ICS) at its meeting held 5 May 2015 (Council Resolution Number 0515/003). The ICS functions as a high level document which defines Council Policy and how the City should respond in the delivery of a strategic cycling network that caters for the needs of all design cyclist groups. Particular focus is given in the ICS to the development of cycling as a mode of transport for ‘everyday people wearing everyday clothes and going to everyday places’. Since that time, the ICS has assisted in the delivery of several cycling projects.

Between 2018 and 2020, the Department of Transport developed a Long Term Cycle Network (LTCN). This involved collaboration with 33 local government authorities in Perth and Peel to agree on a long term aspirational bicycle network for the region that supports and addresses local and regional bicycle connections. This includes strategic cross-boundary routes that link parks, schools, community facilities and transport services. The City’s component of the LTCN was endorsed at the Council meeting held 17 November 2020 (Council Resolution Number 1120/011).

Given the timespan since the adoption of the ICS, a review is considered appropriate to reflect current trends and emerging issues. Given the range and depth of issues that need to be reviewed within the strategy, together with the constraint on resources and competing priority projects, the review will take up to 12 months to complete and will be presented to Council in early 2025.

Financial Assessment and Implications

The review of the ICS will be undertaken in-house and can be accommodated within normal officer duties. The City’s Active Transport Project Manager will lead the review and seek input from officers and business units where required.

Sustainable Stirling 2022-2032

Key Result Area: Our built environment

Objective: An accessible and connected City

Priority: Provide a safe network of cycleways and pathways to link people and places

Strategic Risk

Strategic Risk	Risk Appetite
Community	The City will ensure that it engages with the community in accordance with its Community and Stakeholder Engagement Plan.
Reputation	The City will ensure that any decisions that may affect the City's reputation are made at the appropriate level with stakeholders remaining informed and engaged.
Partnerships	The City will be proactive in improving existing relationships and working with new partners to grow its reputation as an organisation that the community, business, government and other organisations choose to engage with.

14.2 PROPOSED NOTICE OF MOTION - COUNCILLOR ROB PAPARDE - DEFAULT SPEED LIMIT ON MARMION AVENUE

Business Unit:	Engineering Services	Service: Transport Services
Ward:	Coastal & Hamersley	Location: Marmion Avenue, Beach Road to Karrinyup Road
Applicant:	Not Applicable	

Council Resolution

0424/021

Moved Councillor Paparde, seconded Councillor Proud

That the Mayor WRITES to Main Roads and the relevant Members of Parliament to request that the default speed limit on Marmion Avenue be returned to 80km/h, and that subsequent changes should only occur after extensive community consultation.

The motion was put and declared CARRIED (12/0).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Paparde, Perkov, Proud and Mayor Irwin.

Against: Nil.

Notice of Motion Recommendation

That the Mayor WRITES to Main Roads and the relevant Members of Parliament to request that the default speed limit on Marmion Avenue be returned to 80km/h, and that subsequent changes should only occur after extensive community consultation.

(Suggested Alternative Recommendation – Refer to Conclusion of Report)

Details

Background

Marmion Avenue is classified as a state road and the control and management of this road, including all intersections along its length, is the responsibility of Main Roads Western Australia (MRWA).

In 2021, MRWA commenced a review for the section of Marmion Avenue between Karrinyup Road and Ocean Reef Road, looking into aspects of safety, access, and efficiency along the route. This review included an extensive public consultation process between May and June 2021, where more than 750 community suggestions were made about potential safety improvements. Feedback was focussed around the following key areas:

- Access and intersection improvements, including safety improvements to intersections along Marmion Avenue.
- Differing road user groups along Marmion Avenue, including vehicles, buses, cyclists and pedestrians.
- Infrastructure in the area, such as pedestrian crossings (including their current location and whether standards could be improved).

Speed Zone Change

In response to feedback and concerns about safety for motorists and pedestrians, MRWA reduced the speed zone from 80km/h to 70km/h. This change came into effect from 13 February 2023 and applied for the entire section of Marmion Avenue in the City of Stirling between Karrinyup Road and Beach Road (and further north to Burns Beach and Kinross).

The section of Marmion Avenue in the City of Stirling is approximately 3.4km in length. The reduced speed zone represents an additional 22 seconds of travel (assuming there is no requirement to stop or slow down), which is not considered onerous. As such, the City supports the reduced speed limit as a means of reducing the frequency and severity of crashes and improving safety for pedestrians crossing the road, noting that MRWA undertook extensive public consultation prior to lowering the speed limit.

