City of Stirling

Ordinary Meeting of the 42nd Council

10 February 2026

Minutes

To: The Mayor and Councillors

Here within the Minutes of the Ordinary Meeting of Council of the City of Stirling held Tuesday 10 February 2026 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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EMERGENCY PROCEDURES

The City of Stirling values the health and safety of all visitors to its facilities.

The following evacuation procedures are to be followed in the event that an emergency occurs.

- When the emergency alarm sounds, please remain calm.
- Comply with any instructions given by emergency personnel, including the City's Fire Warden.
- The Fire Warden will assess the immediate area for danger.
- If required, the Fire Warden will instruct all in attendance to evacuate – please follow their directions promptly and calmly. Proceed, as directed, to the Assembly Area (evacuation point).
- If you have impaired mobility, the Fire Warden can assist with your safe evacuation.
- Do not re-enter the building until authorised to do so.

The Assembly Area is located on the grassed area near the entrance to the basement carpark from Puccini Court. The Fire Warden will direct you to the correct location in the event of an emergency.


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ASSEMBLY POINT
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MINUTES OF THE ORDINARY MEETING OF COUNCIL OF TUESDAY 10 FEBRUARY 2026 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 6.29pm.

APOLOGY – MAYOR MARK IRWIN

Mayor Irwin made the following apology in accordance with the Orders of the Local Government Standards Panel:

"I advise this meeting that:

i. *A complaint was made to the Local Government Standards Panel, in which it was alleged that I contravened Regulation 18 of the Local Government (Model Code of Conduct) Regulations 2021 and Regulation 34D of the Local Government (Administration) Regulations 1996, when I responded to member of the public inappropriately during public Council meeting.*
ii. *The Panel found that I breached Regulation 18 and Regulation 34D and that my conduct did not meet the level required of Presiding Member of the Council.*
iii. *I acknowledge that I should not have engaged in such conduct and I now apologise to Mr Simon Wheeler, as well the public and my fellow councillors."*

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 Daniela Ion
Councillor Tony Krsticevic
Councillor Teresa Olow
Councillor Rob Paparde
Councillor Karlo Perkov
Councillor Stephanie Proud JP
Councillor Elizabeth Re
Councillor Lisa Thornton

Employees	Chief Executive Officer - Stevan Rodic Director Corporate Services - Ingrid Hawkins Director Infrastructure - Andrew Murphy Director Planning and Development - Amanda Sheers Acting Director Community Development - Chris Brereton Manager City Future - Emille van Heyningen Manager Commercial Portfolio - Jon Morellini Manager Community Safety - Peter Mullins Manager Development Services - Giovanna Lumbaca Manager Engineering Services - Paul Giamov Manager Governance - Brad Sillence Acting Manager Parks and Environment - Dion Johnson Head of Community Engagement - James Murphy Coordinator Verge Control and Swimming Pools - Matthew Reynolds Lead Governance Officer - Regan Clyde Senior Governance Officer - Amorette Kerklaan Senior Governance Officer - Casey Taylor Senior Media Advisor - Liam Croy
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APOLOGIES Councillor Suzanne Migdale

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.

Planning and Development Committee - 3 February 2026

Councillor Daniela Ion disclosed an Impartial Interest in Item 12.1/CF1, as she is a member of the Mount Lawley Society.

Councillor Tony Krsticevic disclosed an Impartial Interest in Item 12.1/PCS1, as he owns a property on West Coast Highway, located close to 273 West Coast Highway, Scarborough.

Council - 10 February 2026

Councillor Joe Ferrante disclosed an Impartial Interest in Item 12.1/CF1, as he is a member of the Mount Lawley Society.

Councillor Elizabeth Re disclosed an Impartial Interest in Item 12.1/CF1, as she is a member of the Mount Lawley Society.

Mayor Mark Irwin disclosed an Impartial Interest in Item 14.1, as he has met with residents regarding footpaths.

Councillor Elizabeth Re disclosed an Impartial Interest in Item 14.1, as she has met with residents.

Councillor Elizabeth Re disclosed an Impartial Interest in Item 14.4, as she has met with residents.

5. PETITIONS

5.1 PETITION - FOOTPATH GODIN COURT, CHURCHLANDS

Councillor Elizabeth Re tabled the following petition containing 22 verified signatures:

"We, the undersigned, do respectfully request that the Council OBJECT to the installation of a FOOTPATH on the cul de sac on Godin Court Churchlands, for the following reasons:

1. *Does not meet City of Stirling Planning Policy 6.4, section 6.2.1 – The proposed path fails the 'location criteria' minimising impacts on residential streetscapes. It threatens our well-maintained verges, mature tree roots, manicured gardens, and overall amenity.*
2. *Safety - the CoS footpath policy, applies only to streets that 'do not provide a safe environment for pedestrians walking in the carriageway.' Godin Ct already functions as a safe, shared community space used by children, seniors, pram walkers, and dog owners.*
3. *Parking/traffic congestion and safety hazard - Godin Court is narrow and residents/visitors rely on verge parking. Removing this option will increase congestion and create difficulties for vehicles trying to get through, raising significant safety hazard in the event a fire truck cannot access the street.*
4. *Not justified – City policy states footpaths in short cul-de-sacs (<200m) are not required unless justified. This quiet 100m street has very low foot traffic. Safe access to Churchlands High School exists via Otram Way.*
5. *Poor use of ratepayer funds – Money would be better spent on street trees and improving green spaces. Installing concrete will increase heat, damage gardens and reticulation, and has already exposed mature tree roots during early works.*
6. *Pets - the information flyer states the safety of pets as an objective. Local dog walkers prefer the existing grass verges and would avoid the street, as a 1.8m path will get dangerously hot in summer.*
7. *Harm to community – the footpath information flyer says the policy brings "neighbours together and fosters a sense of community". Godin Court is a well-known gathering place where neighbours interact, children play, local dog walkers stop to chat, and charity stalls are held on verges. Replacing cool, shady lawns with a wide footpath undermines this community, and the intended use of the street. The footpath centralises cars over pedestrian and community users by failing to preserve the open flexible space provided by the intentional cul de sac design.*
8. *Lack of consultation: residents were not adequately informed or given the chance to provide feedback. The 7 November letter only named Otram way, and not Godin Court."*

Following Council's resolution, the petition will be forwarded to the Engineering Services Business Unit for consideration and appropriate action.

5.2 PETITION - FOOTPATH DUNROSSIL PLACE, WEMBLEY DOWNS

Councillor Elizabeth Re tabled the following petition containing 1,678 verified signatures:

"We, the undersigned, do respectfully request that the Council: object to the establishment of a footpath on either side of the existing cul de sac on Dunrossil Place, Wembley Downs, for the following reasons:

1. *Location - development does not meet the City of Stirling's Planning Policy 6.4, section 6.2.1 'location criteria'. To minimise impact on residential areas, as we have well cared for verges, lovely streetscape. Please consider the impact on amenity of the area and the environmental impact.*
2. *Traffic generation and congestion - we have a narrow street and with a footpath included, more people will have to park on the road causing traffic, safety issues and neighbourly disputes.*
3. *Cul de sac - the City policy allows that there is no need for footpaths in cul de sacs unless required. This is a quiet street that has adjacent roads to access. There is very little foot traffic to warrant a footpath."*
4. *Footpath construction - will impact on the ability of people to access their houses and destroy manicured gardens and reticulation and compromise roots of mature trees and our tree canopy.*
5. *Safety - Safety of residents will be compromised by cars on the street, scooters / bikes will come into the area creating a hazard for young children and seniors. Seniors feel safe walking on the cul de sac road.*
6. *Economics - As long-term ratepayers we feel our money would be better spent on more street trees rather than on ugly concrete, which would contribute to more local heat / climate change. Also increased cost of replacing reticulation and existing established trees.*
7. *Christmas activities - Our street is renowned for its Christmas lights, engaging and supporting the community. A footpath would impact upon the artistic creativity, access and the ambiance of the displays."*

Following Council's resolution, the petition will be forwarded to the Engineering Services Business Unit for consideration and appropriate action.

Council Resolution

0226/001

Moved Councillor Re, seconded Councillor Krsticevic

That Council RECEIVES the petitions tabled at the Council meeting held Tuesday, 10 February 2026 and the petitions be REFERRED to the Chief Executive Officer for the appropriate action.

The motion was put and declared CARRIED (14/0).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Ion, Krsticevic, Olow, Paparde, Perkov, Proud, Re, Thornton 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.

Nil.

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 - K MCDONALD

The following questions were submitted by K McDonald, Gwelup WA 6018, prior to the Council Meeting held Tuesday, 10 February 2026.

Q1. *"We have a seven-year-old who has slept on a thin mattress in our front living room due to a dog next door that barks to 8.30pm at night. The rangers deem the number of barks (240 needed) not to be enough, despite reaching the levels a number of times. How are we to proceed so my son can sleep in a bed in his actual bedroom?"*

A1. The Manager Community Safety advised that this matter is currently an open investigation. The City's Rangers investigate dog nuisance (noise) in accordance with the *State Government Dog Act*, Regulations and Best Practice guidelines published by the Department of Local Government, Industry Regulation and Safety. The Manager further advised that the Service Lead Community Safety Operations would contact Ms McDonald to provide a status update.

Q2. *"If a dog barking record doesn't reach enough barks for a Ranger to be satisfied, when will Environmental Noise and Health get involved, because people can't work or sleep with loud barking dogs. Construction is 7.00am to 7.00pm due to a disturbance, so barking should reflect this too, especially after a complaint has been made."*

A2. The Manager Community Safety advised that dog nuisance (noise) offences are specified under Section 38 of the *State Government Dog Act*. Other noise, such as that related to construction, falls under different legislation.

Q3. *"The City's website states that unreasonable barking occurs as a dog barking persistently or creates noise to a degree that is unreasonable and interferes with the peace, comfort or convenience of any person in any place. This is happening at my neighbour's and no action has been taken and there has been many, many years now and a child is not being prioritised over a dog barking after 7.00pm at night."*

A3. The Mayor acknowledged the situation and confirmed that the Manager Community Safey will organise to have a Service Lead make contact to explain where the current situation is at and what can be done.

The Manager Community Safety advised that Dog nuisance (noise) is subjective, and the Department of Local Government, Industry Regulation and Safety have currently determined that no set standard to specify what constitutes nuisance barking is prescribed in the Regulations. Further information is available via https://www.dlgsc.wa.gov.au/department/publications/publication/best-practice-guideline-on-the-identification-investigation-and-handling-of-nuisance-dogs

7.2 PUBLIC QUESTION TIME - A MAUS

The following question was submitted by A Maus, Karrinyup WA 6018, at the Council Meeting held Tuesday, 10 February 2026.

Q1. "A Development Assessment Panel (DAP) meeting held 26 October 2021 voted 4/1 to allow a BP Service Station to relocate to the corner of Karrinyup Road and Francis Avenue, a major intersection that is controlled by traffic lights. I expressed concerns regarding traffic volume and flow at that major intersection that conducts a huge volume of Shopping Centre traffic. Traffic and parking issues have now increased dramatically; often chaotic, and sometimes aggressive. DAP set a deadline that 'substantial completion' must be made by 26 November 2025. That date has passed. As no start and no progress at all has been made, I assume and hope the approval has lapsed and the development will not occur. Please advise?"

A1. The Director Planning and Development advised that the Development Assessment Panel's (DAP) approval issued for the reconfiguration of the BP Service Station Layout expired on 26 October 2025. However, under the relevant legislation, an applicant may submit an application seeking to extend the substantial commencement term for a lapsed development approval.

7.3 PUBLIC QUESTION TIME - R MITCHELL

The following questions were submitted by R Mitchell, Karrinyup WA 6018, at the Council Meeting held Tuesday, 10 February 2026.

Q1. *"Regarding the Karrinyup Primary School alterations and additions, including the oval - it needs to be brought to a good sporting standard. It's not fair that the school children cannot have a good surface to carry out their sport on. There was an application for development approval from Rowe Group to use this oval on weekends throughout the year for construction workers at West Apartments to park their vehicles. The application was withdrawn due to not starting the building. This year, approval was granted for five years for the Karrinyup Shopping Centre employees to park during Christmas and New Year. Side street parking has now been allowed for up to two hours in Karrinyup. As congestion around Karrinyup is getting very congested, would you please ensure any further development or movement to aid the Karrinyup Shopping Centre be carefully considered if an application comes back to park the construction workers' vehicles at the school every weekend?"*

A1. The Director Planning and Development advised that traffic is a challenge for the City and also the local residents around the Karrinyup Shopping Centre. The City does have some things in place to try to deal with the current situation, however, there are limits to what can be done. With regards to the West construction, nothing has commenced at this point in time, and the City is not sure when that will be happening, but certainly managing construction traffic is part of the considerations. Any future applications on this site or in that area will certainly need to provide updated traffic modelling and reports to the City for full assessment.

Q2. *"Regarding the condition of the Karrinyup Community Centre, you have offered the suggestion that the building is determined to be close to end of life. Is that the result of a building construction inspection or your opinion? Could I see the building report and the statement to say the building is close to the end of its life? And now we have the community centre, where there was an area where you used to be able to have displays, but now a park with no ashtrays. Now there is nowhere anyone can put up a display or hold other outdoor functions."*

A2. The Mayor advised that comments about 'end of life' are not a personal opinion. The building has needed significant works over the last few years, including roof replacement because it floods during winter, doors do not close, that sort of thing.

Q3. *"This question relates to the development of property land at 6 to 12 Bazaar Terrace, Scarborough. I initially inquired about these lots' development and was informed they would be completed by 25 September and forwarded to a real estate agent to sell by advertising and private treaty. I have previously asked why should they not be sold by public auction or public tender? Eventually, I received correspondence. I still desire to know why these eight lots only can't be sold by public auction or tender, which is fairer and better risk managed by the City of Stirling?"*

A3. The Director Corporate Services advised that the City of Stirling is finalising the lots to get the titles, and that will then enable the City to put them onto the market. But that would be under private treaty, as mentioned, in terms of the manner to be sold. So the City will use an agent and the associated method. The City has been approached by a number of people with regards to those sites and has that information on record as well.

Additional Information

A1. Approvals are currently in place at two schools in proximity to the Karrinyup Regional Centre, both of which were approved in 2025. These approvals are for the provision of car parking bays during what would be considered seasonal peak times in December (mid to late December) - falling outside of the school term. Both approvals are time limited to five years and were approved with Parking Management Plans. The City acknowledges that Karrinyup Primary School may contemplate undertaking works or additions. In most cases the Department of Education is the approval authority for these works, with the City often acting as a referral body. Upgrades or improvements to the oval may form a consideration for the Department of Education if works are contemplated in the future.

A2. The City has appointed the APP group to do that development assessment of the site to look at the opportunities and the constraints, and that will include the community needs assessment. They will also undertake the urban design and the concepts, and then feasibility.
The appointed consultants, APP Group, will be delivering the following scope of works for the City:
Stage 1: Preliminary Site and Context Assessment and Analysis
- Community Needs Assessment
- Economic and Social Impact
- Environmental Assessment
- Engineering and Traffic Management
- Visioning Urban Design investigations
- Land & Property Economics

Stage 2: Urban Design, Master Planning and Concept Plan
Stage 3: Feasibility Testing

At 6.52pm in accordance with Clause 5.2(14) of the City of Stirling's Meeting Procedures Local Law 2021, Mayor Mark Irwin ruled that Public Question Time be EXTENDED by 15 minutes.

7.4 PUBLIC QUESTION TIME - M MASIELLO

The following questions were submitted by M Masiello, Trigg WA 6029, at the Council Meeting held Tuesday, 10 February 2026.

Q1. "It has been stated on numerous occasions - in reports such as the Coterra Report and the Urbis Environmental Impact Assessment, in responses to Public Question Time in the minutes, and by yourself - that a proposed boardwalk through the dunes between Trigg and Scarborough would disperse the traffic from Scarborough and alleviate the parking congestion at Scarborough. Please explain how the boardwalk would disperse the traffic from Scarborough and alleviate parking congestion. I just want an explanation of this process."

A1. The Mayor advised that the comments relate to the parking supply at Trigg, including the southern and northern Trigg car parks, the Trigg Surf Lifesaving Club car park, and the road embayments in that area. It appears that the comments refer to the idea that it would be a pleasant walk for people to park at Trigg and then use a boardwalk to walk to Scarborough.

Q2. "The report to Council regarding the proposed boardwalk estimates that a further $200,000 to $300,000 worth of assessments are required to obtain the necessary approvals to build the boardwalk through the dunes. Can the Mayor please provide an itemised list of the assessments that the City anticipates are required to obtain the necessary approvals - including, but not limited to, environmental, planning and other - and the estimated itemised costings of these assessments?"

A2. The Mayor advised that the question would be taken on notice and a written response provided.

Q3. *"The CEO stated on 25 November 2025 that the annual cost of maintaining the boardwalk was estimated to be $100,000. I am wanting more detail on this. This seems very light for an 850m structure located 50m from saltwater, given the practicalities involved. Does this $100,000 estimate provided by the CEO include the cost of the following items, which have been raised through various reports:*

- *Corrosion management for galvanised frames, including regular pressure-washing;*
- *Ongoing revegetation, planting and watering;*
- *Ongoing weeding from the two edge effects created by the boardwalk (that is 25,000 m² of weeding);*
- *Structural inspections;*
- *Rubbish collection from bins on the boardwalk and from the dunes;*
- *CCTV monitoring and security to deal anticipated antisocial behaviour;*
- *Lighting;*
- *Cleaning;*
- *Replacement of stolen taps and greywater management for showers;*
- *Graffiti management and vandalism repairs; and*
- *Security measures to prevent scooters and bikes from accessing the structure."*

A3. The Mayor advised that the question would be taken on notice and a written response provided.

Additional Information

A2. On 25 November 2025, Council resolved the next steps of the project which are to develop a 15% design of the proposed coastal boardwalk based on the concept design and the feedback received during the community consultation process and progress the required environmental approvals with State Government agencies. The first step will be to develop the 15% design which will influence the approvals that will be required. The City is actively engaging with the relevant State Government agencies and will be guided by their advice once the 15% design is completed. It will be at that stage that the City can provide more information on the environmental and planning approvals and the associated costing.

A3. As part of the concept phase of the Coastal Boardwalk Feasibility Study, an independent cost report was completed and is available on the City's website. This report notes that $100,000 per annum is estimated in maintenance costs. As outlined in the report to Council on

25 November 2025, the concept design does not provide the level of detail required for statutory assessments. The next stage of the project, to develop a 15% design for the coastal boardwalk, will refine the maintenance cost estimation.

7.5 PUBLIC QUESTION TIME - R HADLEY

The following questions were submitted by R Hadley, Woodlands WA 6018, at the Council Meeting held Tuesday, 10 February 2026.

Q1. *"We note in the minutes of the Council meeting of 25 November 2025 that Mayor Irwin wanted to return to the USA to learn leadership skills at a cost of approximately $14,000. Mayor Irwin attended a similar course in 2024, also at a cost of several thousand dollars. As Mayor Irwin has held this position for seven long years, many community members state that there is absolutely no benefit for ratepayers. Unless, after a four-day course in America, Mayor Irwin is awarded with a certificate which may assist his application for president of the WA Local Government Association. Is this your intent, Mayor Irwin?"*

A1. The Mayor advised that it is not his intent and that the course will be taking place after the election referred to.

Q2. The Mayor ruled Mr Hadley's second question out of order.

Q3. *"Why were some attendees at the last Council Meeting not allowed to ask questions during Public Question Time? I, and four other ratepayers who regularly attend Council meetings, were not permitted to ask questions. It so happens that these five ratepayers were all against the boardwalk. Was this deliberate, or a coincidence?"*

A3. The Mayor advised that Public Question Time, under the Act, is required to be held for 15 minutes. After that 15 minute period, the Mayor, as Presiding Member, can rule to extend. The Mayor confirmed that after one hour of Public Question Time at the previous meeting, it was a deliberate decision to not further extend. After one hour, those who missed out on asking their questions were those who had not provided any information about their questions, what the questions were, or whether they related to the agenda.

7.6 PUBLIC QUESTION TIME - L COLES

The following question was submitted by L Coles, Kingsley WA 6026, at the Council Meeting held Tuesday, 10 February 2026.

Q1. "My question relates to Jackadder Lake and the algal bloom that we're dealing with at the moment. I'm a member of the Perth Radio Sailing Club, and we're not allowed to use the lake at the moment because of the bloom and the health issues. That is our main concern, also the wildlife – we do get surprisingly close to the wildlife down there. What timeframe are you looking at for something to be done to allow us back onto the lake, and to deal with the wildlife issues?"

A1. The Acting Manager Parks and Environment advised that currently the City has some water sampling and testing underway, and the City is hopeful that results will be available shortly. The Acting Manager received today [10 February 2025] from the Commodore an operating procedure. The City's aim is to align positive water-quality results with the operating procedures so that residents and member sof the Perth Radio Sailing Club can resume operating their boats on the lake.

7.7 PUBLIC QUESTION TIME - C STANTON

The following question was submitted by C Stanton, Woodlands WA 6018, at the Council Meeting held Tuesday, 10 February 2026.

Ms Stanton requested to present a petition. Public Question Time is not the appropriate part of proceedings at a Council meeting to have petitions tabled, so City Officers obtained the document from Ms Stanton and will respond to her once it has been verified.

7.8 PUBLIC QUESTION TIME - V JHA

The following questions were submitted by V Jha, Doubleview WA 6018, prior to the Council Meeting held Tuesday, 10 February 2026.

Q1. "Is the parking infringement a crime and the only recourse is a Criminal Court proceeding?"

A1. The Director Community Development advised that a parking infringement is an infringement notice issued in accordance with the *Local Government Act 1995. T*hese notices are issued to regulate illegal parking and are not criminal matters.

Q2. "Is it the sole responsibility of the City to lodge criminal proceedings? And why can't I lodge a court case for hearing? I have lived 23 years and I am now defending a $80.00 matter in Court despite being upset that I have been painted unruly until I am exonerated. Please review such an autocratic policy and system for good. No-one is really winning!"

A2. The Director Community Development advised that a person issued an infringement notice has options to either pay the infringement notice or in effect dispute it by way of a legal right to elect to have the matter heard in Court. Infringement notices are governed by legislation that sets out a specific process.

Q3. "It is expensive and very demeaning to receive a criminal case against such a small infringement. Can this not be pursued under a debt recovery process? Is the City spending its resources wisely and NOT using a heavy-handed legal resource?"

A3. The Director Community Development advised that the infringement is a statutory notice, not a criminal charge and is governed by legislation that sets out a specific process.

7.9 PUBLIC QUESTION TIME - J WHITING

The following questions were submitted by J Whiting, Churchlands WA 6018, prior to the Council Meeting held Tuesday, 10 February 2026.

Q1. *""How is the City of Stirling coordinating efforts with DCBA to assist in the deterrence of prohibited fishing at Herdsman Lake and deliberate and malicious cruelty towards swans?"*

A1. The Director Community Development advised that City Rangers will attend to reports of people fishing at Herdsman Lake Regional Park and request that they stop the activity. If any evidence is found of cruelty towards swans the City will provide this to the RSPCA and Department of Biodiversity, Conservation and Attractions.

Q2. *"Why won't the City of Stirling allow the Community Safety patrols to attend reports of teens loitering at Parkwater Gardens?"*

A2. The Director Community Development advised that the City's Community Patrol Team will attend to reports of anti-social behaviour and suspicious people in public places. Their attendance can be requested via a call to 1300 365 356.

Q3. *"Why are City rangers not allowed to issue citations or move along notices at Herdsman Lake, and why haven't efforts been made to address this jurisdictional shortfall?"*

A3. The Director Community Development advised that Herdsman Lake Regional Park is a public place with overarching management responsibility held by the State Government through the Department of Biodiversity, Conservation and Attractions. The City's Rangers work collaboratively with the Department officers to address issues as they arise. Move on orders are issued, by a Police officer, under the *Criminal Investigation Act 2006.*

8. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

9. CONFIRMATION OF MINUTES

Council Resolution

0226/002

Moved Councillor Olow, seconded Councillor Paparde

That the Minutes of the Ordinary Meeting of Council of 25 November 2025 be confirmed as a true and correct record of proceedings.

The motion was put and declared CARRIED (14/0).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Ion, Krsticevic, Olow, Paparde, Perkov, Proud, Re, Thornton and Mayor Irwin.
Against: Nil.

10. ANNOUNCEMENTS BY THE PRESIDING MEMBER

10.1 ANNOUNCEMENT - CITY OF NEDLANDS

The Presiding Member made the following announcement:

"I was pleased last week to be invited to the City of Nedlands. They are going through an extraordinary election following the period under Commissioners, and I was invited to speak to the potential candidates about the role of the Mayor and Elected Members.

It was acknowledged by the Commissioners that there is a strong working relationship between the Elected Members and the staff, and that this has been very productive. That formed a large part of the meeting and the discussions we had. I wish the City of Nedlands all the best in their future. There were certainly some outstanding candidates in the room, and I do wish them every success."
.

10.2 ANNOUNCEMENT - RESIGNATION OF DIRECTOR CORPORATE SERVICES

The Presiding Member made the following announcement:

"*There will be plenty of time to do this more formally and properly - to acknowledge Ms Hawkins; who has tendered her resignation at the City of Stirling after an incredible amount of time with the City. Well over 12 years, almost 13 years I believe, including around eight years as Director - our amazing Director of Corporate Services.*

The reason I want to make this public is that shortly the City will be going out to market for a new director, and I don't want it to be a surprise for anyone.

I do want to acknowledge you, Ms Hawkins - as I said, we'll do this more formally later - but I pity the person who tries to follow in your footsteps. You are the epitome of what a director should be; you are an incredible fountain of knowledge. I often say it: you are the smartest person in the room when we ask questions. You know the answer to everything finance-related.

I know how highly valued you are by our Elected Members, with the amount of information you hold, the support you provide, and the way you can turn often complex financial matters in a local government setting into manageable items that we can understand.

I also want to acknowledge you as a friend to Council. You're obviously part of our A-team under our CEO, but the way you stay professional while still showing empathy for what Councillors deal with, and the way you work with us - we are certainly going to miss you.

We look forward to spending the next three or four months with you on this journey, and hopefully there'll be a few farewells where we can celebrate your time here. We wish you and Gavin all the very best for the future, and I want it on the public record that we will certainly miss you. You are outstanding. Thank you."

11. UNRESOLVED BUSINESS FROM PREVIOUS MEETING

Nil.

12. REPORTS AND RECOMMENDATIONS OF COMMITTEES

12.1 PLANNING AND DEVELOPMENT COMMITTEE - 3 FEBRUARY 2026

Councillor Joe Ferrante disclosed an Impartial Interest in Item 12.1/CF1, as he is a member of the Mount Lawley Society.

Councillor Daniela Ion disclosed an Impartial Interest in Item 12.1/CF1, as she is a member of the Mount Lawley Society.

Councillor Elizabeth Re disclosed an Impartial Interest in Item 12.1/CF1, as she is a member of the Mount Lawley Society.

12.1/CF1 LPS4 LOCAL PLANNING POLICIES - CHARACTER RETENTION - MOUNT LAWLEY, MENORA AND INGLEWOOD HERITAGE PROTECTION AREAS

Business Unit:	City Future	Service: Schemes, Policies & Heritage
Ward:	Lawley and Inglewood	Location: Mount Lawley, Menora, and Inglewood Heritage Protection Areas
Applicant:	Not Applicable	

Role

Legislative - *Making local laws, policies and planning instruments.*

Council Resolution

0226/003

Moved Councillor Proud, seconded Councillor Ferrante

1. **That Council PREPARE 'Local Planning Policy – Character Retention in Mount Lawley and Menora Heritage Area' for the purpose of public advertising as shown in Attachment 1.**

2. **That Council PREPARE 'Local Planning Policy – Character Retention in Inglewood Heritage Area' for the purpose of public advertising as shown in Attachment 2.**

The motion was put and declared CARRIED (14/0).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Ion, Krsticevic, Olow, Paparde, Perkov, Proud, Re, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

1. That Council PREPARE 'Local Planning Policy – Character Retention in Mount Lawley and Menora Heritage Area' for the purpose of public advertising as shown in Attachment 1.

2. That Council PREPARE 'Local Planning Policy – Character Retention in Inglewood Heritage Area' for the purpose of public advertising as shown in Attachment 2.

Officer's Recommendation

1. That Council PREPARE 'Local Planning Policy – Character Retention in Mount Lawley and Menora Heritage Area' for the purpose of public advertising as shown in Attachment 1.

2. That Council PREPARE 'Local Planning Policy – Character Retention in Inglewood Heritage Area' for the purpose of public advertising as shown in Attachment 2

Purpose

The City is currently progressing Local Planning Scheme No.4 (LPS4) and has been incrementally reviewing existing local planning policies (LPPs) to simplify the City's local planning framework and to ensure policies are fit for purpose and ready to use when LPS4 is gazetted.

In preparation of the adoption of LPS4, a suite of LPPs will be presented to Council within the next six months for consideration. Some policies may involve administrative changes only, meaning advertising will not be required in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations). Other LPPs may incorporate additional modifications such as alignment with the State Planning framework, LPS4 and/or to amalgamate some LPPs. Some policies that are no longer required will also be rescinded. LPPs that require more substantial changes will be presented to Council to seek consent to advertise to enable submissions by the community prior to adoption.

LPS4 was advertised between mid-October 2024 and 24 January 2025 for public comment. Council considered submissions received during advertising at its meeting on 10 June 2025, and at that meeting, resolved to support draft LPS4 (with modifications) and that it be forwarded to the Western Australian Planning Commission (WAPC) for assessment.

The City's officers anticipate LPS4 will come into effect during the second half of 2026.

The preparation of LPS4 necessitated alignment with the State Government 'Planning Reform' agenda to simplify and streamline the State's land use planning system. As the City's current Local Planning Scheme No.3 (LPS3) was prepared prior to the Regulations, a number of changes to how the City manages heritage in the planning scheme are necessary. As LPS4 cannot contain 'heritage' provisions currently contained in LPS3 to manage the City's heritage, the relevant LPPs for character retention in Mount Lawley, Inglewood and Menora need to be updated to ensure adequate heritage protections remain in place in the City's local planning framework.

The proposed draft Local Planning Policy – Character Retention in Mount Lawley and Menora Heritage Area (Attachment 1) and draft Local Planning Policy – Character Retention in Inglewood Heritage Area (Attachment 2) apply to residential zoned land only; and have been reviewed for the purpose of public advertising to ensure these policies will come into effect at the gazettal of LPS4.

Details

<u>The need for heritage control through a local planning policy</u>

The gazettal of the Regulations in 2015 introduced a consistent, statewide approach to heritage management. A key change was that planning schemes are no longer able to designate Heritage Areas; this function is now required to be undertaken through local planning policies.

Notwithstanding this change, the Regulations provide that any Heritage Area designated under a previous planning scheme is taken to be a Heritage Area designated under the Regulations. As a result, the draft LPPs are not required to 'designate' Heritage Areas. However, draft LPS4 does not include maps identifying the City's Heritage Areas, and the primary purpose of the draft LPPs is to spatially define the City's Heritage Areas.

Accordingly, these LPPs require updating to incorporate maps that clearly identify the Heritage Areas and to ensure that the existing level of development control within these areas - currently referred to as Heritage Protection Areas - is maintained.

Under LPS3, development controls for Heritage Places were implemented through the designation of 'Heritage Protection Area' Special Control Areas within the Scheme, supported by specific heritage protection provisions. Since the gazettal of the Regulations in 2015, a clearer and more consistent process for establishing Heritage Areas has been introduced, removing the need for planning schemes to rely on Special Control Areas for heritage management purposes.

In addition to designating Heritage Protection Areas, LPS3 incorporates a range of practical development controls applicable to these areas, including controls affecting properties along Beaufort Street. While these controls are largely reflected in the existing LPPs, the policies require updating, as outlined above, to ensure the current level of heritage protection is retained.

The provisions in Part 7 of LPS3 are no longer necessary, as these duplicate heritage provisions that are now contained in the Regulations.

Key changes to the two LPPs for the Heritage Areas include the following:

1. <u>Inclusion of LPS3 heritage controls not currently included in the LPPs.</u>

   The current development controls in LPS3 are largely replicated in the existing LPPs. These controls were strengthened in LPS3 in June 2017 to increase protection for intact individual traditional buildings, in response to an approval by the DAP for the demolition of intact traditional dwellings during a comprehensive redevelopment of Perth College.

   In that instance, the intact traditional dwellings were located in a streetscape containing buildings of various levels of heritage value. The DAP approved demolition of these buildings as LPS3 at the time placed more emphasis on the protection of streetscapes, rather than individual buildings. The decision of the DAP was not consistent with the City's expectation that traditional dwellings be retained, which resulted in the amendment to LPS3.

   For this reason, scheme provisions were added to ensure the retention of existing buildings irrespective of whether the demolition of the building would have no adverse impact on the streetscape. Additionally, at this time, provisions were also included to exempt partial demolition of dwellings from requiring development approval if the City was assessing a development application for additions to the dwelling.

   In addition to the above, LPS3 currently seeks to protect buildings in the Heritage Protection Area from the early 1900s to the 1950s. Scheme references to the 1950s is imprecise and does not provide the certainty required. Consequently, it is recommended that all references in the LPPs to protecting buildings in the Heritage Protection Area from *'the early 1900s to the 1950s'* be replaced with more specific wording i.e. *'built prior to 1960'*.

   These provisions are recommended to be included in the LPPs and do not affect the intent of either LPS3 or current LPP provisions.

2. Updated fencing provisions to prevent contemporary fencing in Heritage Areas

Through the assessment of development applications and community feedback, it has become evident that existing fencing provisions in the current LPPs lack precision, particularly in relation to contemporary infill fencing such as 'blades' or horizontal slats which are considered unsuitable. As a result, greater clarity is recommended in relation to the City's fencing requirements in Heritage Areas.

The intent of existing provisions is to ensure that new fencing is compatible with dwellings and reflects a traditional design consistent with the heritage character of an area. To address this, an additional provision is recommended for both LPPs requiring new fencing to be of a traditional style incorporating capped piers and infill panels containing traditional detailing. Additionally, it is recommended the LPPs explicitly state that horizontal or blade infill panels are not permitted.

This amendment will provide greater certainty and reinforce that modern fencing styles are not appropriate within Heritage Areas as these do not reflect, and have a detrimental impact on, the character of the areas.

3. Introducing provisions relating to roller shutters

In recent times there has been an increase in the use of roller shutters on dwellings in the Heritage Areas. These are not a traditional building component and detract from integrity of traditional dwellings.

To provide clarity, it is recommended the within LPP's be revised to state the roller shutters are not permitted where visible from the street.

4. Formatting the policies to align with the draft model policy provisions published by the Western Australian Planning Commission (WAPC)

The Department of Planning, Lands & Heritage, on behalf of the WAPC, has issued draft Guidelines for the preparation of local planning policies. This includes a model format for all LPPs in the State. Accordingly, the City's two heritage LPPs have been reformatted to make them consistent with the State's model format.

