



*City of Stirling*

## **Planning and Development Committee**

**3 February 2026**

# **Minutes**

To: The Mayor and Councillors

Here within the Minutes of the Planning and Development Committee meeting of the City of Stirling held Tuesday 3 February 2026 in the City of Stirling Parmelia Room, 25 Cedric Street, Stirling.

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

**Stevan Rodic | Chief Executive Officer**

## **Our Vision, Mission and Values**

### **Vision**

A sustainable City with a local focus.

### **Mission**

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

### **Values**

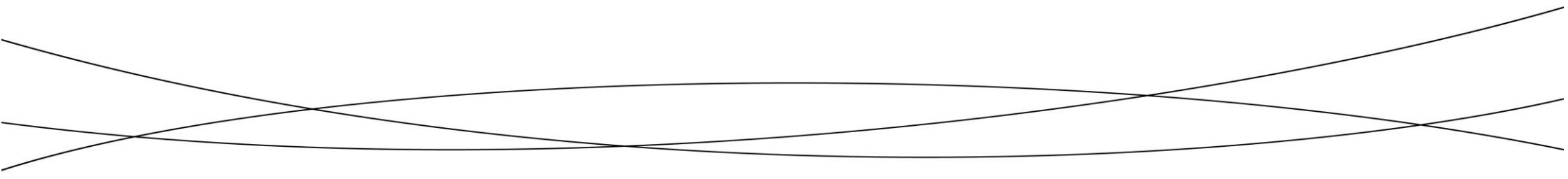
The City of Stirling's core values are:

- Approachable
- Responsive
- Transparent
- Innovative.

### **Disclaimer**

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

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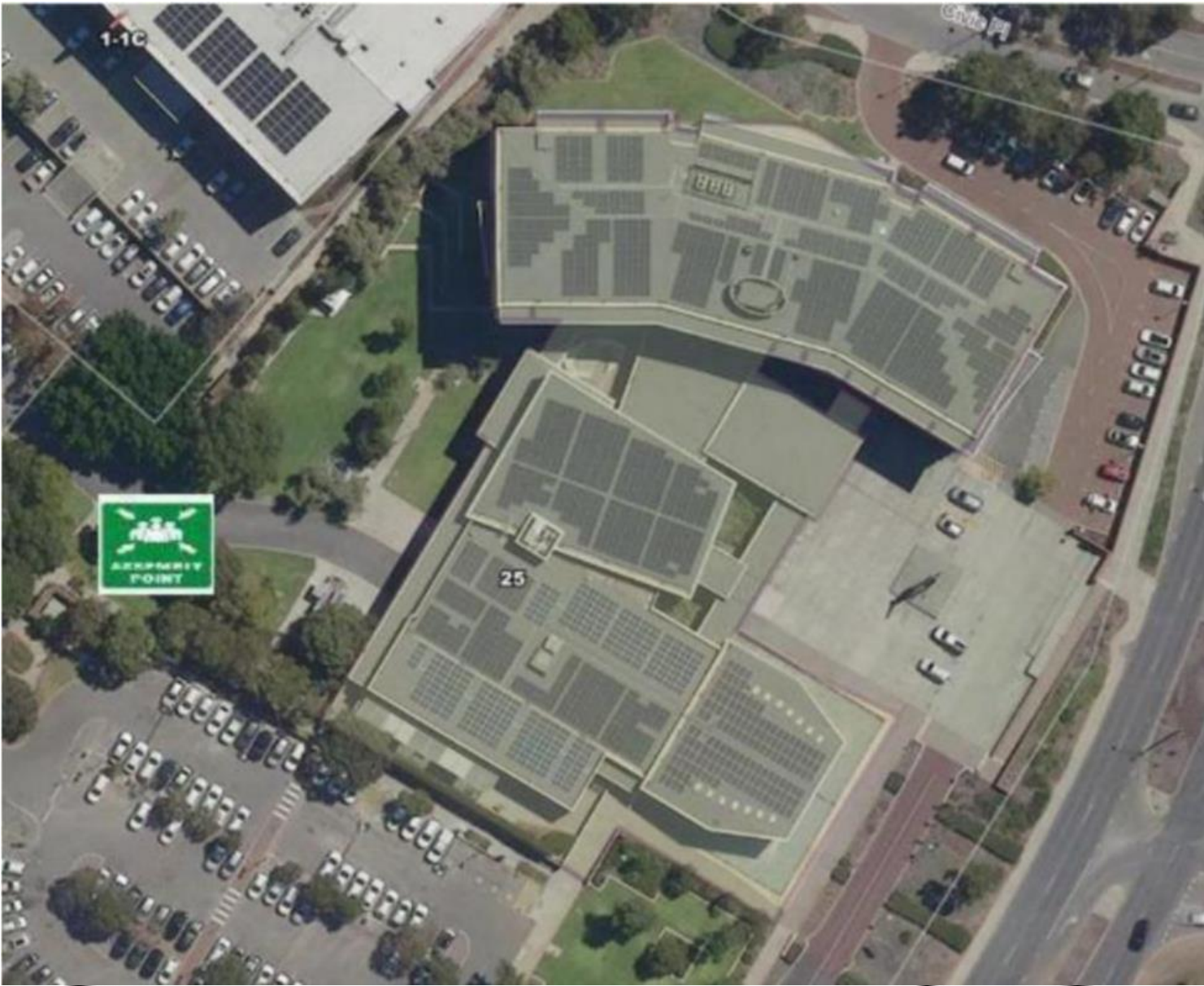
## EMERGENCY PROCEDURES

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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**MINUTES OF THE PLANNING AND DEVELOPMENT COMMITTEE MEETING OF TUESDAY 3 FEBRUARY 2026 HELD IN CITY OF STIRLING PARMELIA ROOM, 25 CEDRIC STREET, STIRLING****1. OFFICIAL OPENING**

The Presiding Member declared the Planning and Development Committee meeting open at 6.00pm.

**2. ATTENDANCE AND APOLOGIES****ATTENDANCE**

<b>Presiding Member</b>	Councillor Suzanne Migdale
<b>Members</b>	Mayor Mark Irwin Councillor Michael Dudek Councillor Daniela Ion Councillor Tony Krsticevic Councillor Karlo Perkov Councillor Stephanie Proud JP Councillor Lisa Thornton
<b>Observers</b>	Councillor Joe Ferrante (until 6.47pm) Councillor Damien Giudici Councillor Chris Hatton Councillor Teresa Olow Councillor Rob Paparde

**Employees**

Chief Executive Officer - Stevan Rodic  
Director Corporate Services - Ingrid Hawkins  
Director Planning and Development - Amanda Sheers  
Manager City Future - Emille van Heyningen  
Manager Community Development - Chris Brereton  
Manager Community Development - Karl Mallet  
Manager Commercial Portfolio - Jon Morellini  
Manager Development Services - Giovanna Lumbaca  
Manager Governance - Brad Sillence  
Coordinator Schemes, Policies and Heritage - Neil Maull  
Lead Governance Officer - Regan Clyde  
Property Development Manager - Jeremy Rae  
Senior Governance Officer - Casey Taylor  
Senior Strategic Planning Officer - Tracey Baglin

**Public**

1

**Press**

0

**APOLOGIES**

Councillor Andrea Creado

### 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 room for consideration of that item.

Where a member has disclosed an impartiality interest in an item, they may remain in the room. 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.

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

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

## 5. CONFIRMATION OF MINUTES

Moved Councillor Proud, seconded Councillor Perkov

That the Minutes of the Planning and Development Committee of 4 November 2025 be confirmed as a true and correct record of proceedings.

The motion was put and declared **CARRIED (8/0)**.

**For:** Councillors Dudek, Ion, Krsticevic, Migdale, Perkov, Proud, Thornton and Mayor Irwin.

**Against:** Nil.

## 6. ANNOUNCEMENTS BY THE PRESIDING MEMBER

The Presiding Member announced that minor administrative errors to Item CF1 and CF2 would be corrected for the Planning and Development Committee minutes, and the subsequent Council agenda. Elected Members were advised of this through an internal memorandum.

The Presiding Member also welcomed Elected Members, City Officers and the public to the first Planning and Development Committee meeting of the year.

## 7. PLANNING AND DEVELOPMENT COMMITTEE ITEMS

### CITY FUTURE

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

M. Harmer addressed the Committee and spoke in favour of Item CF1.

### 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.*

**Moved Councillor Dudek, seconded Mayor Irwin**

#### THE COMMITTEE RECOMMENDS TO COUNCIL

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 (8/0)**.

**For:** Councillors Dudek, Ion, Krsticevic, Migdale, Perkov, Proud, Thornton and Mayor Irwin.

**Against:** Nil.

## 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

### The need for heritage control through a local planning policy

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. Inclusion of LPS3 heritage controls not currently included in the LPPs.

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<sup>2</sup>; 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

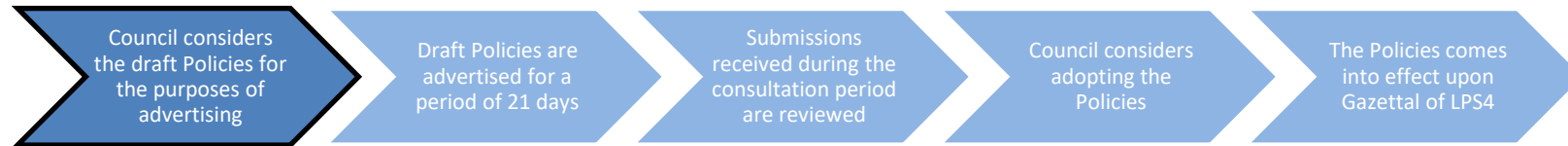
A number of other more general changes are recommended for inclusion in the amended LPPs, including but not limited to:

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

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

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

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### 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.

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#### **Character Retention in Mount Lawley and Menora Heritage Area**

City of Stirling Local Planning Scheme No. 4



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.