Proposed Modifications and Further Consultation

Over the past few years, MRWA has been exploring solutions to the issues raised during the first round of consultation in 2021. The specific options that are now being considered for the section of Marmion Avenue in the City of Stirling include:

- Installation of new traffic signals at the intersection of Marmion Avenue and Beach Road West, as shown in Figure 1. The new traffic signals will improve safety and address the concerns raised recently by Council regarding the difficulties for motorists turning right from Beach Road West into Marmion Avenue southbound.
- Modifications to the existing traffic signals at the intersection of Marmion Avenue, West Coast Highway and Karrinyup Road, as shown in Figure 2. The modifications include an additional northbound lane on West Coast Highway, an additional southbound lane on Marmion Avenue and an additional right turn lane for motorists turning right from West Coast Highway into Karrinyup Road eastbound. These modifications will increase the capacity of the intersection and will assist in reducing the queues, delays, and congestion.

New traffic signals are also being proposed at three intersections along Marmion Avenue in the City of Joondalup, including Freeman Way in Marmion, Seacrest Drive in Sorrento, and Flinders Avenue in Hillarys.

These modifications are the subject of a new round of consultation being undertaken by MRWA. The consultation survey can be accessed via the [Marmion Avenue Safety Review](#) project page on the MRWA website and is open between March and May 2024.