5. Inclusion of exemptions from requiring development approval

All development requires development approval unless expressly exempted. Development exemptions are currently contained in the following documents:

- Planning and Development (Local Planning Schemes) Regulations 2015;
- LPS3 (no exemptions within LPS4); and
- Local Planning Policy 6.15 Exemption from Requiring Development Approval.

There are limited exemptions from requiring development approval in Heritage Areas; and the current provisions in LPS3 will not apply when LPS4 is gazetted. It is therefore necessary to include existing LPS3 exemptions from requiring development approvals in the Heritage policies to ensure that the relevant heritage protections remain in place.

Additionally, the limited existing exemptions mean that the City routinely requires development applications for minor development works which do not require approval in other parts of the City and which are unlikely to impact on the character of the Heritage Areas. As a result, relevant development approvals usually issued by the City have been analysed to identify which forms of development are appropriate to exempt in the Heritage Areas. As a result, the following types of development are recommended to be exempted (subject to conditions):

- Fencing that complies with the R-Codes and requirements of relevant Heritage LPP;
- Modifications or new windows to a building which do not visually impact on the streetscape character of the area;
- Reroofing of a building with the same material and colour;
- Construction of a patio of less than 20m^2; and
- Demolition of outbuildings.

These exemptions are recommended to simplify the City's local planning framework and to ensure the City's policies remain contemporary and fit for purpose, and to align with the City's values of innovation and responsiveness.

6. Other changes

A number of other more general changes are recommended for inclusion in the amended LPPs, including but not limited to:

1. Minor textual changes to better reflect intent of the policies;
2. Clarifying requirements for open style garage doors for carports;
3. Clarifying where design flexibility is permissible for development at the rear of a lot;
4. Improved textual clarity regarding development in the mid ground area in the Inglewood Heritage Area;
5. Permitting use of PVC for fencing infill and windows in the Inglewood Heritage Area;
6. Clarifying bricks facing street are to be single course; and
7. Clarifying lot configuration requirements (not side by side) where demolition has been approved.

In order to assist the community, the City's officers are preparing a series of information sheets for the public to provide guidance on acceptable development outcomes in the Heritage Areas. These information sheets, which do not form part of the draft LPPs recommended to be advertised, will expand on the proposed exemptions and other changes proposed to provide greater certainty and clarity.

Next Steps

Should Council resolve to adopt the policies for the purpose of advertising, the diagram below provides an outline of the process and an indication of the decision timeline:

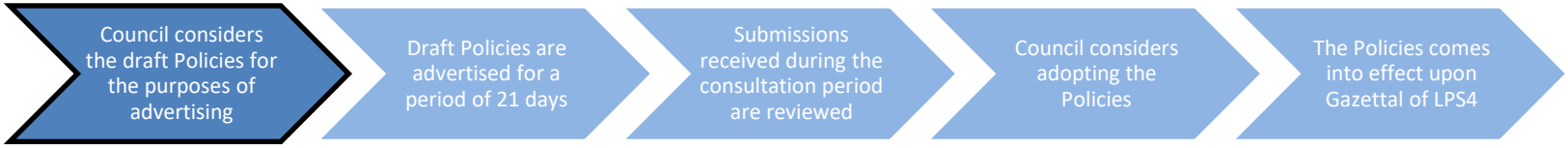


Figure 1 - Policy review process

Beaufort Street and Local Centres

During advertising of LPS4, submissions were received requesting the City to retain the Beaufort Street Local Development Plan (Beaufort Street LDP), which applies to development along Beaufort Street. In response to these submissions, the City's officers advised that the Regulations required the City to replace the Beaufort Street LDP with a local planning policy, as heritage protection requirements must be contained in a local planning policy.

As part of this, it is recommended that all planning controls for commercial development in the Heritage Areas be incorporated into a single policy. A Beaufort Street and Local Centres in the Heritage Areas LPP is currently being prepared and will be presented to a future Planning and Development Committee for Council's consideration.

To assist in informing the development of the Beaufort Street and Local Centres LPP, the City's officers undertook a follow-on survey of people who made a submission to draft LPS4 as it related to Beaufort Street in November 2025. The results of this survey will form part of the report presented to a future Planning and Development Committee.

Financial Assessment and Implications

The costs associated with advertising and adopting Local Planning Policies are covered within the City Future Business Unit budget.

Stakeholder Engagement

If Council resolves to advertise the amendments to Local Planning Policy – Character Retention in Mount Lawley and Menora Heritage Areas (Attachment 1) and Local Planning Policy – Character Retention in Inglewood Heritage Area (Attachment 2), the consultation will be undertaken in accordance with the provisions of the Regulations and the City's Local Planning Policy 6.18 – Public Consultation.

The policies are required to be advertised for 21 days. A notification will be placed on the City's website and on the noticeboard in the City's Administration building for the duration of the advertising period.

Recommended Action

Local Planning Policy – Character Retention in Mount Lawley and Menora Heritage Areas (Attachment 1) and Local Planning Policy – Character Retention in Inglewood Heritage Area have been reviewed in anticipation of LPS4 being gazetted in the second half of 2026.

The main changes to the revised LPPs include:

- ensuring the heritage planning controls in LPS3 will continue to be applicable when LPS4 comes into effect;
- updating provisions relating to fencing for greater clarity;
- reformatting to reflect requirements of WAPC; and
- introducing exemptions from requiring development approval for specific works.;

It is recommended that Council adopts Local Planning Policy – Character Retention in Mount Lawley and Menora Heritage Areas (Attachment 1) and Local Planning Policy – Character Retention in Inglewood Heritage Area (Attachment 2) for the purpose of public advertising.

Relevant Policies, Legislation and Council Resolutions

Local Government Act 1995

Meeting Date	Council Resolution Number	Council Resolution
17 August 2021	0821/044	1. That Council RESOLVES that the amended Local Planning Policy 3.1 Mount Lawley and Menora Character Retention Guidelines shown in Attachment 2 is a minor amendment that does not require advertising. 2. That Council ADOPTS the Local Planning Policy 3.1A Inglewood Character Retention Guidelines with modifications shown in Attachment 1.

Sustainable Stirling 2022-2032

Key Result Area: Our built environment

Objective: A liveable City

Priority: Facilitate diverse housing choice for our community

Priority: Improve the quality, liveability and identity of local areas

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.

Relevant Documents and Information

Attachments

Attachment 1 LPS4 Local Planning Policy - Character Retention in Mount Lawley and Menora Heritage Area - For advertising

Attachment 2 LPS4 Local Planning Policy - Character Retention in Inglewood Heritage Area - For advertising

Available for viewing at the meeting

Nil.

Linked Documents

Nil.

Local Planning Policy – Character Retention in Mount Lawley and Menora Heritage Areas

1. CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Scheme No. 4. This Policy may be cited as Local Planning Policy - Character Retention in Mount Lawley and Menora Heritage Area.

2. INTRODUCTION

The purpose of this Policy is to provide a framework to guide development in the Mount Lawley and Menora Heritage Areas to ensure the existing heritage character is retained and protected and is reflected in new development.

The Mount Lawley and Menora Heritage Area is delineated in Figure 1.

3. OBJECTIVES

The retention of traditional buildings, gardens and streetscapes in the Heritage area is important as these collectively contribute to the character of Mount Lawley and Menora. To retain this character existing traditional buildings should be retained and new buildings, including additions, should complement the existing streetscape and be designed in a similar style (including detailing), scale and proportions as existing traditional buildings.

The key objectives of this Policy are to: -

a) Ensure the retention of buildings within the Mount Lawley and Menora Heritage Area built prior to 1960 where the architectural style of the building is generally intact;

b) To ensure the retention of existing buildings referred to in (a) irrespective of whether the demolition of the building would have no adverse impact on the streetscape

c) Ensure that new buildings, alterations and additions to existing buildings, carports, garages and front fences are in keeping with the heritage character of the area, respect the scale and proportions of surrounding buildings, and where located on a Character Street are designed to fit into the existing streetscape;

d) Maintain and improve existing street trees, grass verges and front gardens; and

e) Retain mature trees wherever possible.

4. APPLICATION OF THIS POLICY

This Policy applies to all Residential zoned land within the Mount Lawley and Menora Heritage Area, outlined in Figure 1 below.

Where there is an inconsistency between the provisions of this Policy and other Policies the provisions of this Policy prevails. Development on Beaufort Street or within non-residential zones will be assessed against the relevant planning Policy.

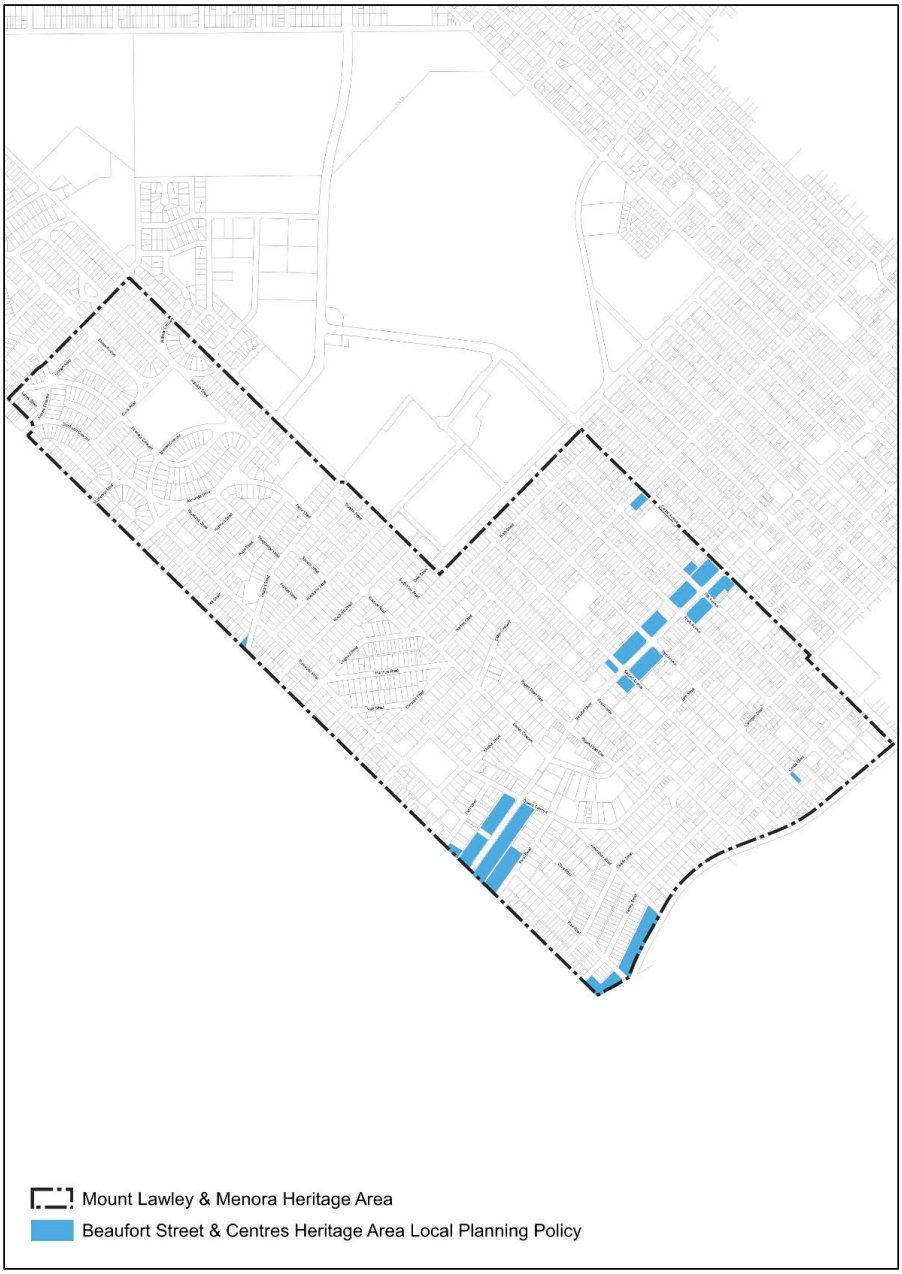


Figure 1 – Mount Lawley and Menora Heritage Area

Where any conflict exists between these guidelines and the Deemed-to-Comply and/or Element Objectives of the *Residential Design Codes*, the provisions of these guidelines shall prevail with due regard given to the *Residential Design Codes*.

5. RESIDENTIAL CHARACTER ANALYSIS – MOUNT LAWLEY HERITAGE AREA

5.1. Description of the Area – Mount Lawley

The Mount Lawley Heritage Area is bounded by Walcott Street, Railway Parade, Central Avenue, the rear boundary of lots on the north-western side of North Street, the edge of Hamer Park, Bradford Street and Alexander Drive (refer Figure 2). The area is historically separated into two further areas being Mount Lawley (Estates 1 and 2) and Mount. Lawley (East), which are discussed further in these guidelines.

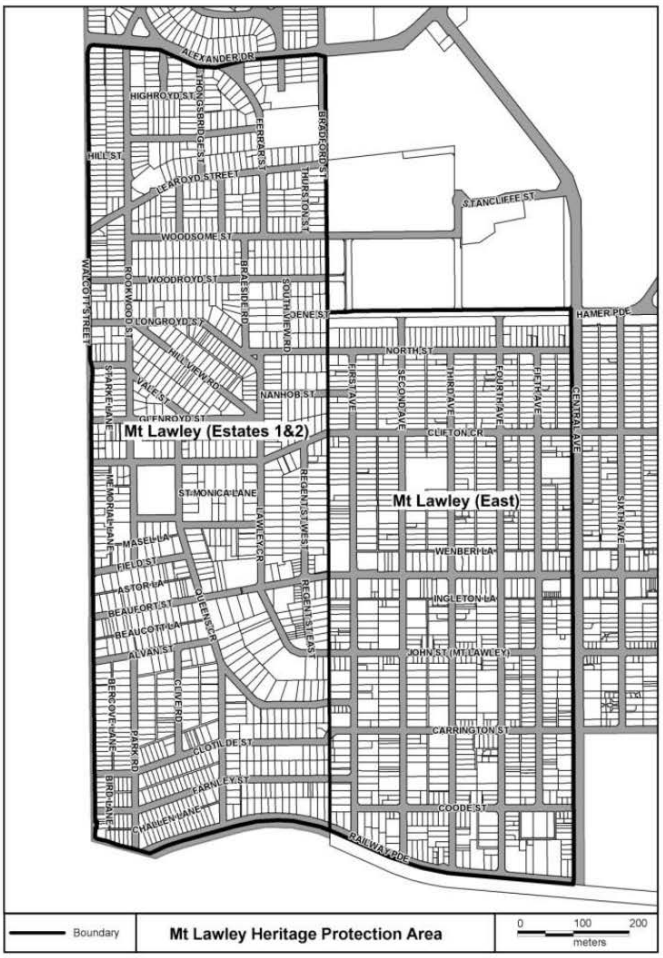


Figure 2 - Mount Lawley Heritage Protection Area

5.2. History of Mount Lawley

The eastern part of Mount Lawley was subdivided and settled in several stages from 1896 when Gold Estates of Australia first offered for sale lots in the area from First to Third Avenues and from Guildford Road to John Street.

Mount Lawley was named after Sir Arthur Lawley, Governor of Western Australia from April 1901 to August 1902. It is believed that Lawley allowed his name to be used on condition that the area contained no public dwellings. The name was initially applied to Estate 1, subdivided in 1902 and extending from Walcott Street to Regent Street and from the river to Clifton Crescent.

The area was extended in 1912 with the subdivision of Estate 2 between Clifton Crescent and Alexander Drive. The release of the subdivision coincided with the government takeover of the tramway service in the area. The subdivisions were carried out by Samuel Copley, a real estate speculator, and Albany banker John Robinson. Many of the street names in Estate 2 include the suffix 'royd' which was the maiden name of the wife of Samuel Copley.

The road layouts of Estates 1 and 2 differed from the adjacent subdivisions where streets were laid in a regular grid. The layout of Estate 1 followed the contours of the land with the result that roads such as Clifton, Lawley, and Queens Crescents and Farnley and Clotilde Streets curved with the gradient of the land and added diversity to the general subdivision pattern.

5.3. Significance of Mount Lawley

Mount Lawley (Estates 1 and 2) is an area of exceptional significance.

Mount Lawley Estates 1 and 2 provide a rare example in Perth of a substantially intact residential area from the first decades of the twentieth century. The area is characterised by an innovative street layout based on the natural topography of the area, together with a traditional streetscape featuring verges, footpaths, and regular planting of street trees. There is a predominance of large homes from the early twentieth century and inter-war period, many of high architectural quality, in established landscaped gardens. A canopy of mature trees in back gardens gives an established quality to the area.

The area has aesthetic, historic, social and scientific significance for the following reasons:

- Road and subdivision pattern;
- Excellent examples of housing from the early 1900s including examples of Federation Bungalow, Queen Anne, Arts and Crafts and Californian Bungalow architectural styles;
- Street design including the general street layout including grass verges and street trees;
- Garden layout, design and quality.

Mount Lawley (East) is an area of considerable significance.

Mount Lawley (East) is a good example in Perth of a substantially intact residential area characterised by large and medium sized homes from the early twentieth century and inter-war period, many of high architectural quality, in established landscaped gardens.

The area has aesthetic, historic and social significance for the following reasons:

- Typical example of rectangular grid road and subdivision pattern;

- Good examples of housing from the early 1900s and inter-war period including some very good examples of Federation Bungalow and Californian Bungalow style dwellings;
- Street design including the general street layout including grass verges and street trees;
- Garden layout, design and quality.

5.4. Mount Lawley Streetscapes

Mount Lawley is laid out on a rectangular grid with lots of approximately equal size in individual streets, but with some variation across the area. Traditional lot sizes vary throughout the area; however, the majority are between 650 and 750 square metres with street frontages between 13.0 and 15.0 metres. There are some smaller lots of approximately 500 square metres in area closer to the railway. There are laneways in some locations in Mount Lawley Estate No.1 and generally in Mount Lawley (East).

The area comprises predominantly single dwellings with one dwelling to each block. Dwellings are generally single storey, located towards the front of the lot and with the front door facing the street. Dwellings are set back an equal distance from the front boundary from 5 to 9 metres in individual streets. Dwellings have front gardens with exotic plantings that reflect the period of construction (refer Figure 3).

Most dwellings have low (0.9 to 1.2m) front fences in a range of styles including timber pickets, woven wire, and low masonry fences. Mature trees, particularly in back gardens, provide an attractive tree canopy throughout the area.

Streets have concrete pavements and grass verges on both sides and various exotic species of street trees planted at regular intervals. Generally, there is one single width crossover per lot.

There are some areas of public open space in the area. Generally, they comprise grassed area surrounded by mature trees. The main commercial area is located on Beaufort Street.

There are a number of areas where the character of the traditional streetscape has been altered by the amalgamation or subdivision of lots for unit development. These developments are considered ‘intrusive’ or ‘neutral’ places.

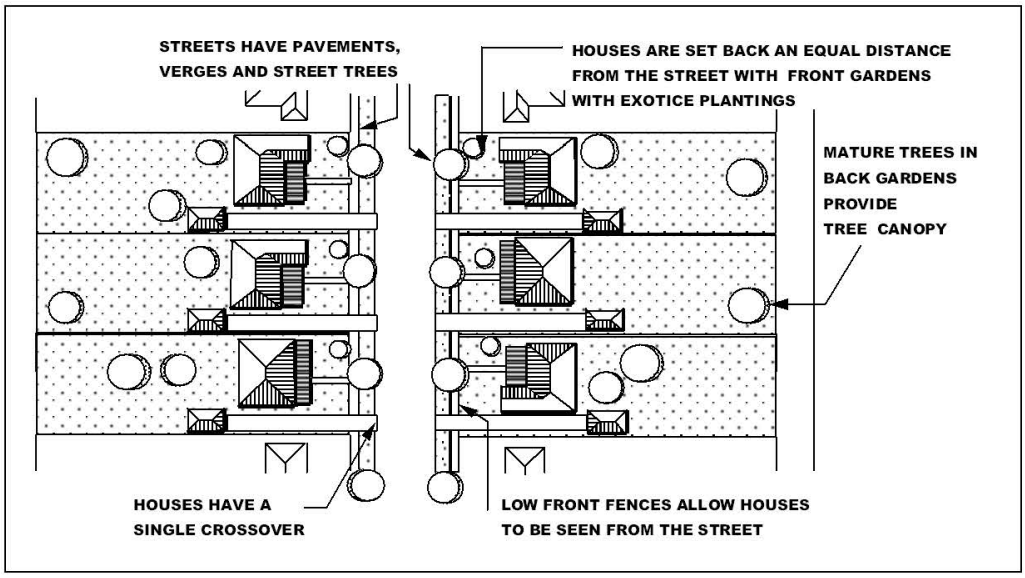


Figure 3 - Mount Lawley Streets

5.5. Traditional Mount Lawley Dwellings

Traditional dwellings in Mount Lawley were constructed predominantly between 1910 and 1950. Most dwellings are single storey and are generally constructed of red brickwork that in many instances is partly rendered. There are some weatherboard and iron dwellings remaining, including a group in Coode Street.

Dwellings are generally modest in scale and proportion and typical of middle-class housing of their era. However, wall heights are generally higher than contemporary standards with wall plates at around 3.5 metres above ground.

Styles are predominantly Federation Bungalows, Federation Queen Anne with some examples of Federation Arts & Crafts, Californian Bungalow, Mediterranean and Spanish Mission styles particularly in the more recently developed northwestern part of the area. The following is an outline of the main architectural styles found in Mount Lawley.

Federation Bungalow: c.1890-c.1915

The Federation Bungalow architectural style, which began to appear towards the end of the Federation era, is one of the most prevalent architectural styles in the Mount Lawley area. It has its origins in the single-storey vernacular dwellings, with commodious verandahs, that were found in colonial countries such as India and is considered to be a transition between the more decorative Federation Queen Anne style and the later, more assertive Inter-War Californian Bungalow style of residential architecture.

Stylistically, the Federation Bungalow (example in Figure 4) style was strongly influenced by the Arts and Crafts movement and the concepts of the 'simple life' found in the West Coast of the United States during the late nineteenth and early twentieth centuries. It was widely regarded as a style suited for the Australian 'bush architecture' due to its spacious verandahs and simple construction that provided for laid back lifestyles and easy accessibility to the outdoors.

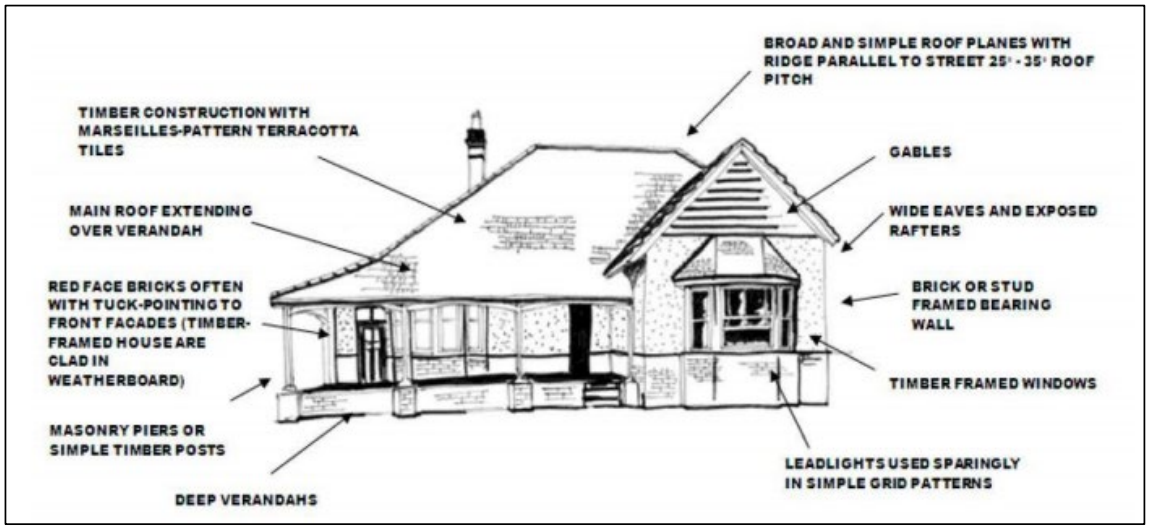


Figure 4 - Example of Federation Bungalow

Federation Queen Anne: c.1890-c.1915

Federation Queen Anne was the dominant Australian domestic style during the late nineteenth and early twentieth centuries. This style also appeared in rows of shops in the new suburbs being established during this time. Found throughout the Mount Lawley area, it was a style influenced by a combination of traditional English architecture and the more extravagant American Queen Anne. Increasingly, decorative elements (both internally and externally) influenced by Art Noveau, began to emerge after the turn of the century and became additional identifying features of the style.

Federation Queen Anne residences are often set in attractive gardens, with a variety of exotic plants and are picturesque and asymmetrical in appearance. Usually, one room projects forward of the front façade and the verandah then extends across the remaining frontage. An example is shown below in Figure 5.



Figure 5 - Example of Federation Queen Anne

Federation Arts and Crafts: c.1890-c.1915

The Arts and Crafts movement emerged in the nineteenth century in England, where proponents such as William Morris looked towards recapturing the handicraft methods used in a rural pre-industrial age. In the United States, Gustav Stickley promoted the 'Craftsman' image in architecture, interior design, and furniture.

The Arts and Crafts movement was concerned with the integration of art into everyday life and the 'truthful use of materials and the honest expression of function', which resulted in informal, domestic scaled buildings with a comfortable familiarity.

In Australia, the Federation Arts and Crafts style of architecture drew from these overseas models and the residences built in this style display characteristics that are unassuming and homely. Figure 6 below is an example of this.



Figure 6 – Example of Federation Arts & Crafts

Inter-War California Bungalow - c.1915-c.1940

California Bungalows (example below in Figure 7) became popular in the United States in the early twentieth century. Built with natural materials, they were low-profile homes designed for relaxed living, particularly suited to California's mild climate.

Australian architects were designing individual interpretations of the Californian Bungalow during the early years of the twentieth century and by the early 1920s many builders had embraced the style. In Australia, the Inter-war California Bungalow was generally built-in brick with chunky carpentry details, rather than the fully timber construction that characterised the style in the United States. Residences built in this style are usually free-standing, single storey set on single blocks with informal lawns and gardens, often using natural materials and finishes.

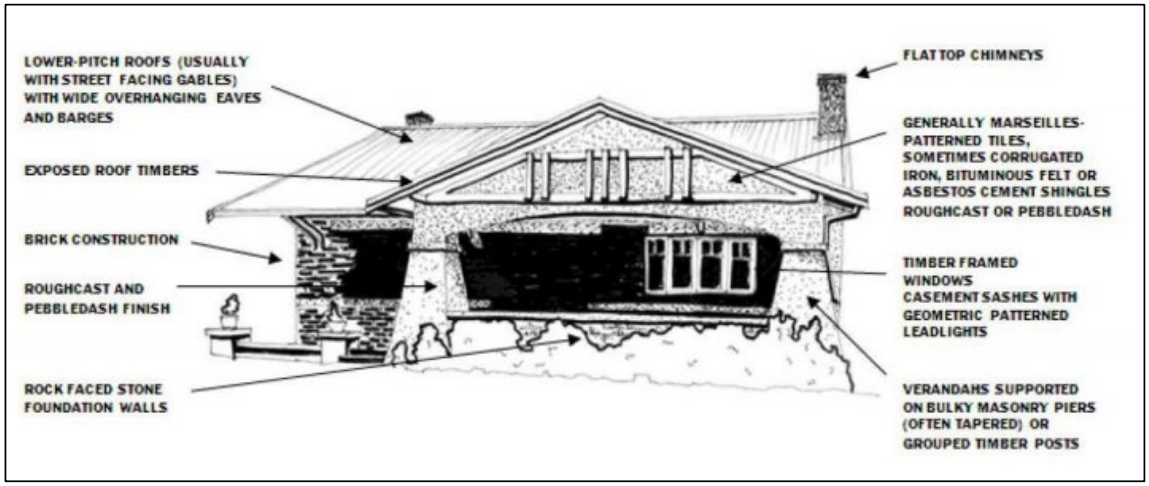


Figure 7 – Example of Inter–War California Bungalow

5.6. Description of the Area – Menora

The Menora Heritage Area is bounded by the rear boundaries of lots on the southeastern side of Adair Parade, Bradford Street, Tweed Crescent, Alexander Drive and Walcott Street as shown in Figure 8.

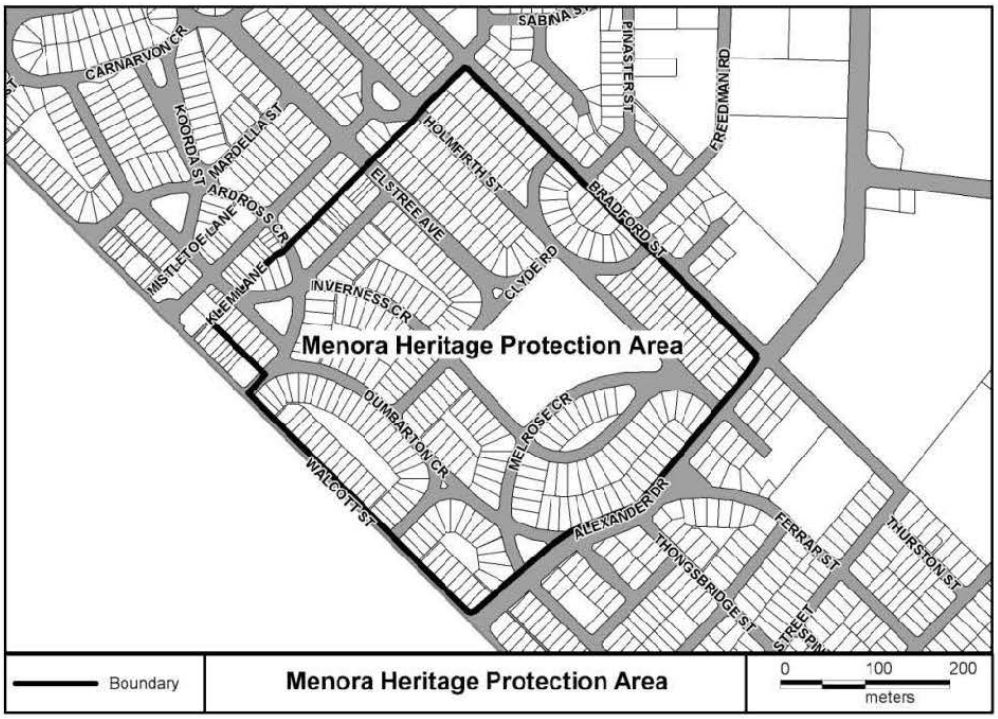


Figure 8 - Menora Heritage Protection Area

5.7. History of Menora

Menora was subdivided and settled in the inter and immediate post war periods. Prior to that time the area was characterised by general agricultural uses and smallholdings. The planning of Menora, and the adjacent area of Coolbinia, on Garden Suburb principles was related directly to the influence of W.E. Bold, the Town Clerk of the City of Perth who actively promoted both the Garden City Movement and the Town Planning Movement generally in Perth both before and after World War I.

The planning of the area was influenced by developments in the field of town planning that occurred predominantly in the 1920s in Perth. During this period there was considerable interest in the Town Planning Movement, which culminated in 1928 with the enactment of the Town Planning Act of 1928. The first town planning scheme for Mount Lawley was published in 1937 and included provisions such as the restriction of the construction of flats to parts of Walcott Street and Adair Parade. Although subdivided earlier, settlement in this area continued into the 1950s and 60s with some more recent development occurring. Menora was officially named in the 1950s, after the Jewish nine-branched candlestick.

5.8. Significance of Menora

Menora is an area of exceptional significance.

Menora is a very significant, substantially intact residential area planned on Garden Suburb planning principles. It is characterised by landscaped parks and streets with open grassed verges and mature trees. The curved road layout provides attractive vistas to parks and streets. The area is characterised by large homes from the 1930s, 1940s and 1950s, many of high architectural quality,

set in attractive established gardens which are generally landscaped to compliment the design of the dwelling. There are a number of fine examples of a range of architectural styles including Inter-War Californian Bungalow and Functionalist and dwellings with elements of Spanish Mission styles.

The area has aesthetic, historic and social significance for the following reasons:

- Distinctive road and subdivision pattern;
- Excellent examples of housing generally from the 1930s, 1940s and 1950s including examples of Interwar Californian Bungalow, Functionalist, Spanish Mission and Mediterranean styles;
- Street design including general street layout, landscaped public open spaces, wide verges, and street trees;
- Garden layout, design, and quality;
- Good example of the implementation of Garden Suburb planning principles in Perth; and
- Historic associations with the Jewish community in Perth.

5.9. Menora Streetscapes

The road pattern in Menora varies markedly from the pattern of the adjacent Mount Lawley area, which is based on a rectangular grid. The road pattern of Menora is based on Garden Suburb town planning principles and comprises a series of crescents incorporating a series of small parks. The basis of these principles is that the suburb is designed as a whole community with a focus around a shopping or community centre and where residential lots are designed with access to areas of public open space. Street blocks are subdivided into a series of residential lots with approximately equal street frontages. Residential lots are around 840 to 1000 square metres in area with some variation and irregularity in block size as a result of the circular street pattern. The area contains some internal park areas at the backs of dwellings which is characteristic of Garden Suburb planning and rare, but not unique, in the context of metropolitan Perth. The subdivision pattern remains substantially as originally planned with no amalgamation or subdivision of original lots as shown in Figure 9.

The area comprises mainly single and double storey residences with the traditional pattern of one dwelling to each lot. Dwellings are set back an equal distance from the street however setbacks vary throughout the area and are quite large in some cases. Generally, the area is characterised by low masonry fences or an absence of front fences and the front garden extending to the pavement or into the street verge with no pavements in a few cases. Public and private landscape areas are integral to the character of the area. Front gardens are generally informal in design with a predominance of exotic plantings and lawn. Street trees are planted at regular intervals throughout the area. Dwellings were generally constructed with a single crossover and provision for parking one car. Over time larger double carports and garages have been introduced. Generally, these can be accommodated without appearing intrusive as the lot frontages are wide.

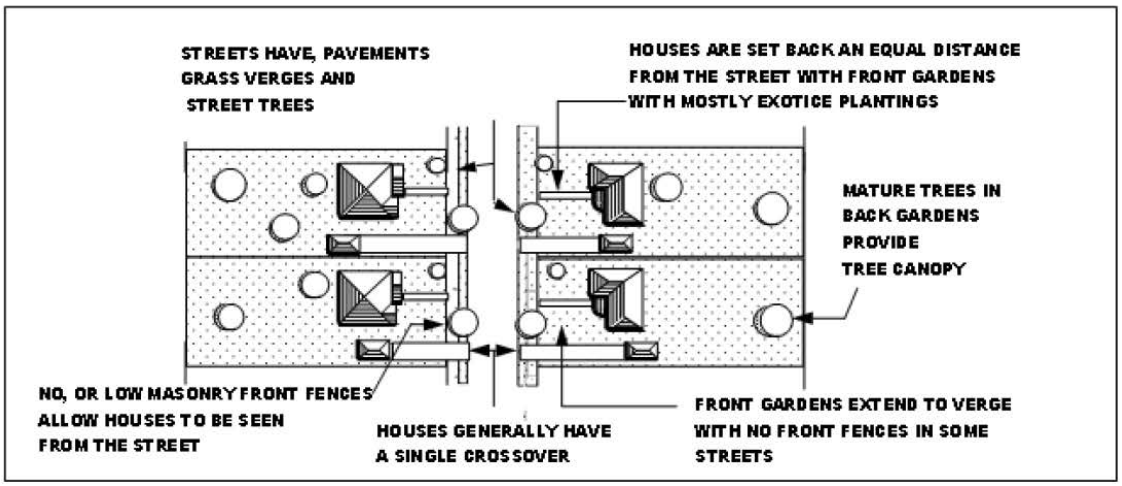


Figure 9 - Layout of Menora Streets

5.10. Traditional Menora Dwellings

Dwellings in Menora were constructed predominantly in the period 1930s, 1940s and 1950s. Generally, dwellings are single storey, although there are some larger two-storey homes throughout the area, and architectural styles reflect the period of construction. Examples of housing styles include Inter-War Spanish Mission, Functionalist and Californian Bungalow. There are a number of fine residences in the Inter-War Functionalist style which are rare in the context of metropolitan Perth.