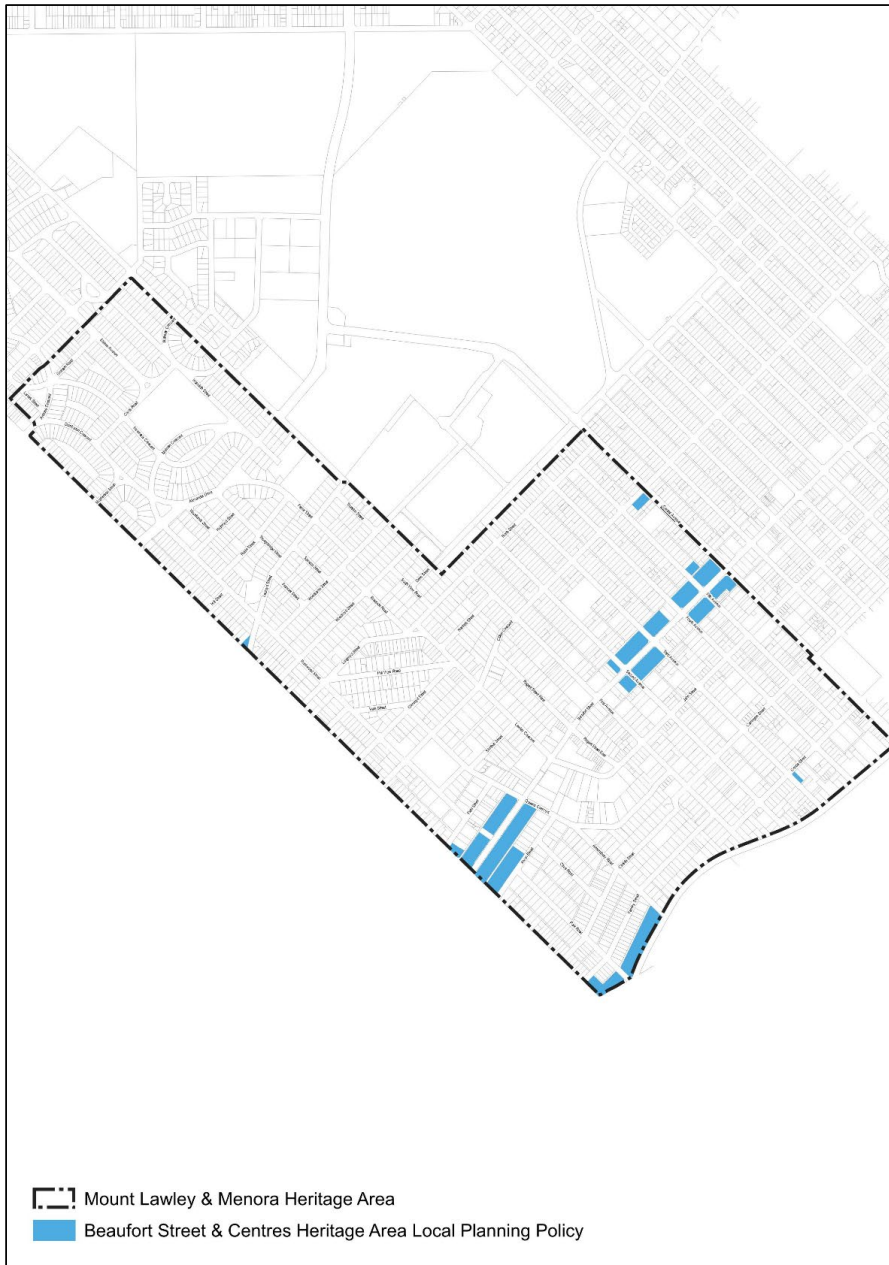


Figure 1 – Mount Lawley and Menora Heritage Area

**Character Retention in Mount Lawley and Menora Heritage Area**

City of Stirling Local Planning Scheme No. 4



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.

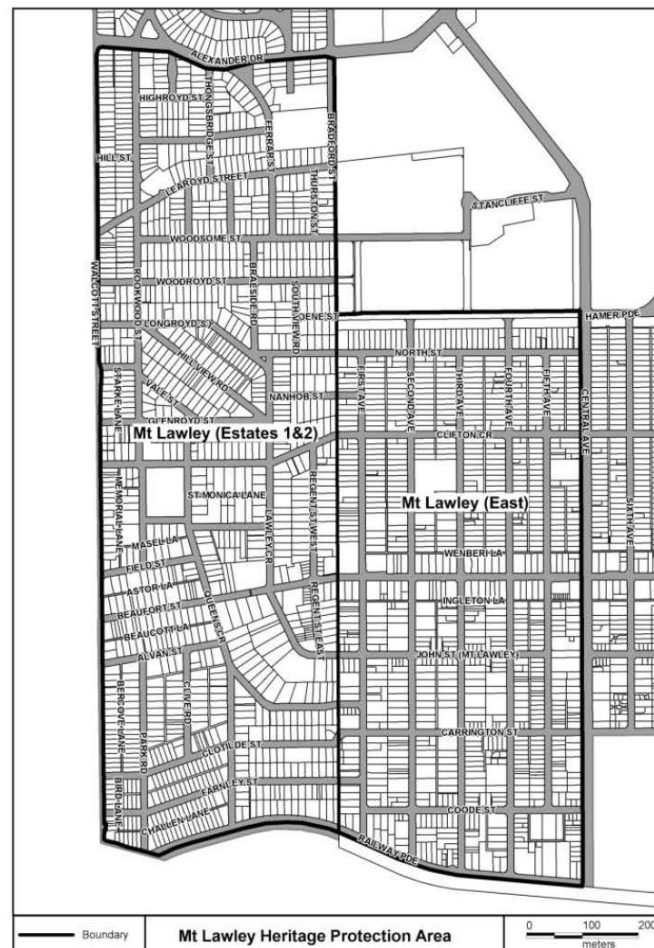


Figure 2 - Mount Lawley Heritage Protection Area

**Character Retention in Mount Lawley and Menora Heritage Area**

City of Stirling Local Planning Scheme No. 4



## 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;

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### **Character Retention in Mount Lawley and Menora Heritage Area**

City of Stirling Local Planning Scheme No. 4



- 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.

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#### **Character Retention in Mount Lawley and Menora Heritage Area**

City of Stirling Local Planning Scheme No. 4

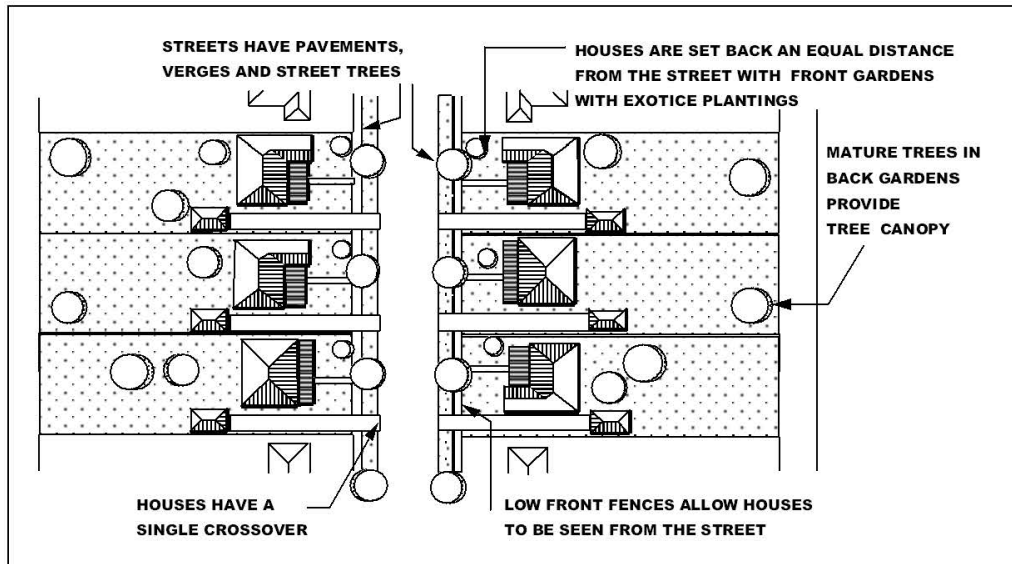


Figure 3 - Mount Lawley Streets

### 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.

#### **Character Retention in Mount Lawley and Menora Heritage Area**

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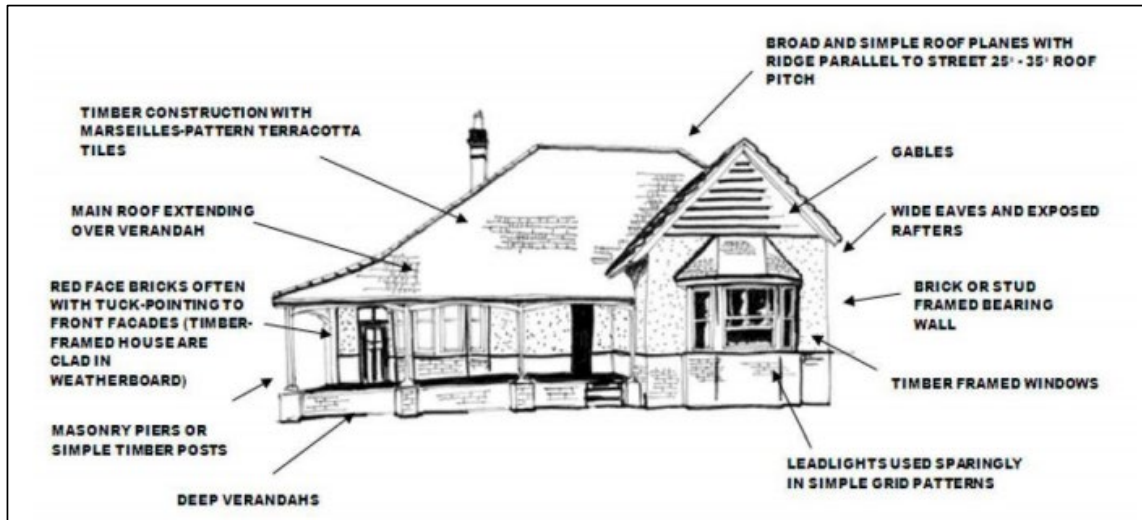


Figure 4 - Example of Federation Bungalow

**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 Nouveau, 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.

**Character Retention in Mount Lawley and Menora Heritage Area**

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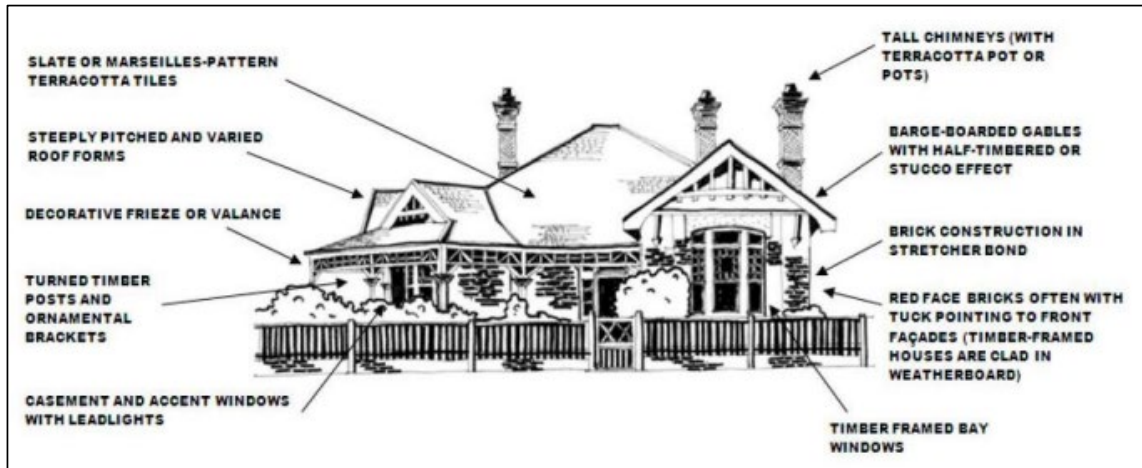


Figure 5 - Example of Federation Queen Anne

**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**

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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.