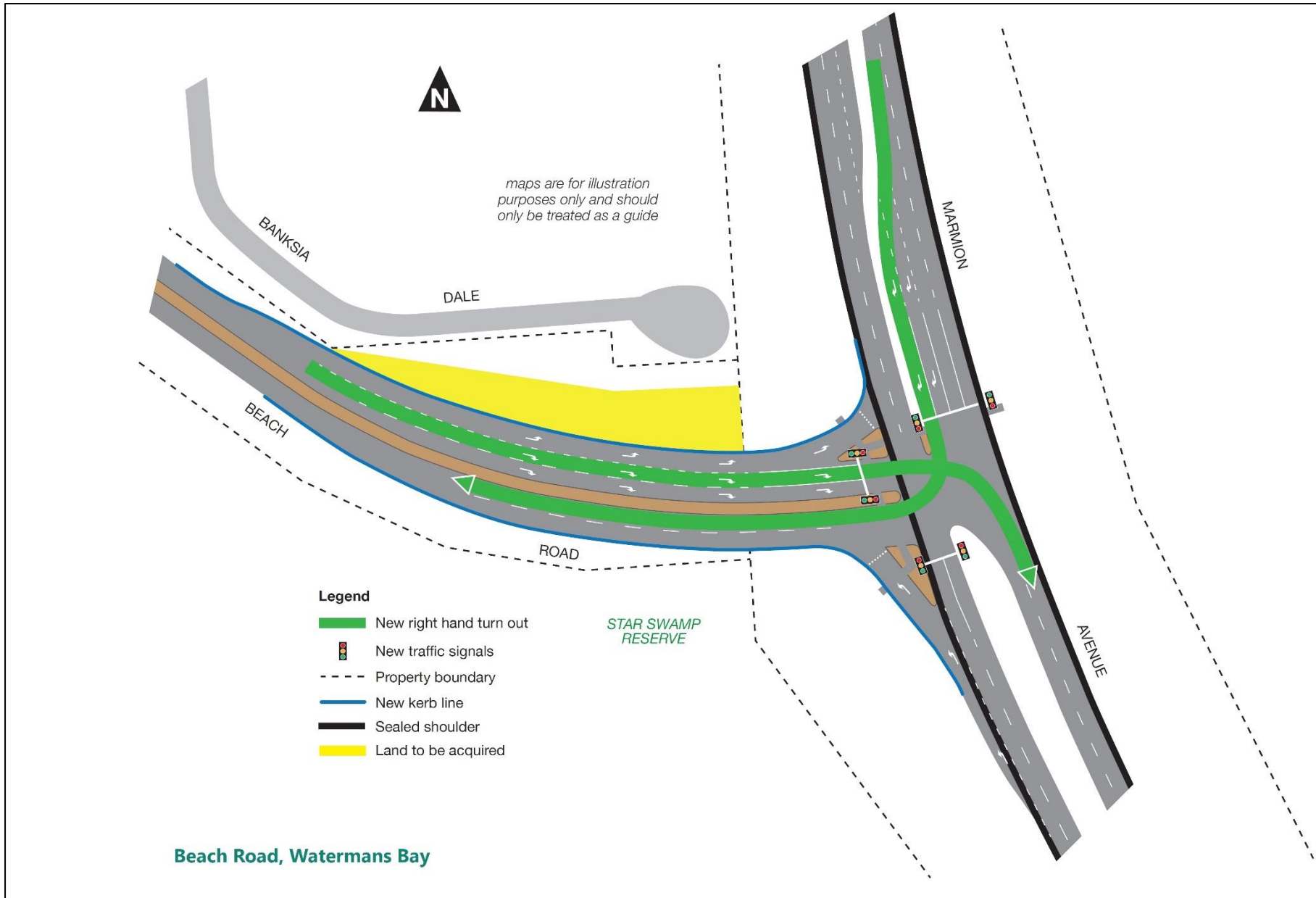


Figure 1 - Proposed New Traffic Signals at Marmion Avenue and Beach Road West (Source: Main Roads WA)