Inter-War California Bungalow - c.1915-c.1940

The bungalow became popular in the United States at the beginning of the twentieth century. Expressed in 'earthy' materials, these homes were low-slung and planned for a casual lifestyle, especially in the temperate climate of California.

Australian architects were designing individual interpretations of the Californian Bungalow, during the early years of the twentieth century and by the early 1920s many builders had embraced the style.

In Australia, the Inter-war California Bungalow was generally built in brick with chunky carpentry details, rather than the fully timber construction that characterised the style in the United States. Residences built in this style are usually free-standing, single storey set on suburban blocks with informal lawns and gardens, often using natural materials and finishes. Figure 7 provides an example of an Inter-War California Bungalow.

Inter-War Spanish Mission - c.1915-c.1940

The Inter-War Spanish Mission was introduced to Australia in the 1920s and draws on architectural styles influenced by Spanish colonial architects in both California and Florida.

The style is reminiscent of the Spanish Romanesque and Baroque styles. Residences built in this style are usually asymmetrical in appearance and feature external walls with light coloured, stucco or rendered surfaces with finishes that mimic textured handcrafted surfaces typical of the adobe construction of the Spanish missions. They are usually free standing and set in landscaped settings with exotic flora that has extensive use of palms (refer Figure 10).

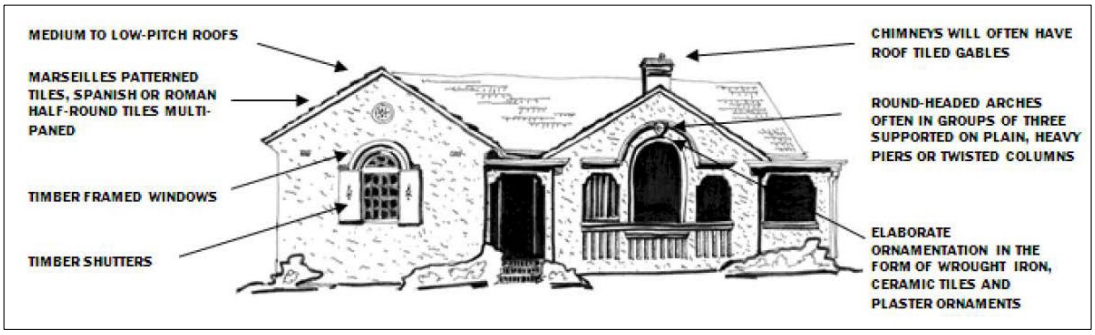


Figure 10 – Example of Inter-War Spanish Mission

Inter-War Functionalist - c.1915-c.1940

The Inter-War Functionalist style was a popular European style during the 1920s and 1930s that completely separated itself from styles of the past and instead focused on the ideas of “functionalism” and “clean lines”. It was popularised through the influences of the modern movement and has been applied in Australia to a range of buildings such as homes, commercial buildings and cinemas.

The style is typically characterised by simple, geometric shapes, light colours, large glass areas with openings often occurring in horizontal bands giving a building a “streamline effect”. An example is shown in Figure 11.



Figure 11 – Example of Inter-War Functionalist

Austerity Cottage - Late 1940s and 1950s

In the immediate Post-World War II period, new construction was impeded by financial limitations, material shortages and building restrictions, which governed the size and also the style of housing. Materials such as timber, bricks, tiles and glass remained in short supply for a number of years.

The lack of materials and rising costs, coupled with a need to provide housing resulted in a reduction in ornamentation, resulted in a reduction in ornamentation, the simplification of elements such as chimneys and the reductions of verandahs to small porches.

Many of the dwellings in the Menora area that were constructed after the Second World War continued to exhibit characteristics of the inter war styles prevalent in the area, albeit in a more simplified form.

The 'Post War Austerity' was defined as one common architectural form of the time. In the eastern states of Australia this was a basic fibro clad bungalow with a touch of streamlined modernism. In Western Australia the same style was constructed in brick and is found in the areas of Menora that were first developed in the late 1940s and during the 1950s.

Residences built in this style are usually free-standing, single storey set on suburban blocks, generally with no front fence, but occasionally with a very low one, and a front lawn with few plantings (refer Figure 12).

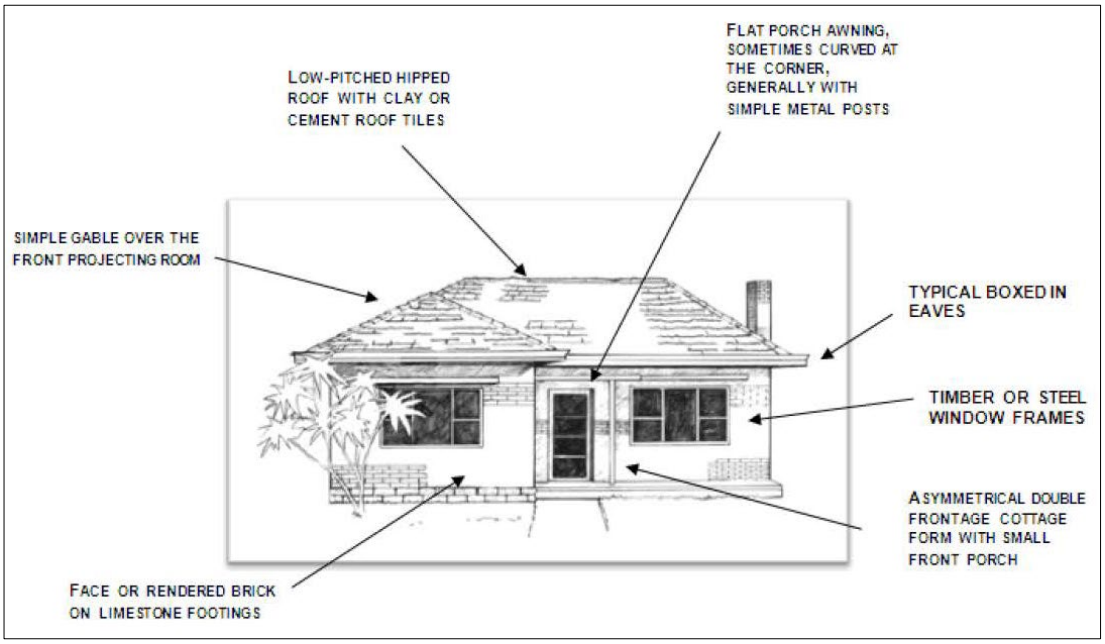


Figure 12 – Example of an Austerity Cottage

6. DEMOLITION OF BUILDINGS

6.1 Complete Demolition of a Building

A key objective of this Policy is to retain and conserve traditional buildings within the Heritage Areas, particularly those buildings built before 1960.

Where it is proposed or necessary to demolish (other than partially – refer below) a traditional building located in Residential Zone built before 1960, development approval for the works shall not be granted until separate development approval has first been granted for the demolition of the building.

The development application should include a written justification demonstrating that demolition is consistent the objectives of this Policy and should include demonstrate:

- Provide evidence that the building was constructed from 1960 onward;
- Detail why the building is no longer an intact example of its architectural style (not including additions), addressing its form, scale, materials and detailing;

- Detail (with evidence from a qualified structural engineer or equivalent) why the building is structurally unsafe and irredeemable, and the conservation of the building is not viable (property owners are responsible for the maintenance of their asset and allowing a property to fall into disrepair will not facilitate an approval for demolition). Only where the building has been identified as an 'intrusive' or 'neutral' place (buildings of more recent design), consideration can be given to varying this requirement.

To assist in considering the merits of any proposed demolition in a Heritage Area, the City may require a heritage assessment by a heritage/architectural professional to be carried out. This assessment will assist the City in determining if an application and the written justification provided by the applicant is accurate and in accordance with the objectives of these guidelines.

6.2 Partial Demolition of a Building

Partial demolition of a building in a Residential zone within the Heritage Area will be considered as part of the assessment of a development application for additions or alterations to the building. Partial demolition will be assessed in the context of the following objectives:

- To conserve and retain buildings within the Heritage Area built before 1960 where the architectural style of the building is generally intact.
- To retain the traditional dwelling with minimum alterations.

This framework prevents the demolition of all but a portion of an existing building. Demolition proposals should be confined to those portions of the building behind the ridge line of the roof at the rear of the building.

Existing traditional elements of the building are to be retained, and the proposal must meet the objectives of Part 7 'Residential Policy Provisions' of this Policy.

Demolition of large portions of a traditional building facing a character street, or removal of original features from the front façade to facilitate a new addition are unlikely to be supported.

Where partial demolition is proposed, drawings must show the extent of the roof and wall fabric being retained. A practising structural engineer's plan, specification and detail will be required when a Building Permit for the works is submitted to demonstrate how the structural integrity of the existing building is to be maintained during building and demolition works.

The details are to include and not limited to:

a) Methodology statement of work sequence;

b) Details of proposed connection to the new work;

c) Detail of any support of existing floor, walls and roof structures required;

d) Details of any foundation support required.

7. RESIDENTIAL POLICY PROVISIONS

7.1 Conservation of and Additions to Traditional Dwellings

Objectives

- Retain the traditional dwelling with minimum alterations;
- Conservation works should retain and enhance the original character of the dwelling; and
- Additions to traditional dwellings must reflect the heritage character of the area and the style of the traditional dwelling.
- Ensure that design of new buildings respects the style, and character of the surrounding Locality and contribute to the character of the streetscape;
- Ensure the scale and form of new buildings respects that of surrounding traditional dwellings and the street pattern;
- Ensure existing levels on site are retained as far as practical to maintain the existing natural progression of the land

7.2.1 Streetscape

Streetscape

a) No additions and / or alterations to the traditional dwelling shall occur within the front setback area, unless restoring an original feature in the original architectural style (e.g.; a verandah);

b) Any additions to the side shall be setback a minimum of 2 metres from the predominant building line (as determined by the City) of the front of the traditional dwelling (Refer Figure 13); and

c) Second storey additions shall be located to the rear of the traditional dwelling ridgeline (refer Figure 14 and 15).

Levels

a) The natural ground level of the site shall be retained.

Fences and Gardens

Please refer to section 7.5 Fences and Gardens of these guidelines.

Carports and Garages

Please refer to section 7.4 Carports and Garages of these guidelines.

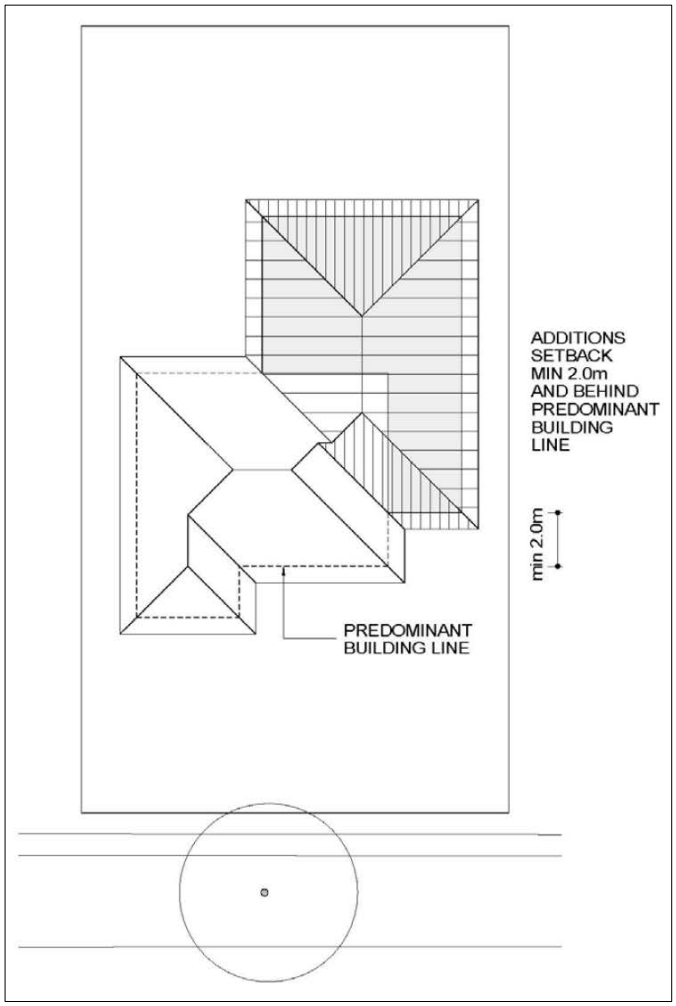


Figure 13 – Additions to Traditional Dwelling

7.2.2 Built Form and Design

Design

a) Additions shall reflect the architectural style, form, colour and materials of the traditional dwelling.

b) Additions not visible from the street need not so strictly adhere to the original architectural style of the traditional dwelling, but shall be in keeping with, and respectful to, the form, scale, bulk and materials of the traditional dwelling and surrounding development.

c) In regard to two storey additions, the visual bulk of the building should be minimised through articulation of larger wall lengths, and the stepping back of upper storey walls (refer Figure 20).

d) Where a wall is permitted to be located on the boundary, that wall shall be constructed as a traditional parapet wall (refer Figure 14).

Building Height

a) The wall heights of single-storey additions shall match the traditional dwelling, including for corner lots; and

b) The ridge and wall heights of second-storey additions and new buildings are to be in accordance with the applicable Residential Design Codes. Consideration may be given to nominal height increases, but only where such increases facilitate traditional ceiling/plate heights.

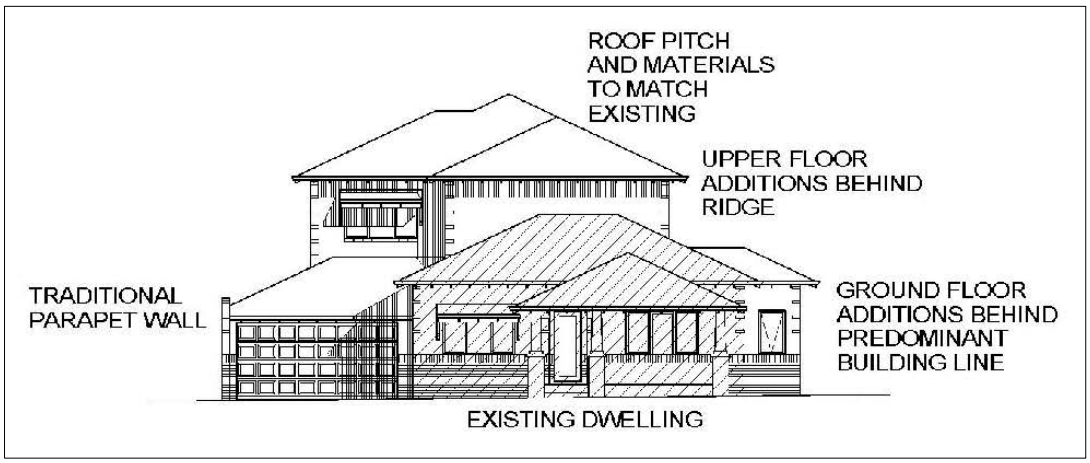


Figure 14 - Second Storey Addition to a Traditional Dwelling

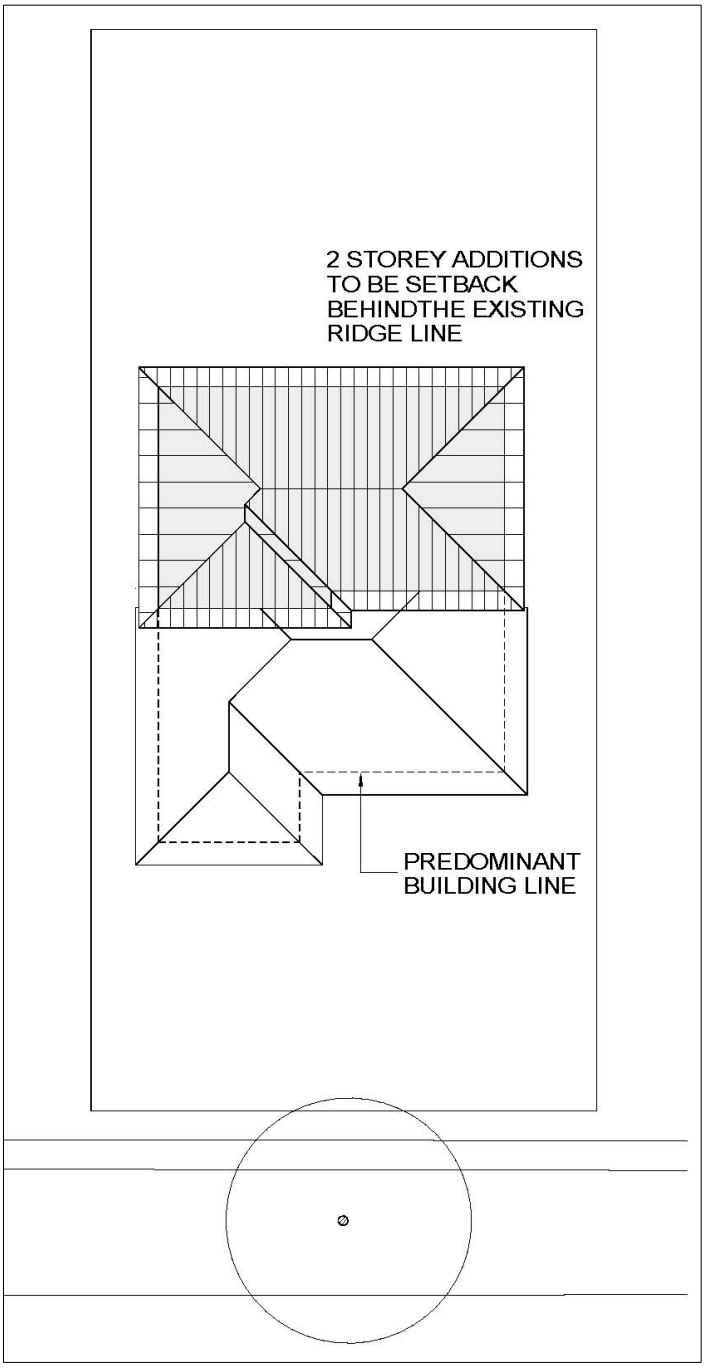


Figure 15 - Plan Showing Second Storey Addition to Traditional Dwelling

Roof Pitch

a) New roofing shall be as per the original roof pitch of the traditional dwelling (refer Figure 16);

b) A skillion roof is not permitted.

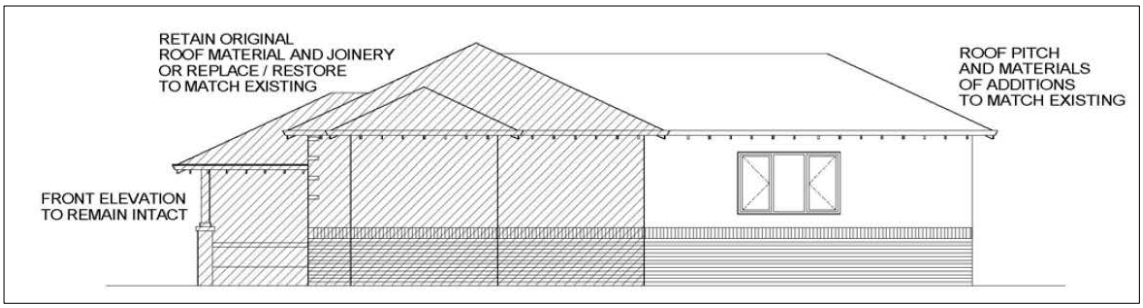


Figure 16 - Roof Pitch

Eaves

a) Eaves shall overhang by a minimum of 300mm;

b) The eaves line of the addition shall not be lower than the eaves line of the traditional dwelling where visible from the street, including for corner lots; and

c) Eaves shall not be boxed and shall have exposed rafters except where boxed eaves are a feature of the architectural style of the traditional dwelling – for example 'Austerity Cottage'.

Verandahs

a) Where a verandah is being re-instated, the verandah form, scale and features (e.g. posts) should be consistent with the architectural style of the traditional dwelling, refer to Part 5 - Residential Character Analysis of these Guidelines.

Openings

a) Windows shall have a vertical emphasis. That is, the height of the window should be visibly greater than its width (refer Figure 17);

b) Window frames are to be constructed in timber (preferred) or wide-profile aluminum, PVC (where not located on the City's Heritage List) or steel where visible from the street;

c) Windows to the front facades of a second storey addition shall reflect the configuration and grouping of the traditional dwelling windows facing the street;

d) Window frames in non-masonry walls shall be recessed;

e) Window frames shall be constructed in timber (preferred) or wide-profile aluminium or steel;

f) Window frame colours shall be white or cream. Other colours may be considered acceptable where evidence is provided demonstrating the proposed colour scheme is reflective of the traditional dwelling's existing or the original colour palette (i.e. Paint scrapes);

g) Roller shutters are not permitted where visible from the street; and

h) Skylights or similar are not permitted where cutting into the original fabric of the traditional roof or visible from the street.

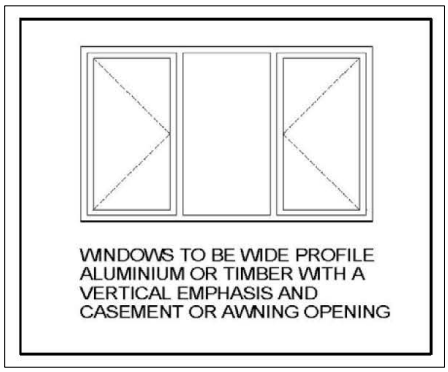


Figure 17 - Window Design

Materials & Details

a) The original materials of the traditional dwelling shall be conserved as far as practically possible;

b) Where original materials have previously been removed, restoration to original is required;

c) Restoration of the traditional dwelling shall be based on original drawings and photographs where possible;

d) Where replacement of materials such as the roof and joinery is necessary, they shall be replaced with materials to match the existing;

e) New walls and roofing shall match the colours and materials of the traditional dwelling. Recycled or handmade bricks are preferred. Bricks facing the street are to be one course (unless rendered); and

f) Brick or rendered brick verandah posts and balustrading may be appropriate in some instances where it meets the objectives of these guidelines.

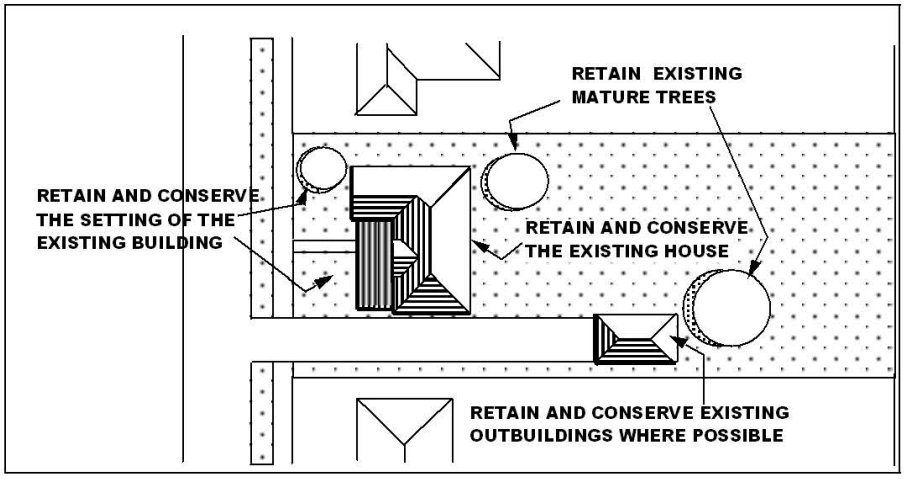


Figure 18 - Streetscape

7.2 New Single Dwellings

These provisions apply to new single dwellings and associated structures such as carports and garages.

Objectives

- Ensure that new buildings reflect the traditional style, scale and form of traditional dwellings and the street pattern, in terms of design, setbacks and orientation;
- Retain the appearance of a single storey built form from the street; and
- Retain natural levels of the site.

7.2.1 Streetscape

Street Setbacks

a) The ground floor of new buildings shall follow the established street setback, for both primary and secondary streets irrespective of the relevant R Code street setback (refer Figure 19);

b) Where the street pattern varies, the ground floor of new buildings shall be setback from the street mid-way between that of the traditional dwellings on either side;

c) Second storeys shall be setback a minimum of 4 metres from the face of the predominant building line (as determined by the City) wall immediately below; and

d) A reduction in the front setback to enable a garage or carport to be located to the side or rear of the property may be considered, but only where this will preserve the streetscape value of the area and where the required setback is reduced by a maximum of 1 metre.

Orientation

a) New buildings and entry doors shall face the street. Entry doors located at the side of the dwelling may be considered, but only where this is consistent with the character of the street, and the entry doors are still visible from the street and accessed via a porch or verandah.

Levels

a) The natural ground level of the site shall be retained; and

b) Any required retaining shall comprise brick-up or similar retaining under the building. Fences & Gardens Please refer to section 4.5 Fences & Gardens of these guidelines

Fences & Gardens

Please refer to section 4.5 Fences & Gardens of these guidelines.

Carports & Garages

Please refer to section 4.4 Carports & Garages of these guidelines.

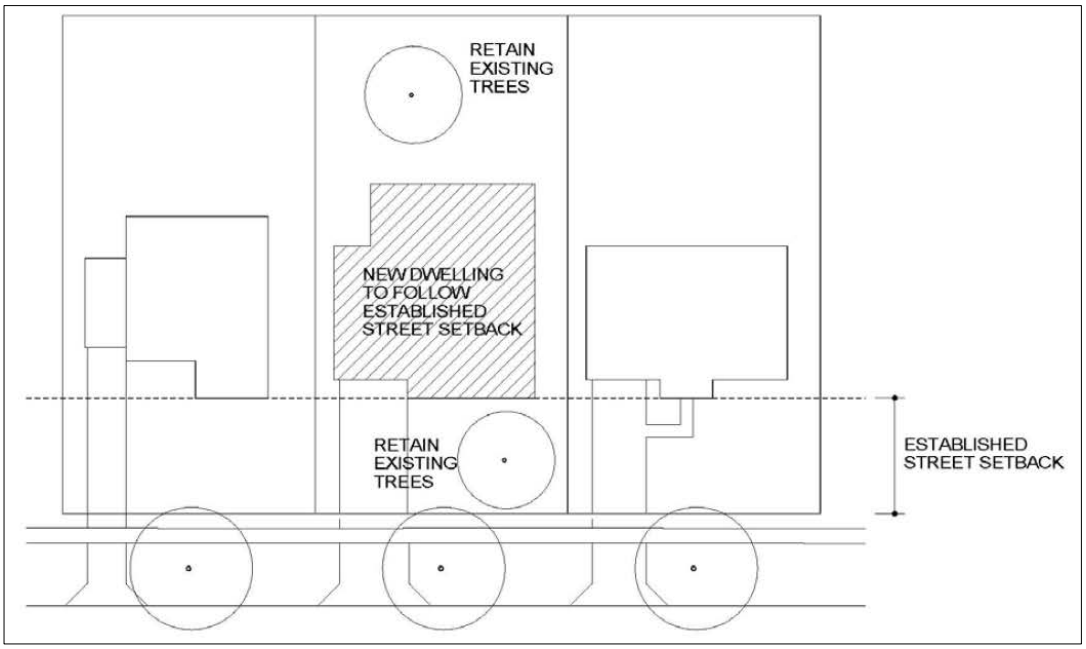


Figure 19 – Setback for new dwellings

7.2.2 Built Form and Design

Design

a) New buildings shall be traditional in design and reflect the heritage style and scale of traditional dwellings within the streetscape. Refer Part 5 – Residential Character Analysis of these guidelines.

b) In regard to two storey buildings, the visual bulk of the building should be minimised through articulation of larger wall lengths, and the stepping back of upper storey walls (Refer Figure 20).

c) Where a wall is permitted to be located on the boundary, that wall shall be constructed as a traditional parapet wall (Refer Figure 14).

Building Height

a) The building height of new dwellings shall be in accordance with the Residential Design Codes. Consideration may be given to nominal height increases, but only where such increases facilitate traditional ceiling heights;

b) New buildings shall respect the scale and proportions of traditional dwellings within the streetscape; and

c) Ground floor wall plate heights shall be a minimum of 3 metres (measured from natural ground level to plate height), including for corner lots.

Roof Pitch

a) Roof pitches shall be a minimum of 25 degrees, to a maximum of 35 degrees;

b) Verandahs may have a lower pitch where this reflects the existing style in the streetscape;

c) Roofs may be hipped or gabled. Gables shall have traditional timber detailing (e.g. battens) and treatment;

d) Barrel vault, curvilinear and low skillion roofs shall not be permitted; and

e) Dormer windows are not permitted.

Eaves

a) Eaves shall overhang by a minimum of 300mm; and

b) Eaves shall not be boxed and shall have exposed rafters except where boxed eaves are a feature of the architectural style in the streetscape.

Verandahs

a) Verandahs fronting the street shall be a minimum of one-third the width of front elevation; and

b) Verandahs shall have a minimum depth of 2 metres.

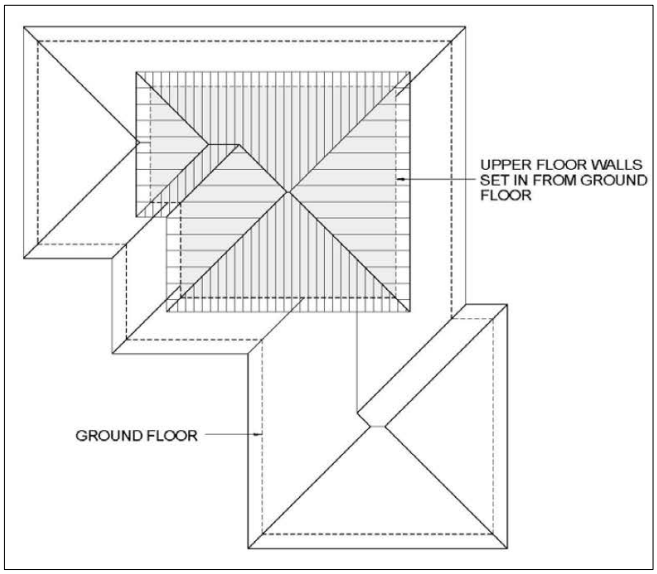


Figure 20 - Upper Storey setbacks

Openings

a) Windows shall have a vertical emphasis. That is, the height of the windowpane should be visibly greater than its width;

b) Window frames are to be constructed in timber (preferred) or wide-profile aluminum, PVC (where not located on the City's Heritage List) or steel where visible from the street;

c) Window frames shall be constructed in timber (preferred) or wide-profile aluminium or steel;

d) Window frame colours shall be white or cream (refer Figure 17);

e) Window frames in non-masonry walls shall be recessed;

f) Roller shutters are not permitted where visible from the street; and

g) Dormer windows are not permitted.

Materials & Details

a) Traditional materials of face brick and / or render shall be used for the solid wall surface of the façade. The proportions and detailing of these should reflect the traditional dwellings in the streetscape (refer Part 5 – Residential Character Analysis of these guidelines);

b) Bricks shall be in the red colour range. Recycled or handmade bricks are preferred. Mortar shall be in traditional colours;

c) Render shall be in a traditional finish and colour, and consistent with the traditional dwellings in the streetscape;

d) Where limestone is used, it shall be located at the base of the building as a consistent single band, and shall not exceed more than 20% of the solid wall surface of the façade (NB; limestone in this instance refers to the use of stone or limestone cladding – limestone coloured bricks are not permitted);

e) Roofs shall be constructed with tiles in red or terracotta hues. Corrugated iron or pre-finished roof sheeting in red, orange, terracotta, or zincalume may be considered only where it is in keeping with the architectural style of the dwelling, surrounding roofing materials, and the objectives of these guidelines; and

f) Balustrades, verandah posts and the like, shall be constructed in timber or painted metal. Brick or rendered brick verandah posts and balustrading may be appropriate in some instances where it meets the objectives of these guidelines.

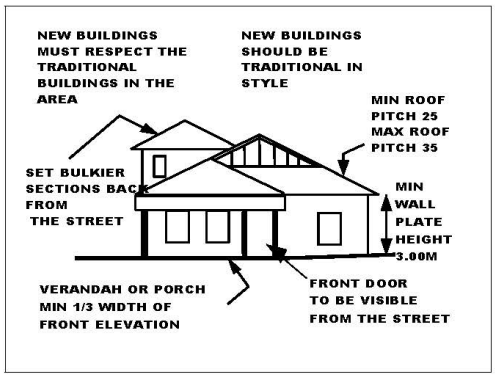


Figure 21 – New Single Dwellings

7.3 Infill Development

These provisions apply to developments involving grouped and / or multiple dwellings, and dwellings constructed to the rear of a traditional dwelling which are not explicitly covered by the Beaufort Street and Centres Heritage Area Policy.

Objectives

- Ensure the retention of the traditional dwelling when more than one dwelling is permitted on the site; and
- Ensure infill development reflects the style, scale and form of traditional dwellings within the streetscape.

7.3.1 Streetscape

a) Where a traditional dwelling is to be retained, the provisions of section 7.1 “Conservation of and Additions to Traditional Dwellings” of these guidelines shall apply to any works proposed to the traditional dwelling;

b) Where new dwellings are proposed, the provisions of section 7.2 “New Single Dwelling” of these guidelines shall apply; and

c) In addition, the principles as detailed in the text and diagrams below shall apply.

Orientation

a) A maximum of one dwelling shall directly front the original lot frontage. That is, new dwellings shall be located one behind another, rather than side by side (refer Figure 22).

b) The City does not support the subdivision of a vacant lot that results in two lot frontages facing the same Character Street.

c) Where a Right of Way abuts a vacant site, dwellings should orientate towards the Right of Way.

7.3.2 Built Form and Design

a) Where a traditional dwelling is to be retained, the provisions of section 7.1 “Conservation of and Additions to Traditional Dwellings” of these guidelines shall apply to any works proposed to the traditional dwelling;

b) Where new dwellings are proposed, the provisions of section 7.2 “New Single Dwelling” of these guidelines shall apply; and

c) In addition, the principles as detailed in the text and diagrams below shall apply.

Design

a) New dwellings shall be traditional in design and reflect the heritage style, form and scale of the traditional dwelling, and other traditional dwellings within the streetscape.

b) In regard to two storey buildings, the visual bulk of the building should be minimised through articulation of larger wall lengths, and the stepping back of upper storey walls (Refer Figure 20).

c) Where a wall is permitted to be located on the boundary, that wall shall be constructed as a traditional parapet wall (refer Figure 14).