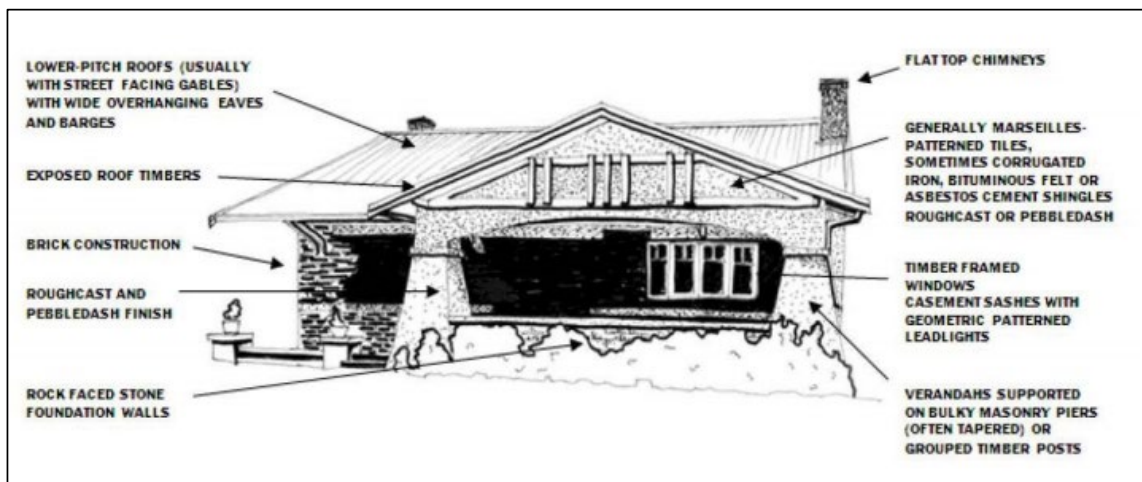


Figure 7 – Example of Inter-War California Bungalow

### 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.

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#### Character Retention in Mount Lawley and Menora Heritage Area

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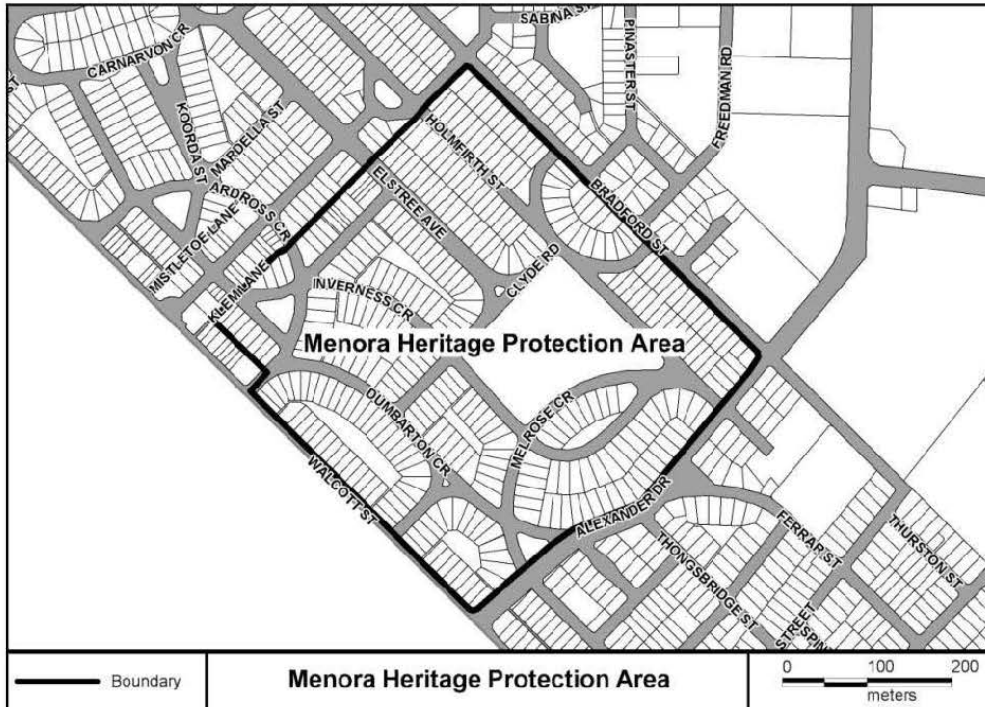


Figure 8 - Menora Heritage Protection Area

### 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,

#### **Character Retention in Mount Lawley and Menora Heritage Area**

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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.

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#### **Character Retention in Mount Lawley and Menora Heritage Area**

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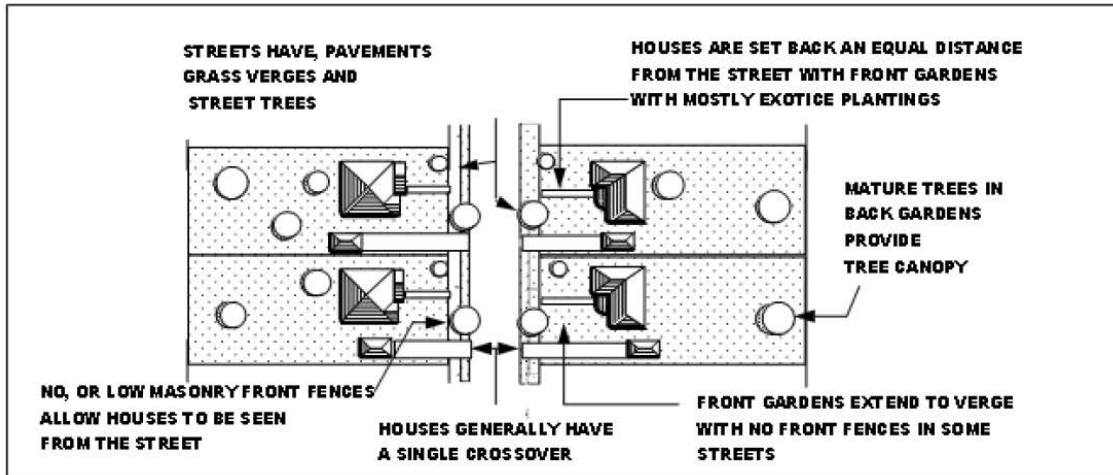


Figure 9 - Layout of Menora Streets

### 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).

#### **Character Retention in Mount Lawley and Menora Heritage Area**

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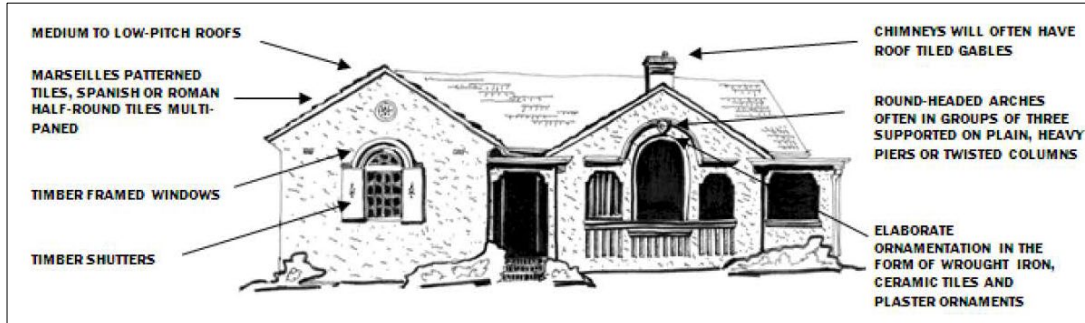


Figure 10 – Example of Inter-War Spanish Mission

**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.

**Character Retention in Mount Lawley and Menora Heritage Area**



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).

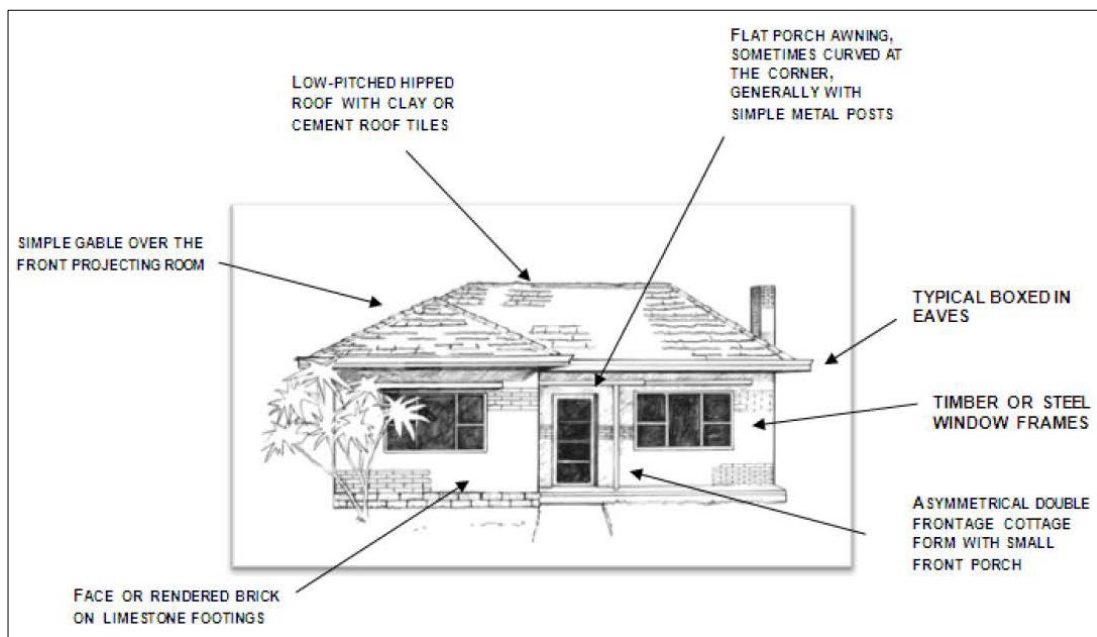


Figure 12 – Example of an Austerity Cottage

## 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 with 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;

#### **Character Retention in Mount Lawley and Menora Heritage Area**

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- 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

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#### **Character Retention in Mount Lawley and Menora Heritage Area**

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### **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.

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#### **Character Retention in Mount Lawley and Menora Heritage Area**

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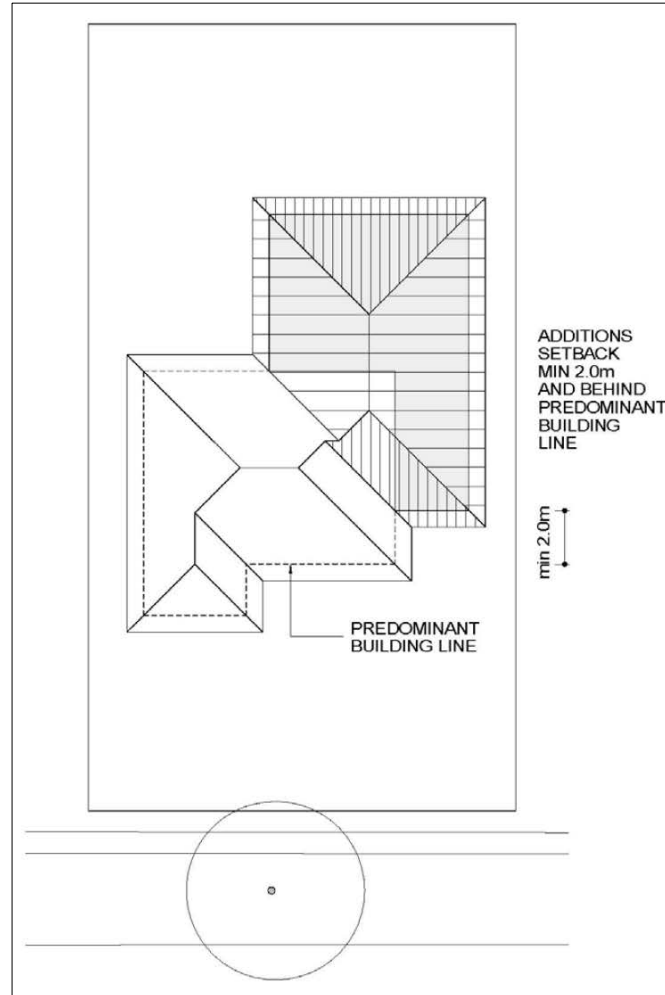


Figure 13 – Additions to Traditional Dwelling

## 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).

### **Character Retention in Mount Lawley and Menora Heritage Area**

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- 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.