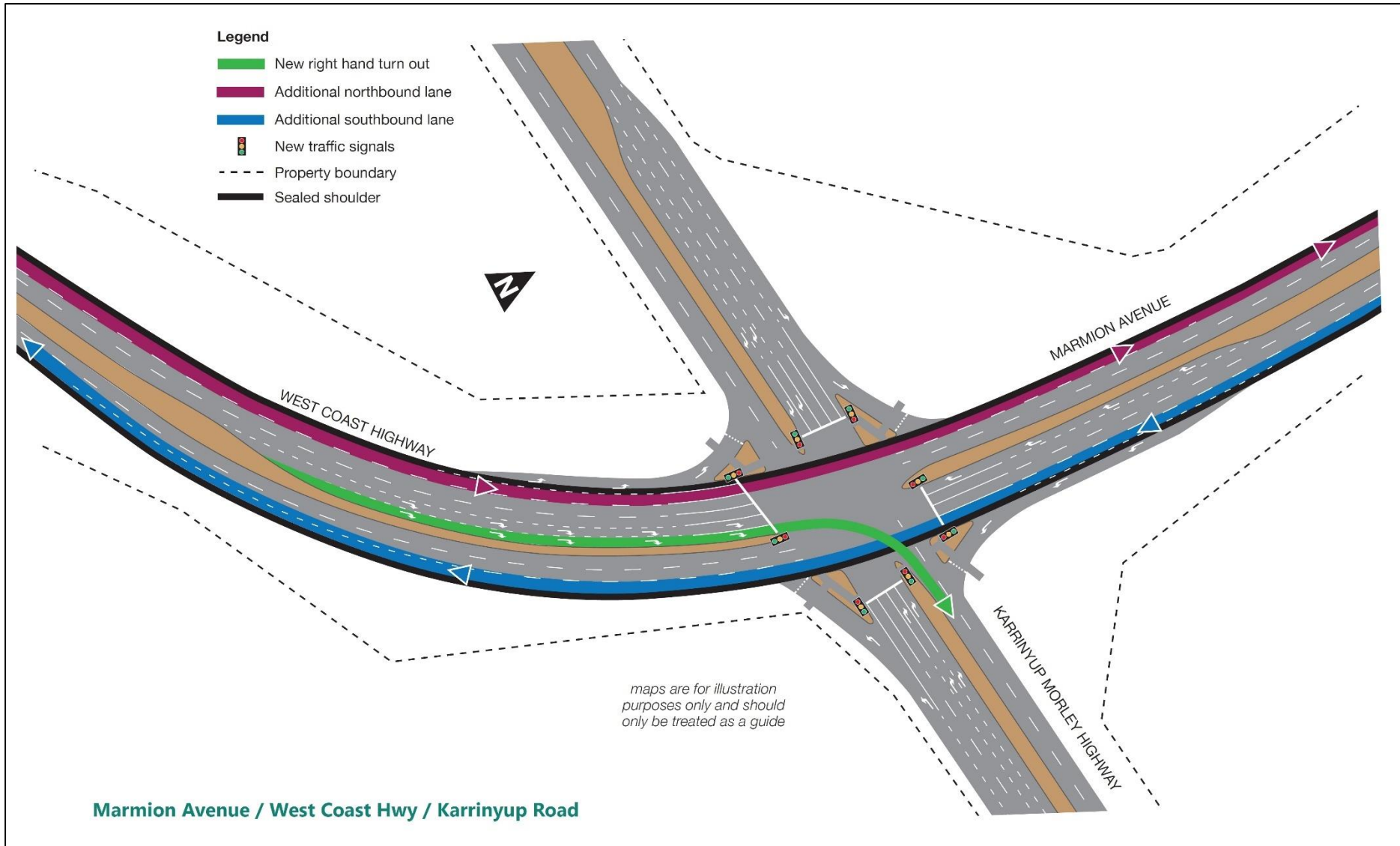


Figure 2 - Proposed Modifications at Marmion Avenue, West Coast Highway and Karrinyup Road (Source: Main Roads WA)

Financial Assessment and Implications

There are no financial implications associated with the request to write a letter to MRWA, as this can be incorporated with normal duties.

Sustainable Stirling 2022-2032

Key Result Area: Our built environment

Objective: An accessible and connected City

Priority: Provide and maintain safe and accessible roads and parking

Strategic Risk

Strategic Risk	Risk Appetite
Reputation	The City will ensure that any decisions that may affect the City's reputation are made at the appropriate level with stakeholders remaining informed and engaged.
Community	The City will ensure that it engages with the community in accordance with its Community and Stakeholder Engagement Plan.

Suggested Alternative Recommendation

That Council NOTES that Main Roads Western Australia reduced the speed limit along Marmion Avenue following extensive community consultation to improve safety for motorists and pedestrians along the road.

Reason for Alternative Recommendation

Extensive community consultation was undertaken by Main Roads WA prior to the reduction of the speed limit to 70km/h. An increase in the speed limit back to 80km/h would be contrary to the road safety concerns expressed by the community during the consultation.

14.3 PROPOSED NOTICE OF MOTION - COUNCILLOR SUZANNE MIGDALE - PAYMENTS COLLECTED ON BEHALF OF THE STATE GOVERNMENT TO BE IDENTIFIED ON DOCUMENTATION TO RESIDENTS

Business Unit:	Finance Services	Service: Fleet Services
Ward:	Not Applicable	Location: Not Applicable
Applicant:	Not Applicable	

Council Resolution

0424/022

Moved Councillor Migdale, seconded Councillor Proud

That on all documentation to residents which includes any levied costs (including increases) which are to be paid to the State Government, the wording clearly STATES that the payment is being collected by the local authority on behalf of the State Government and will be paid to the State Government.

The motion was put and declared CARRIED (12/0).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Papparde, Perkov, Proud and Mayor Irwin.

Against: Nil.

Notice of Motion Recommendation

That on all documentation to residents which includes any levied costs (including increases) which are to be paid to the State Government, the wording clearly STATES that the payment is being collected by the local authority on behalf of the State Government and will be paid to the State Government.

Background provided by Elected Member

“Government should be transparent.”

Details

The City of Stirling levies costs on behalf of the State Government including the Emergency Services Levy. These costs can be significant and the City has no control or influence over any increases to these costs. Cost increases can reflect poorly on the City if customers are not properly informed.

The options for providing greater transparency to customers will look at all communication channels, including invoices and the City’s website. Options will be reported to Council through the 2024/2025 integrated planning and budget process and will be implemented for all charges from 2024/2025 onwards.

Financial Assessment and Implications

Nil.

Sustainable Stirling 2022-2032

Key Result Area: Our leadership

Objective: A customer-focused City

Priority: Involve, engage and inform our community

Strategic Risk

Strategic Risk	Risk Appetite
Community	The City will ensure that it engages with the community in accordance with its Community and Stakeholder Engagement Plan.

14.4 PROPOSED NOTICE OF MOTION - COUNCILLOR KARLO PERKOV - SCHOOL STUDENT CITIZENSHIP AWARDS ANNUAL EVENT

Business Unit:	Governance	Service: Council Governance
Ward:	City Wide	Location: Not Applicable
Applicant:	Not Applicable	

Council Resolution

0424/023

Moved Councillor Perkov, seconded Councillor Dudek

That the City of Stirling formally RECOGNISES school students who receive graduation day Citizenship Awards with an annual event.