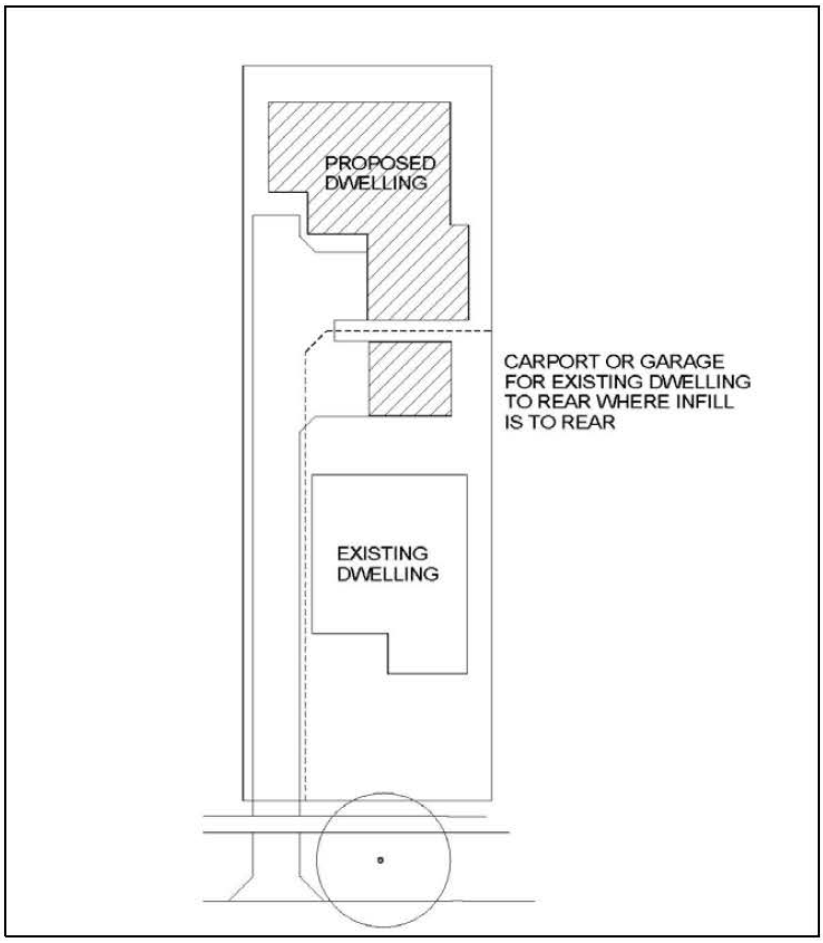


Figure 22 – Example of Infill Development

Building Height

a) The wall height of the new dwelling shall not be lower than the wall height of the traditional dwelling at a minimum of 3 metres above natural ground level, where the new dwelling is immediately fronting a street.

Roof Pitch

a) The roof pitch and roofing materials of the new dwelling shall match the roof pitch and roofing materials of the traditional dwelling.

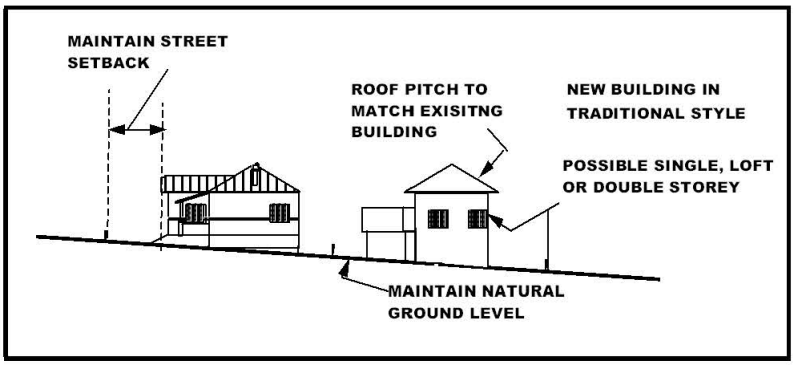


Figure 23 – Example of Infill Development

Infill Development abutting a Rights of Way

a) New dwellings abutting a Rights of Way (ROW) will generally be required to orient to and use the ROW for primary access. Setbacks to the ROW to be in accordance with the setback requirements of the City's Local Planning Policy Development Abutting Rights of Way.

Carports and Garages

a) New carports and garages for a traditional dwelling should be incorporated into the design of the infill development to the rear of the traditional dwelling where possible.

b) Please refer to the section 7.4 Carports & Garages of these guidelines.

7.4 Driveways, Carports and Garages

Objectives

- Prevent carports, garages, and parking areas from dominating the streetscape;
- Ensure that the appearance of carports, garages and parking areas are in keeping with, and respectful to, the dwellings to which they belong;
- Reduce the impact of vehicle access and parking on the existing streetscape by ensuring that any new vehicular access is obtained from the rear of the property, where possible; and
- Reduce the impact of parking structures on the existing streetscape by ensuring that such structures are located at the rear and side of properties.
- To limit the area required for vehicle access to maintain landscaped gardens and streetscape.

7.4.1. Vehicle Access

a) Vehicle access and parking shall be from the rear access lane (right-of-way) where possible.

Location and Setbacks

a) Carports and garages shall be located to the rear of dwellings, or alternatively, to the side of dwellings setback behind the predominant building line;

b) Garages shall be setback a minimum of 0.5 metres behind the predominant building line;

c) Garages shall not be located in front setback areas;

d) Carports may be considered in front setback areas, but only where no alternative locations exist, a minimum setback of 1.5 metres from the primary street is maintained, and where the proposal meets the objectives of these guidelines. Such carports shall not be fitted with any style of roller or tilt-up panel door; and

e) Carports and garages should be set back from the side boundary where possible. Garages shall not be located in the front setback area of the character street; and

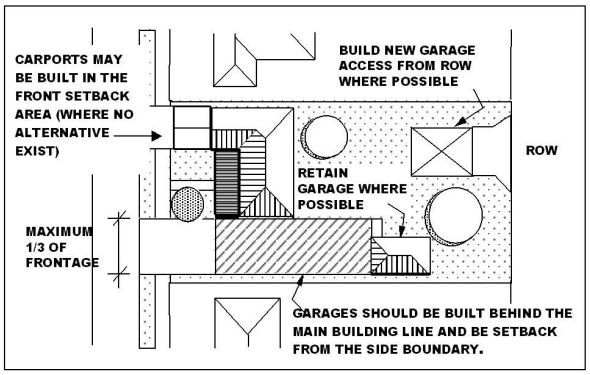


Figure 24 – Location of Carports and Garages

7.4.2. Design

a) Carports and garages shall be of the same style, design and materials, roof pitch (to a minimum of 25 degrees) and form to the traditional dwelling to which it belongs;

b) Where carports are considered appropriate in front setback areas (refer above), carports shall be open in style and allow an unobstructed view of the dwelling from the street;

c) Carports and garages shall have a maximum width of 5.5 metres (internal) or one-third the frontage of the dwelling (whichever is the lesser);

d) Open-style doors may be supported on carports if they match the dwelling's fencing infill (where applicable) and keep clear views of the traditional dwelling and garden. Solid sectional doors are not permitted.

Note: Sectional open-style doors are generally not supported because their framing obstructs views of the dwelling and garden.

e) Carports and garages shall have a maximum plate height of 2.7 metres; and

f) Where a wall is permitted to be located on the boundary, that wall shall be constructed as a traditional parapet wall (refer Figure 14).

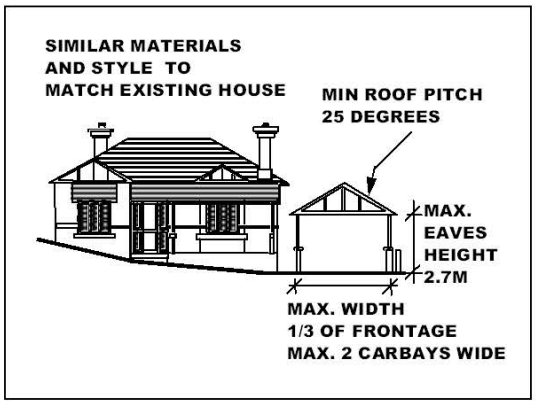


Figure 25 – Built Form of Carports and Garages

7.4.3. Crossovers and Verges

a) A maximum of one crossover per lot per street frontage shall be permitted;

b) Crossovers shall be restricted to a maximum of one-third the width of the front boundary;

c) In the case of infill development, the crossover to the street shall be shared between dwellings; and

d) No verges shall be paved or densely landscaped. Natural low groundcover is considered to be the only appropriate verge treatment. Mulch alone will not be permitted.

7.4.4 Driveways

a) Driveways widths are limited to the width necessary to provide vehicle access to the parking bays required for the dwelling, and should not exceed 1/3 of the lot frontage;

b) Driveways may be constructed of brick paving or concrete.

c) Where parking bays (including within carports) are provided parallel to the street, these are to be limited to the minimum width necessary under AS2890.1, and are to be provided with adequate landscaping to minimise their visibility from the street

7.5 Fences and Gardens

Objectives

- Recognise the important contribution that fences and gardens make to the streetscape;
- Retain and maintain open front gardens;
- Ensure the retention and conservation of traditional fences where these occur;

- Ensure new fencing forward of the building are of a design, material and colour that is complementary to the style and character of the area; and
- Ensure new fencing forward of the building are of a design, material and colour that is complementary to the dwelling to which it belongs.

7.5.1. Fencing Characteristics and Design Standards

Mount Lawley

Low or open-style front fencing is the predominant fencing characteristic of the Mount Lawley Heritage Protection Areas (Refer Part 5 Residential Character Analysis – Mount Lawley Heritage Protection Area – Mount Lawley Streetscapes).

Fencing is to comply with the following provisions:

a) Fencing shall be compatible with the style and character of the dwelling in terms of design and detail;

b) Fencing must reflect a traditional style, incorporating capped piers and infill panels designed in a manner consistent with traditional detailing. 'Blade' or horizontal style infill is not a traditional detail;

c) Solid fences or screen walls forward of the predominant building line shall not exceed 750mm in height;

d) Open-style fences forward of the predominant building line may be constructed to 1200mm high above natural ground level;

e) The height of any open-style fencing may be increased to a maximum of 1800mm above natural ground level, but only where the fencing is constructed in high quality materials, such as wrought-iron infill (rather than timber picket infill) (refer Figure 26)

Menora

Open front gardens with low masonry fences or an absence of fences is the predominant fencing characteristic of the Menora Heritage Protection Area (Refer Part 5 Residential Character Analysis – Menora Heritage Protection Area - Menora Streetscapes).

Fencing is to comply with the following provisions:

a) Fencing forward of the predominant building line will not be permitted, unless it is a characteristic of the immediate traditional streetscape. Masonry fencing to a maximum height of 750mm will be considered in these instances;

b) Where higher fencing is permitted as it is a characteristic of the immediate traditional streetscape, fencing must reflect a traditional style, incorporating capped piers and infill panels designed in a manner consistent with traditional detailing;

c) Fencing shall be compatible with the style and character of the dwelling in terms of design and detail.

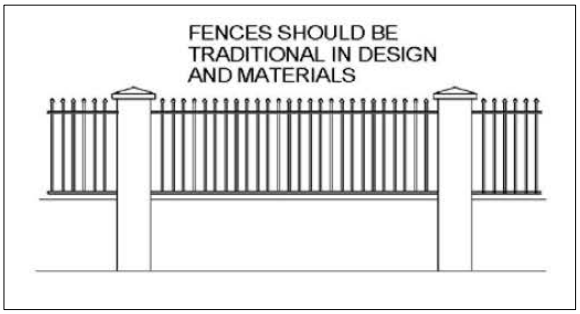


Figure 26 – Example of Open-Style Fencing

7.5.2. Garden Design

a) Existing front gardens, mature trees, and street trees shall be retained and maintained;

b) Where trees are to be removed, the applicant shall demonstrate justification for removal, and satisfy the City that alternative measures such as pruning are impractical; and

c) Where mature trees are to be removed, the applicant should plant and maintain suitable replacements elsewhere on the site. Existing front gardens, mature trees, and street trees shall be retained and maintained;

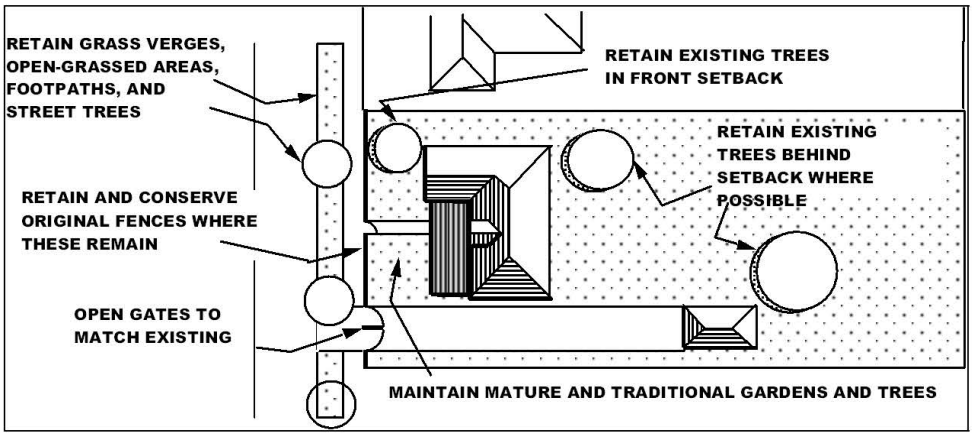


Figure 27 – Example of Traditional Garden Design

8. EXEMPTIONS

The exemptions listed below do not apply where:

- a referral to the Metropolitan Region Scheme under the Instrument of Delegation is required prior to determination; or

- the bushfire requirements of the Planning and Development (Local Planning Schemes) Regulations 201 apply.

a) Development approval is not required for works if — the works are of a class specified in Column 1 of an item in the Table; and

b) if conditions are set out in Column 2 of the Table opposite that item — all of those conditions are satisfied in relation to the works.

Column 1 Works	Column 2 Conditions
The following Incidental Structures: • Satellite dish; • Air conditioner; • Solar panels; • Flagpole • Pergola or Shade Sail; • Screening; and • Clothes line.	Unless the development is located: • at a place listed on the Heritage List or State Register of Heritage Places.; or • within the front setback area (or attached to the front facing portion of a building including the roof) of land within the Heritage Area.
The following Incidental Structures: • Swimming Pools – below ground for private use only; and • Letterboxes.	• The works are not located at a place listed on the Heritage List or State Register of Heritage Places. • The works are not located within the front setback area of land within the Heritage Area
The erection or installation of a flagpole.	• The height of the flagpole is no more than 6 m above the natural ground level. • The flagpole is no more than 200 mm in diameter. • The flagpole is not used for advertising. • There is no more than 1 flagpole on the lot. • The works are not located at a place listed on the Heritage List or State Register of Heritage Places.
Fencing	Only where the fence: • Compiles with the requirements of the Scheme and the relevant Local Planning

	Policy, Structure Plan, Activity Centre Plan or Local Development Plan; • Complies with the requirements of the Residential Design Codes; • Not located within the primary street setback area of within a Heritage Area, if the fence is visible from the streetscape, it must be cream or white; and • is not located on land included in the Heritage List or State Register of Heritage Places.
The filling of land and/or erection of a retaining wall on the same lot as a single dwelling or a grouped dwelling or a multiple dwelling	• The R-Codes apply to the works. • The works comply with the deemed-to-comply provisions of the R-Codes; • The works comply with requirements of the Scheme and relevant provisions of this Policy; • The works are not located at a place listed on the Heritage List or State Register of Heritage Places.
The demolition or removal of a cubbydwelling.	The works are not located at a place listed on the Heritage List or State Register of Heritage Places.
The installation of a water tank.	• The water tank is not installed in the street setback area of a building. • The volume of the water tank is no more than 5 000 L. • The height of the water tank is no more than — (i) for a tank fixed to a building — the height of the eaves of the building; or (ii) for a tank that is not fixed to a building and is more than 1 m from each boundary of the lot — 2.4 m; or (iii) for a tank that is not fixed to a building and is 1 m or less from a boundary of the lot — 1.8 m. • The works are not located at a place listed on the Heritage List or State Register of Heritage Places.

Internal building work that does not materially affect the external appearance of the building.	• The works are not located at a place listed on the Heritage List or State Register of Heritage Places.
The modification or provision of external openings (windows or doors) to a building.	• Where the modification or new window complies with the deemed-to-comply provisions of the Residential Design Codes • Replacement is like for like with the same size, design, materials and colours. • Where the window isn't like for like the window shall: - Be located 2m or more behind the predominant building line of the dwelling. - Have vertical emphasis. Meaning the height of the window opening is greater than the width. - Frame constructed of wide profile aluminum or timber. - Frames are to be white or cream in colour or as per approved colour scheme • The works are not located at a place listed on the Heritage List or State Register of Heritage Places.
Reroofing of a single dwelling or a grouped dwelling or a multiple dwelling	• Replacement is like for like with the same form, pitch, design, materials and colours. • The works are not located at a place listed on the Heritage List or State Register of Heritage Places.
The erection or installation of, or alterations or additions to, any of the following on the same lot as a single dwelling or a grouped dwelling: • a pergola; • a shade sail; • an enclosed or unenclosed patio less than or equal to 20m^2 area; • a garage or outbuilding less than or equal to 20m^2 area;	• The R-Codes apply to the works. • The works comply with the deemed-to-comply provisions of the R-Codes; • The works comply with requirements of the Scheme and relevant provisions of this Policy; • The site is not abutting a secondary street and/or a right of way; • The works are not located in the front or sides (or attached to the front or side facing portion of the dwelling) of the existing dwelling and is located at the rear of the dwelling. • The works are not located at a place listed on the Heritage List or State Register of Heritage Places.

Demolition or removal of the following structures: • Outbuildings with a floor area of less than 25m^2; • Patios; • Shade Structures; • Carports; • Air Conditioners; • Private swimming pools and outdoor spas; • Flag poles; and • Water tanks.	• Detached from the dwelling where at the front of a dwelling or located between the dwelling and the side or rear lot boundary of a development site where attached or detached. • The works are not located at a place listed on the Heritage List or State Register of Heritage Places.

9. DEFINITIONS

Unless otherwise provided for in this Policy, definitions have the same meaning as the Residential Design Codes (R-Codes), Local Planning Scheme No.4 and the *Planning and Development (Local Planning Schemes) Regulations 2015*. The following additional definitions apply to this Policy.

Character Street	*Means streets which display 'Original Traditional Lot' layouts and dwellings with traditional architectural styles and garden designs. These streets are shown in Figure 1.*
Locality	Means properties within a 75m radius from the centre of the Original Traditional Lot to which the dwelling or addition is located (refer to Figure 13). Dwellings outside of the Inglewood Heritage Area are not included within the 75m Locality area.
Original Traditional Lot	Means the lot area established during the original subdivision of the land.
Predominant Building Line	Is measured from the roof line directly above the front door of the dwelling.

10. OTHER RELEVANT DOCUMENTS

- Local Planning Scheme No.4 Scheme Text
- Planning and Development (Local Planning Schemes) Regulations 2015
- Residential Design Codes of Western Australia
- City of Stirling Heritage List
- State Planning Policy 3.5 Historic Heritage Conservation

OFFICE USE ONLY:

Policy Type: Local Planning Policy **Policy Owner: City Future**	**Policy No.** **Latest adopted review date:**

Policy Type: Local Planning Policy **Policy Owner: City Future**	**Policy No.** **Latest adopted review date:**

Character Retention in Mount Lawley and Menora Heritage Area

City of Stirling Local Planning Scheme No. 4

Local Planning Policy – Character Retention in Inglewood Heritage Area

1. CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Scheme No. 4. This Policy may be cited as Local Planning Policy (Policy) Character Retention in Inglewood Heritage Area

2. INTRODUCTION

The purpose of this Policy is to provide a framework to guide development in the Inglewood Heritage Area to ensure the existing heritage character of Inglewood is retained and protected and is reflected in new development.

The Inglewood Heritage Area Policy is delineated in Figure 1.

3. OBJECTIVES

The retention of traditional buildings, gardens and streetscapes in the Heritage area is important as these collectively contribute to the character of Inglewood. To retain this character existing traditional buildings should be retained and new buildings, including additions, should complement the existing streetscape and be designed in a similar style (including detailing), scale and proportions as existing traditional buildings.

The key objectives of this Policy are to: -

a) Ensure the retention of buildings within the Inglewood Heritage Areas built prior to 1960 where the architectural style of the building is generally intact;

b) To ensure the retention of existing buildings referred to in (a) irrespective of whether the demolition of the building would have no adverse impact on the streetscape;

c) Ensure that new buildings, alterations and additions to existing buildings, carports, garages and front fences are in keeping with the heritage character of the area, respect the scale and proportions of surrounding buildings;Fop

Where located on a Character Street, buildings should complement and reflect the existing streetscape by utilising heritage detailing, colours, materials and scaling;

d) Maintain and improve existing street trees, grass verges and front gardens;

e) Retain mature trees wherever possible; and

f) Support environmentally sustainable design which respects the traditional character of the area.

4. APPLICATION OF THIS POLICY

This Policy applies to all Residential zoned land within the Inglewood Heritage Area, outlined in Figure 1 below.

Where there is an inconsistency between the provisions of this policy and other Policies the provisions of this policy prevails. Development on Beaufort Street or within non-residential zones will be assessed against the relevant planning policy.

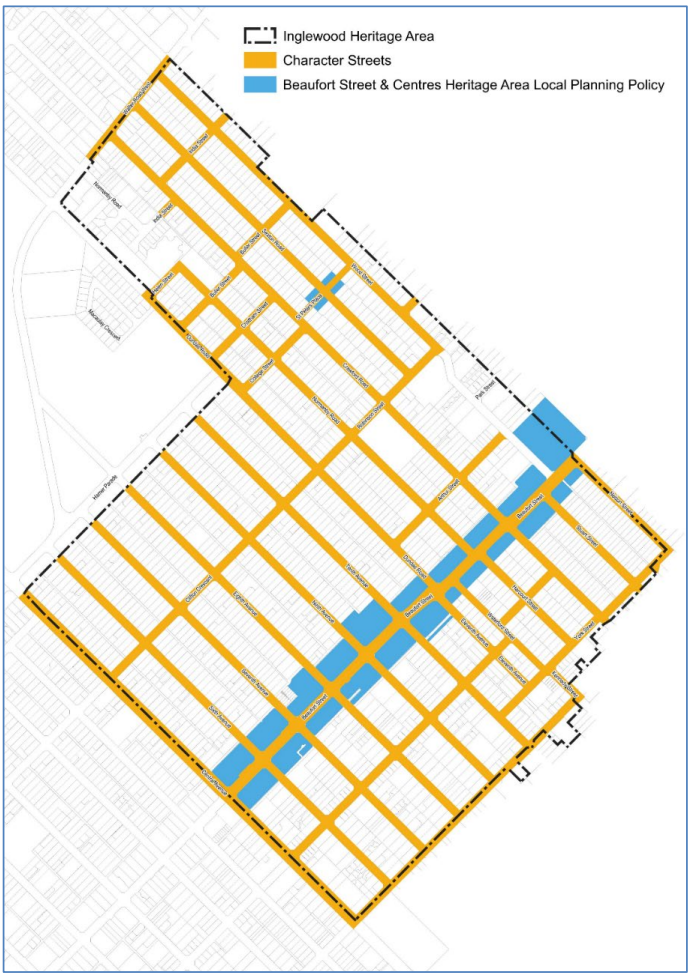


Figure 1 – Inglewood Heritage Area

(showing Character Streets)

Where any conflict exists between this policy and the Deemed-to-Comply and/or Element Objectives of the *Residential Design Codes*, the provisions of this policy prevail with due regard given to the *Residential Design Codes*.

5. RESIDENTIAL CHARACTER ANALYSIS – INGLEWOOD HERITAGE AREA

5.1. Location

The Inglewood Heritage Area is bounded by Central Avenue, Carrington Street, Oxford Street, York Street, the City of Stirling boundary, Walter Road West, Dundas Road and Hamer Parade (refer Figure 1).

The area has a distinct character, predominantly containing streets that retain traditional dwellings, which for the purpose of this Policy are referred to as '**Character Streets'** and are shown in Figure 1.

Figure 1 also shows areas where the original character of the area has been lost or which were previously developed in a way that does not reflect the character of the area. These are referred to an '**Non-Character Street'**, and greater design flexibility is afforded in these areas.

5.2. History of Inglewood

There had been speculative investment in land in the area from the construction of the railway in the 1880s, with subdivision and settlement occurring in several stages from the 1890s. Proximity to the city and the railway made the area attractive to city workers at the time of the growth of commerce and trade that followed the gold boom period.

The area was settled gradually from the 1890s with the area closest to Railway Parade settled first. Areas to the north closest to Walter Road were settled in the 1950s. The style of dwellings varies over the area reflecting the changing styles in residential homes from the early 1900s to the 1950s.

5.3. Significance

Inglewood is an area of considerable significance.

The area is a good example of a highly intact residential area close to the city characterised by typical homes occupied by the working people of Perth from the early 1900s to the 1950s. The area has aesthetic, historic and social significance because:

- It is a typical example of the rectangular grid road and subdivision pattern; and
- It contains good examples of housing from the early 1900s and inter-war period, including very good examples of Federation Bungalow and Californian Bungalow styles.

5.4. Inglewood Streetscapes/Character Statement

Inglewood is characterised by roads laid out in a rectangular grid pattern. Traditional lot sizes vary throughout the area; however, the majority are between 650 and 750 square metres, with street frontages between 13 and 15 metres.

The area originally comprised of one dwelling per lot. However the residential zoning of the area coupled with additional vehicle access from laneways means the previously generous rear gardens are being replaced with additional dwellings. This is happening in a way that does not impact directly on the

character of streetscapes in the area but is resulting in the loss of tree canopy within the area.

Dwellings are generally single storey, with the front door facing the street. Dwellings are set back an equal distance from the front boundary generally ranging from 5 to 9 metres in individual streets. Dwellings have front gardens with exotic plantings that reflect the period of construction. A range of fencing heights exist through the area, with front fences built in a range of styles including timber pickets, woven wire and low masonry fences. Mature trees, particularly in back gardens, provide an attractive tree canopy throughout the area (refer Figure 2).

Streets in the area are characterised by exotic mature tree lined streets with canopy coverage which supports walkability through the area. The area also contains pockets of public open space, typically grassed and framed by mature trees, which contribute to its green character. Streets have concrete pavements and grass verges on both sides with generally one single width crossover per lot.

These spaces are complemented by the main commercial precinct along Beaufort Street, forming a balance between natural amenity and urban activity.

There are several streets where the character of the traditional streetscape has been altered. This has occurred through the amalgamation or subdivision of lots for unit development which do not follow established setbacks or through buildings constructed since 1960 which does not contribute to the character of the area due to homes built from the 1960's onwards.



Figure 2 – Layout of Inglewood Streets

5.5. Traditional Inglewood Dwellings

Traditional dwellings in Inglewood were generally constructed between 1900 and the 1950s, are single storey and generally constructed of red brickwork which in many instances are partly rendered. Some original weatherboard and iron dwellings remain.

Dwellings are generally modest in scale and proportion and typical of middle-class housing of their era. Wall heights are generally higher than contemporary standards with wall plates at around 3.5 metres above ground. Styles are predominantly Federation and Californian Bungalow with some examples of Mediterranean and Spanish Mission styles particularly in the more recently developed northwestern part of the area.

Federation Bungalow - c.1890-c.1915

The Federation Bungalow style, which emerged toward the end of the Federation era, is one of the architectural styles found in Inglewood. It developed from simple single-storey homes with wide verandahs, common in colonial countries such as India. The style is seen as a bridge between the ornate Federation Queen Anne houses and the later, more robust Inter-War Californian Bungalow.

Stylistically, the Federation Bungalow style was strongly influenced by the Arts and Crafts movement and the concepts of the 'simple life' found in the West Coast of the United States during the late nineteenth and early twentieth centuries. It was widely regarded as a style suited for the Australian 'bush architecture' due to its spacious verandahs and simple construction that provided for relaxed lifestyles and easy accessibility to the outdoors. Figure 3 below provides an example of a Federation Bungalow.

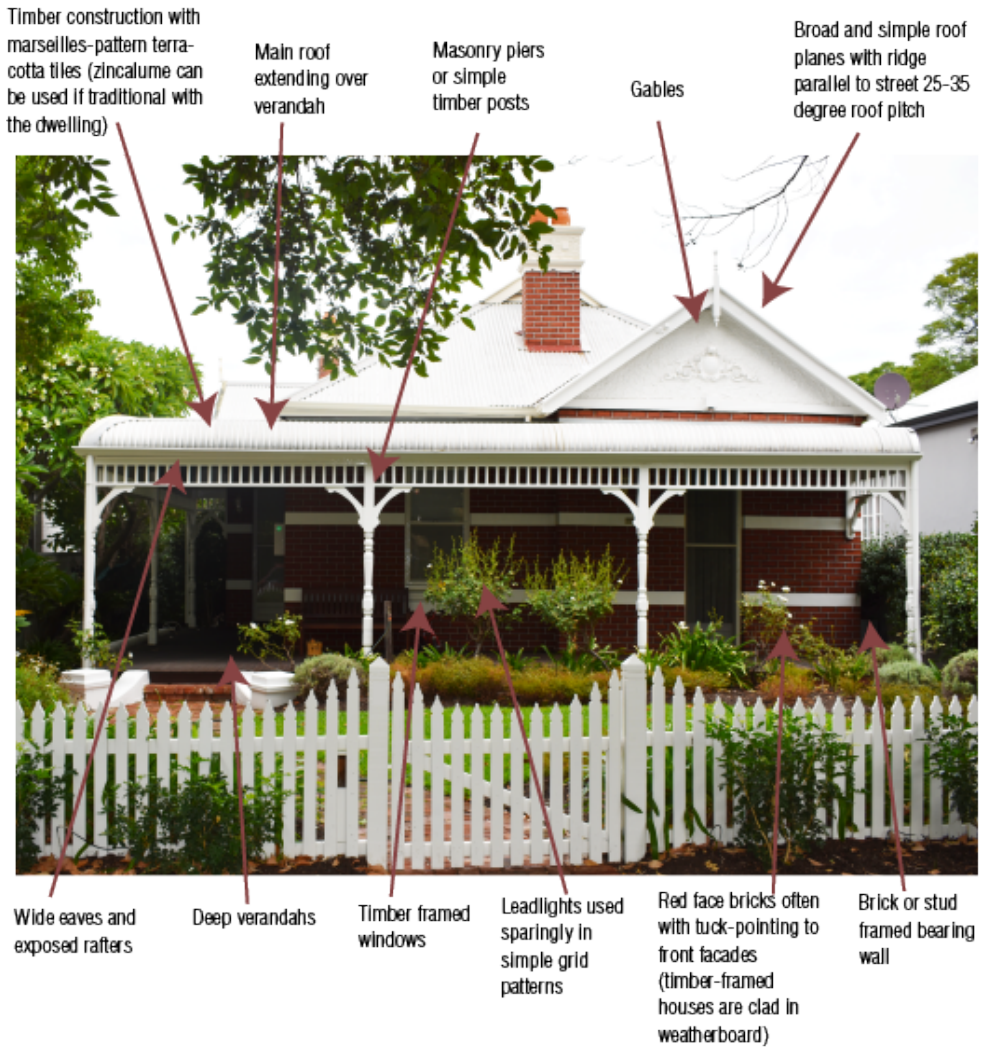


Figure 3 – Example of a Federation Bungalow

Inter-War California Bungalow - c.1915-c.1940

California Bungalows became popular in the United States in the early twentieth century. Built with natural materials, they were low-profile homes designed for relaxed living, particularly suited to California's mild climate.

Australian architects were designing individual interpretations of the Californian Bungalow, during the early years of the twentieth century and by the early 1920s many builders had embraced the style.

Australian architects were designing individual interpretations of the Californian Bungalow during the early years of the twentieth century, and by the early 1920s many builders had embraced the style.

In Australia, the Inter-war California Bungalow was generally built in brick with chunky carpentry details, rather than the fully timber construction that characterised the style in the United States. Residences built in this style are usually free-standing, single storey set on single lots with informal lawns and gardens, often using natural materials and finishes. An example is shown in Figure 4.

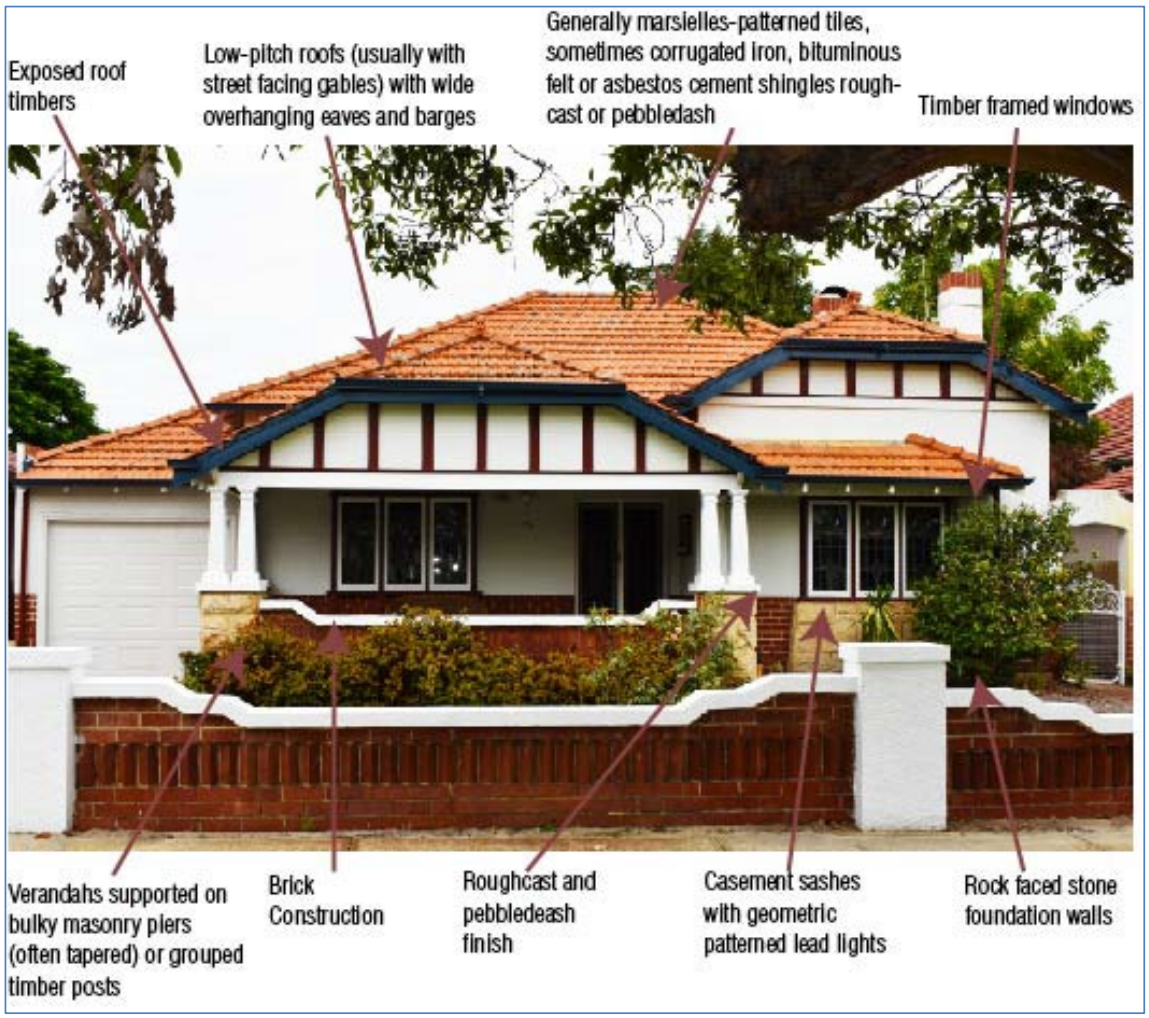


Figure 4 – Example of an Inter-War California Bungalow

Austerity Cottage - Late 1940s and 1950s

In the immediate Post-World War 2 period, new construction was impeded by financial limitations, material shortages and building restrictions, which governed the size and the style of housing. Materials such as timber, bricks, tiles and glass remained in short supply for a number of years.