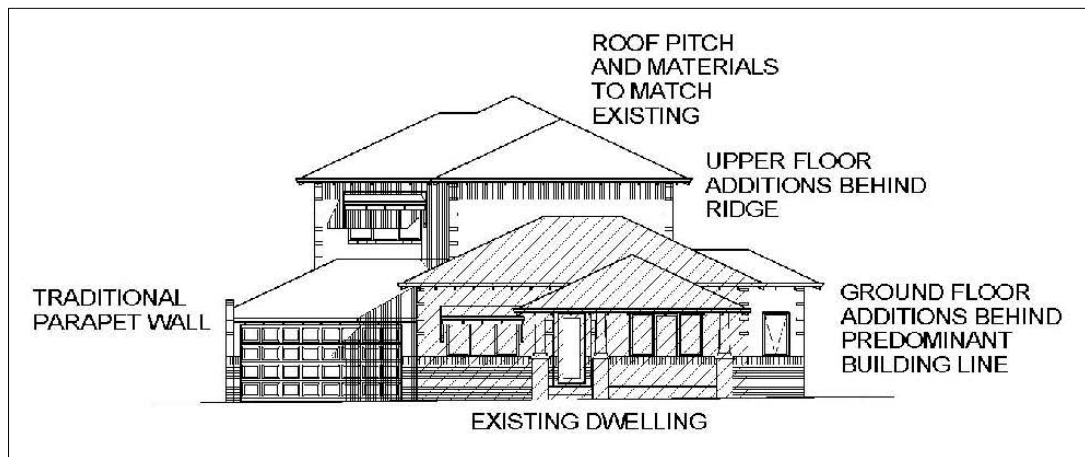


Figure 14 - Second Storey Addition to a Traditional Dwelling

**Character Retention in Mount Lawley and Menora Heritage Area**

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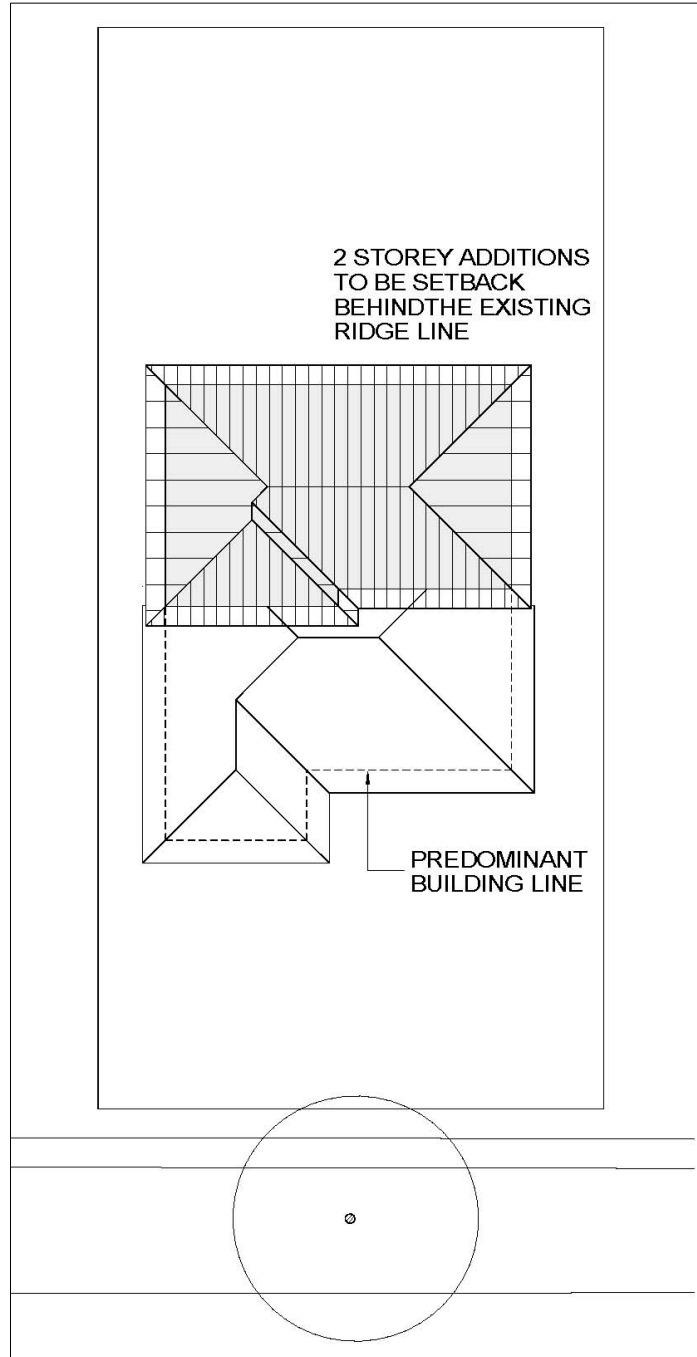


Figure 15 - Plan Showing Second Storey Addition to Traditional Dwelling

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**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.

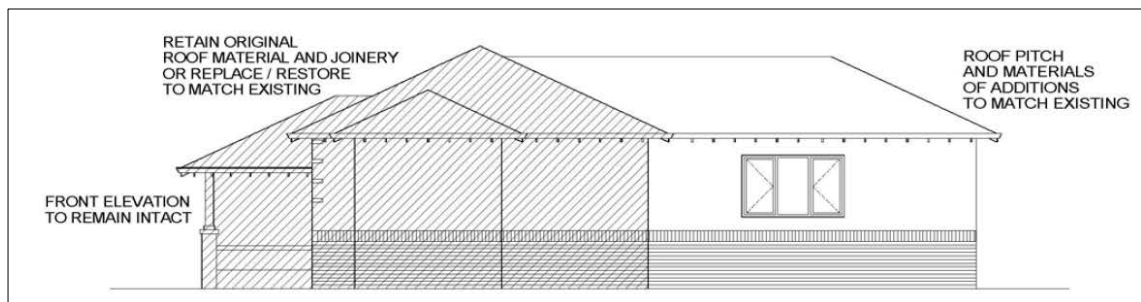


Figure 16 - Roof Pitch

**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;

**Character Retention in Mount Lawley and Menora Heritage Area**

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- 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.

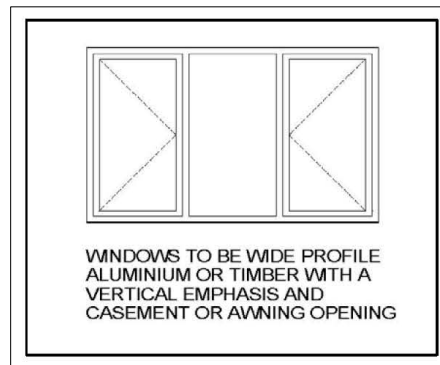


Figure 17 - Window Design

### **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.

### **Character Retention in Mount Lawley and Menora Heritage Area**

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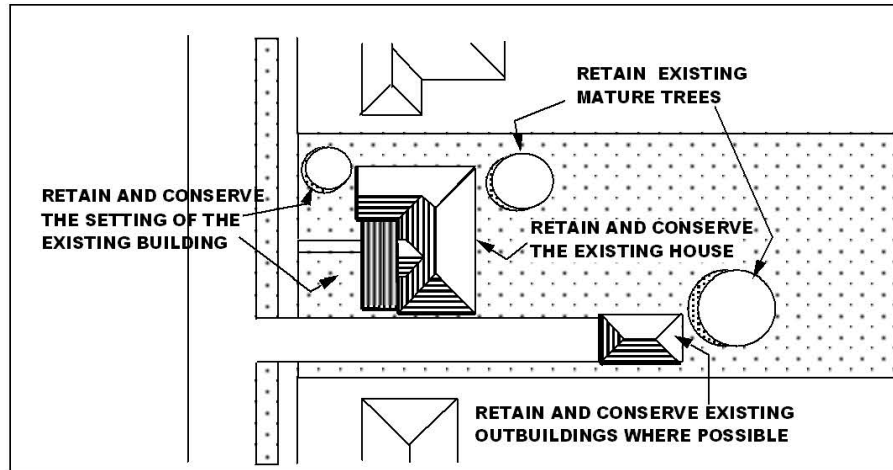


Figure 18 - Streetscape

## 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

#### **Character Retention in Mount Lawley and Menora Heritage Area**

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- 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.

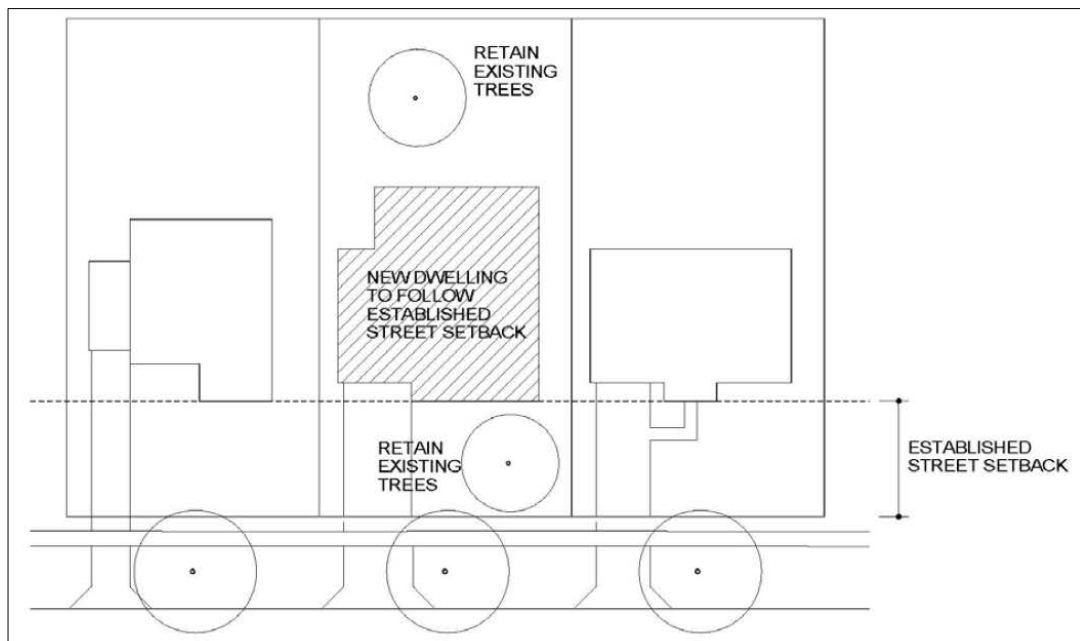


Figure 19 – Setback for new dwellings

**7.2.2 Built Form and Design**

**Design**

**Character Retention in Mount Lawley and Menora Heritage Area**

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- 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.

#### **Character Retention in Mount Lawley and Menora Heritage Area**

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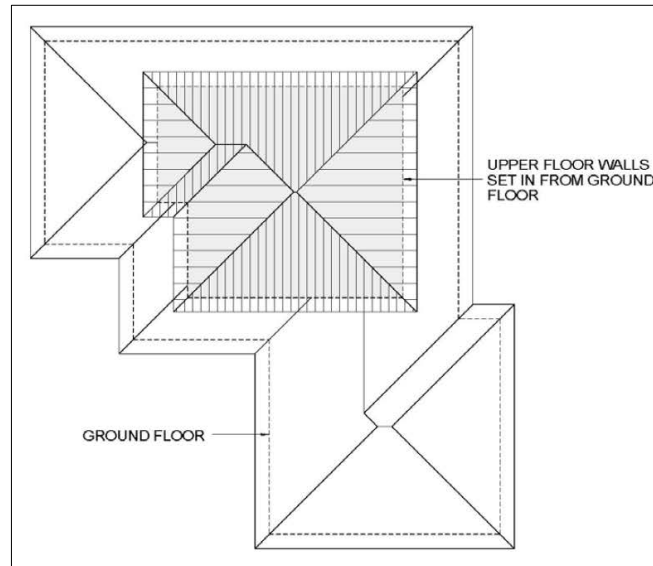


Figure 20 - Upper Storey setbacks

### **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;

### **Character Retention in Mount Lawley and Menora Heritage Area**

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- 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.