The motion was put and declared CARRIED (12/0).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Lagan, Migdale, Olow, Papparde, Perkov, Proud and Mayor Irwin.

Against: Nil.

Notice of Motion Recommendation

That the City of Stirling formally RECOGNISES school students who receive graduation day Citizenship Awards with an annual event.

Background provided by Elected Member

“Each year we recognise and award many Year 6 students across the City of Stirling with our Citizenship Awards. These are highly valued and respected awards at any graduation ceremony. The City of Stirling should formally recognise these students, and continue fostering good relationships not only with their schools but all future students alike.”

Details

The City's School Graduation Awards are presented to two students in their final year of primary school for their attributes of citizenship, community and civic interest. These students strive to set an outstanding example to others, and contribute positively to their school and the wider community. The students are presented an award by the Mayor or their Ward Councillor with a \$50 Dymock's voucher and certificate at their end of year assembly.

In 2023:

- 55 out of 63 Primary Schools in the City participated.
- 109 student awards were presented.
- 45 schools requested an Elected Member to attend and present awards (the remaining schools either did not respond or declined the opportunity).
- Schools by ward:
 - Balga – 11
 - Doubleview - eight
 - Hamersley - seven
 - Inglewood - six
 - Coastal - five
 - Lawley - four
 - Osborne - four

If an annual recognition event is approved, the Civic and Hospitality team will liaise with the Mayor to create a Community Engagement Event suitable for the attendees.

Financial Assessment and Implications

The below implications will incur a cost to the City. All figures are approximate and will vary dependent upon the hours required and the nature of the event:

- Catering (food): \$10.50 for each attendee
- Beverages: \$3 for each attendee
- Award Dymocks gift vouchers: \$50.00 each for reward recipients
- A4 Black Certificate Award frames and printing: \$220.00
- Staff cost: \$500.00 (Dependant on attendance and nature of event)
- Photographer: \$500.00 (Dependant on hours required and nature of event)

Sustainable Stirling 2022-2032

Key Result Area: Our community

Objective: An inclusive and harmonious City

Priority: Facilitate social connections and access to services locally

Priority: Build strong relationships with our multicultural and diverse community

Strategic Risk

Strategic Risk	Risk Appetite
Governance	The City will act with integrity and implement appropriate processes and controls to avoid breach of legislation.

15. NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING**15.1 PROPOSED NOTICE OF MOTION - MAYOR MARK IRWIN - MAINTENANCE AND REPAIRS TO PUBLIC ACCESS PATH ST70**

Mayor Mark Irwin submitted the following Notice of Motion at the Council meeting held 30 April 2024.

Notice of Motion Recommendation

That the Public Access Path ST70, South of the Trigg Island SLSC and used by the Trigg Trotters be WIDENED AND LEVELLED, with accumulated sand removed. And that the shared pathway be REPAIRED to an acceptable standard. This work is to be completed this financial year as maintenance.

Reason for Motion

The pathway is one that is used daily by elderly swimmers and has become exceptionally narrow and hilly due to long term sand build up. The shared path is dangerous and beyond reasonable with potholes and worn areas. These should be included in the City's usual maintenance in line with community expectations.

16. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

16.1 QUESTIONS ON NOTICE - COUNCILLOR TERESA OLOW

Councillor Teresa Olow submitted the following question prior to the Council meeting held 30 April 2024:

Q1. *“How much does it cost the City to plant verge trees:*

- *Per tree;*
- *Maintenance;*
- *Staff; and*
- *Care?”*

A1. Based on the Fees and Charges, the current cost for a 35L tree is \$680.

- Tree cost - \$85.
- Sundries (such as tree stakes, fertiliser, tree tie, mulch) - \$24.
- Labour/fleet for planting - \$44.
- Watering (weekly for two years) - \$512.
- Formative prune x 1 - \$15.

This breakdown can differ slightly depending on the species, the location of the tree and whether it is planted as part of a larger project, among other things.

17. NEW BUSINESS OF AN URGENT NATURE

Nil.

18. MATTERS BEHIND CLOSED DOORS

Nil.

19. CLOSURE

The Presiding Member declared the meeting closed at 7.29pm.

These minutes were confirmed as a true and correct record of proceedings on:

...../...../ 2024

SIGNED:

Presiding Member Name:

PRESIDING MEMBER