The lack of materials and rising costs, coupled with a need to provide housing resulted in a reduction in ornamentation, the simplification of elements such as chimneys and the reductions of verandahs to small porches.

Many of the dwellings in Inglewood that were constructed after the Second World War continued to exhibit characteristics of the inter war styles prevalent in the area, albeit in a more simplified form.

The 'Post War Austerity' was defined as one of the common architectural forms of the time. In the eastern states of Australia this was a basic fibro clad bungalow with a touch of streamlined modernism. In Western Australia, the same style was constructed in brick and is found the areas of Inglewood and Menora that were first developed in the late 1940s and during the 1950s.

Residences built in this style are usually free-standing, single storey set on single lots, generally with no front fence, but occasionally with a very low one, and a front lawn with few plantings.

Figure 5 provides an example of the Austerity Cottage style.

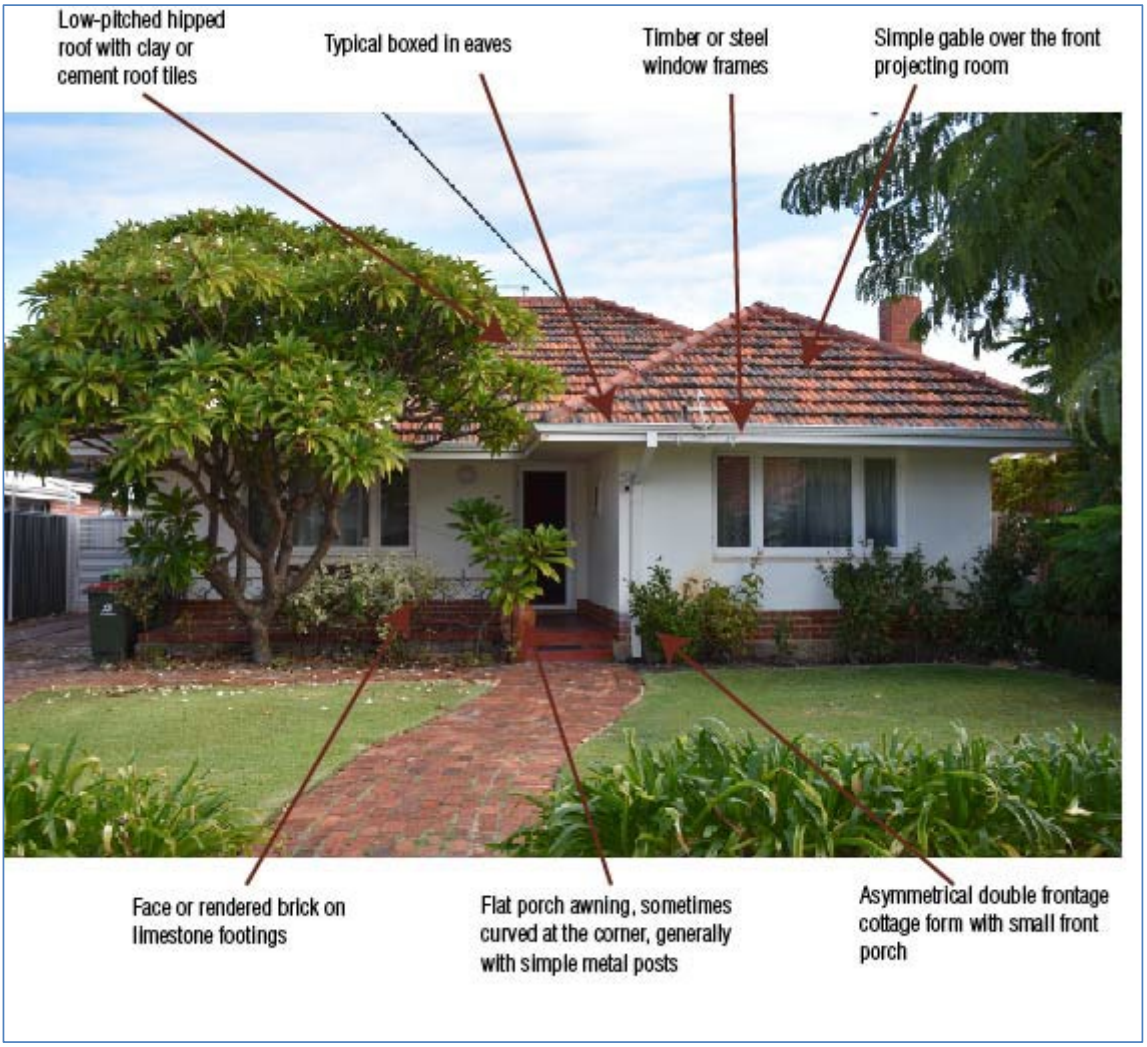


Figure 5 – Example of an Austerity Cottage

6. DEMOLITION OF BUILDINGS

6.1 Complete Demolition of a Building

A key objective for the Inglewood Heritage Area is the retention and conservation of traditional buildings built before 1960.

Where it is proposed or necessary to demolish (other than partially – refer below) a traditional building located in Residential Zone built before 1960, development approval for the works shall not be granted until separate development approval has first been granted for the demolition of the building.

The development application should include a written justification demonstrating that demolition is consistent the objectives of this policy and should include demonstrate:

- the building was constructed from 1960 onward;
- the building is no longer an intact example of its architectural style (not including additions), addressing its form, scale, materials and detailing;
- the building is structurally unsafe and irredeemable, and the conservation of the building is not viable (property owners are responsible for the maintenance of their asset and allowing a property to fall into disrepair will not facilitate an approval for demolition) (with evidence from a qualified structural engineer or equivalent) Only where the building has been identified as an 'intrusive' or 'neutral' place (buildings of more recent design), consideration can be given to varying this requirement

6.2 Partial Demolition of a Building

Partial demolition of a building in a Residential zone within the Heritage Area will be considered as part of the assessment of a development application for additions or alterations to the building. Partial demolition will be assessed in the context of the following objectives:

- To conserve and retain buildings within the Heritage Protection Area built before 1960 where the architectural style of the building is generally intact.
- To retain the traditional house with minimum alterations.

This framework prevents the demolition of all but a portion of an existing building. Demolition proposals should be confined to those portions of the building behind the ridge line of the roof at the rear of the building.

Existing traditional elements of the building are to be retained, and the proposal must meet the objectives of Part 7 'Residential Policy Provisions' of this policy.

Demolition of large portions of a traditional building facing a character street, or removal of original features from the front façade to facilitate a new addition are unlikely to be supported.

Where partial demolition is proposed, drawings must show the extent of the roof and wall fabric being retained. A practising structural engineer's plan, specification and detail will be required when a Building Permit for the works is submitted to demonstrate how the structural integrity of the existing building is to be maintained during building and demolition works.

The details are to include and not limited to:

a) Methodology statement of work sequence;

b) Details of proposed connection to the new work;

c) Detail of any support of existing floor, walls and roof structures required;

d) Details of any foundation support required.

7. RESIDENTIAL POLICY PROVISIONS

Retention of traditional buildings in the Inglewood Heritage Area is a key objective of this Policy, as is preservation of 'Character Streets'. To retain these traditional buildings and streetscapes while allowing design flexibility, different levels of design control apply to different parts of the lot as described below. This ensures traditional buildings remain the dominant feature of the streetscapes.

This approach allows increased design flexibility the further away from the Character Street development is located. Development will not be supported in the 'Foreground' part of a lot that does enhance and retain the character of the traditional dwelling.

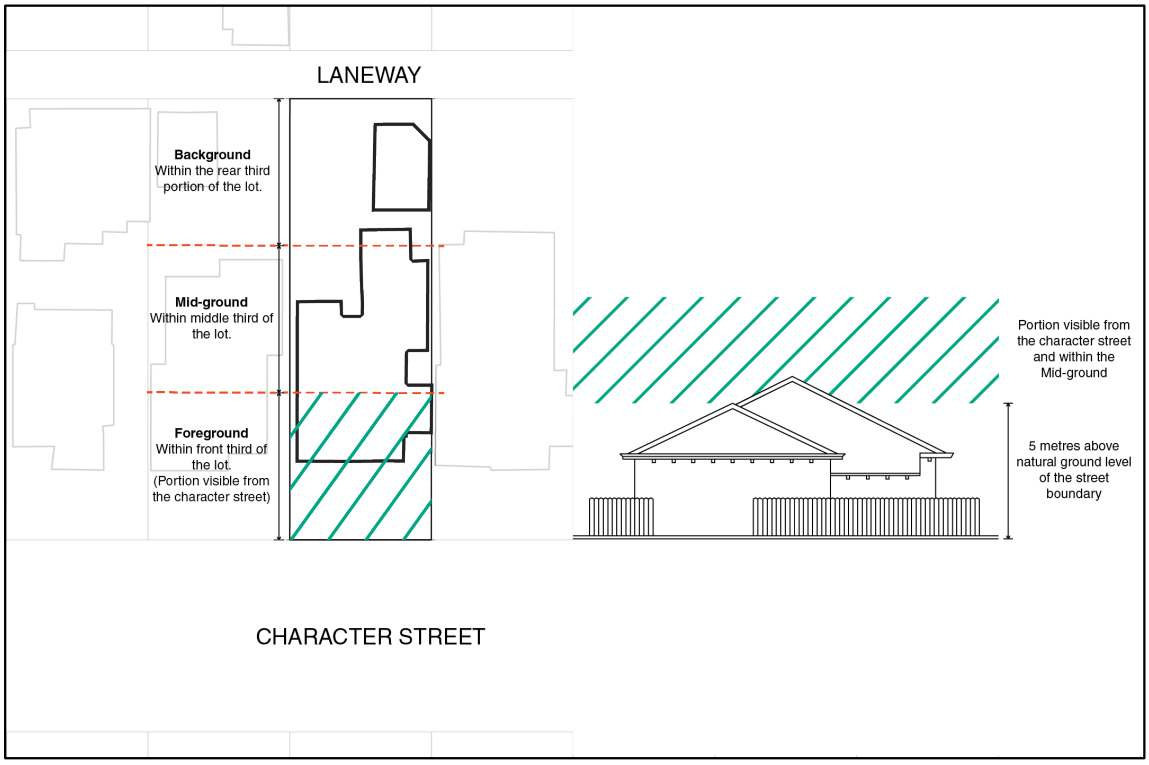


Figure 6 – Diagram of Visibility and Sections fronting Character Streets

Note: Where a property abuts two character streets (for example a corner lot) the same principles apply to both character streets

7.1 Development within the Foreground Area

This section applies to development within the foreground area identified in Figure 6. This includes conservation of, and additions to traditional and non-traditional dwellings and new dwellings.

Objectives

- Retain traditional dwellings with minimal alterations visible from the Character Street;
- Ensure conservation works retain and enhance the original character of the traditional dwelling;
- Ensure the original traditional dwelling remains the prominent element in the Character Streetscape where additions are proposed;
- Additions to traditional dwellings should reflect the heritage character of the area and the style of traditional dwelling to which they belong;
- Ensure alterations and additions to existing non-traditional dwellings respect the traditional character of the area;
- Ensure alterations and additions to existing non-traditional dwellings support environmentally sustainable design which respects the traditional character of the area;
- Ensure that design of new buildings respects the style, and character of the surrounding Locality and contribute to the character of the streetscape;
- Ensure the scale and form of new buildings respects that of surrounding traditional dwellings and the street pattern; and
- Ensure existing levels on site are retained as far as practical to maintain the existing natural progression of the land.

7.1.1 Street Setbacks

This section augments the Street Setback requirements of the Residential Design Codes. Requirements for Carports and Garages Section 7.4.

a) Additions and/or alterations to the traditional dwellings are to be located behind the traditional dwelling, unless restoring an original feature in the original architectural style (such as verandahs);

b) Any single storey additions are to be setback a minimum of 2 metres behind the Predominant Building Line of the traditional dwelling;

c) The predominant building line of new buildings is to follow the established street setback, for both primary and secondary streets irrespective of the relevant Residential Design Code Street Setback requirements (refer Figure 7);

d) Where the street pattern varies, the building setback average of the adjacent properties fronting the same street will be used to determine the setback;

e) Second storey additions to traditional dwellings are to be located behind the ridgeline of the traditional dwelling; and

f) Second storeys to new dwellings are to be setback a minimum of 4 metres from the Predominant Building Line.

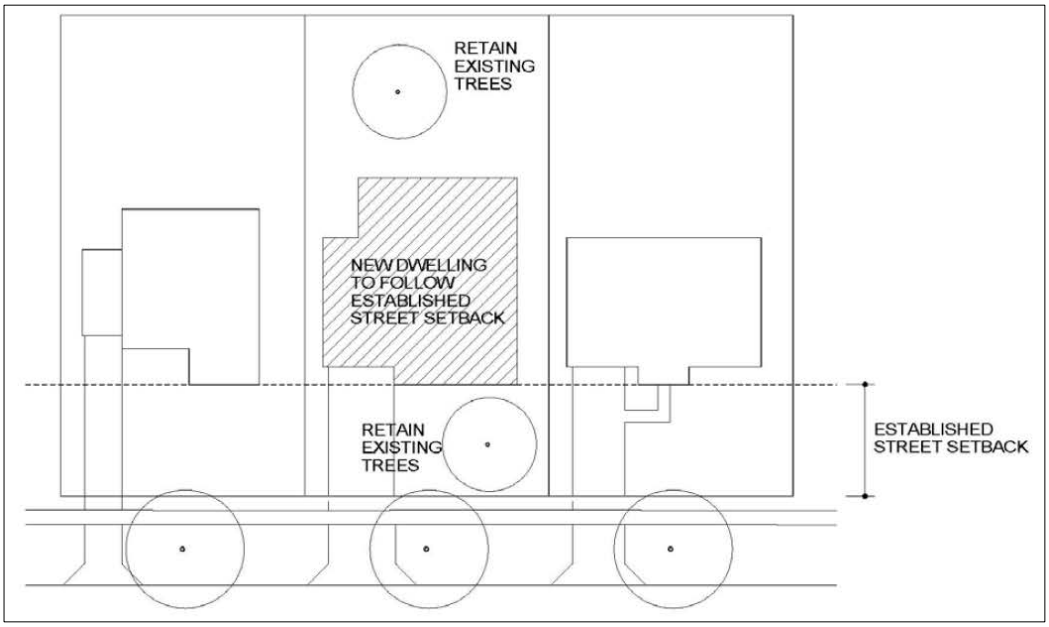


Figure 7 – Streetscape setback

7.1.2 Levels

This section augments the Site Works requirements of the Residential Design Codes.

a) The natural ground level of the site is to be retained; and

b) Any required retaining is to comprise brick-up or similar retaining under the building.

7.1.3 Design

a) Additions to traditional dwellings are to reflect the architectural style, form, colour and materials of the dwelling;

b) Additions to traditional dwellings are to be designed to ensure the original part of the building remains the prominent element in the Character Streetscape;

c) New buildings are to be traditional in design and reflect the heritage style and scale of traditional dwellings within the streetscape (refer Part 5 – Residential Character Analysis of these guidelines); and

d) The visual bulk of two storey buildings should be minimised through articulation of larger wall lengths, and the stepping back of upper storey walls from the front and side boundaries (Refer Figure 8).

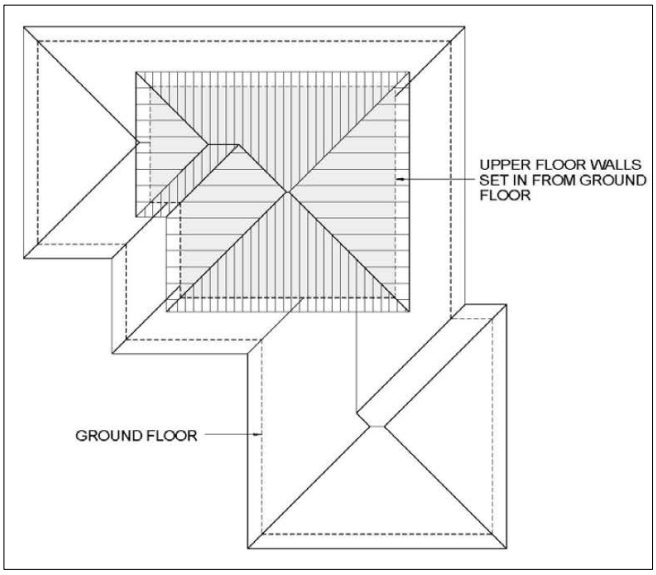


Figure 8 - Upper Storey setbacks

7.1.4 Building Height

This section augments the Building Height requirements of the Residential Design Codes.

a) The wall heights of single-storey additions are to match the traditional dwelling, where visible from the street (including corner lots); and

b) The ridge and wall heights of second-storey additions and new buildings are to be in accordance with the applicable Residential Design Codes. Consideration may be given to nominal height increases, but only where such increases facilitate traditional ceiling/plate heights.

7.1.5 Roof Pitch

a) The roof pitch for additions is to match the roof pitch of the original traditional dwelling;

b) Roof pitches for new dwellings are to be a minimum of 25 degrees, to a maximum of 35 degrees;

c) Verandahs to new dwellings may have a lower pitch where this reflects the existing style in the streetscape;

d) Roofs to new dwellings may be hipped or gabled. Gables shall have traditional timber detailing such as battens, and treatment as per Part 5: Residential Character Analysis; and

e) Barrel vault, curvilinear and low skillion roofs may be considered where these do not impact on the integrity of the existing dwelling or streetscape.

7.1.6 Eaves

a) Eaves are to overhang by a minimum of 300mm;

b) The eaves line of the addition shall not be lower than the eaves line of the traditional dwelling where visible from the street, including for corner lots; and

c) Eaves visible from a character street are to have exposed rafters, except where boxed eaves are a feature of the architectural style of the traditional dwelling – for example 'Austerity Cottage'.

7.1.7 Verandahs

a) Where a verandah is being re-instated, the verandahs form, scale and features (e.g. posts) should be consistent with the architectural style of the traditional dwelling (refer Part 5 - Residential Character Analysis of these Guidelines);

b) Verandahs to new dwellings fronting the Character Street are to be a minimum of one-third the width of front elevation; and

c) Verandahs to new dwellings are to have a minimum depth of 2 metres.

7.1.8 Openings

a) Windows are to have a vertical emphasis (meaning the height of the window opening should be visibly greater than its width (refer Figure 9);

b) Window frames are to be constructed in timber (preferred) or wide-profile aluminum, PVC (where not located on the City's Heritage List) or steel where visible from the street;

c) Windows to the front facade of a second storey addition are to reflect the configuration and grouping of the traditional dwelling windows facing the street;

d) Window frames in non-masonry walls are to be recessed;

e) Window frame colours are to be white or cream. Other colours may be considered acceptable where evidence is provided demonstrating the proposed colour scheme is reflective of the existing traditional dwelling or the original colour palette;

f) Dormer windows are not permitted;

g) Roller shutters are not permitted where visible from the street; and

h) Skylights or similar are not permitted where cutting into the original fabric of the traditional roof or visible from the street



Figure 9 – Window Design

7.1.9 Materials & Details

a) The original materials of the traditional dwelling are to be conserved as far as practically possible;

b) Where original materials of the traditional dwelling have previously been removed, restoration to original is required;

c) Restoration of the traditional dwelling should be based on original drawings and photographs where possible;

d) Where replacement of materials of the traditional dwelling such as the roof and joinery are necessary, they are to be replaced with materials to match the existing;

e) New walls and roofing to additions are to match the colours and materials of the traditional dwelling;

f) For new buildings, traditional materials of face brick and / or render are to be used for the solid wall surface of the façade. The proportions and detailing of these should reflect the traditional dwellings in the streetscape (refer Part 5 – Residential Character Analysis of these guidelines);

g) Bricks facing a character street are to be one course (unless rendered) and are to be in the red colour range and not be scorched or feature colour blends. 'Tumbled' bricks are not supported,. Recycled or handmade bricks are preferred. Mortar shall be in traditional colours (typically white or cream);

h) Render used for new buildings are to be in a traditional finish and colour (typically white or cream) and proportions, and consistent with the traditional dwellings in the streetscape;

i) Where limestone is used, it is to be located at the base of the building as a consistent single band and is not to exceed more than 20% of the solid wall surface of the façade (limestone in this instance refers to the use of stone or limestone cladding – limestone-coloured bricks are not permitted);

j) Roof cover may be constructed with tiles in red or terracotta hues or corrugated iron or pre-finished roof sheeting in zincalume; and

k) Balustrades, verandah posts and the like, are to be constructed in timber or painted metal. Brick or rendered brick verandah posts and balustrading may be appropriate in some instances where it meets the objectives of this policy.

7.2 Development within the Mid-Ground Area

The façade of development within the mid ground area above 5m from the finished floor level of the dwelling is to comply with the requirements of section 7.1- Development of this policy, to ensure the character of the streetscape is maintained.

(Note: the façade includes side walls visible from the street)

For all other development within the midground, the requirements of 7.3 Development – within the Background or fronting non-Character Streets apply.

7.3 Development within the Background and/or Fronting Non-Character Streets

This section applies to additions to a traditional dwelling within the 'Background' area of a lot (refer to Figure 6). These provisions are also applicable to infill development, dwellings and associated structures constructed fronting a non-Character Street (for example, laneways or Rights of Way). Development within these areas should respect and harmonise with traditional dwellings within the Locality (refer to Figure 13) but do not have to mimic the design of the buildings.

These provisions do not apply to corner lots. All development facing a Character Street is to comply with part 7.1 of this policy.

Objectives

- Developments are to be designed to ensure the original traditional dwelling remains the prominent element in the Character Streetscape, where applicable.
- Additions to traditional dwellings should not diminish the contribution the existing dwelling makes to the character street
- Additions to traditional dwellings should ensure the heritage character of the area and the style of traditional dwellings within the Locality is maintained.
- Development should support environmentally sustainable design which respects the traditional character of the area.

- To facilitate new buildings that respect the style and character of the surrounding Locality and which respect and integrate into the streetscape.
- Ensure the scale and form of new buildings respects that of surrounding traditional dwellings.
- To retain the appearance of a single storey-built form as viewed from the Character Street front and reduce the impacts of two storey development on the Character Streetscape.
- Ensure existing levels on site are retained as far as practical to maintain the existing natural progression of the land.

7.3.1 Setbacks

This section augments the Street Setback and Lot Boundary Setback requirements of the Residential Design Codes.

a) Street setbacks for new dwellings fronting non-Character Streets are as per the Residential Design Codes and the City's Local Planning Policy for Developments and Subdivisions Abutting Rights of Way.

b) The setback of additions above plate height of the existing dwelling should correspond with the predominant side setback of the traditional dwelling.

Note: The intent of clause b) is to ensure that new development is located behind the traditional dwelling, and that the traditional dwelling is the dominant feature in the streetscape.

7.3.2 Levels

This section augments the Site Works requirements of the Residential Design Codes.

a) The natural ground level of the site is to be retained.

7.3.3 Orientation

a) A maximum of one dwelling is to orient to the Character Street. New dwellings, including ancillary dwellings are to face a laneway or Right of Way or be located one behind another, rather than side by side (refer Figure 10).

b) The City does not support the subdivision of a vacant lot that results in two lot frontages facing the same Character Street.

c) Where a Right of Way abuts a vacant site, dwellings should orientate towards the Right of Way.

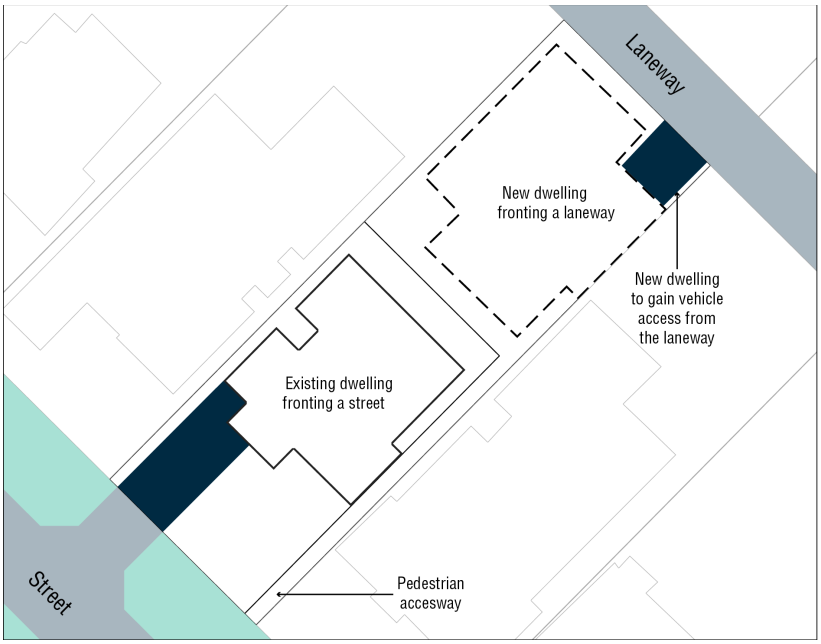


Figure 10 – Example of Infill Development

7.3.4 Built Form and Design

This section augments the Lot Boundary Setback requirements of the Residential Design Codes.

Applications for development approval will need to demonstrate that the design achieves the design elements below.

a) New development is to respond appropriately to the surrounding locality through consistent scale and bulk; and

b) Development is to reference and respect (without the requirement to mimic) traditional buildings in the area. However, where not conspicuously visible from a character street, 3 out of the 4 below built form elements of traditional dwellings within the Locality (refer to Figure 13).

- Traditional roof form;
- Traditional building materials;
- Traditional colours; or
- Traditional window design.

Note: Where a traditional dwelling has been significantly altered from its original condition it cannot be used to justify the design criteria above, at the City's discretion.

7.4 Driveways, Carports and Garages

Objectives

- To prevent carports, garages, and parking areas from visually dominating the streetscape;
- To ensure where carports and garages are proposed, they are to be designed to ensure the traditional dwelling remains the prominent element in the Character Streetscape;
- To ensure the appearance of carports, garages and parking areas are in keeping with, and respectful to, the dwellings to which they belong; and
- To limit the area required for vehicle access to maintain landscaped gardens and streetscape.

7.4.1. Location

This section augments the Setback of garages and carports requirements of the Residential Design Codes.

a) Garages shall be located to the rear or side of dwellings, setback (a minimum of 0.5m) behind the Predominant Building Line;

b) Garages shall not be located in the front setback area of the character street; and

c) Carports fronting a Character Street may be considered within the front setback area to a minimum setback of 1.5 metres from the street boundary line where they occupy less than one-third of the lot frontage.

7.4.2. Design

a) Carports and garages are to be of the same style, design, materials and roof pitch (to a minimum of 25 degrees) and form to the traditional dwelling to which it belongs;

b) The design provisions of Part 5 “Residential Character Analysis” of these guidelines shall apply to new carports and garages fronting Character Streets;

c) Notwithstanding (a) flat roofed carports may be considered appropriate where they are open in style and allow an unobstructed view of the traditional dwelling from the street; and

d) Open-style doors may be supported on carports if they match the dwelling’s fencing infill (where applicable) and keep clear views of the traditional dwelling and garden. Solid sectional doors are not permitted.

Note: Sectional open-style doors are generally not supported because their framing obstructs views of the dwelling and garden.

7.4.3. Crossovers

a) A maximum of one crossover per lot per street frontage are permitted; and

b) Crossovers are restricted to a maximum of one-third the width of the front boundary.

7.4.4 Driveways

a) Driveways widths are limited to the width necessary to provide vehicle access to the parking bays required for the dwelling, and should not exceed 1/3 of the lot frontage;

b) Driveways may be constructed of brick paving or concrete.

c) Where parking bays (including within carports) are provided parallel to the street, these are to be limited to the minimum width necessary under AS2890.1, and are to be provided with adequate landscaping to minimise their visibility from the street

7.5 Fences and Gardens

Objectives

- To ensure all fencing forward of the building alignment is of a design, material and colour reflecting traditional fencing and infill in the area;
- To retain and maintain open front gardens and existing trees in the streetscape;

7.5.1. Fencing Characteristics and Design Standards

For fencing characteristics in the Inglewood Heritage Area refer to Part 5 Residential Character Analysis – Inglewood Heritage Area – Inglewood Streetscapes.

Fencing is to comply with the following provisions:

a) Fencing is to be compatible with the style and character of the dwelling in terms of design, detail, and colour;

b) Fencing must reflect a traditional style, incorporating capped piers and infill panels with traditional detailing. 'Blade' or horizontal style infill is not a traditional detail;

c) Fencing along the front lot boundary shall not exceed 750mm in height and are to be constructed of a high-quality material such as masonry;

d) Gatehouses are not supported unless constructed of lightweight materials;

e) The height of any open-style fencing may be increased to a maximum of 1.8m (outside of vehicle sightlines) above natural ground level, but only where the fencing is constructed in high quality materials, such as wrought-iron or aluminum infill with traditional detailing (rather than timber picket infill) (refer Figure 11 and 12); and

f) Alternative forms of fencing (such as colorbond and timber lap) forward of the dwelling are permitted on the side boundaries only to a maximum height of 1.2m. The colour of the fence is to be in strict accord with the traditional dwelling and streetscape to which it belongs.

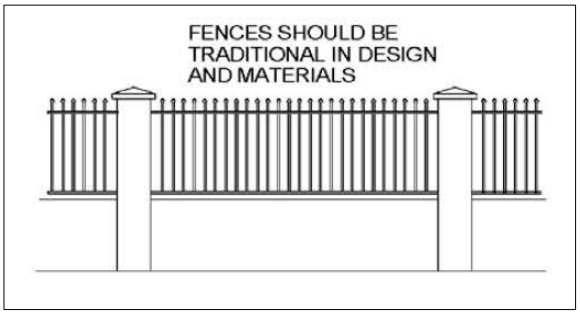


Figure 11 – Example of Open-Style Fencing

7.5.2. Garden Design

a) Existing front gardens, mature trees, and street trees shall be retained and maintained;

b) Where trees are to be removed, the applicant shall demonstrate justification for removal, and satisfy the City that alternative measures such as pruning are impractical; and

c) Where mature trees are to be removed, an advanced tree is to be planted and maintained elsewhere on the site.

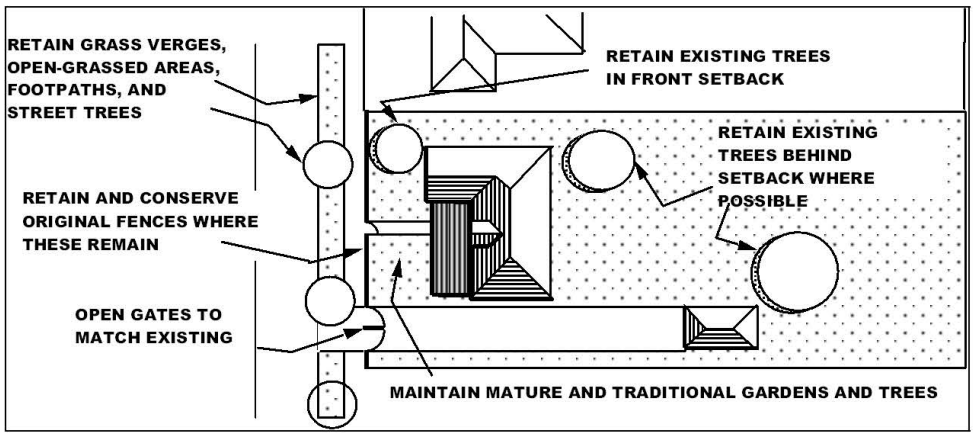


Figure 12 – Example of Traditional Garden Design

8. EXEMPTIONS

The exemptions listed below do not apply where:

- a referral to the Metropolitan Region Scheme under the Instrument of Delegation is required prior to determination; or

- the bushfire requirements of the Planning and Development (Local Planning Schemes) Regulations 201 apply.

a) Development approval is not required for works if — the works are of a class specified in Column 1 of an item in the Table; and

b) if conditions are set out in Column 2 of the Table opposite that item — all of those conditions are satisfied in relation to the works.

Column 1 Works	Column 2 Conditions
The following Incidental Structures: • Satellite dish; • Air conditioner; • Solar panels; • Flagpole • Pergola or Shade Sail; • Screening; and • Clothes line.	Unless the development is located: • at a place listed on the Heritage List or State Register of Heritage Places.; or • within the front setback area (or attached to the front facing portion of a building including the roof) of land within the Heritage Area.
The following Incidental Structures: • Swimming Pools – below ground for private use only; and • Letterboxes.	• The works are not located at a place listed on the Heritage List or State Register of Heritage Places. • The works are not located within the front setback area of land within the Heritage Area
The erection or installation of a flagpole.	• The height of the flagpole is no more than 6 m above the natural ground level. • The flagpole is no more than 200 mm in diameter. • The flagpole is not used for advertising. • There is no more than 1 flagpole on the lot. • The works are not located at a place listed on the Heritage List or State Register of Heritage Places.
Fencing	Only where the fence: • Compiles with the requirements of the Scheme and the relevant Local Planning

	Policy, Structure Plan, Activity Centre Plan or Local Development Plan; • Complies with the requirements of the Residential Design Codes; • Not located within the primary street setback area of within a Heritage Area, if the fence is visible from the streetscape, it must be cream or white; and • is not located on land included in the Heritage List or State Register of Heritage Places.
The filling of land and/or erection of a retaining wall on the same lot as a single house or a grouped dwelling or a multiple dwelling	• The R-Codes apply to the works. • The works comply with the deemed-to-comply provisions of the R-Codes; • The works comply with requirements of the Scheme and relevant provisions of this Policy; • The works are not located at a place listed on the Heritage List or State Register of Heritage Places.
The demolition or removal of a cubbyhouse.	The works are not located at a place listed on the Heritage List or State Register of Heritage Places.
The installation of a water tank.	• The water tank is not installed in the street setback area of a building. • The volume of the water tank is no more than 5 000 L. • The height of the water tank is no more than — (i) for a tank fixed to a building — the height of the eaves of the building; or (ii) for a tank that is not fixed to a building and is more than 1 m from each boundary of the lot — 2.4 m; or (iii) for a tank that is not fixed to a building and is 1 m or less from a boundary of the lot — 1.8 m. • The works are not located at a place listed on the Heritage List or State Register of Heritage Places.