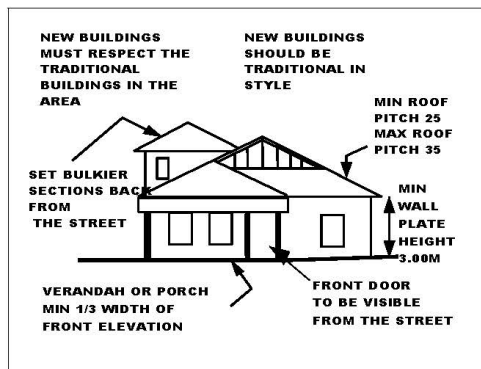


Figure 21 – New Single Dwellings

### 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.

#### **Character Retention in Mount Lawley and Menora Heritage Area**

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### **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).

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### **Character Retention in Mount Lawley and Menora Heritage Area**

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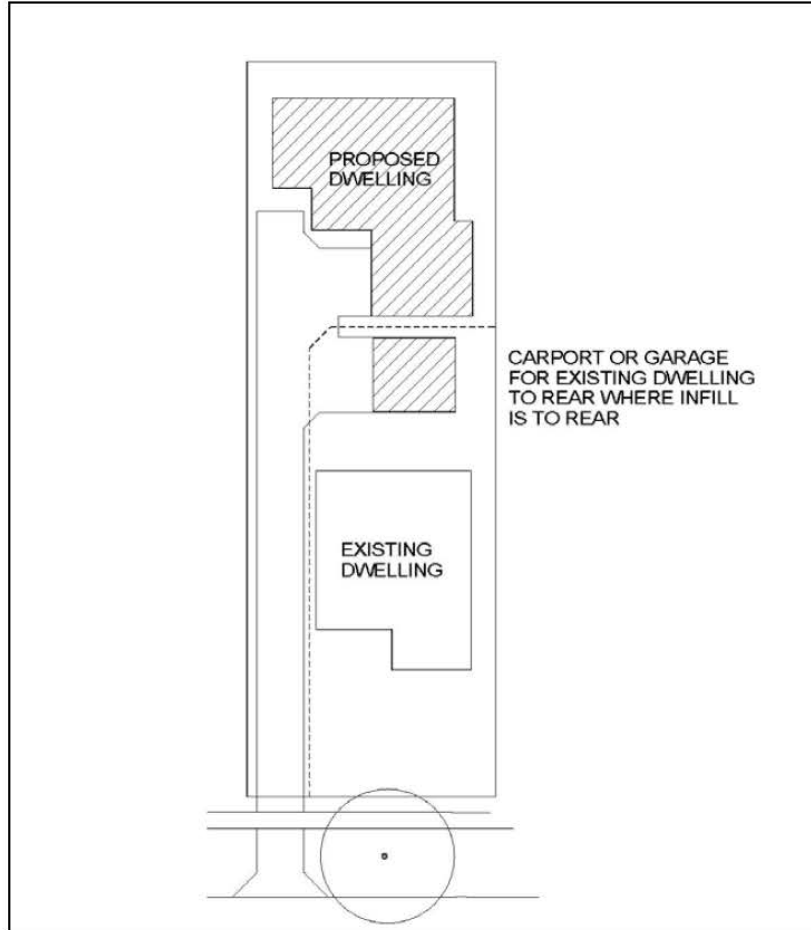


Figure 22 – Example of Infill Development

**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.

**Character Retention in Mount Lawley and Menora Heritage Area**

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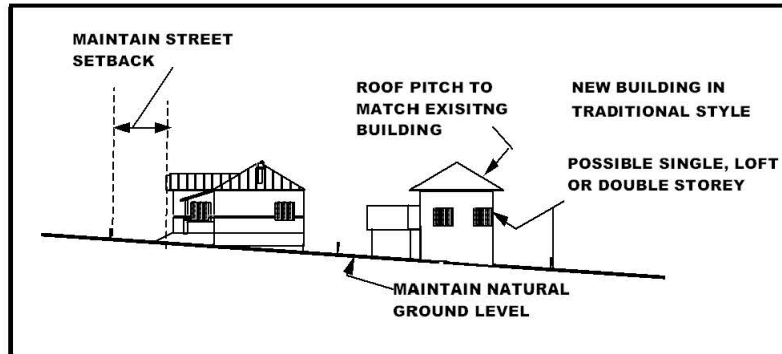


Figure 23 – Example of Infill Development

**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.

**Character Retention in Mount Lawley and Menora Heritage Area**

**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

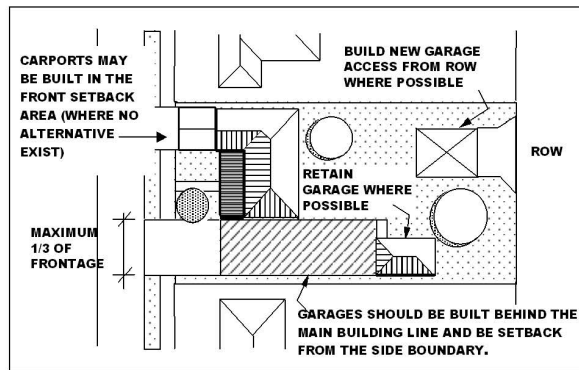


Figure 24 – Location of Carports and Garages

**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).

**Character Retention in Mount Lawley and Menora Heritage Area**

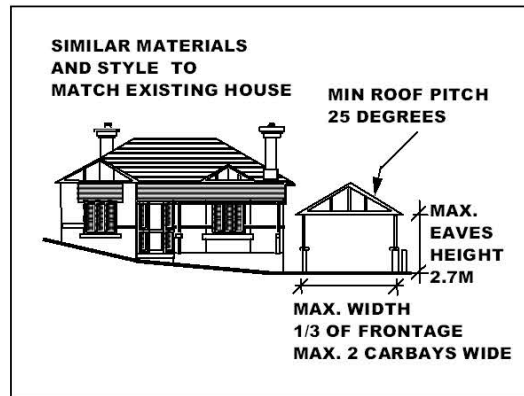


Figure 25 – Built Form of Carports and Garages

#### 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;

#### **Character Retention in Mount Lawley and Menora Heritage Area**

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- 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.

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#### **Character Retention in Mount Lawley and Menora Heritage Area**

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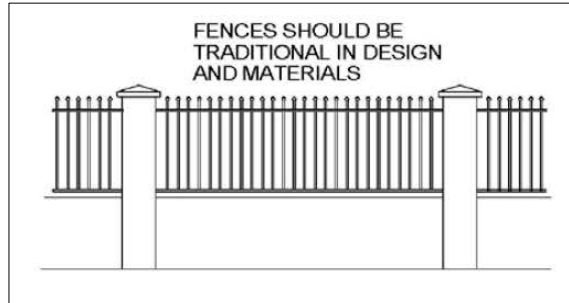


Figure 26 – Example of Open-Style Fencing

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;

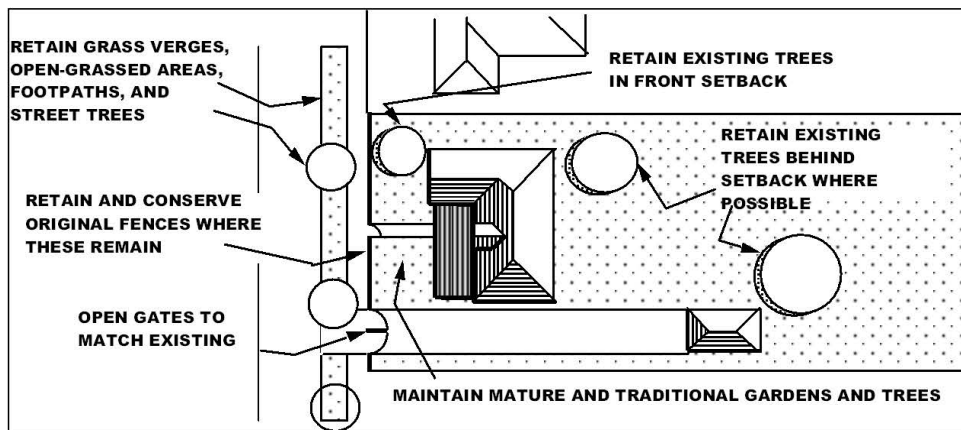


Figure 27 – Example of Traditional Garden Design

**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

**Character Retention in Mount Lawley and Menora Heritage Area**

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- 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: <ul style="list-style-type: none"> <li>• Satellite dish;</li> <li>• Air conditioner;</li> <li>• Solar panels;</li> <li>• Flagpole</li> <li>• Pergola or Shade Sail;</li> <li>• Screening; and</li> <li>• Clothes line.</li> </ul>	Unless the development is located: <ul style="list-style-type: none"> <li>• at a place listed on the Heritage List or State Register of Heritage Places.; or</li> <li>• within the front setback area (or attached to the front facing portion of a building including the roof) of land within the Heritage Area.</li> </ul>
The following Incidental Structures: <ul style="list-style-type: none"> <li>• Swimming Pools – below ground for private use only; and</li> <li>• Letterboxes.</li> </ul>	<ul style="list-style-type: none"> <li>• The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> <li>• The works are not located within the front setback area of land within the Heritage Area</li> </ul>
The erection or installation of a flagpole.	<ul style="list-style-type: none"> <li>• The height of the flagpole is no more than 6 m above the natural ground level.</li> <li>• The flagpole is no more than 200 mm in diameter.</li> <li>• The flagpole is not used for advertising.</li> <li>• There is no more than 1 flagpole on the lot.</li> <li>• The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> </ul>
Fencing	Only where the fence: <ul style="list-style-type: none"> <li>• Compiles with the requirements of the Scheme and the relevant Local Planning</li> </ul>

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	<p>Policy, Structure Plan, Activity Centre Plan or Local Development Plan;</p> <ul style="list-style-type: none"> <li>Complies with the requirements of the Residential Design Codes;</li> <li>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</li> <li>is not located on land included in the Heritage List or State Register of Heritage Places.</li> </ul>
<p>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</p>	<ul style="list-style-type: none"> <li>The R-Codes apply to the works.</li> <li>The works comply with the deemed-to-comply provisions of the R-Codes;</li> <li>The works comply with requirements of the Scheme and relevant provisions of this Policy;</li> <li>The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> </ul>
<p>The demolition or removal of a cubbydwelling.</p>	<p>The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</p>
<p>The installation of a water tank.</p>	<ul style="list-style-type: none"> <li>The water tank is not installed in the street setback area of a building.</li> <li>The volume of the water tank is no more than 5 000 L.</li> <li>The height of the water tank is no more than —             <ul style="list-style-type: none"> <li>(i) for a tank fixed to a building — the height of the eaves of the building; or</li> <li>(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</li> <li>(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.</li> </ul> </li> <li>The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> </ul>