Internal building work that does not materially affect the external appearance of the building.	• The works are not located at a place listed on the Heritage List or State Register of Heritage Places.
The modification or provision of external openings (windows or doors) to a building.	• Where the modification or new window complies with the deemed-to-comply provisions of the Residential Design Codes • Replacement is like for like with the same size, design, materials and colours. • Where the window isn't like for like the window shall: - Be located 2m or more behind the predominant building line of the dwelling. - Have vertical emphasis. Meaning the height of the window opening is greater than the width. - Frame constructed of wide profile aluminum or timber. - Frames are to be white or cream in colour or as per approved colour scheme • The works are not located at a place listed on the Heritage List or State Register of Heritage Places.
Reroofing of a single house or a grouped dwelling or a multiple dwelling	• Replacement is like for like with the same form, pitch, design, materials and colours. • T works are not located at a place listed on the Heritage List or State Register of Heritage Places.
The erection or installation of, or alterations or additions to, any of the following on the same lot as a single house or a grouped dwelling: • a pergola; • a shade sail; • an enclosed or unenclosed patio less than or equal to 20m2 area; • a garage or outbuilding less than or equal to 20m^2 area;	• The R-Codes apply to the works. • The works comply with the deemed-to-comply provisions of the R-Codes; • The works comply with requirements of the Scheme and relevant provisions of this Policy; • The site is not abutting a secondary street and/or a right of way; • The works are not located in the front or sides (or attached to the front or side facing portion of the dwelling) of the existing dwelling and is located at the rear of the dwelling. • The works are not located at a place listed on the Heritage List or State Register of Heritage Places.

Demolition or removal of the following structures: • Outbuildings with a floor area of less than 25m^2; • Patios; • Shade Structures; • Carports; • Air Conditioners; • Private swimming pools and outdoor spas; • Flag poles; and • Water tanks.	• Detached from the dwelling where at the front of a dwelling or located between the dwelling and the side or rear lot boundary of a development site where attached or detached. • The works are not located at a place listed on the Heritage List or State Register of Heritage Places.

9. DEFINITIONS

Unless otherwise provided for in this Policy, definitions have the same meaning as the Residential Design Codes (R-Codes), Local Planning Scheme No.4 and the *Planning and Development (Local Planning Schemes) Regulations 2015*. The following additional definitions apply to this policy.

Character Street	*Means streets which display 'Original Traditional Lot' layouts and dwellings with traditional architectural styles and garden designs. These streets are shown in Figure 1.*
Locality	Means properties within a 75m radius from the centre of the Original Traditional Lot to which the dwelling or addition is located (refer to Figure 13). Dwellings outside of the Inglewood Heritage Area are not included within the 75m Locality area.
Original Traditional Lot	Means the lot area established during the original subdivision of the land.
Predominant Building Line	Is measured from the roof line directly above the front door of the dwelling.

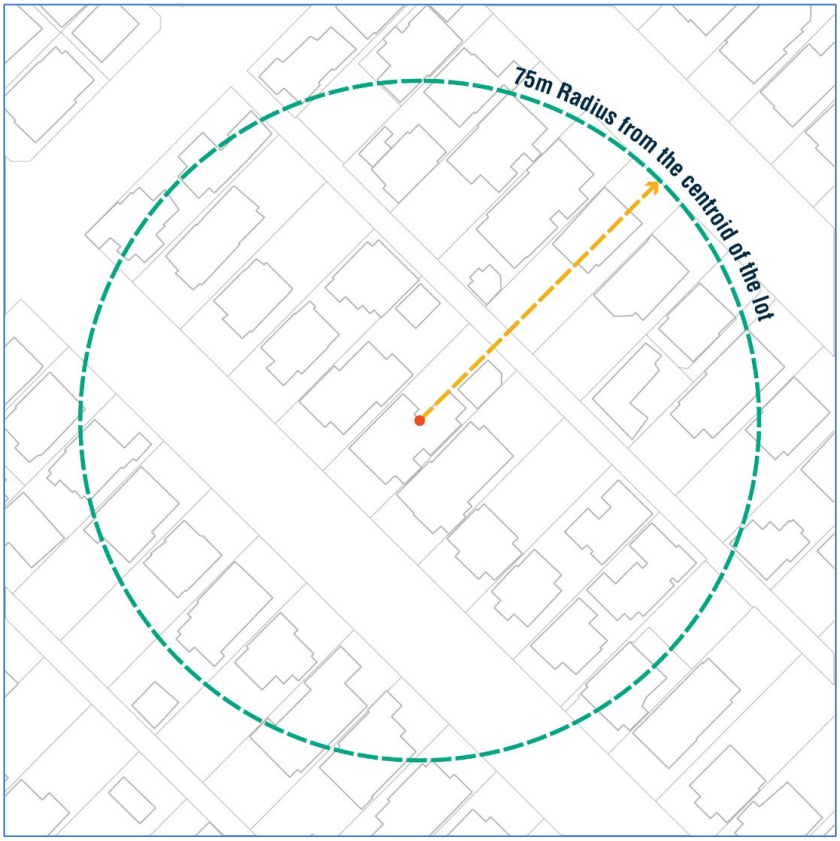


Figure 13 – How 'Locality' is determined

10. Other Relevant Documents

- Local Planning Scheme No.4 Scheme Text
- Planning and Development (Local Planning Schemes) Regulations 2015
- Residential Design Codes of Western Australia
- City of Stirling Heritage List
- State Planning Policy 3.5 Historic Heritage Conservation

OFFICE USE ONLY:

Policy Type: Local Planning Policy **Policy Owner: City Future**	**Policy No.** **Latest adopted review date:**

Policy Type: Local Planning Policy **Policy Owner: City Future**	**Policy No.** **Latest adopted review date:**

Character Retention in Inglewood Heritage Area

City of Stirling Local Planning Scheme No. 4

Council Resolution

0226/004

Moved Councillor Proud, seconded Councillor Hatton

That the balance of the Planning and Development 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 (14/0).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Ion, Krsticevic, Olow, Paparde, Perkov, Proud, Re, Thornton and Mayor Irwin.
Against: Nil.

12.1/CF2 LPS4 LOCAL PLANNING POLICY - DEVELOPMENT APPROVAL EXEMPTIONS - OUTCOMES OF ADVERTISING

Business Unit:	City Future	Service: Schemes, Policies & Heritage
Ward:	City Wide	Location: Not Applicable
Applicant:	Not Applicable	

Role

Legislative - *Making local laws, policies and planning instruments.*

Council Resolution

0226/005

Moved Councillor Proud, seconded Councillor Hatton

That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations), Council ADOPTS Local Planning Policy – Development Approval Exemptions as shown in Attachment 1, to come into effect upon the gazettal of Local Planning Scheme No.4 (LPS4).

The motion was put and declared CARRIED (14/0) by exception resolution.

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Ion, Krsticevic, Olow, Paparde, Perkov, Proud, Re, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations), Council ADOPTS Local Planning Policy – Development Approval Exemptions as shown in Attachment 1, to come into effect upon the gazettal of Local Planning Scheme No.4 (LPS4).

Officer's Recommendation

That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations), Council ADOPTS Local Planning Policy – Development Approval Exemptions as shown in Attachment 1, to come into effect upon the gazettal of Local Planning Scheme No.4 (LPS4).

Purpose

To report on the outcome of advertising of Local Planning Policy – Development Approval Exemptions (Policy), and to obtain a Council resolution to adopt the Policy in modified form (Attachment 1).

Background

The City is currently progressing LPS4 and has been incrementally reviewing existing Local Planning Policies (LPPs) to simplify the City's local planning framework and to ensure these policies are fit for purpose and ready to use when LPS4 is gazetted.

In preparation of the adoption of LPS4, a suite of LPPs will be presented to Council within the next six months for consideration. Some policies may involve administrative changes only, meaning advertising will not be required in accordance with the Regulations. Other LPPs may incorporate additional modifications such as alignment with the State Planning framework, LPS4 and/or to amalgamate some LPPs. Some policies that are no longer required will also be rescinded. LPPs that require more substantial changes will be presented to Council to seek consent to advertise to enable submissions by the community prior to adoption.

LPS4 was advertised between mid-October 2024 and 24 January 2025 for public comment. Council considered submissions received during advertising at its meeting on 10 June 2025, and at that meeting, resolved to support draft LPS4 (with modifications) and that it be forwarded to the Western Australian Planning Commission (WAPC) for assessment.

The City's officers anticipate LPS4 will come into effect during the second half of 2026.

This draft Policy has been prepared to ensure that the City's local planning framework is simplified and that the policy remains contemporary and achieves the intended performance outcomes upon gazettal of LPS4. As outlined in Figure 1 below, on 11 November 2024, Council resolved to adopt the policy for the purpose of public advertising. The draft Policy has subsequently been advertised, and the outcome of this process is being presented for Council's consideration.

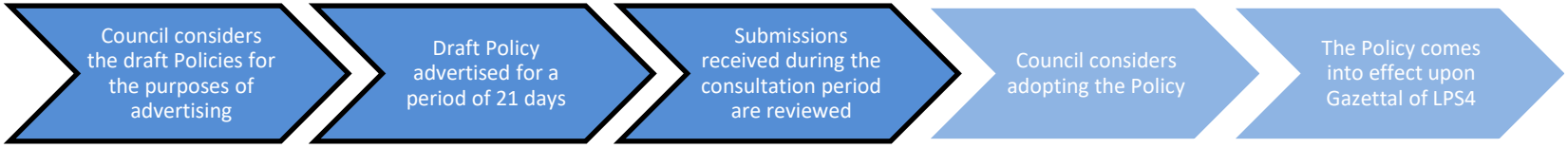


Figure 1 – Policy review process

Details

Existing Planning Framework

All development requires approval unless expressly exempted by a planning instrument. Development exemptions within the City are currently governed by the following provisions:

- Planning and Development (Local Planning Schemes) Regulations 2015;
- Current Local Planning Scheme No.3 (LPS3) (to be replaced by LPS4);
- Local Planning Policy 6.13 – Markets Exemption from Development Approval; and
- Local Planning Policy 6.15 – Exemption from Requiring Development Approval.

Since the adoption of LPP 6.13 (i.e. November 2019) and LPP 6.15 (i.e. May 2020), there have been multiple changes to the State Planning Framework which have an impact on these policies. These changes, along with the upcoming transition from LPS3 to LPS4, have prompted a review of how the City exempts development from requiring development approval. The City's proposed approach is to ensure that appropriate development is facilitated by streamlined planning processes whilst managing the potential impact of development.

Submissions received to draft Policy

At the conclusion of the advertising period, the City received nine submissions. These submissions are from State Government departments and agencies who have no objections to the policy. A schedule of these submissions has been provided in Attachment 2 which includes the individual details of the submissions.

Three submissions (from ATCO, Water Corporation and Western Power) advised that the relevant submitters have no objections subject to minor textual updates being included to advise to landowner/applicants relating to their obligations to consult with and adhere to relevant safety trigger distances and easement provisions.

The advertised Policy already covers this under the *'Application of this Policy'* heading, with the following advice statement:

'It does not exempt development from the requirement to obtain other relevant approvals or comply with applicable local laws, statutes, or policies - including, but not limited to, building and health permits.'

However, to make it clearer in the Policy that the requirement relates to State Government departments/agencies, it is recommended that the existing Policy statement be expanded as follows:

'It does not exempt development from the requirement to consult with and where required obtain other relevant agency approvals or comply with applicable local laws, statutes, site restrictions or policies - including, but not limited to, infrastructure proximity hazards, building and health permits.'

Additionally, a submission from the Department of Planning Lands and Heritage, recommends minor rewording suggestions relating to heritage sites to ensure that the terminology used in the Policy aligns with the relevant terminology relating to 'Heritage Place' in the Regulations and the *Heritage Act 2018.* These minor changes including the addition of the definition of 'Heritage Place' and 'Heritage Area' have been incorporated into the Policy, shown as track changes in Attachment 1.

Financial Assessment and Implications

The costs associated with the review of the Policy are covered within the City Future Business Unit budget.

Stakeholder Engagement

Advertising of the Policy was carried out in accordance with the requirements of the Regulations and the City's Public Consultation Policy. The advertised Policy is included in Attachment 3.

Advertising commenced 3 December 2025 and concluded on 24 December 2025. Details of the Policy, including where to view both an electronic and hard copy, were placed on the City's website and notices were placed in the City's Administration Centre and City libraries for the duration of the consultation period.

Recommended Action

The Policy has been reviewed and advertised for public comment following a resolution of Council. The Policy consolidates and simplifies the planning framework as it relates to providing exemptions from requiring development approval.

A number of State Government departments have recommended changes to the Policy provide improve clarity around responsibilities and to align with definitions contained in the Regulations and the *Heritage Act 2018*.

It is recommended that Council adopts the modified Policy as shown in Attachment 1, to come into effect upon gazettal of LPS4.

Relevant Policies, Legislation and Council Resolutions

The Regulations identify the process to be followed when new or amended local planning policies are proposed and this process was followed as part of the review of the Policy.

Local Government Act 1995

Meeting Date	Council Resolution Number	Council Resolution
11 November 2025	1125/007	That Council ADOPTS 'Local Planning Policy – Development Approval Exemptions' for the purpose of public advertising as shown in Attachment 1.

Sustainable Stirling 2022-2032

Key Result Area: Our built environment

Objective: A liveable City

Priority: Facilitate diverse housing choice for our community

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.

Relevant Documents and Information

Attachments

Attachment 1 - LPS4 Local Planning Policy - Development Approval Exemptions - To Be Adopted ⇩

Attachment 2 - Submission Schedule ⇩

Attachment 3 - LPS4 Local Planning Policy - Development Approval Exemptions - As Advertised ⇩

Available for viewing at the meeting

Nil

Linked Documents

Nil

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Local Planning Policy - Development Approval Exemptions

1. CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Scheme No. 4. This Policy may be cited as Local Planning Policy (LPP) Development Exemptions and Modifications.

2. INTRODUCTION

Clause 61 of Schedule 2, Part 7 of the *Planning and Development (Local Planning Schemes) Regulations 2015* specifies the types of works and land uses that do not require development approval from the local government.

Sub-clauses 61(1)(i) and 61(2)(g) provide authority for the local government to adopt a Local Planning Policy that identifies additional exemptions.

The purpose of this Policy is to outline further categories of development that are exempt from development approval, beyond those listed in Clause 61.

Specifically, this Policy:

- Supplements specific provisions of the Residential Design Codes (R-Codes);
- Exempts minor development works in residential and non-residential zones within the City of Stirling; and
- Identifies circumstances in which community markets are exempt from development approval.

3. OBJECTIVES

The objectives of this policy are:

a) To streamline the planning process by exempting low-impact developments that demonstrate no adverse impact on adjoining properties and/or the streetscape.

b) To enable greater flexibility in residential development where proposals demonstrably align with both the existing and likely future built form.

c) To enhance urban design quality and residential living standards by implementing a planning framework that aligns with the general objectives of the R-Codes.

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4. APPLICATION OF THIS POLICY

Where a proposal does not meet the specific provisions outlined in this policy, assessment will be undertaken against the broader objectives, apart from the R-Code Exemptions.

It does **not** exempt development from the requirement to consult with and where required obtain other relevant agency approvals or comply with applicable local laws, statutes, site restrictions or policies—including, but not limited to, building and health permits.

Scope of Application

5(a) Applies to residential development on land within the City of Stirling subject to *Local Planning Scheme No 4*, including augmentations to the R-Codes.

5(b) Applies to development on residential and non-residential zoned land within the City of Stirling under *Local Planning Scheme No. 4*.

5(c) Applies to Market Stalls located on land zoned Private Community Purposes and Local Reserves including 'Local Roads' within the City of Stirling.

5. POLICY PROVISIONS

5(a) R-Code Exemptions

The R-Codes apply to all residential development throughout Western Australia and Clause 3.2 outlines instances where a local planning policy can modify the R-Codes either with or without WAPC approval.

The provisions listed in the table below replace the relevant deemed-to-comply requirements of the R-Codes Volume 1, except where ~~modified or inconsistent with the local planning framework (i.e. Character Retention Guidelines)~~ located within a 'heritage-protected place'.

Should the policy provision not be met the proposal shall be assessed against the relevant R-Code provision.

No.	Amend/Replace	R-Codes:	Policy:
1.	Part B Cl. 5.1.3 (C3.1) Lot Boundary Setbacks		
	Is amended to allow for a 3m height in lieu of 2.7m.	ii. for carports, patios, verandas or equivalent structures, the lot boundary setbacks in Table B and Tables 2a and 2b may be reduced to nil to the posts where the structure*: • is not more than 10m in length and 2.7m height; • is located behind the primary street setback; and • has eaves, gutters and roofs set back at least	ii. for carports, patios, verandas or equivalent structures, the lot boundary setbacks in Table B and Tables 2a and 2b may be reduced to nil to the posts where the structure*: • is not more than 10m in length and **3m** height; • is located behind the primary street setback; and • has eaves, gutters and roofs set back at least

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		450mm from the lot boundary.	450mm from the lot boundary.
		*Note: *There may also be building code requirements that apply.*	
WAPC Approval Required: Y/N		Date Approved by WAPC (if applicable): N/A	
2.	Part B Cl. 5.2.5 (C5) - Sightlines		
	Is amended to allow fencing within the sightline area where it has been demonstrated that pier dimensions and visibility do not obstruct sightlines in low-density areas.	No provision.	An added alternative option is included as shown below: iv. A fencing height up to 1.8m above natural ground level within 1.5m of where a driveway meets a street with: • no more than one support pier with a maximum horizontal dimension of 350mm; and • no more than two panels (inclusive of a sliding or swinging gate) with open style pickets that individually achieves a 1:10 spacing ratio (i.e. a 10mm picket with a 100mm space to the next picket).
WAPC Approval Required: Y/N		Date Approved by WAPC (if applicable): N/A	
3	Part B Cl. 5.4.3 - Outbuildings		
	Is amended to allow for a 3m height in lieu of 2.4 for large and multiple outbuildings and 2.7m for small outbuildings.	A. Small outbuilding iv. does not exceed a wall height of 2.7m; B. Large and multiple outbuildings iii. does not exceed a wall height of 2.4m	A. Small outbuilding iv. does not exceed a wall height of **3m;** B. Large and multiple outbuildings iii. does not exceed a wall height of **3m;**
WAPC Approval Required: Y/N		Date Approved by WAPC (if applicable): N/A	

5(b) Exempt Development Works

The exemptions listed in the table below do not apply where:

- a referral to the Metropolitan Region Scheme under the Instrument of Delegation is required prior to determination; ~~or~~
- the bushfire requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* are applicable;
- Where development is considered to have an adverse impact on the streetscape and/or adjoining properties.

The following development does not require approval:

Applies to:	Condition(s)

Policy Manual

a) Alterations to non-residential buildings **Except where the ~~property is: affected by the *Heritage Act 2018*, is listed on the *City of Stirling Heritage* List and/or located within a Heritage Protection Area~~ works are located in a heritage-protected place~~.~~**	Alterations to the building facades (to the primary and secondary street) where: i. the height of the building is not increased; and ii. the alignment to a street is not altered by more than 300mm; and iii. meets all requirements of the City's Local Planning Scheme and relevant local planning framework.
b) Grouped Dwelling development that results in no more than two dwellings on a parent lot. ***Except where the works are located in a heritage-protected place.***	i. That meets all requirements of the City's Local Planning Scheme and any relevant local planning framework, and ii. The deemed-to-comply provisions of the R-Codes Volume 1.
c) In addition to the exemptions provided under Clause 61(1)(b)(7) of Schedule 2, Part 7 of the Planning and Development (Local Planning Schemes) Regulations 2015, **Grouped Dwelling additions** are exempt from development approval where they meet the following criteria. **Except where the ~~property is: affected by the *Heritage Act 2018*, is listed on the *City of Stirling Heritage* List and/or located within a Heritage Protection Area.~~works are located in a heritage-protected place.**	i. The development meets all requirements of the City's Local Planning Scheme and any relevant Local Planning Framework, and ii. The deemed-to-comply provisions of the R-Codes Volume 1.
d) Transportable Containers	Where present on the property for no more than 9 consecutive days in any 12-month period.
d) Viewing Platforms	When used to market homes in an approved development, to show potential views, and are: i. limited to one per development site; and ii. on-site for a maximum of 3 months within a 12-month period; and iii. within the maximum building height of the approved development; and iv. located behind all street setback areas; and v. setback a minimum of 7.5m from any lot boundary.
e) Incidental Structures ***Except where; ~~at a place listed on the Heritage List or where located within the Heritage Special Control Area and is in the front setback area; attached to the front facing portion of a building including the~~***	Such as but not limited to: • Satellite dish; • Air Conditioner; • Solar Panel; • Shade structure or sail; • Screening; • Clothes line

~~roof.~~ Identified as a heritage-protected place	• Swimming Pools - below ground for private use only.

5(c) Markets

Development Approval Exemption – Private Community Purposes Zone

Markets are exempt from requiring Development Approval within the *Private Community Purposes* zone under the City's Local Planning Scheme provided all the following conditions are met:

- No new buildings are constructed. Markets may operate from existing buildings, temporary structures, vehicles, trailers, or similar setups.
- The Market operates no more than one day per week.
- The Market includes no more than 30 stalls.
- The market is not open to the public:
  - Between 7:00pm and 7:00am, Monday to Saturday
  - Between 7:00pm and 9:00am on Sundays
  - On Christmas Day, Good Friday, or Easter Sunday
- Vendor arrival is not permitted before 6:00am.
- The Market and associated parking must be located at least 150 metres from any lot zoned for 'Residential' use.
- Market operations must not conflict with parking requirements for the site's primary use.
- A minimum of two car parking bays per stall must be provided.

Markets on Public Land

Markets proposed on Local Reserves are also exempt from Development Approval under the Scheme. These proposals will be assessed through the City's Event Application process.

6. DEFINITIONS

Unless otherwise provided for in this Policy, definitions have the same meaning as the Residential Design Codes (R-Codes), the City's Local Planning Scheme and the *Planning and Development (Local Planning Schemes) Regulations 2015*. The following additional definitions apply to this policy.

Heritage Area	As per Schedule 2, Part 3, cl 7 of the *Planning and Development (Local Planning Schemes) Regulations 2015.* *The area is identified under the City's Heritage Policies.*

Heritage Protected Place	As per Schedule 2 Part 1 clause 1A of the *Planning and Development (Local Planning Schemes) Regulations 2015.*
Market	Means premises used for the display and sale of goods from stalls by independent vendors; *Note: For the purpose of this definition, a stall includes any structure whether fixed or moveable, temporary or permanent, vehicles, trailers and the like. The sale of goods includes the sale of food or drinks from a stall.*
Transportable Containers	Means a moveable container, sea container, shipping container or the like, that is being used to transport goods to and/or from the property.

7. OTHER RELEVANT DOCUMENTS

- Local Planning Scheme No.4 Scheme Text
- State Planning Policy 7.3 Residential Design Codes
- Planning and Development (Local Planning Schemes) Regulations 2015
- The City's Event Application Guidelines and Requirements

OFFICE USE ONLY:

Policy Type: Local Planning Policy **Policy Owner: City Future**	**Policy No. 6.15 (LPP6.15)** **Latest adopted review date: 15 Feb 2022**
Policy Type: Local Planning Policy **Policy Owner: City Future**	**Policy No. 6.13 (LPP6.13)** **Latest adopted review date: 1 Oct 2020**
Policy Type: Local Planning Policy **Policy Owner: City Future**	**Development Approval Exemptions** **Adopted:**

Schedule of Submissions

No.	Agency Name	Outcome	Comment/Advice	Resulting Action
1	ATCO Gas Australia	No Objection	Consideration needs to be given to consultation with ATCO with works within proximity to ATCO infrastructure needing their assessment.	The policy does specify that it does not negate the need to obtain any additional regulatory approval. However, the wording has been strengthened as a result of the comments received.
2	Department of Biodiversity, Conservation and Attractions (DBCA)	No Objection	No comment.	No change.
3	Department of Education	No Objection	The department expressed its support of exempting markets.	No change.
4	Department of Fire and Emergency Services (DFES)	No Objection	The policy will not impact the application of State Planning Policy 3.7	No change.
5	Department of Planning, Lands and Heritage (DPLH)	None provided	The following comments provided: 1. *We note the draft LPP contains the following exemption clause that may impact on heritage-protected places: except where the property is affected by the Heritage Act 2018, is listed on the City of Stirling Heritage List and/or located within a 'Heritage Protection Area'.* 2. *We recommend that wording for applicability criteria be amended to be consistent with Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, cl.1A and cl.61: the works are not located in a heritage-protected place.* 3. *For clarity and consistency, we recommend that the City apply the heritage protected place caveat to all exemptions in the LPP that would normally trigger a referral or notification to the Heritage Council.*	The comments have been noted and the policy updated accordingly. For clarity the policy now references the definition as listed in the Planning and Development (Local Planning Schemes) Regulations 2015.
6	Department of Water and Environmental Regulation (DWER)	None provided	The submission advises that DWER have no comment.	No change.

Schedule of Submissions

7	Main Roads WA	No objection	No comment.	
8	Water Corporation	No objection	A general comment is provided advising that proposals exempt from planning still require approval by the Water Corporations Building Services.	The policy specifies that it does not negate the need to obtain any additional regulatory approval.
9	Western Power	No objection	Western Power asked that landowners be made aware of their obligations in relation to easements, covenants, notifications irrespective of the development approval exemptions	The policy specifies that it does not negate the need to obtain any additional regulatory approval. However, as previously mentioned the wording has been updated to highlight these.

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Local Planning Policy - Development Approval Exemptions

1. CITATION

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- Supplements specific provisions of the Residential Design Codes (R-Codes);
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4. APPLICATION OF THIS POLICY

Where a proposal does not meet the specific provisions outlined in this policy, assessment will be undertaken against the broader objectives, apart from the R-Code Exemptions.

It does **not** exempt development from the requirement to obtain other relevant approvals or comply with applicable local laws, statutes, or policies—including, but not limited to, building and health permits.

Scope of Application

5(a) Applies to residential development on land within the City of Stirling subject to the *Local Planning Scheme*, including augmentations to the R-Codes

5(b) Applies to development on residential and non-residential zoned land within the City of Stirling under *Local Planning Scheme No. 4*.

5(c) Applies to Market Stalls located on land zoned Private Community Purposes and Local Reserves including 'Local Roads' within the City of Stirling.

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The provisions listed in the table below replace the relevant deemed-to-comply requirements of the R-Codes Volume 1, except where modified or inconsistent with the local planning framework (i.e. Character Retention Guidelines).

Should the policy provision not be met the proposal shall be assessed against the relevant R-Code provision.

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	Is amended to allow for a 3m height in lieu of 2.7m.	ii. for carports, patios, verandas or equivalent structures, the lot boundary setbacks in Table B and Tables 2a and 2b may be reduced to nil to the posts where the structure*: • is not more than 10m in length and 2.7m height; • is located behind the primary street setback; and • has eaves, gutters and roofs set back at least	ii. for carports, patios, verandas or equivalent structures, the lot boundary setbacks in Table B and Tables 2a and 2b may be reduced to nil to the posts where the structure*: • is not more than 10m in length and **3m** height; • is located behind the primary street setback; and • has eaves, gutters and roofs set back at least

		450mm from the lot boundary.	450mm from the lot boundary.
		*Note: *There may also be building code requirements that apply.*	
WAPC Approval Required: Y/N		Date Approved by WAPC (if applicable): N/A	
2.	Part B Cl. 5.2.5 (C5) - Sightlines		
	Is amended to allow fencing within the sightline area where it has been demonstrated that pier dimensions and visibility do not obstruct sightlines in low-density areas.	No provision.	An added alternative option is included as shown below: iv. A fencing height up to 1.8m above natural ground level within 1.5m of where a driveway meets a street with: • no more than one support pier with a maximum horizontal dimension of 350mm; and • no more than two panels (inclusive of a sliding or swinging gate) with open style pickets that individually achieves a 1:10 spacing ratio (i.e. a 10mm picket with a 100mm space to the next picket).
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WAPC Approval Required: Y/N		Date Approved by WAPC (if applicable): N/A	

5(b) Exempt Development Works

The exemptions listed in the table below do not apply where:

- a referral to the Metropolitan Region Scheme under the Instrument of Delegation is required prior to determination; or
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b) Grouped Dwelling development that results in no more than two dwellings on a parent lot.	i. That meets all requirements of the City's Local Planning Scheme and any relevant local planning framework, and ii. The deemed-to-comply provisions of the R-Codes Volume 1.
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d) Viewing Platforms	When used to market homes in an approved development, to show potential views, and are: i. limited to one per development site; and ii. on-site for a maximum of 3 months within a 12-month period; and iii. within the maximum building height of the approved development; and iv. located behind all street setback areas; and v. setback a minimum of 7.5m from any lot boundary.
e) Incidental Structures ***Except where; at a place listed on the Heritage List or where located within the Heritage Special Control Area and is in the front setback area; attached to the front facing portion of a building including the roof.***	Such as but not limited to: • Satellite dish; • Air Conditioner; • Solar Panel; • Shade structure or sail; • Screening; • Clothes line • Swimming Pools - below ground for private use only.

Policy Manual

5(c) Markets

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- The Market operates no more than one day per week.
- The Market includes no more than 30 stalls.
- The market is not open to the public:
  - Between 7:00pm and 7:00am, Monday to Saturday
  - Between 7:00pm and 9:00am on Sundays
  - On Christmas Day, Good Friday, or Easter Sunday
- Vendor arrival is not permitted before 6:00am.
- The Market and associated parking must be located at least 150 metres from any lot zoned for 'Residential' use.
- Market operations must not conflict with parking requirements for the site's primary use.
- A minimum of two car parking bays per stall must be provided.

Markets on Public Land

Markets proposed on Local Reserves are also exempt from Development Approval under the Scheme. These proposals will be assessed through the City's Event Application process.

6. DEFINITIONS

Unless otherwise provided for in this Policy, definitions have the same meaning as the Residential Design Codes (R-Codes), the City's Local Planning Scheme and the *Planning and Development (Local Planning Schemes) Regulations 2015*. The following additional definitions apply to this policy.

Market	Means premises used for the display and sale of goods from stalls by independent vendors; *Note: For the purpose of this definition, a stall includes any structure whether fixed or moveable, temporary or permanent, vehicles, trailers and the like. The sale of goods includes the sale of food or drinks from a stall.*

Transportable Containers	Means a moveable container, sea container, shipping container or the like, that is being used to transport goods to and/or from the property.

7. OTHER RELEVANT DOCUMENTS

- Local Planning Scheme No.4 Scheme Text
- State Planning Policy 7.3 Residential Design Codes
- Planning and Development (Local Planning Schemes) Regulations 2015
- The City's Event Application Guidelines and Requirements

OFFICE USE ONLY:

Policy Type: Local Planning Policy	**Policy No. 6.15 (LPP6.15)**
Policy Owner: City Future	**Latest adopted review date: 15 Feb 2022**

Policy Type: Local Planning Policy	**Policy No. 6.13 (LPP6.13)**
Policy Owner: City Future	**Latest adopted review date: 1 Oct 2020**

Councillor Tony Krsticevic disclosed an Impartial Interest in Item 12.1/PCS1, as he owns a property on West Coast Highway, located close to 273 West Coast Highway, Scarborough.

12.1/PCS1 GROUND LEASE MAJOR LAND TRANSACTION

Business Unit:	Property & Commercial Services	Service: Property Services
Ward:	Coastal	Location: 273 West Coast Highway, Scarborough
Applicant:	Lofte Property No.1 Pty Ltd	

Role

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

Council Resolution

0226/006

Moved Councillor Proud, seconded Councillor Hatton

1. **That Council NOTES the submissions received for the Business Plan Major Land Transaction 273 West Coast Highway, Scarborough for the proposed Ground Lease consultation.**

2. **That Council PROCEEDS with the Major Land Transaction 273 West Coast Highway, Scarborough, as per the Major Land Transaction Business Plan detailed in Attachment 1.**

3. **That Council APPROVES the Chief Executive Officer to be granted delegated authority to enter into the Ground Lease and any minor variations of the Ground Lease.**

4. **That Council AUTHORISES the Mayor and Chief Executive Officer to sign and affix the Common Seal to the necessary documentation to affect the Ground Lease.**

The motion was put and declared CARRIED (14/0) by exception resolution, and by an Absolute Majority.

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Ion, Krsticevic, Olow, Paparde, Perkov, Proud, Re, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

1. That Council NOTES the submissions received for the Business Plan Major Land Transaction 273 West Coast Highway, Scarborough for the proposed Ground Lease consultation.

2. That Council PROCEEDS with the Major Land Transaction 273 West Coast Highway, Scarborough, as per the Major Land Transaction Business Plan detailed in Attachment 1.

3. That Council APPROVES the Chief Executive Officer to be granted delegated authority to enter into the Ground Lease and any minor variations of the Ground Lease.

4. That Council AUTHORISES the Mayor and Chief Executive Officer to sign and affix the Common Seal to the necessary documentation to affect the Ground Lease.

NB: ABSOLUTE MAJORITY VOTE REQUIRED AT COUNCIL

Officer's Recommendation

1. That Council NOTES the submissions received for the Business Plan Major Land Transaction 273 West Coast Highway, Scarborough for the proposed Ground Lease consultation.

2. That Council PROCEEDS with the Major Land Transaction 273 West Coast Highway, Scarborough, as per the Major Land Transaction Business Plan detailed in Attachment 1.

3. That Council APPROVES the Chief Executive Officer to be granted delegated authority to enter into the Ground Lease and any minor variations of the Ground Lease.

4. That Council AUTHORISES the Mayor and Chief Executive Officer to sign and affix the Common Seal to the necessary documentation to affect the Ground Lease.

NB: ABSOLUTE MAJORITY VOTE REQUIRED AT COUNCIL

Purpose

For Council to consider the public submissions received from advertising the Business Plan Major Land Transaction in accordance with section 3.59 of the *Local Government Act 1995*. Additionally, to seek Council endorsement and approval for the City to proceed with the proposal and enter a ground lease agreement with Lofte Property No.1 Pty Ltd as Lessee for the purpose of construction of a hotel on the City freehold property located on Lot 0, House Number 273, West Coast Highway, Scarborough.

Details

At its meeting held 15 August 2023, Council resolved (Council Resolution Number 0823/031) to endorse the Land Asset Action Plan 2023 – 2028 and its recommendations.

The Land Asset Action Plan 2023 - 2028 (LAAP) has been developed to improve the City's long-term strategic management of its freehold land assets and Crown Land under City management. The LAAP provides strategic oversight and guidance to deliver accountable decision making and provides an opportunity to generate ongoing income for rate payers with the aim to reduce reliance on rates.