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<p>Internal building work that does not materially affect the external appearance of the building.</p>	<ul style="list-style-type: none"> <li>The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> </ul>
<p>The modification or provision of external openings (windows or doors) to a building.</p>	<ul style="list-style-type: none"> <li>Where the modification or new window complies with the deemed-to-comply provisions of the Residential Design Codes</li> <li>Replacement is like for like with the same size, design, materials and colours.</li> <li>Where the window isn't like for like the window shall:             <ul style="list-style-type: none"> <li>Be located 2m or more behind the predominant building line of the dwelling.</li> <li>Have vertical emphasis. Meaning the height of the window opening is greater than the width.</li> <li>Frame constructed of wide profile aluminum or timber.</li> <li>Frames are to be white or cream in colour or as per approved colour scheme</li> </ul> </li> <li>The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> </ul>
<p>Reroofing of a single dwelling or a grouped dwelling or a multiple dwelling</p>	<ul style="list-style-type: none"> <li>Replacement is like for like with the same form, pitch, design, materials and colours.</li> <li>The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> </ul>
<p>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:</p> <ul style="list-style-type: none"> <li>a pergola;</li> <li>a shade sail;</li> <li>an enclosed or unenclosed patio less than or equal to 20m<sup>2</sup> area;</li> <li>a garage or outbuilding less than or equal to 20m<sup>2</sup> area;</li> </ul>	<ul style="list-style-type: none"> <li>The R-Codes apply to the works.</li> <li>The works comply with the deemed-to-comply provisions of the R-Codes;</li> <li>The works comply with requirements of the Scheme and relevant provisions of this Policy;</li> <li>The site is not abutting a secondary street and/or a right of way;</li> <li>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.</li> <li>The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> </ul>

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Demolition or removal of the following structures: <ul style="list-style-type: none"> <li>• Outbuildings with a floor area of less than 25m<sup>2</sup>;</li> <li>• Patios;</li> <li>• Shade Structures;</li> <li>• Carports;</li> <li>• Air Conditioners;</li> <li>• Private swimming pools and outdoor spas;</li> <li>• Flag poles; and</li> <li>• Water tanks.</li> </ul>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> </ul>
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## 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	<i>Means streets which display 'Original Traditional Lot' layouts and dwellings with traditional architectural styles and garden designs. These streets are shown in Figure 1.</i>
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

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### Character Retention in Mount Lawley and Menora Heritage Area

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<b>Policy Type: Local Planning Policy</b> <b>Policy Owner: City Future</b>	<b>Policy No.</b> <b>Latest adopted review date:</b>
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**Character Retention in Mount Lawley and Menora Heritage Area**

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## Local Planning Policy – Character Retention in Inglewood Heritage Area

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### 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

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### 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; For  
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

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#### Character Retention in Inglewood Heritage Area

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- 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.

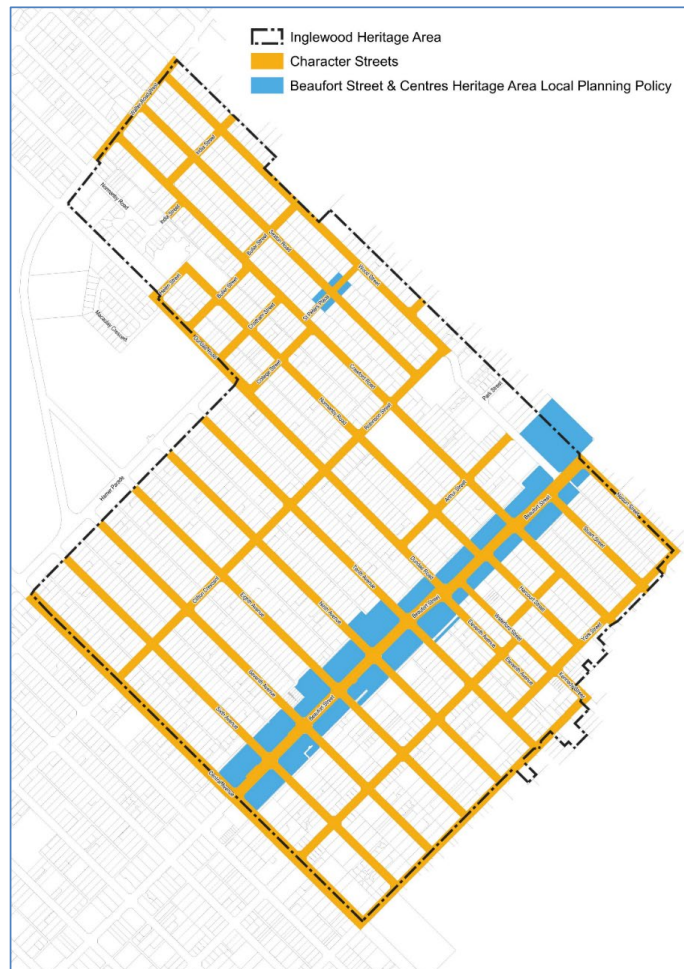


Figure 1 – Inglewood Heritage Area  
(showing Character Streets)

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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 as '**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

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#### **Character Retention in Inglewood Heritage Area**

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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

**Character Retention in Inglewood Heritage Area**

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## 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.

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### **Character Retention in Inglewood Heritage Area**

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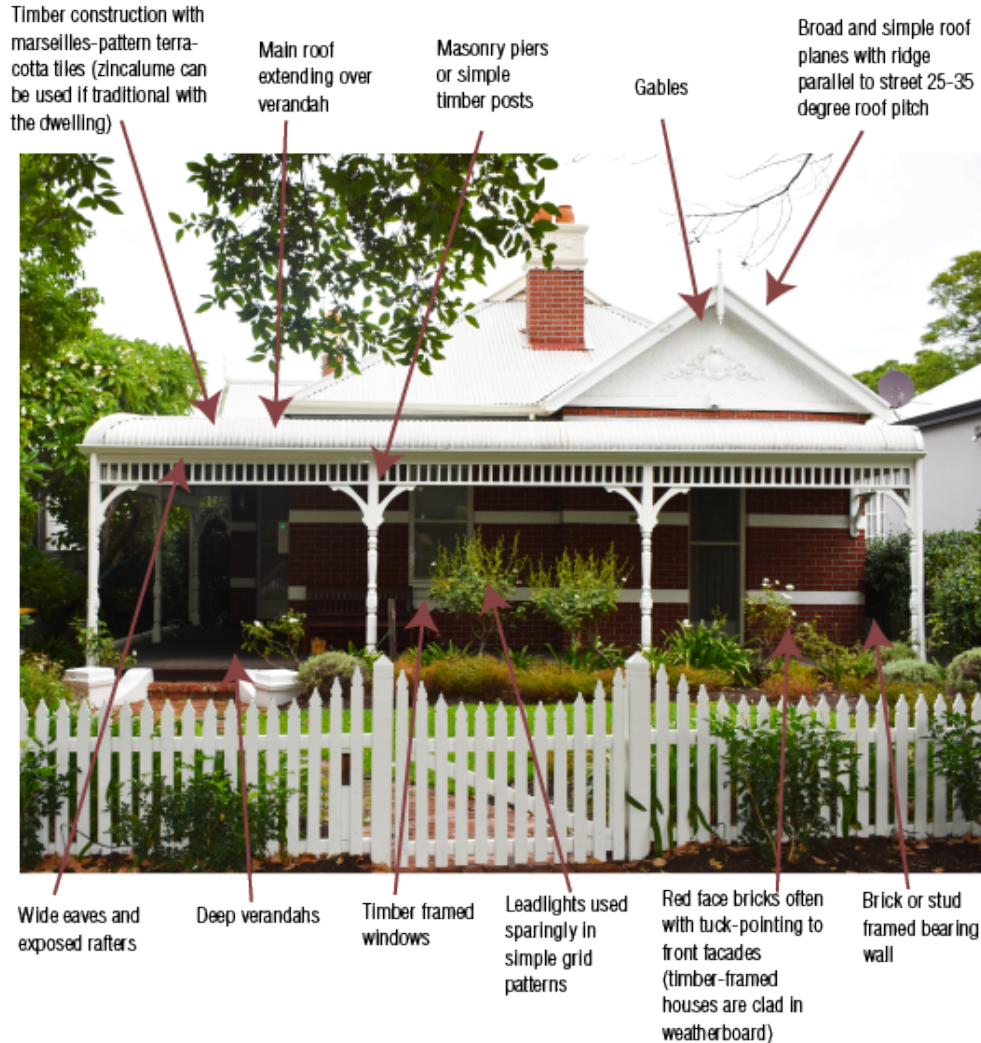


Figure 3 – Example of a Federation Bungalow

**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.

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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.

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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 in 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.

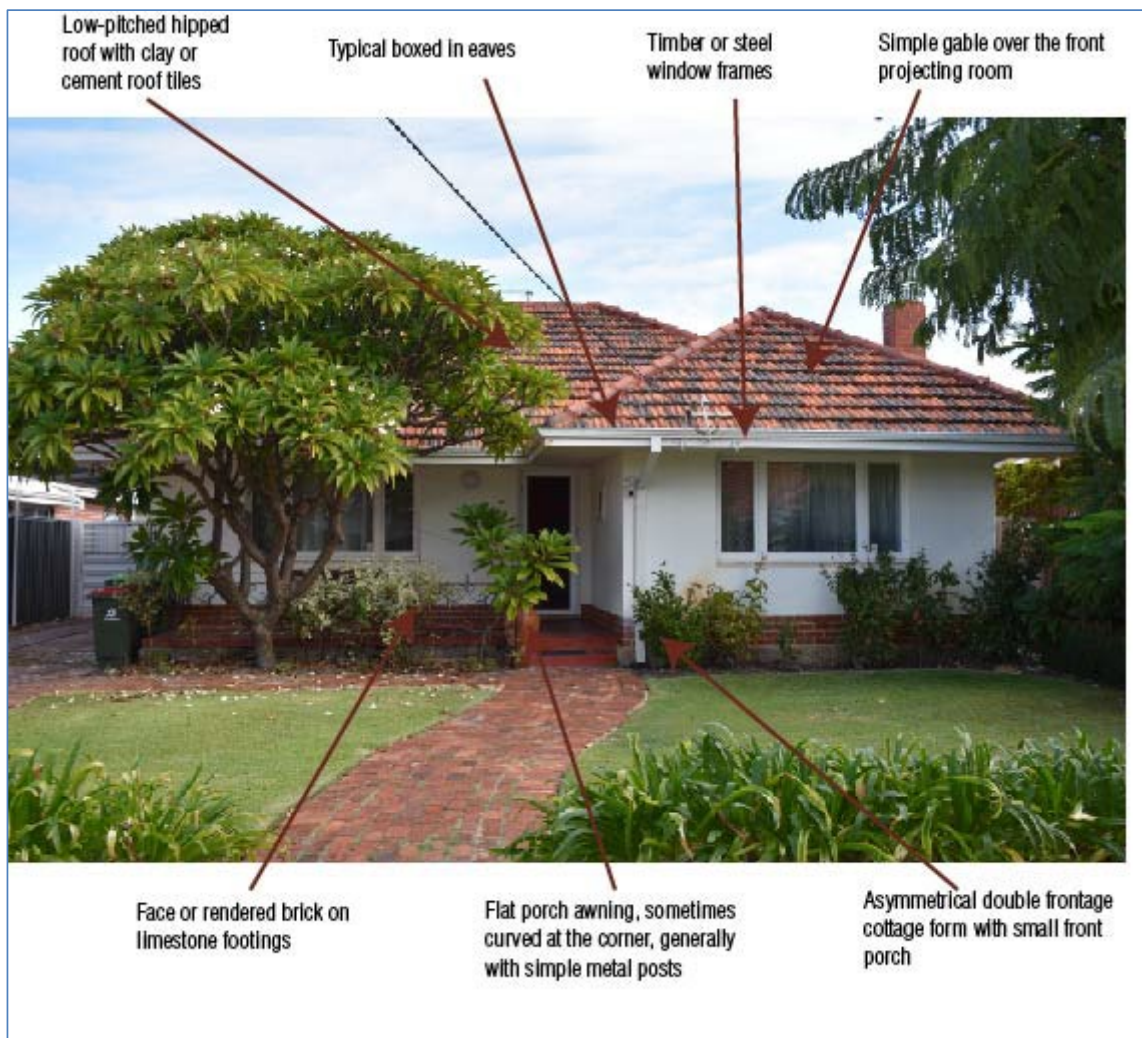


Figure 5 – Example of an Austerity Cottage

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## 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 with 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.