The LAAP considers that the City has a primary responsibility to the community to manage the high value land holdings with objective decision making and sustainable financial management. Sustainable Stirling 2022-2032 provides the long-term vision and direction for the City of Stirling, with the LAAP supporting the City in achieving its Vision 'to be a sustainable City with a local focus' by ensuring that all land assets controlled by the City deliver financial, economic, social or environmental values consistent with the highest and best use of the land for the benefit of the community.

Property located at 273 West Coast Highway

273 West Coast Highway, Scarborough comprises a vacant, regular-shaped parcel of 2,984m² which is owned in freehold by the City. The site was identified as a high priority 'Top 10' property and classified as 'Investment and Development' in the Land Asset Action Plan 2023-2028 due to being zoned appropriately to achieve highest and best use, suitability for a number of potential uses, and also having the potential of realising the long-term strategic objectives of Sustainable Stirling 2022-2032.

The LAAP recommended option was to undertake a marketing campaign for a Ground Lease proposal. The marketing campaign was undertaken with the preferred proponent endorsed by Council subject to the advertising of the required Major Land Transaction and to consider the submissions.

Given the total value of the Ground Lease proposal, it was considered that this transaction constitutes a 'major land transaction' as defined under Section 3.59 of the *Local Government Act 1995* and as such the City is required to comply with the requirements as set out in this provision.

The City prepared a Business Plan in accordance with the requirements of Section 3.59, outlining the parameters for the Ground Lease for the purpose of a hotel. Refer to Attachment 1 – Business Plan Major Land Transaction 273 West Coast Highway, Scarborough.

The Business Plan Assessment is addressed below:

1. What is the expected effect of the proposal on the provision of facilities and services by the City?

   There are no direct effects upon existing services and facilities. If a decision is made to proceed with the ground lease proposal, the direct and indirect returns will enhance the City's ability to undertake other projects for the benefit of the community.

   Investment properties are principally freehold properties, held for long-term rental yields and not occupied by the City. The proceeds from the annual commencing ground lease at $370,000 per annum plus GST, will provide the City with an additional long term revenue stream which will enhance the City's ability to deliver facilities and services.

2. What is the expected effect on other persons providing facilities and services in the district?

   There are no direct effects expected on other persons providing facilities and services in the district. It is expected that when the site is redeveloped under the ground lease, it will deliver tourism and economic benefits enhancing the amenity and activation within the precinct. This is expected to have a direct positive impact for the community and businesses.

3. What is the expected financial effect on the City?

The major land transaction is not expected to have any impact on the normal operating and capital costs, but the proposed long term lease income is expected to contribute to the City's alternate revenue streams derived from its investment properties.

The expected lease income over the initial 50-year lease term will be $18,500,000 before rent review adjustments. Costs associated with the preparation of the ground lease agreement are included within the City's existing operational budget. The site will be provided to the Lessee by the City on an "As-Is" basis under the proposed ground lease agreement.

Additional rates revenue for the City would also be generated if the ground lease proposal were approved by Council. Hotels are rated as commercial properties by the City and the 2025/26 rate in the dollar for this property class is $0.059943. The actual rates charged will depend on a valuation of the hotel which will be provided by Landgate.

4. What is the expected effect on matters referred to in the local governments' current plan prepared under Section 5.59?

The projected income returns will provide the City with additional revenue to contribute to finance activities set out in its Strategic Community Plan.

The intended transactions are consistent with the objectives of the City's Corporate Business Plan 2024-2028 which include to strive for operational efficiency, effectiveness and continuous improvement.

The City will continue to provide responsible financial and asset management of the City's commercial property portfolio to produce a sustainable income stream.

5. Has the City the ability to manage the undertaking or the performance of the transaction?

The City has qualified and experienced staff with the ability to manage the proposed transaction. This will be enhanced by the engagement of external agents such as professional property agents, valuers, lawyers and consultants as required.

The clear purpose of section 3.59 is to also demonstrate that a proposed major land transaction will not compromise the ability of the local government to deliver its core functions. The requirements of a Business Plan ensure the impact of the transaction on the City's operations is considered and the City's ability to manage the transaction is assessed prior to proceeding with the transaction.

As required under section 3.59 of the *Local Government Act 1995*, the Business Plan was advertised by statewide public notice with a seven-week submission period allowing the community to provide comment on the Business Plan. During the seven-week advertising period there were 298 visits to the City of Stirling's project webpage.

At the conclusion of the advertising period at 4.00pm on 15 January 2026, four submissions were received via the Community Consultation Submission Form on the City's website. Refer to Attachment 2 – Public Submission Report - 273 West Coast Highway.

The table below provides a summary of the submissions.

Table Summary: Submissions received – relative locations

Submissions received	Within 100m radius of proposed site	Within 200m radius of proposed site	All other areas within the City of Stirling	Outside of the City of Stirling	Total Submissions received
Support	0	0	4	0	4
Object	0	0	0	0	0
Total responses	0	0	4	0	4

Financial Assessment and Implications

Based on the proposed Lease Terms, Lofte Property Fund No.1 Pty Ltd is projected to provide the City with a commencing net rental income of $370,000 per annum resulting in $18,500,000 of total income for the City during the first 50 year term of the proposed lease. This on-going financial benefit will contribute to the alternative income objectives of the City. Being a ground lease structure, the City has minimal expenditure requirements over the life of the lease term and as noted earlier, continues to own the land. The City will also derive rates revenue from the Lessee through the term of the lease period.

Economic Impact – Local Economy

A high-quality hotel enhances Scarborough's profile as a premium beachside destination, attracting both leisure and business travellers. It complements the foreshore redevelopment, strengthens the local economy, and may act as a stimulus to encourage further investment.

The construction of a hotel will generate two impacts to the local economy, the direct economic stimulus from construction and the ongoing benefits to the visitor economy. Modelling by the City anticipates a $72 million non-residential project will result in a corresponding creation of 195 full time jobs during construction and an additional $63.6 million in supply chain and consumption effects.

Based on conservative assumptions of occupancy and attraction of new additional overnight visitors to Scarborough, modelling predicts that the new hotel could generate an annual increase in direct expenditure of $7.9 million. With additional supply chain and consumption effects, a total increase in expenditure of $13.2 million per year is anticipated.

The project also aligns with the following economic objectives:

Tourism WA's WA Visitor Economy Strategy (WAVES) key goal area:

- Driving private sector investment in accommodation and enhancing attractions.

Tourism WA, Investment Attraction Strategy:

- Need to address the shortage of accommodation options in key destinations and to better meet the demands of high-yield travellers.

Aligns with the City's Strategic Community Plan 2022-2032:

- Attract and promote investment; and
- Attract visitors to our City.

Aligns with Economic and Tourism Development Strategy 2021-2025:

- Promote opportunities for short-stay accommodation development; and
- Work with proponents to deliver iconic visitor accommodation.

Stakeholder Engagement

Advertising of the Major Land Transaction Business Plan 273 West Coast Highway, Scarborough was carried out in accordance with the City's Community Engagement Policy. The public submission period commenced on 26 November 2025 and concluded on 15 January 2026. Public Notices were advertised in the West Australian, placed on noticeboards in the City's Administration Centre and Libraries, on the City's website, and in posts on the City's LinkedIn page.

The public notices provided details on where the Business Plan could be found on the City's website, and details on how to make a submission.

Options Summary

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

OPTIONS	
1.	PROCEED with the major land transaction for 273 West Coast Highway, Scarborough. This supports the City's Land Asset Action Plan 2023-2028 strategic objectives to generate alternate income revenue from its identified commercial property assets. Enter into the Ground Lease Agreement with Lofte Property No.1 Pty Ltd (Lessee) to facilitate the construction and operation of the proposed Hotel on the property site.
2.	DO NOT PROCEED with the major land transaction for 273 West Coast Highway, Scarborough. The City will forgo redevelopment of the site for a needed use as a hotel and forego the recurring long term lease income and rates derived from the lease arrangement.

Recommended Action

The Major Land Transaction Business Plan has been prepared and advertised following a resolution of Council (Council Resolution Number 1125/011). The Business Plan satisfies the requirements under Section 3.59 of the *Local Government Act 1995*. The public advertising was for a continuous period of seven weeks.

The advertised Business Plan received four written supporting submissions, no objecting submissions and no submissions defined as 'not specified'. The supportive submissions as detailed in the table contained comments relative to the planning improvement and economic benefits the proposal will contribute to the Scarborough Beach coastal precinct. Additional comments related to the current lack of supply and choice for holiday and hotel accommodation within the precinct and that the proposal, when developed, would bring much needed supply of additional accommodation choice for the public to access. Further, the Major Land Transaction aligns with the strategic objectives in the City's Land Asset Action Plan (LAAP), by providing an opportunity to generate ongoing income for rate payers with the aim to reduce reliance on rates.

It is recommended that Council proceeds with the proposal contained in the Business Plan Major Land Transaction 273 West Coast Highway, Scarborough and progress the project with the preparation and execution of the ground lease agreement by the Mayor and Chief Executive Officer.

Relevant Policies, Legislation and Council Resolutions

Local Government Act 1995

Meeting Date	Council Resolution Number	Council Resolution
15 August 2023	0823/031	1. That Council ENDORSES the Land Asset Action Plan 2023 - 2028 and its recommendations. 2. That Council NOTES any proposal in respect to Council owned or controlled property will be considered by Council with reference to the Land Asset Action Plan 2023 - 2028.
13 February 2024	0224/014	1. That a report be PRESENTED to Council to consider all options to increase availability of parking within the Scarborough Beach Precinct, as well as opportunities for funding or collaboration from the WA State Government and Tourism WA. 2. That potential uses and opportunities for Lot 0, House Number 273, West Coast Highway, Scarborough, be DISCUSSED at a future workshop with Elected Members prior to July 2024.

Sustainable Stirling 2022-2032

Key Result Area: Our economy

Objective: A smart and prosperous City

Priority: Attract and promote investment and partnership opportunities

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 - Business Plan Major Land Transaction 273 West Coast Highway, Scarborough ⇩

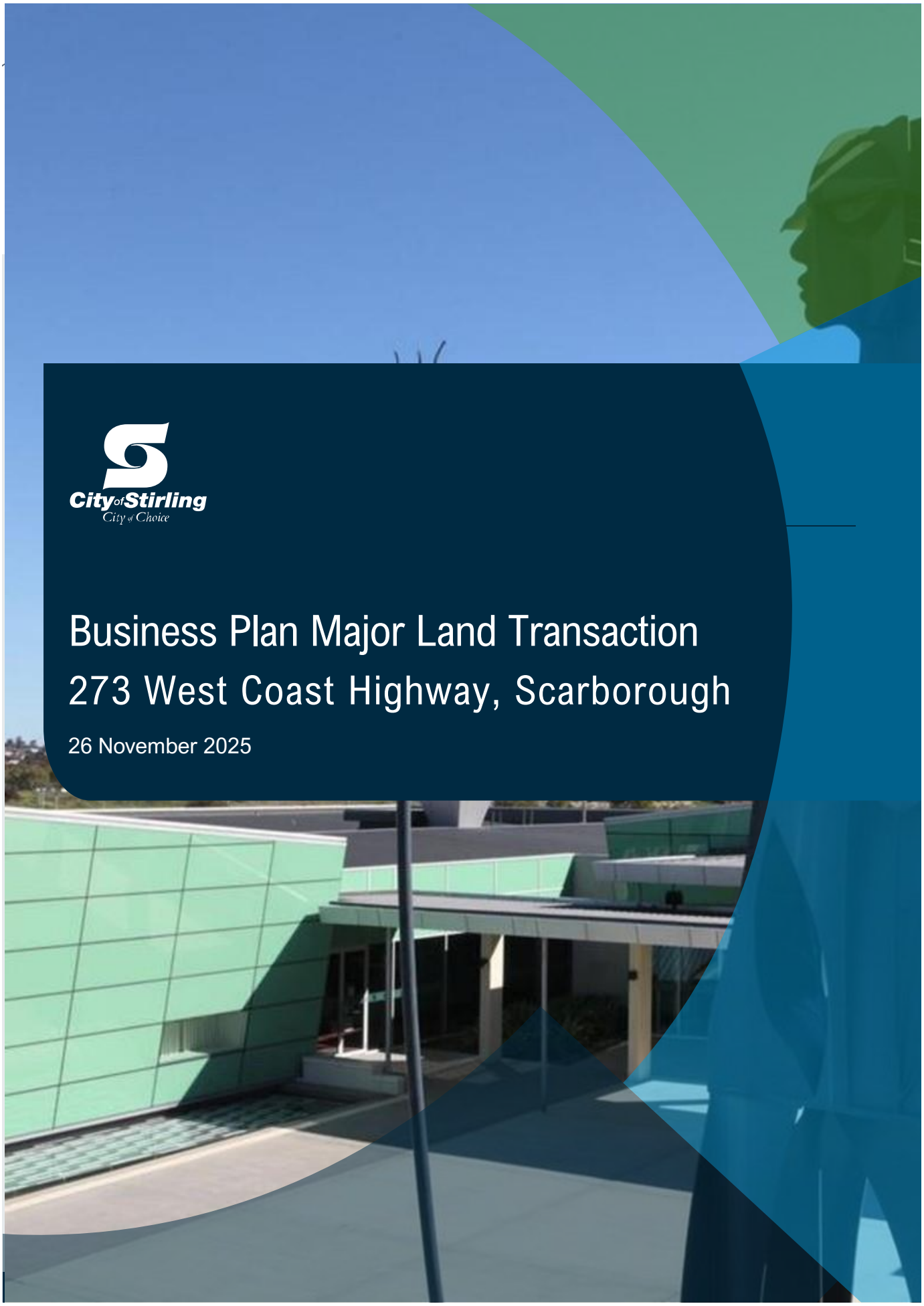
Attachment 2 - Public Submission Report - 273 West Coast Highway ⇩

Available for viewing at meeting

Nil

Linked Documents

Nil.



Business Plan Major Land Transaction
273 West Coast Highway, Scarborough

26 November 2025

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1. Introduction

The City of Stirling (the City) has a large portfolio of land and property assets, the surplus income from which, is transferred to a reserve that is used to fund the annual budget.

It continues to be a major strategic objective for the City to generate on-going intergenerational income to allow a dividend reinvestment in the City's annual budget. To achieve this, the City intends to acquire and retain a portfolio of properties that provide stable and secure returns. This diversification will contribute to the City's sustainable economic management by generating alternative revenue streams.

The City's Land Asset Action Plan 2023-2028, endorsed by Council on 15th August 2023, provides a framework through which the City can make decisions with respect to the management, development, retention, disposal or acquisition of real property. Real property represents an opportunity to begin to deliver considerable on-going financial return for the City's ratepayers via an ongoing income stream and capital growth.

The City has identified the key strategic investment property assets that are best suited for ground lease redevelopment proposals and held for long-term lease income generation. One of these assets is 273 West Coast Highway, Scarborough, the subject site of this proposed land transaction.

273 West Coast Highway, Scarborough comprises a vacant, regular-shaped parcel of 2,984m² which is owned in freehold by the City. The site was identified as a high priority within the Land Asset Action Plan 2022-2028 due to being zoned appropriately to achieve highest and best use, suitability for a number of potential uses, and having the ability to realise the long-term strategic objectives of Sustainable Stirling 2022-2032.

A high-level analysis of the opportunities and constraints of the site was undertaken and the preferred option determined was for the City to seek a ground lease opportunity for the property. This option will provide ongoing revenue to the City whilst retaining ownership of the land.

It is considered that the proposed Ground Lease will meet the definition of a "major land transaction" as defined under Section 3.59 of the *Local Government Act 1995* and as such, the City is required to comply with the requirements set out in that provision. This Business Plan has been prepared and public submissions sought in order to comply with the City's obligations for major land transactions.

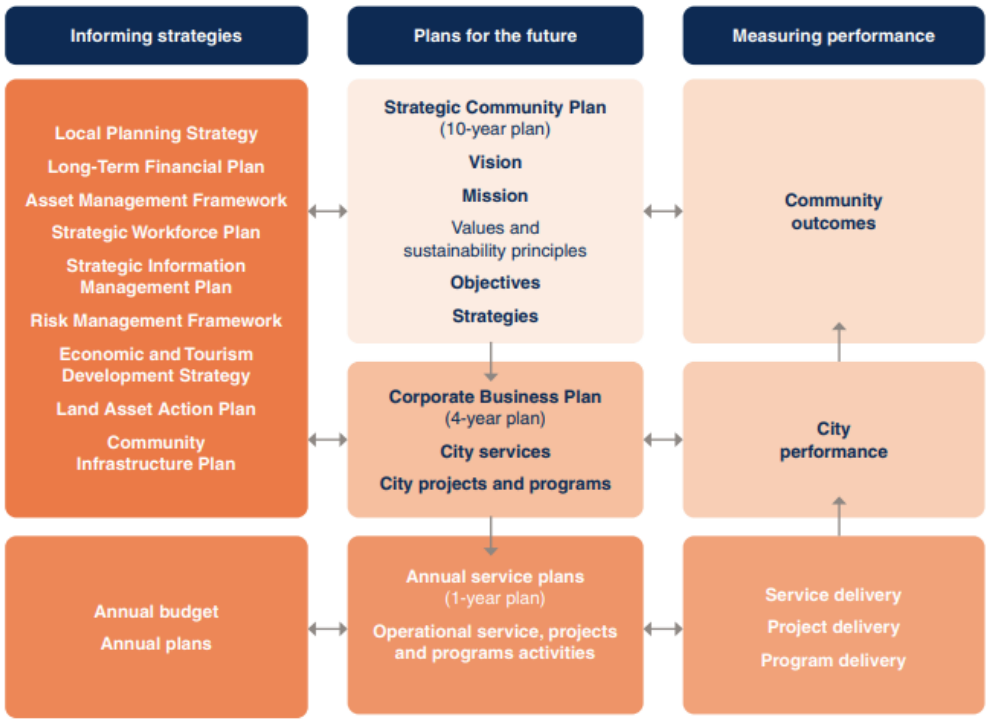
Any public submissions received in response to this Business Plan will be considered when Council decides whether to proceed with this Major Land Transaction and enter into a long-term ground lease agreement with the preferred proponent as specified in this Business Plan.

2. Sustainable Stirling

Sustainable Stirling 2022-2032, the City's Strategic Community Plan, is a legislative requirement for all local governments in WA and the City's highest level planning document. It sets out a broad but ambitious and achievable vision to be a sustainable City with a local focus, and objectives across five key result areas:

- Our community
- Our economy
- Our built environment
- Our natural environment
- Our leadership.

The City's Land Asset Action Plan 2023-2028 is an informing strategy to the Strategic Community Plan. The Land Asset Action Plan 2023-2028 identified the acquisition and retention of income-producing property assets as a key investment option to achieve income and capital growth.



This Business Plan outlines the intended transaction to implement an investment strategy in property that will deliver an income return. The projected income will provide the City with an opportunity to generate additional revenue to finance activities set out in Sustainable Stirling; as well as activities set out in the City's Corporate Business Plan and annual Service Plans.

3. Proposed Transaction

Ground Lease Proposal
The City undertook a competitive and open Expression of Interest process seeking ground lease proposals from the market for its site at 273 West Coast Highway, Scarborough.

The preferred proponent proposes to enter into a long-term ground lease with the City and develop the site as a hotel. Under a Ground Lease the City retains ownership of the site, however the Lessee will own all the improvements it constructs on the land.

The ground lease agreement was prepared by the City's solicitors. This agreement will have conditions and performance clauses to ensure the Lessee complies with their obligations. Subject to planning approval being obtained by the Lessee in the normal statutory planning process, the development is expected to take up to two years.

The City sought an opinion of value for the subject site which was assessed on an 'as is' basis at $7,500,000 excluding GST. The standard approach in assessing a market ground rent is to assess a market value of the land and then apply an appropriate rate of return.

To inform negotiations on the commencing rent the City appointed a Licensed Valuer to complete an independent valuation. The valuer assessed the ground lease rent at $395,000 + GST. The ground lease proposal sets the commencing rent at $370,000 + GST.

Key Terms for the Proposed Ground Lease

Lessor	City of Stirling
Lessee	Lofte Property No.1 Pty Ltd (ACN 669 992 009)
Land/Premises	273 West Coast Hwy, Scarborough
Title Details	Lot (0) on Diagram 12303, Volume 1587, Folio 545
Land Area	2,984 m^2
Proposed Development Use	Hotel Accommodation with Complimentary Uses
Initial Lease Term	50 years from the effective date
Further Lease Terms	5 x 10 year options
Ground Rent (p.a.)	$370,0000 plus GST
Rent Reviews	CPI Annually to a maximum of 4%
Market Reviews	Every 10 Years from Lease Commencement

4. Legislative Provisions

Major Land Transaction – Section 3.59

In accordance with Section 3.59 of the Local Government Act 1995, before a local government enters into a major land transaction the local government is to prepare a Business Plan.

The clear purpose of Section 3.59 is to demonstrate that a proposed major transaction will not compromise the ability of the local government to deliver its core functions. The requirements of a Business Plan ensure the impact of the transaction on the City's operations is considered and the City's ability to manage the transaction is assessed prior to proceeding with the transaction.

The Business Plan is to include an overall assessment of the major land transaction and is to include details of:

a. Its expected effect on the provision of facilities and services by the local government;
b. Its expected effect on other persons providing facilities and services in the district;
c. Its expected financial effect on the local government;
d. Its expected effect on matters referred to in the local government's current plan prepared under section 5.56;
e. The ability of the local government to manage the performance of the transaction; and
f. Any other matter prescribed for the purpose of this subsection.

The *Local Government Act 1995* also requires the local government to:

1. Give Statewide public notice stating that –
   i. The local government proposes to enter into the major land transaction described in the notice;
   ii. A copy of the Business Plan may be inspected or obtained at any place specified in the notice; and
   iii. Submissions about the proposed transaction may be made to the local government before a day to be specified in the notice, being a day that is not less than six (6) weeks after the notice is given; and
2. Make a copy of the Business Plan available for public inspection in accordance with the notice; and
3. Publish a copy of the Business Plan on the local government's official website.

A major land transaction means the acquisition, disposal or development of land where the value of the transaction is more than the amount prescribed by Regulation. In the case of the City of Stirling, that amount is defined in the *Local Government (Functions and General) Regulations 1996* as the lesser of-

i. $10,000,000; or
ii. 10% of the operating expenditure incurred by the City from its municipal fund in the last completed financial year.

In the case of the City the relevant threshold is $10,000,000. The revenue from the proposed ground rent is $18,500,000 over the initial 50 year term, before rent review adjustments and exceeds the threshold value.

Absolute Majority – Section 3.59 (5)

Once Council has considered any public submissions, it may then resolve to proceed with the major land transaction. In accordance with Section 3.59(5) of the Local Government Act the voting requirement for this decision is required to be by absolute majority.

5. Business Plan Assessment

A Business Plan prepared under Section 3.59 of the LGA is required to address the points listed below:

What is the expected financial effect on the City?

The major land transaction is not expected to have any impact on the normal operating and capital costs but the proposed long term lease income is expected to contribute to the City's alternate revenue streams derived from its' investment properties.

The expected lease income over the initial 50-year lease term will be $18,500,000 before rent review adjustments. Costs associated with the preparation of the ground lease agreement are included within the City's existing operational budget. The site will be provided to the Lessee by the City on an "As-Is" basis under the proposed ground lease agreement.

Additional Rates revenue for the City would also be generated if the ground lease proposal were approved by Council. Hotels are rated as commercial properties by the City and the 2025/26 Rate in the Dollar for this property class is $0.059943. The actual rates charged will depend on a valuation of the hotel which will be provided by Landgate.

What is the expected effect of the proposal on the provision of facilities and services by the City?

There are no direct effects upon existing services and facilities. If a decision is made to proceed with the ground lease proposal, the direct and indirect returns will enhance the City's ability to undertake other projects for the benefit of the community.

Investment properties are principally freehold properties, held for long-term rental yields and not occupied by the City. The proceeds from the annual commencing ground lease at $370,000 per annum plus GST, will provide the City with an additional long term revenue stream which will enhance the City's ability to deliver facilities and services.

What is the expected effect on other persons providing facilities and services in the district?

There are no direct effects expected on other persons providing facilities and services in the district. It is expected that when the site is redeveloped under the ground lease, it will deliver tourism and economic benefits enhancing the amenity and activation within the precinct. This is expected to have a direct positive impact for the community and businesses.

What is the expected effect on matters referred to in the local governments' current plan prepared under section 5.59

The proposed ground lease is aligned to the objectives under the City's Strategic Community Plan. The projected income returns will provide the City with additional revenue to contribute to finance activities set out in the Strategic Community Plan. The proposed transaction is consistent with the objectives of the City's Corporate Business Plan 2024-2028 which include to strive for operational efficiency, effectiveness and continuous improvement.

The long-term ground lease is a preferred investment option within the Land Asset Action Plan 2023-2028 which is also an informing strategy to the Strategic Community Plan. The City will continue to provide responsible financial and asset management managing the City's commercial property portfolio to produce a sustainable income stream for resident ratepayers.

Has the City the ability to manage the undertaking or the performance of the transaction?

The City has qualified and experienced staff with the ability to manage the proposed transaction. This will be enhanced by the engagement of external agents such as professional property agents, valuers, lawyers and consultants as required.

6. Submissions

Section 3.59 of the Local Government Act 1995 requires the City to give state-wide Public Notice of the proposed Major Land Transaction inviting public submissions. A Notice as specified under Section 3.59(4) of the Local Government Act 1995 was placed in the State and Local Newspapers, on the City's website and community information media. The Notice and Business Plan will also be available to view by the public at the City's Administration Building located at 25 Cedric Street, Stirling WA during the extended seven-week public notice period from Wednesday 26th November 2025 to Thursday 15th January 2026.

As such, the community is invited to make submissions on this Business Plan.

Please send any submission in writing to the City's Chief Executive Officer via the following methods:

Mail:	PO Box 1533, Osborne Park WA 6916
Email:	propertyservices@stirling.wa.gov.au
Website:	www.stirling.wa.gov.au/businessplan
In Person:	25 Cedric Street, Stirling WA 6021

Submissions must be received by **4.00pm** on **Thursday 15th January 2026.**

Once the submission period is closed Council will consider the Major Land Transaction proposed within this Business Plan and will make a decision whether to proceed or not.

Major Land Transaction – Proposed Ground Lease, 273 West Coast Highway, Scarborough

Consultation Outcomes Report January 2026

Background

The City of Stirling has a large portfolio of land and real property assets including a leasing portfolio and the generated income is used to deliver key services.

The City's Land Asset Action Plan 2023-2028 is an informing strategy to the Strategic Community Plan and identifies the acquisition of income-producing property assets as a key investment option to generate income and capital growth.

The City recognises the community interest in land transactions and are committed to informing the community about significant City Property and Commercial Projects that may impact them.

Project

Council endorsed the City to undertake a competitive public process via an Expression of Interest (EOI) process seeking ground lease redevelopment proposals from the market for its freehold vacant site situated at 273 West Coast Highway, Scarborough.

The preferred proponent, Lofte Property No.1 Pty Ltd, submission proposal was selected by the Panel after an assessment evaluation of the qualitative selection criteria scored the highest. The Council resolved to approve the preferred proponent and to advertise the major land transaction in accordance with Section 3.59 of the Local Government Act. The transaction is in the form of a conditional long-term ground lease where the preferred proponent (Lessee) will develop a hotel on the site.

In return, the City will receive lease income and rates income over the term of the lease. This Business Plan has been prepared and public submissions sought in order to comply with the City's obligations for major land transactions.

Consultation submissions received in response to this Business Plan will be considered as part of Council's decision as to whether or not the City should proceed with this Major Land Transaction, being the long-term ground lease of the City owned freehold property situated at 273 West Coast Highway, Scarborough for the purpose of a Hotel, details of which are specified in the Business Plan.

Consultation

The consultation period for this project was from Wednesday 26 November 2025 to Thursday 15 January 2026. During this period the project page saw 298 views.

In alignment with the consultation procedures outlined in this Policy, the consultation included:

- **Project Page** – The project page received 298 visits during the consultation period.
- **Public Notice** – Statewide advertising of the Major Land Transaction Business Plan included a Public Notice in The West Australian on 26 November 2025. Notices were also displayed on the City's Public Notice Boards, across City Libraries, at the City's Main Administration Building, and on the City's website throughout the consultation period.
- **Social Media** – A LinkedIn post was shared on the City's account on 26 November 2025, which received 1,027 impressions.
- **Submissions** – All stakeholders were welcome to participate, including individuals both within and outside the City, through the City's online Community Consultation Submission Form. Those who required an alternative format or needed support to complete a submission could contact the City on (08) 9205 8555.

A total of four (4) submissions were received between Wednesday 26 November 2025 to Thursday 15 January 2026 via the Community Consultation Submission Form. All submissions received were verified using the provided address, and data quality procedures consistent with best practice were undertaken.

The summary table that consolidates the community support and opposition by proximity to the project location is listed below. This approach provides consistency in how submissions are reviewed and interpreted by Council.

Table Summary: Submissions received – relative locations

Submissions received	Within 100m radius of proposed site	Within 200m radius of proposed site	All other areas within the City of Stirling	Outside of the City of Stirling	Total Submissions received
Support	0	0	4	0	4
Object	0	0	0	0	0
Total responses	0	0	4	0	4

Summary of feedback raised for the proposal

Feedback Reference	Feedback theme	Description
1	Support the proposal	For too long, the City of Stirling has been reluctant—both at the council level and among some residents—to embrace sensible densification and quality high-rise. That must change. We are in the midst of a housing crisis, and ongoing urban sprawl has stretched our suburbs too far. Scarborough is among Australia's premier beaches, yet it lacks the range of facilities and accommodation needed to truly entice visitors and establish itself as a year-round destination. Well-designed hotels and contemporary apartment developments will elevate Scarborough's appeal, bring more tourism, and offer greater choice beyond the existing Rendezvous Hotel. Scarborough needs more. Scarborough deserves more. Crucially, these projects will deliver real economic benefits: hundreds of construction jobs, ongoing employment in hospitality, retail, and tourism services, and a stronger customer base for local small businesses. They will attract new investment, expand the rate base, and drive a more vibrant, resilient local economy. We have a rare opportunity to reshape Scarborough into a significant coastal hub for the City—and for Western Australia. With more thoughtfully planned hotels and homes, Scarborough can evolve from a place by the sea into a true destination.
2	Support the proposal	I am writing to express my support for the proposed hotel development behind Brighton Beach in Scarborough, Perth.

		Scarborough has undergone significant positive change in recent years, and this development would be a welcome addition to the area's continued improvement. A high-quality hotel will enhance the precinct, complement the recent beachfront upgrades, and further establish Scarborough as a vibrant and desirable destination for both locals and visitors. The proposed hotel will also bring clear economic benefits to the community. It will create local employment opportunities during both the construction and operational phases, while increasing tourism and supporting nearby businesses such as cafés, restaurants, and retail outlets. Scarborough needs more high-quality accommodation options to meet growing demand. A well-designed, modern hotel will help address this gap and allow more visitors to stay locally and experience everything the area has to offer. As a resident of the area, I would personally welcome the opportunity to stay at the new hotel and recommend it to visiting friends and family. I believe this project represents a positive and forward-looking investment in Scarborough's future and strongly support its approval.
3	Support the proposal	We need more development on this side of Westcoast Hwy. A hotel with views would be great as when we have family visiting on summer we can't get sensible rates for rooms for them. It's a monopoly by the Rendezvous hotel and a few airbnbs. We also need local employment in Scarborough for younger people. Very exciting development.
4	Support the proposal	I am writing to formally express my strong support for the proposed hotel development in Scarborough, located behind Brighton Beach, as outlined in the City of Stirling's advertised business case. I am a resident of the City of Stirling, and I have a strong interest in the ongoing planning and development of the local area. Scarborough has undergone significant transformation over recent years and continues to establish itself as one of Perth's most important coastal destinations. The proposed hotel represents a logical and necessary next step in this evolution, aligning with the City's long-term vision for a vibrant, well-activated beachfront precinct that supports tourism, employment and local economic growth.

		From an economic and community perspective, the benefits of this project are substantial. The development will generate local employment during both construction and ongoing operations, while also increasing visitation to the area. This uplift in tourism activity will flow through to surrounding hospitality, retail and service businesses, strengthening the broader Scarborough economy. Importantly, Scarborough remains under-supplied with high-quality, contemporary accommodation options relative to its popularity and potential. A well-designed hotel in this location will help address that shortfall, encourage longer visitor stays, and position Scarborough as a destination not only for day visitors, but for interstate and international tourists seeking premium coastal accommodation. The project also represents a positive urban outcome. Sensitive, high-quality development in this precinct will contribute to the ongoing activation and amenity of the area, supporting a safe, lively and attractive environment for both residents and visitors. When delivered thoughtfully, developments of this nature enhance place identity and reinforce Scarborough's role as a key tourism and lifestyle hub within the City of Stirling.

12.1/8.1 PROPERTY LEASE PROPOSAL

Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 5.23(4)(g) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:-

Admin Regs 4A(c)(ii) information relating to a property that is used, or is potentially to be used, for a shelter for persons who have experienced family or domestic violence.

Council Resolution

0226/007

Moved Councillor Proud, seconded Councillor Hatton

1. **That Council APPROVES a new lease from the Department of Housing and Works (Housing Authority) to the City of Stirling for the property detailed in this Report.**

2. **That Council AUTHORISES the Mayor and Chief Executive Officer to sign and affix the Common Seal to the necessary legal documentation required to affect the proposal for the property detailed in Part 1 above.**

3. **That Council APPROVES the Chief Executive Officer be granted delegated authority to enter into agreements required to affect the proposal for the property detailed in the Report, and any variation, extension or assignment.**

The motion was put and declared CARRIED (14/0) by exception resolution.

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Ion, Krsticevic, Olow, Paparde, Perkov, Proud, Re, Thornton 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 REVISION OF MEMBER APPOINTMENTS AND PAYMENTS TO AUDIT, RISK AND IMPROVEMENT COMMITTEE

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

Role

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

Council Resolution

0226/008

Moved Councillor Krsticevic, seconded Councillor Ferrante

1. **That in accordance with sections 5.11A and 7.1B of the *Local Government Act 1995,* Council APPOINTS Mr Frederic Ong as the Independent Deputy to the Independent Presiding Member on the Audit, Risk and Improvement Committee, for the period 11 February 2026 to 16 October 2027.**

2. **That Council:**

    a. **TERMINATES the appointment of Councillor Joe Ferrante as Deputy Presiding Member of the Audit, Risk and Improvement Committee as a result of the appointment restrictions now in force for Elected Members under section 7.1A(4) of the *Local Government Act 1995,* noting Councillor Joe Ferrante will still be a Member on the Committee*;***

    b. **APPOINTS Mr Baptiste Isambert as the Deputy Presiding Member of the Audit, Risk and Improvement Committee.**

3. **That in accordance with section 5.100(2)(b) of the *Local Government Act 1995*, Council APPROVES the following per meeting fee for Independent Committee Members appointed to the City's Audit, Risk and Improvement Committee:**

    a. **Independent Presiding Member – the maximum per meeting fee for Independent Audit, Risk and Improvement Committee Members, as determined annually by the Salaries and Allowances Tribunal from time to time;**

    b. **Independent Committee Member – 85% of the maximum per meeting fee for Independent Audit, Risk and Improvement Committee Members, as determined annually by the Salaries and Allowances Tribunal from time to time;**

    c. **Independent Deputy to the Independent Presiding Member - $200 per meeting with the fee being increased to 85% of the maximum per meeting fee for Independent Audit, Risk and Improvement Committee Members (as determined annually by the Salaries and Allowances Tribunal from time to time) in situations where the Deputy is required to perform the functions of an Independent Member when the Independent Presiding Member is unable to do so by reason of illness, absence or other cause**

The motion was put and declared CARRIED (14/0) by an Absolute Majority.