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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.

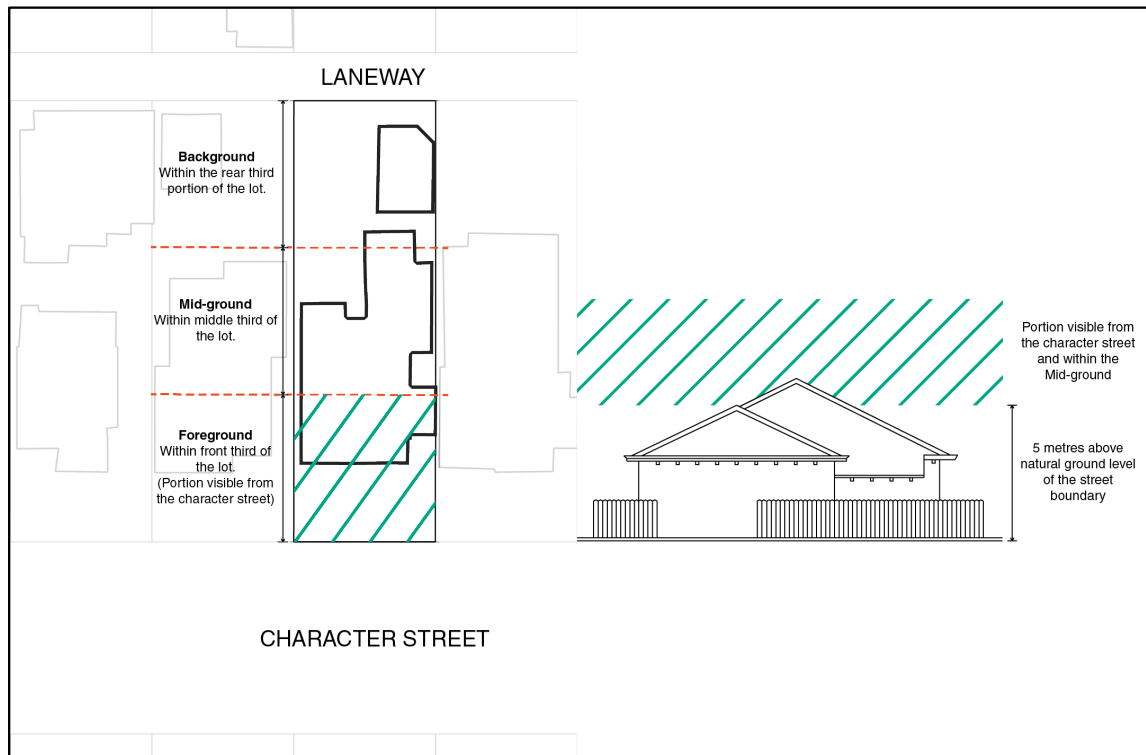


Figure 6 – Diagram of Visibility and Sections fronting Character Streets

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

### Character Retention in Inglewood Heritage Area

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## 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

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### **Character Retention in Inglewood Heritage Area**

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

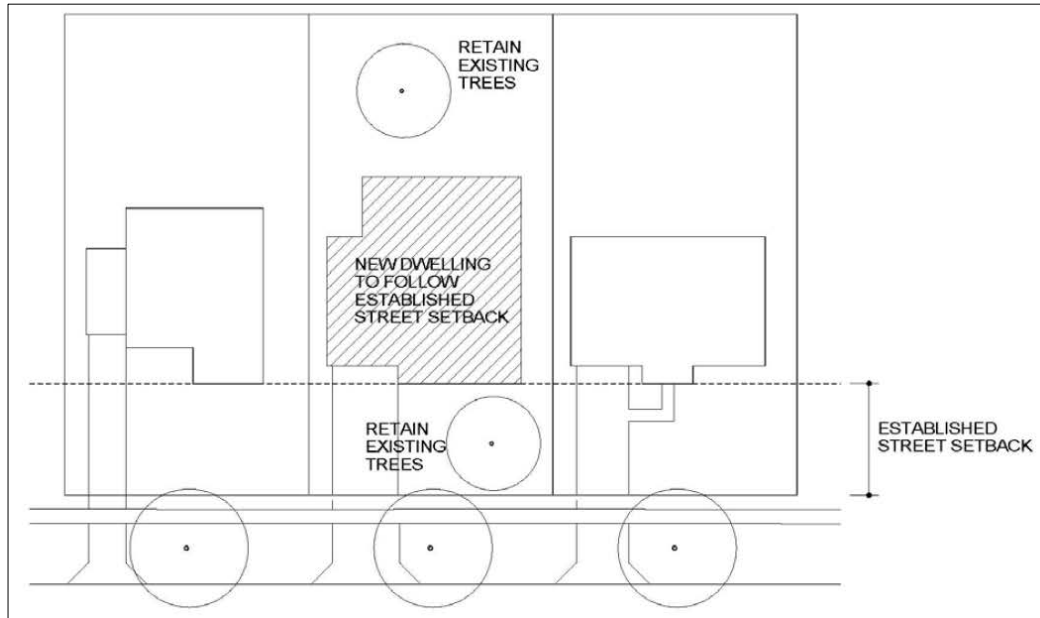


Figure 7 – Streetscape setback

### 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).

#### **Character Retention in Inglewood Heritage Area**

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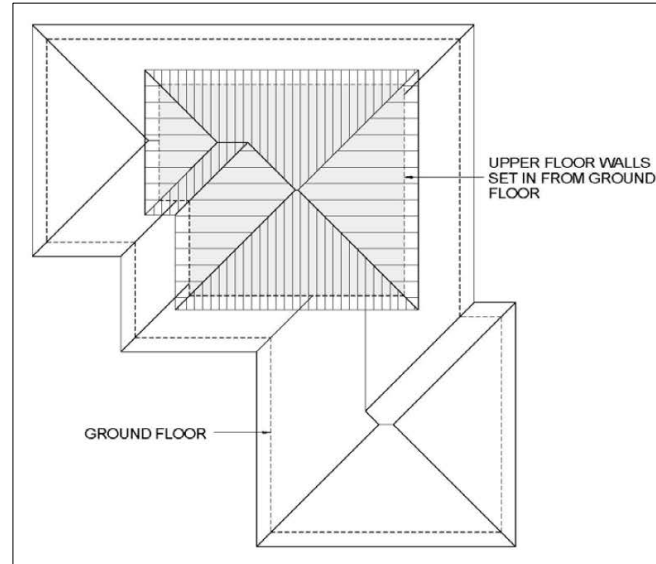


Figure 8 - Upper Storey setbacks

#### 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.

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#### 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

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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);

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- 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 zinalume; 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.

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- 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.

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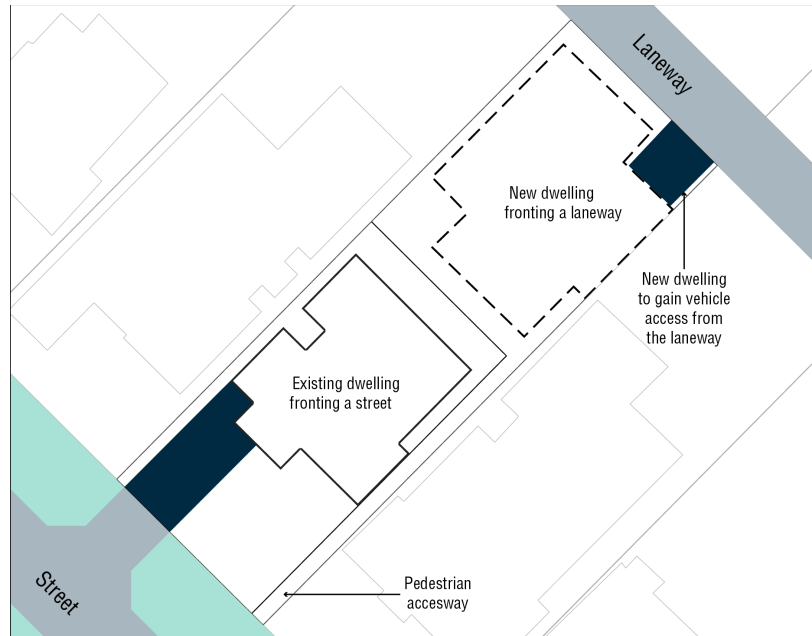


Figure 10 – Example of Infill Development

### 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.*

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## 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

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- 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.

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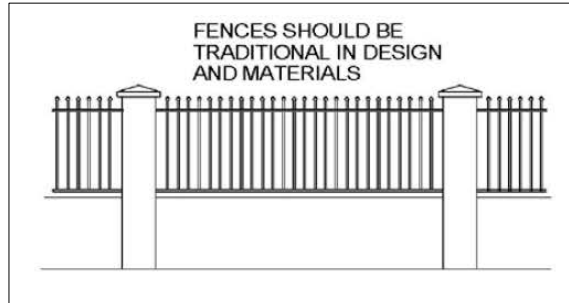


Figure 11 – Example of Open-Style Fencing

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.

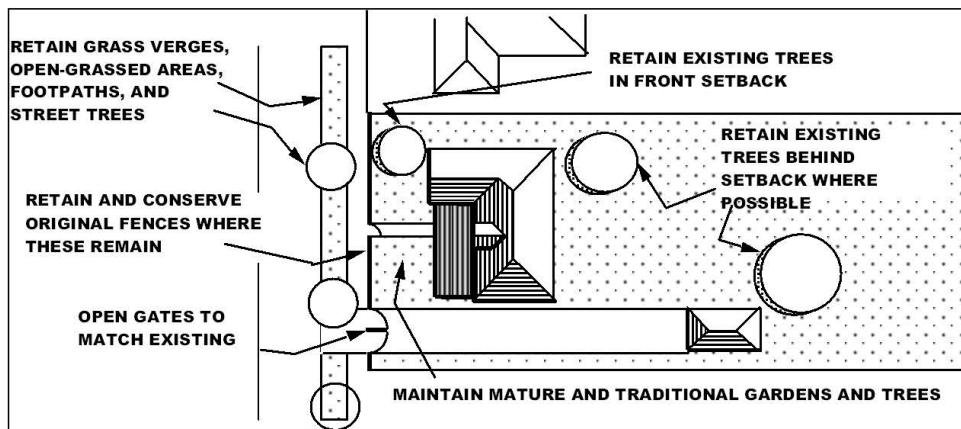


Figure 12 – Example of Traditional Garden Design

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

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- 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: <ul style="list-style-type: none"> <li>• Satellite dish;</li> <li>• Air conditioner;</li> <li>• Solar panels;</li> <li>• Flagpole</li> <li>• Pergola or Shade Sail;</li> <li>• Screening; and</li> <li>• Clothes line.</li> </ul>	Unless the development is located: <ul style="list-style-type: none"> <li>• at a place listed on the Heritage List or State Register of Heritage Places.; or</li> <li>• within the front setback area (or attached to the front facing portion of a building including the roof) of land within the Heritage Area.</li> </ul>
The following Incidental Structures: <ul style="list-style-type: none"> <li>• Swimming Pools – below ground for private use only; and</li> <li>• Letterboxes.</li> </ul>	<ul style="list-style-type: none"> <li>• The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> <li>• The works are not located within the front setback area of land within the Heritage Area</li> </ul>
The erection or installation of a flagpole.	<ul style="list-style-type: none"> <li>• The height of the flagpole is no more than 6 m above the natural ground level.</li> <li>• The flagpole is no more than 200 mm in diameter.</li> <li>• The flagpole is not used for advertising.</li> <li>• There is no more than 1 flagpole on the lot.</li> <li>• The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> </ul>
Fencing	Only where the fence: <ul style="list-style-type: none"> <li>• Compiles with the requirements of the Scheme and the relevant Local Planning</li> </ul>