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Ion, Krsticevic, Olow, Paparde, Perkov, Proud, Re, Thornton and Mayor Irwin.
Against: Nil.

Recommendation

1. That in accordance with sections 5.11A and 7.1B of the *Local Government Act 1995,* Council APPOINTS Mr Frederic Ong as the Independent Deputy to the Independent Presiding Member on the Audit, Risk and Improvement Committee, for the period 11 February 2026 to 16 October 2027.

2. That Council:

    a. TERMINATES the appointment of Councillor Joe Ferrante as Deputy Presiding Member of the Audit, Risk and Improvement Committee as a result of the appointment restrictions now in force for Elected Members under section 7.1A(4) of the *Local Government Act 1995,* noting Councillor Joe Ferrante will still be a Member on the Committee*;*

    b. APPOINTS Mr Baptiste Isambert as the Deputy Presiding Member of the Audit, Risk and Improvement Committee.

NB: ABSOLUTE MAJORITY DECISION REQUIRED AT COUNCIL FOR PARTS 1 AND 2.

3. That in accordance with section 5.100(2)(b) of the *Local Government Act 1995*, Council APPROVES the following per meeting fee for Independent Committee Members appointed to the City's Audit, Risk and Improvement Committee:

    a. Independent Presiding Member – the maximum per meeting fee for Independent Audit, Risk and Improvement Committee Members, as determined annually by the Salaries and Allowances Tribunal from time to time;

    b. Independent Committee Member – 85% of the maximum per meeting fee for Independent Audit, Risk and Improvement Committee Members, as determined annually by the Salaries and Allowances Tribunal from time to time;

    c. Independent Deputy to the Independent Presiding Member - $200 per meeting with the fee being increased to 85% of the maximum per meeting fee for Independent Audit, Risk and Improvement Committee Members (as determined annually by the Salaries and Allowances Tribunal from time to time) in situations where the Deputy is required to perform the functions of an Independent Member when the Independent Presiding Member is unable to do so by reason of illness, absence or other cause

Purpose

As a result of recent legislative reforms, Council's endorsement is sought for a revised meeting fee structure for Independent Committee Members of the Audit, Risk and Improvement Committee (ARIC). Endorsement is also requested for the appointment of a Deputy Presiding Member and for several additional changes to the Committee's composition.

Details

As part of the Local Government Act reforms, changes have been made to the *Local Government Act 1995* regarding the establishment of ARIC.

Committee Membership and Composition

At its Special Meeting held 28 October 2025, Council appointed various Elected Members and Independent Committee Members to the City's ARIC (Special Council Resolution Numbers 1025/008 and 1025/017 refer). At that meeting, Council also set meeting fee remuneration levels for Independent Committee Members and noted that further changes to the Committee's composition would be required in the future as a result of reforms to the *Local Government Act 1995*.

On 1 January 2026, amendments to the *Local Government Act 1995* came into effect. These removed the ability for Elected Members to be appointed as Deputy Presiding Member of ARIC and introduced a requirement of Council to appoint an Independent Deputy to the Independent Presiding Member (new section 7.1B of the *Local Government Act 1995*). At the Special Council Meeting on 28 October 2025, Council appointed Councillor Joe Ferrante as the Deputy Presiding Member; however, due to the legislative change, Councillor Ferrante is no longer eligible to hold this position.

It is therefore recommended a Deputy Presiding Member be selected from the current Independent Committee Members in accordance with the legislative requirements. The Independent Committee Members (other than the Independent Presiding Member) are:

- Ms Annette Ellerby; and
- Mr Baptiste Isambert.

Given his experience with local government audit committees, it is suggested that Council consider appointing Mr Baptiste Isambert to the role of Deputy Presiding Member.

The Local Government Act reforms also require local governments to appoint an Independent Deputy to the Independent Presiding Member, which is distinct from the Deputy Presiding Member role. Consistent with Council's resolution on 28 October 2025, it is proposed that this appointment be made based on a suitable candidate identified through the City's previous expression of interest process for Independent Committee Members. In view of that assessment, it is recommended that Mr Frederic Ong be appointed as the Independent Deputy to the Independent Presiding Member (a copy of Mr Ong's submission and updated resume is provided as Confidential Attachment 1).

Meeting Fees for Independent Members

At the Special Meeting on 28 October 2025, Council resolved to set the maximum per-meeting fee for Independent Committee Members appointed to the City's ARIC, as determined annually by the Salaries and Allowances Tribunal. At that time, the fee was limited to $450 per meeting which was generally considered by the Tribunal and the local government sector as inadequate for the level of participation and involvement required of independent members.

On 19 December 2025, the Salaries and Allowances Tribunal issued a determination variation to reflect the legislative changes to ARICs. In accordance with section 5.100(1)(b) of the *Local Government Act 1995*, local governments must now set meeting fees for Independent ARIC Members (Independent Presiding Member, Deputy Presiding Member, Independent Deputy to the Independent Presiding Member, or Independent Committee Member) within the range of $105 to $1,215 per meeting.

Given the oversight role of ARIC and the complexity of its responsibilities, it is suggested the Independent Presiding Member receive the maximum fee currently permitted ($1,215 per meeting). It is further suggested that the other Independent Committee Members receive 85% of the maximum amount (equating to $1,032.75 per meeting), recognising that the Independent Presiding Member performs additional functions.

In line with the new legislative requirement to appoint an Independent Deputy to the Independent Presiding Member, it is recommended that Council adopt a 'nominal' meeting fee for this role. While the Independent Deputy may not be required to attend meetings when the Independent Presiding Member is available, they must still read and review agenda materials to ensure they are prepared to deputise at short notice.

Where the Independent Deputy to the Independent Presiding Member is required to serve as a member of the Committee, it is proposed that they receive the same meeting fee as other Independent Committee Members.

Financial Assessment and Implications

Any meeting fees for Independent Members on the Audit, Risk and Improvement Committee is funded from the City's existing operational budget.

Stakeholder Engagement

Nil.

Options Summary

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

OPTIONS	
1.	Council adjust the committee composition based on the new legislative requirements that have come into effect and appoint a new Independent Deputy to the Independent Presiding Member from those applications received as part of the previous expression on interest process.
2.	Council adjust the committee composition based on the new legislative requirements that have come into effect and approve all Independent Committee Members receiving the maximum amount of meeting fees as determined by the Salaries and Allowances Tribunal.
3.	Council request a new expression of interest process be undertaken to identify a possible Independent Deputy to the Independent Presiding Member of the committee.

Recommended Action

In view of the legislative changes made in regard to the operation of audit, risk and improvement committees, it is recommended that Council agree to the recommendations as presented in this report.

Relevant Policies, Legislation and Council Resolutions

Local Government Act 1995
Local Government (Audit) Regulations 1996

Meeting Date	Council Resolution Number	Council Resolution
28 October 2025	1025/008	1. That Council ADOPTS the amended Audit Committee Terms of Reference as detailed in Attachment 2 to this report, noting that Council has the ability to determine confidentiality, and noting that its name has changed to the Audit, Risk and Improvement Committee, subject to the following amendment: a. Replace “Two External Independent Members” with “Three External Independent Members”. 2. That in accordance with the provisions of the Local Government Act 1995, Council APPOINTS the following Elected Members to the Audit, Risk, and Improvement Committee for the period 29 October 2025 to 16 October 2027. a. Mayor Mark Irwin b. Councillor Michael Dudek c. Councillor Joe Ferrante d. Councillor Damien Giudici e. Councillor Chris Hatton f. Councillor Daniela Ion g. Councillor Karlo Perkov h. Councillor Elizabeth Re 3. That Council APPOINTS the following Elected Members as first and second deputies to members of the Audit, Risk and Improvement Committee for the period 29 October 2025 to 16 October 2027: a. First Deputy - Councillor Tony Krsticevic b. Second Deputy - Councillor Stephanie Proud

Meeting Date	Council Resolution Number	Council Resolution
28 October 2025	1025/017	1. That in accordance with section 5.100(2)(b) of the Local Government Act 1995, Council APPROVES the maximum per meeting fee, as determined annually by the Salaries and Allowances Tribunal from time to time, for Independent Committee Members appointed to the City of Stirling's Audit, Risk and Improvement Committee. 2. That in accordance with the Local Government Act 1995, Council APPOINTS the recommended external Independent Committee Members to the Audit, Risk and Improvement Committee as detailed in confidential Attachment 1 to this Report for the period 29 October 2025 to 16 October 2027. 3. That in accordance with the Local Government Act 1995, Council APPOINTS Mr David Lagan as the third external Independent Committee Member to the Audit, Risk and Improvement Committee, for the period 29 October 2025 to 16 October 2027. 4. That Council APPOINTS a member of the Audit, Risk and Improvement Committee as follows: a. Mr David Lagan as the Presiding Member of the Committee. b. Councillor Joe Ferrante as the Deputy Presiding Member of the Committee. 5. That Council NOTES as a result of further provisions of the Local Government Amendment Act 2024 coming into effect, the City will seek a further person, for Council's consideration, to be a deputy of the Independent Committee Member appointed as Presiding Member from either the applications received in Attachment 2 to this Report, or through a new expression of interest process.

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 - Application and Resume - Mr Frederic Ong (previously circulated to Elected Members under confidential separate cover)

Available for viewing at meeting

Nil

Available for viewing at the meeting

Nil.

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.

Mayor Mark Irwin disclosed an Impartial Interest in Item 14.1, as he has met with residents about footpaths.

Councillor Elizabeth Re disclosed an Impartial Interest in Item 14.1, as she has met with residents.

14.1 PROPOSED NOTICE OF MOTION - COUNCILLOR ELIZABETH RE - OBJECTION TO FOOTPATHS IN DUNROSSIL PLACE, WEMBLEY DOWNS AND GODIN COURT, CHURCHLANDS, AND REVIEW OF FOOTPATH POLICY

Business Unit:	Engineering Services	Service: Transport Services
Ward:	Doubleview	Location: Dunrossil Place, Wembley Downs and Godin Court, Churchlands
Applicant:	Not Applicable	

Role

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

Moved Councillor Re, seconded Councillor Giudici

1. That footpaths are NOT INSTALLED in cul-de-sacs outside of Dunrossil Place, Wembley Downs.
2. That the Footpath Policy be REVIEWED at a workshop and then to a future Council meeting.

The motion was put and declared LOST (7/7).

For: Councillors Dudek, Giudici, Ion, Krsticevic, Olow, Re and Thornton.
Against: Councillors Creado, Ferrante, Hatton, Paparde, Perkov, Proud and Mayor Irwin.
Casting Vote Against: Mayor Irwin

During the debate, Councillor Stephanie Proud FORESHADOWED the following motion.

Council Resolution

0226/009

Moved Councillor Proud, seconded Councillor Re

That the review of the New Footpath Policy be REFERRED to a future Elected Member workshop to allow further consideration and discussion.

The motion was put and declared CARRIED (14/0).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Ion, Krsticevic, Olow, Paparde, Perkov, Proud, Re, Thornton and Mayor Irwin.
Against: Nil.

Notice of Motion Recommendation

1. That footpaths are NOT INSTALLED in cul-de-sacs outside of Dunrossil Place, Wembley Downs and Godin Court, Churchlands.
2. That the Footpath Policy be REVIEWED at the Community and Resources Committee Meeting to be held in March 2026.

(Suggested Alternative Recommendation – refer to end of report)

Background provided by Elected Member

"1. The current footpath policy is one size fits all, which it is not in reality.
2. The current City of Stirling policy states that cul-de-sacs are not mandatory and should be 'discretionary use'.
3. Parking and traffic worries in small cul-de-sacs.
4. Alternative pedestrian access is available in close proximity to the site.
5. Increases in concrete will increase heat in the area, and for children and animals walking on the concrete footpath.
6. Driveway and people's gardens could be ruined by the footpath construction and establishment.
7. All local residents in close proximity should be consulted and their views considered prior to footpaths being established."

Details

Background

The City undertook extensive community consultation during the development of its first Strategic Community Plan in 2009. Feedback from these consultations indicated strong public support for improvements to pedestrian amenity for transport, community connectivity, health, and disability access. This led to the development of strategic initiatives promoting sustainable transport options, including walking, cycling, and public transport.

In response, the City introduced the Strategic Footpath Program in 2010 to guide the provision of new footpaths across the City. At that time, more than 320 kilometres of roads had no footpath. Roads were ranked and prioritised based on safety and amenity factors to ensure construction occurred where pedestrian risk was greatest.

At the Council Meeting held 2 October 2012, Council adopted the New Footpath Policy (Council Resolution Number 1012/016). The Policy's primary objective is that all streets within the City of Stirling have a footpath on at least one side of the road. This approach ensures a strategic, fit-for-purpose network that provides safe, accessible pedestrian routes for all community members, linking key destinations and public transport services.

Ongoing engagement through subsequent Strategic Community Plans has consistently reinforced the community's expectation for safe and accessible pedestrian networks. The City's current Strategic Community Plan, *Sustainable Stirling 2022-2032*, includes several important objectives that align with the provision of new footpaths, including:

- An accessible and connected City: Connect the community through sustainable and integrated transport networks.
- A liveable City: Create unique and liveable neighbourhoods and places.
- An attractive and well-maintained City: Ensure City assets meet current and future community needs.
- An active and healthy City: Promote active and healthy lifestyle choices.

Dunrossil Place, Wembley Downs

The provision of a footpath on Dunrossil Place is not included in the current Annual Budget but is anticipated within the next one to two years. The City has distributed advance notification flyers to residents and is aware of concerns raised by some property owners.

Dunrossil Place is a cul-de-sac approximately 320m long, servicing more than 30 properties. While some residents may perceive the road as safe for walking, a footpath in accordance with Council Policy would deliver a significantly safer outcome for all pedestrians, including vulnerable users such as school children, elderly residents, people with mobility impairments, and parents with prams. Additional justification includes proximity to public transport (bus stops) and being located within a 400m walking catchment of Wembley Downs Shopping Centre and Wembley Downs Primary School.

It is recommended that any decision on a future footpath be deferred until further information is provided in the requested report.

Godin Court, Churchlands

Godin Court was approved in the 2025/2026 Annual Budget for a new footpath construction. At the time the Notice of Motion was presented in November 2025, works had already been scheduled with contractors, and construction could not be halted. A new footpath has now been completed along this road.

Although Godin Court is a short cul-de-sac, it is located within the 400m walking catchment of Churchlands Senior High School and Newman College. It also provides a pedestrian link to Tuscany Way via a pedestrian access way (PAW) and park at its southern end. Combined with the recently constructed footpath on Otram Way, this connection forms an important link between Valencia Avenue and nearby schools.

Future Direction

The provision of new footpaths creates interest in the community, enhancing local accessibility and supporting healthier, more connected neighbourhoods.

Officers can prepare a report for the Community and Resources Committee meeting in March 2026 that includes analysis of the viability of a future footpath along Dunrossil Place and a review of the *New Footpath* policy. However, it is recommended that Council consider deferring this report in favour of an Elected Member workshop. A workshop would provide an opportunity to address specific concerns regarding the scheduling, design, and construction of new footpaths across the City in a collaborative setting.

Financial Assessment and Implications

The construction of all footpaths is approved by Council as part of the annual budget process.

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

Priority: Advocate for improved public transport options to enhance activity and reduce reliance on vehicle use

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.

Suggested Alternative Recommendation

That the review of the New Footpath Policy be REFERRED to a future Elected Member workshop to allow further consideration and discussion.

Reason

A review of the New Footpath Policy will provide the opportunity to consider and review any specific concerns from Elected Members in relation to the scheduling, design and construction of new footpaths across the City.

Relevant Documents and Information

Attachments

Nil.

Available for viewing at the meeting

Nil.

Linked Documents

New Footpath Policy

14.2 PROPOSED NOTICE OF MOTION - COUNCILLOR DAMIEN GIUDICI - CROSSOVER POLICY REVIEW

Business Unit:	Development Services	Service: Verge & Crossover Services
Ward:	City Wide	Location: City Wide
Applicant:	Not Applicable	

Role

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

Council Resolution

0226/010

Moved Councillor Giudici, seconded Councillor Re

That the review of the City's Crossover Policy be REFERRED to a future Elected Member Workshop to allow further consideration and discussion.

The motion was put and declared CARRIED (14/0).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Ion, Krsticevic, Olow, Paparde, Perkov, Proud, Re, Thornton and Mayor Irwin.
Against: Nil.

Notice of Motion Recommendation

That the City's Crossover Policy be REVIEWED, and that a report on the outcomes of the review be PRESENTED to the Planning and Development Committee meeting within the next six months.

(Suggested Alternative Recommendation – refer to end of report)

Background provided by Elected Member

"Residents in Dianella have signed a petition seeking a review of the City's Crossover Policy."

Details

The City's previous Crossover Policy, adopted by Council at its meeting held 4 June 2013, required new crossovers to ensure any existing footpath remained continuous in grey concrete through the crossover. However, City installed footpaths that intersected existing crossovers, would stop at either side of the crossover.

The City's current Crossover Policy, adopted by Council at its meeting held 11 April 2017, outlines:

- For new crossovers, where footpaths are setback from the kerbline, residents have the choice as to whether the footpath will continue in plain grey concrete through the crossover, or whether the footpath will stop at either side of the crossover.
- For new crossovers, where footpaths are located along the kerbline, the footpaths are required to be continuous in plain grey concrete through the crossover. The City's New Footpath Policy was reviewed and amended in 2018 to align with this position.

The changes made to the City's Crossover Policy in 2017 were implemented to prioritise pedestrian safety over aesthetics, with particular consideration given to vulnerable users such as school children, elderly residents, people with mobility impairments (including but not limited to, people with visual impairments), and parents with prams.

The purpose of the current Crossover Policy is to ensure the safe, consistent, and practical design and construction of crossovers by setting standards that protect public infrastructure and streetscape amenity, safeguard pedestrians and street trees, manage stormwater impacts, and outline eligibility requirements for crossover subsidies. The policy was reviewed on 26 May 2020, with minor changes adopted, none relating to footpaths, and was scheduled for further review in 2021. This review was placed on hold until the Thoroughfares and Public Places Local Law 2009 was reviewed, which could affect the Crossover Policy. The review of the Thoroughfares and Public Places Local Law 2009 is proposed for later this year. This is likely to include a workshop with Elected Members, which will holistically review how the City manages the verge area, including crossovers and footpaths.

A petition was tabled by Councillor Damien Giudici on 11 November 2025, signed by Dianella residents, in response to a new footpath being constructed in their street that would continue through their existing crossovers. The petition sought a review of the City's Crossover Policy, with the intention that crossovers be permitted to continue through footpaths in all situations and that future footpaths would stop either side of crossovers. As a result, this petition sought to bring forward a review of the Crossover Policy.

Notwithstanding the review of the Thoroughfares and Public Places Local Law 2009, officers can review the policy and prepare a report to be presented to the Planning and Development Committee meeting to be held 12 May 2026. However, a further review of the Crossover Policy will likely be required following the Thoroughfares and Public Places Local Law 2009 review.

Given the above, it is recommended that Council consider deferring this report in favour of an Elected Member Workshop. A workshop would provide an opportunity to address specific concerns regarding crossovers, as well as footpaths, and other relevant matters such as verges, in a collaborative setting. This can be undertaken as part of the recommended Elected Member workshop referred to within Item 14.1, should Council support the alternate recommendation in Item 14.1.

Financial Assessment and Implications

Any costs associated with the policy review process will be included in the future report to Council, or in an Elected Member Workshop should the suggested alternative recommendation be supported.

Sustainable Stirling 2022-2032

Key Result Area: Our built environment

Objective: A liveable City

Priority: Improve the quality, liveability and identity of local areas

Strategic Risk

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

Suggested Alternative Recommendation

That the review of the City's Crossover Policy be REFERRED to a future Elected Member Workshop to allow further consideration and discussion.

Reason

A review of the City's Crossover Policy will provide the opportunity to consider and review any specific concerns from Elected Members in relation to crossovers, as well as footpaths, and other relevant matters such as verges.

Relevant Documents and Information

Attachments

Nil.

Available for viewing at meeting

Nil

Linked Documents

City of Stirling – Crossover Policy

14.3 PROPOSED NOTICE OF MOTION - COUNCILLOR TERESA OLOW - RSL CLUBS

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

Role

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

Council Resolution

0226/011

Moved Councillor Olow, seconded Councillor Proud

That a report be PRESENTED to Council on 31 March 2026 following urgent meetings with our Returned and Services League of Australia and service organisations detailing which commemorative services they run for our community, current costs and requirements to comply with our standards including amenities closures and traffic management. The report is to provide the option for Council to provide and deliver traffic plans, management, waste services, security et cetera to remove requirements and burden off our voluntary service clubs.

The motion was put and declared CARRIED (14/0).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Ion, Krsticevic, Olow, Paparde, Perkov, Proud, Re, Thornton and Mayor Irwin.
Against: Nil.

Notice of Motion Recommendation

That a report be PRESENTED to Council on 24 February 2026 following urgent meetings with our Returned and Services League of Australia and service organisations detailing which commemorative services they run for our community, current costs and requirements to comply with our standards including amenities closures and traffic management. The report is to provide the option for Council to provide and deliver traffic plans, management, waste services, security et cetera to remove requirements and burden off our voluntary service clubs.

(Suggested Alternative Recommendation – refer to end of report)

Background provided by Elected Member

"With growing community expectations and safety requirements, the cost of some services and the requirements are also growing to a point where voluntary service people cannot reasonably manage. As the largest local Government in WA, Council believe we should have a greater role for the cost and delivery of requirements for these clubs and their community commemorative."

Details

The City of Stirling is home to several Returned & Services League (RSL) sub-branches that provide support, social connection, and commemorative services for veterans and the wider community. Each sub-branch organises and operates a number of events throughout the year, including ANZAC Day and Remembrance Day commemorative services. The RSL sub-branches and Naval Associations that the City currently provides direct support to are:

- North Beach RSL
- Osborne Park RSL
- Mount Lawley – Inglewood RSL
- Yokine – Joondanna RSL
- General Sir John Monash
- Naval Association of Australia – Perth North

It should be noted that RSL WA removed the charter of the Nollamara RSL sub-branch in February 2024 due to concerns that their property was not being used for purposes which aligned with the RSL WA Constitution, mission, vision and values. While RSL WA committed to the re-establishment of Nollamara RSL sub-branch, it remains closed until further notice.

Currently, as per the City's Elected Member Entitlement Policy, each of the local RSL sub-branches receives an annual donation of $3,000 and the Naval Association of Australia – Perth North receives an annual donation of $1,500. Subject to a formal application submitted to the City and approved by Council, a further donation of up to $6,000 may be made towards holding a significant milestone celebration. Where an RSL sub-branch has a cost associated with traffic management for ANZAC Day services, upon submission, they may be reimbursed up to $2,000 in addition to the annual donation. This donation takes into consideration the sub-branch's capacity to raise sufficient funds, the responsibility to provide a safe environment and for the City to work with service organisations on community events.

While such financial support is acknowledged and valued by the RSL sub-branches and Naval Association, it is evident that these service organisations are often required to liaise with several different City Business Units depending on their requirements and the size/scale of their commemorative services. It is also evident that the complexities associated with public events and increased event delivery costs are placing pressure on sub-branch veterans and volunteers. On that basis, it is timely for the City to review its approach to supporting the RSL sub-branches and Naval Association with the delivery of commemorative events. While the City's approach and level of support may need to change, it is unlikely that this would include taking on the entire management and delivery of such commemorative events.

City Officers will meet with RSL sub-branch and Naval Association representatives throughout February 2026. The objective of these meetings will be to identify how the City's event planning and support processes can be streamlined to provide an improved experience for the sub-branches while ensuring that necessary public event requirements are being met. Additionally, City Officers will aim to better understand the current financial and volunteer capacity constraints experienced by the sub-branches for the purposes of reviewing the level of support required.

A report can then be prepared for the Council Meeting to be held 31 March 2026 identifying options for consideration. With ANZAC Day taking place on 25 April 2026, it may be necessary for a revised approach and level of support to be implemented at certain commemorative services prior to this report being considered by Council.

Financial Assessment and Implications

Detailed financial and resource implications will be included within the subsequent Council report.

Sustainable Stirling 2022-2032

Key Result Area: Our community

Objective: An inclusive and harmonious City

Priority: Encourage active participation and volunteering

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.
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.
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.

Suggested Alternative Recommendation

That a report be PRESENTED to Council on 31 March 2026 following urgent meetings with our Returned and Services League of Australia and service organisations detailing which commemorative services they run for our community, current costs and requirements to comply with our standards including amenities closures and traffic management. The report is to provide the option for Council to provide and deliver traffic plans, management, waste services, security et cetera to remove requirements and burden off our voluntary service clubs.

Relevant Documents and Information

Attachments

Nil.

Available for viewing at the meeting

Nil.

Linked Documents

Nil.

Councillor Elizabeth Re disclosed an Impartial Interest in Item 14.4, as she has met with residents.

14.4 PROPOSED NOTICE OF MOTION - COUNCILLOR ELIZABETH RE - ADDRESSING ALGAE AT JACKADDER LAKE, WOODLANDS

Business Unit:	Parks & Environment	Service: Conservation & Wildlife
Ward:	Doubleview	Location: Jackadder Lake, Woodlands
Applicant:	Not Applicable	

Role

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

Council Resolution

0226/012

Moved Councillor Re, seconded Councillor Thornton

That the City INVESTIGATES options for reducing the detrimental effect of algal growth at Jackadder Lake, Woodlands, and reports the outcome to Elected Members as soon as the results of the investigation are available as soon as practical.

The motion was put and declared CARRIED (14/0).

For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Ion, Krsticevic, Olow, Paparde, Perkov, Proud, Re, Thornton and Mayor Irwin.
Against: Nil.

Notice of Motion Recommendation

That the City urgently INSTALLS a solar water fountain in Jackadder Lake, Woodlands to address the detrimental effect that algae has on the animals, plants, and human recreational activities at this lake.

(Suggested Alternative Recommendation – refer to end of report)

Background provided by Elected Member

"The algae issue has had a negative impact on the inhabitants of Jackadder Lake, Woodlands; the issue has been increasing over the last three months, and it continues to have a serious effect on the ecosystems which may never recover."

Details

The algal growth at Jackadder Lake has recently reached bloom proportions. Algal blooms can occur when environmental conditions are favourable, including warm temperatures, still or slow-moving water, and elevated nutrient levels. Under these conditions, naturally occurring blue-green algae (*Cyanobacteria*) can multiply rapidly, degrade water quality and, in some cases, produce toxins that pose risks to human health, wildlife, and recreational use of the waterbody.

In response to algal blooms, the Western Australian Department of Health (the Department) advises that access to affected water should be managed to minimise potential exposure. This includes installing health warning signage where required. During active blooms, the Department also recommends that water fountains not be operated, as they can generate water aerosols that may be inhaled by people and animals, potentially increasing exposure to algal toxins.

Accordingly, installing a water fountain during an active algal bloom would be contrary to the Department's advice. However, once the current bloom has subsided, the City will investigate whether water fountains could serve as a future mitigation measure. This assessment will consider whether improved water movement and circulation may help reduce the likelihood of further blooms at Jackadder Lake and other City-managed wetlands.

The use of alternative aeration methods, such as submerged aerators, has also been considered. While these systems may reduce the formation of aerosols, they can disturb lake-bottom sediments, release stored nutrients, and - depending on site conditions - mobilise acid sulphate soils. Such disturbances may inadvertently worsen algal growth and therefore require careful evaluation before any implementation.

The City has undertaken biannual water quality monitoring across all City wetlands in spring and autumn for several decades. To strengthen this work, a Wetlands Sampling and Analysis Quality Program has recently been developed and will be implemented in the coming months. Under this program, monitoring results will be analysed by a specialist consultant to provide improved insight into water quality drivers, nutrient sources and management options. A comprehensive report will be provided to the City in early 2027 following the completion of a full annual monitoring cycle.

In the interim, the City will seek expert advice on whether installing a solar water fountain or similar infrastructure would be an effective and appropriate long-term measure to reduce the likelihood of future algal blooms at Jackadder Lake and other City-managed wetlands.

Updates will be provided to Ward Councillors at key knowledge milestones throughout the program.

Financial Assessment and Implications

The proposed alternative recommendation is expected to have negligible financial impact and can be accommodated within the Parks and Environment budget. The estimated cost of installing a water fountain or similar infrastructure at Jackadder Lake would be considered as part of a future budgeting process.

Sustainable Stirling 2022-2032

Key Result Area: Our natural environment

Objective: A biodiverse City

Priority: Undertake conservation, protection and enhancement of natural ecosystems and biodiversity

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.

Suggested Alternative Recommendation

That the City INVESTIGATES options for reducing the detrimental effect of algal growth at Jackadder Lake, Woodlands, and reports the outcome to Elected Members as soon as the results of the investigation are available.

Relevant Documents and Information

Attachments

Nil.

Available for viewing at the meeting

Nil.

Linked Documents

Nil

15. NOTICES OF MOTION FOR CONSIDERATION AT THE NEXT MEETING

Nil.

16. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

16.1 QUESTIONS ON NOTICE - COUNCILLOR LISA THORNTON

Councillor Lisa Thornton submitted the following questions prior to the Council meeting held 10 February 2026:

Q1. "Under the City of Stirling's revised Code of Conduct (2026), which specific enforceable clause or Rule of Conduct does the City consider is breached when a Councillor publicly expresses a view that differs from a Council resolution or an administrative position?"

A1. The amended Local Government (Model Code of Conduct) Regulations 2021 came into effect on 1 January 2026, and all Western Australian local governments are required to adopt a Code of Conduct for Council Members, Committee Members and Candidates reflective of those provisions. A report on a revised City of Stirling Code of Conduct for Council Members, Committee Members and Candidates (the Code) is proposed to be submitted to the Community and Resources Committee at its meeting to be held 17 February 2026.

Each alleged behavioural breach, conduct breach or specified breach within the Code, or the *Local Government Act 1995*, would need to be assessed and investigated on its merits and based on the evidence provided in support of the allegation and complaint made. In view of this, the City's administration is unable to provide a response on whether a breach has occurred based on a hypothetical situation; any allegation would need to be assessed on a case-by-case basis.

However, it may be possible that a behavioural or conduct breach could occur where an Elected Member has been found, for example:

- Using offensive or derogatory language when referring to another person (as per the *Interpretation Act 1984,* 'person' could include the local government);
- Disparaging the character of another council member, committee member or candidate, or a local government employee in connection with the performance of their official duties;
- Imputing dishonest or unethical motives to another council member, committee member or candidate, or a local government employee in connection with the performance of their official duties;
- Improperly using their office to gain, directly or indirectly, an advantage for the council member or any other person; or
- Improperly using their office to cause detriment to the local government or any other person.

Q2. "Can the City confirm that the statement relating to 'avoiding damage to the reputation of the local government' appears in the General Principles section of the Code and is not listed as an enforceable behavioural clause or Rule of Conduct?"

A2. The 'General Principles' within the Local Government (Model Code of Conduct) Regulations 2021 and the City's existing Code set out the general principles to guide behaviour. Clause 4(1)(e) of those two documents states '*A council member, committee member or candidate should avoid damage to the reputation of the local government'.* The General Principles are not enforceable provisions of the Code.

However, the 'Rules of Conduct' within the Local Government (Model Code of Conduct) Regulations 2021 and the City's existing Code, contain a provision (clause 18(1)(b)) that '*A council member must not make improper use of their office to cause detriment to the local government or any other person'.*

An alleged breach of this provision is enforceable and is a matter that can be investigated by the Office of the Local Government Inspector on receipt of a complaint and any relevant supporting information in relation to the alleged breach.

Q3. "What is the City's interpretation of Councillors' rights to engage with media in their own capacity, provided they do not claim to speak on behalf of the City or disclose confidential information?"

A3. In accordance with section 2.8(1)(b) of the *Local Government Act 1995,* the Mayor acts as the principal spokesperson for the local government at all times, acting consistently with Council decisions. The general position across Western Australian local governments is that Elected Members are able to express their views publicly as long as they clearly state that it is their own personal opinion and they are not speaking on behalf of the local government.

To strengthen this position, Council has adopted an Elected Members' Communications Policy which contains information regarding media relations and the parameters around where an Elected Member wishes to make, or has been approached by the media to make, a 'personal statement' relating to a Council decision or local ward issue.

Although personal opinions may be expressed by Elected Members, they are to perform their roles and conduct themselves in view of their legislative obligations under the *Local Government Act 1995* and the local government's adopted Code.

Q4. "Does the City consider that publicly criticising Council decisions, policy outcomes or environmental matters constitutes a breach of the Code of Conduct, and if so, on what legislative or regulatory basis?"

A4. As per the response above (A1), the City's administration is unable to provide a response as to whether a breach has occurred, based on a hypothetical situation.

Any allegation would need to be assessed on a case-by-case basis and interpreted against whether behavioural and conduct provisions stated within the City's Code or the *Local Government Act 1995* had been breached.

Q5. "Has the City sought legal or governance advice on the application of the revised Code of Conduct in relation to Councillor public advocacy and media engagement? If so, can a summary of that advice be provided?"

A5. No legal advice has been obtained on the City's proposed revised Code that has been drafted in view of the requirements of the Local Government (Model Code of Conduct) Regulations 2021.

The City's position in relation to media engagement has been provided in the response (A3) detailed above.

Q6. "Can the City confirm that general principles within the Code are intended to guide behaviour and that only the Behaviour provisions and Rules of Conduct can found a complaint or Standards Panel matter?"

A6. As per the revised Local Government (Model Code of Conduct) Regulations 2021 that came into effect on 1 January 2026, the Local Government Inspector has replaced the Local Government Standards Panel.

Complaints about alleged behavioural breaches, conduct breaches and specified breaches can be investigated by the new Local Government Inspector, although alleged behavioural breaches can be investigated by the local government (Council) under the new provisions, if referred to the relevant local government by the Local Government Inspector.

The general principles within an adopted Code and as prescribed by the Local Government (Model Code of Conduct) Regulations 2021, are presented to guide the behaviour of Council Members, Committee Members and local government election candidates.

Q7. "What procedural rights does the City recognise for Councillors in any discussion or process where alleged conduct breaches are raised, including the right to a support person?"

A7. In any investigative process, the principles of procedural fairness and natural justice would apply, including giving a reasonable opportunity for a person to be heard and to have their submissions (written or orally) to be considered before a decision adverse to their interests is made.

17. NEW BUSINESS OF AN URGENT NATURE

Nil.

18. MATTERS BEHIND CLOSED DOORS

Nil.

19. CLOSURE

The Presiding Member declared the meeting closed at 7.31pm.

These minutes were confirmed as a true and correct record of proceedings on:

Date: .....

SIGNED:

.....

Presiding Member Signature

.....

Presiding Member Name (*please print*)