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	<p>Policy, Structure Plan, Activity Centre Plan or Local Development Plan;</p> <ul style="list-style-type: none"> <li>Complies with the requirements of the Residential Design Codes;</li> <li>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</li> <li>is not located on land included in the Heritage List or State Register of Heritage Places.</li> </ul>
<p>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</p>	<ul style="list-style-type: none"> <li>The R-Codes apply to the works.</li> <li>The works comply with the deemed-to-comply provisions of the R-Codes;</li> <li>The works comply with requirements of the Scheme and relevant provisions of this Policy;</li> <li>The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> </ul>
<p>The demolition or removal of a cubbyhouse.</p>	<p>The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</p>
<p>The installation of a water tank.</p>	<ul style="list-style-type: none"> <li>The water tank is not installed in the street setback area of a building.</li> <li>The volume of the water tank is no more than 5 000 L.</li> <li>The height of the water tank is no more than —             <ul style="list-style-type: none"> <li>(i) for a tank fixed to a building — the height of the eaves of the building; or</li> <li>(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</li> <li>(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.</li> </ul> </li> <li>The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> </ul>

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<p>Internal building work that does not materially affect the external appearance of the building.</p>	<ul style="list-style-type: none"> <li>The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> </ul>
<p>The modification or provision of external openings (windows or doors) to a building.</p>	<ul style="list-style-type: none"> <li>Where the modification or new window complies with the deemed-to-comply provisions of the Residential Design Codes</li> <li>Replacement is like for like with the same size, design, materials and colours.</li> <li>Where the window isn't like for like the window shall: <ul style="list-style-type: none"> <li>Be located 2m or more behind the predominant building line of the dwelling.</li> <li>Have vertical emphasis. Meaning the height of the window opening is greater than the width.</li> <li>Frame constructed of wide profile aluminum or timber.</li> <li>Frames are to be white or cream in colour or as per approved colour scheme</li> </ul> </li> <li>The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> </ul>
<p>Reroofing of a single house or a grouped dwelling or a multiple dwelling</p>	<ul style="list-style-type: none"> <li>Replacement is like for like with the same form, pitch, design, materials and colours.</li> <li>The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> </ul>
<p>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:</p> <ul style="list-style-type: none"> <li>a pergola;</li> <li>a shade sail;</li> <li>an enclosed or unenclosed patio less than or equal to 20m<sup>2</sup> area;</li> <li>a garage or outbuilding less than or equal to 20m<sup>2</sup> area;</li> </ul>	<ul style="list-style-type: none"> <li>The R-Codes apply to the works.</li> <li>The works comply with the deemed-to-comply provisions of the R-Codes;</li> <li>The works comply with requirements of the Scheme and relevant provisions of this Policy;</li> <li>The site is not abutting a secondary street and/or a right of way;</li> <li>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.</li> <li>The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> </ul>

**Character Retention in Inglewood Heritage Area**

City of Stirling Local Planning Scheme No. 4



<p>Demolition or removal of the following structures:</p> <ul style="list-style-type: none"> <li>• Outbuildings with a floor area of less than 25m<sup>2</sup>;</li> <li>• Patios;</li> <li>• Shade Structures;</li> <li>• Carports;</li> <li>• Air Conditioners;</li> <li>• Private swimming pools and outdoor spas;</li> <li>• Flag poles; and</li> <li>• Water tanks.</li> </ul>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• The works are not located at a place listed on the Heritage List or State Register of Heritage Places.</li> </ul>
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## 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	<i>Means streets which display 'Original Traditional Lot' layouts and dwellings with traditional architectural styles and garden designs. These streets are shown in Figure 1.</i>
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.

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### **Character Retention in Inglewood Heritage Area**

City of Stirling Local Planning Scheme No. 4

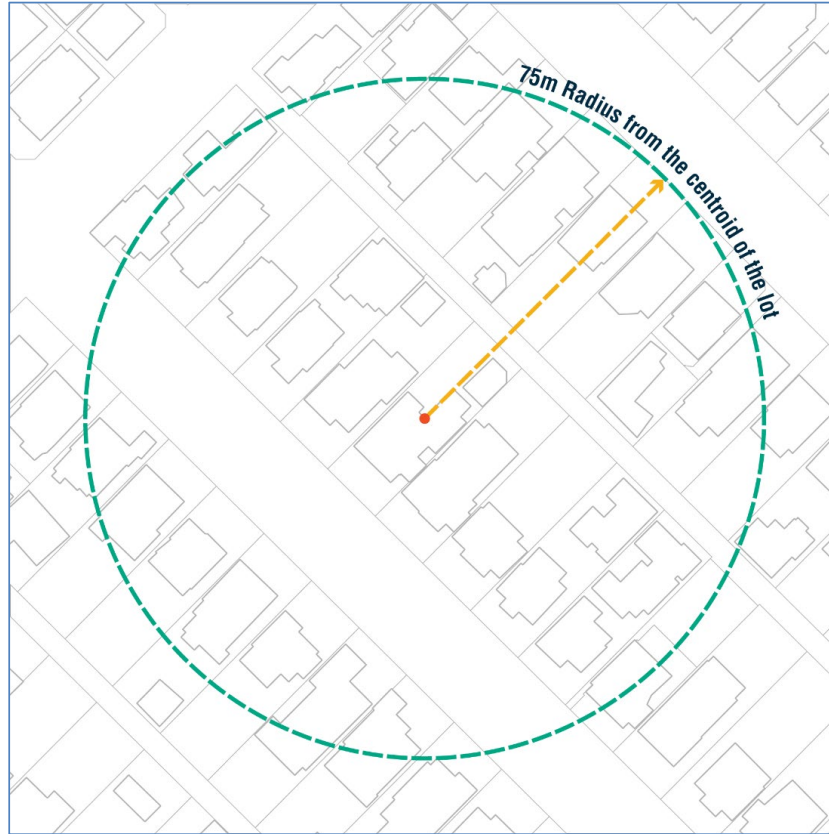


Figure 13 – How 'Locality' is determined

## 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

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### Character Retention in Inglewood Heritage Area

City of Stirling Local Planning Scheme No. 4



OFFICE USE ONLY:	
<b>Policy Type: Local Planning Policy</b> <b>Policy Owner: City Future</b>	<b>Policy No.</b> <b>Latest adopted review date:</b>
<b>Policy Type: Local Planning Policy</b> <b>Policy Owner: City Future</b>	<b>Policy No.</b> <b>Latest adopted review date:</b>

**Character Retention in Inglewood Heritage Area**

City of Stirling Local Planning Scheme No. 4

**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.*

**Moved Mayor Irwin, seconded Councillor Proud**

**THE COMMITTEE RECOMMENDS TO COUNCIL**

**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 (8/0).**

**For:** Councillors Dudek, Ion, Krsticevic, Migdale, Perkov, Proud, Thornton and Mayor Irwin.

**Against:** Nil.

**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.

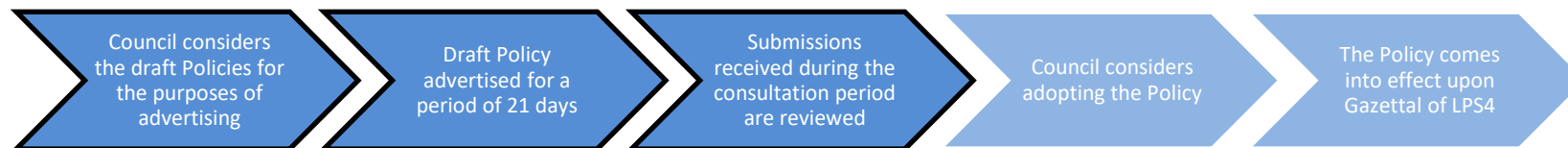


Figure 1 – Policy review process

## 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 meeting

Nil

### Linked Documents

Nil



Policy Manual

## Local Planning Policy - Development Approval Exemptions

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### 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.



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 <b>3m</b> height;  • is located behind the primary street setback; and  • has eaves, gutters and roofs set back at least



		450mm from the lot boundary. <i>Note: *There may also be building code requirements that apply.</i>	450mm from the lot boundary.
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:  <ul style="list-style-type: none"> <li>no more than one support pier with a maximum horizontal dimension of 350mm; and</li> <li>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).</li> </ul>
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 <b>3m</b> ; B. Large and multiple outbuildings iii. does not exceed a wall height of <b>3m</b> ;
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:

<b>Applies to:</b>	<b>Condition(s)</b>
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## Policy Manual

a) Alterations to non-residential buildings  <b>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-</b>	Alterations to the building facades (to the primary and secondary street) where: <ol style="list-style-type: none"> <li>i. the height of the building is not increased; and</li> <li>ii. the alignment to a street is not altered by more than 300mm; and</li> <li>iii. meets all requirements of the City's Local Planning Scheme and relevant local planning framework.</li> </ol>
b) Grouped Dwelling development that results in no more than two dwellings on a parent lot. <b>Except where the works are located in a heritage-protected place.</b>	<ol style="list-style-type: none"> <li>i. That meets all requirements of the City's Local Planning Scheme and any relevant local planning framework, and</li> <li>ii. The deemed-to-comply provisions of the R-Codes Volume 1.</li> </ol>
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, <b>Grouped Dwelling additions</b> are exempt from development approval where they meet the following criteria.  <b>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.</b>	<ol style="list-style-type: none"> <li>i. The development meets all requirements of the City's Local Planning Scheme and any relevant Local Planning Framework, and</li> <li>ii. The deemed-to-comply provisions of the R-Codes Volume 1.</li> </ol>
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: <ol style="list-style-type: none"> <li>i. limited to one per <u>development</u> site; and</li> <li>ii. on-site for a maximum of 3 months within a 12-month period; and</li> <li>iii. within the maximum building height of the approved <u>development</u>; and</li> <li>iv. located behind all street setback areas; and</li> <li>v. setback a minimum of 7.5m from any lot boundary.</li> </ol>
e) Incidental Structures  <b>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</b>	Such as but not limited to: <ul style="list-style-type: none"> <li>• Satellite dish;</li> <li>• Air Conditioner;</li> <li>• Solar Panel;</li> <li>• Shade structure or sail;</li> <li>• Screening;</li> <li>• Clothes line</li> </ul>



Policy Manual

<del>roof-identified as a heritage-protected place</del>	<ul style="list-style-type: none"> <li>Swimming Pools - below ground for private use only.</li> </ul>
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## 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.

<u>Heritage Area</u>	<p><u>As per Schedule 2, Part 3, cl 7 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</u></p> <p><u>The area is identified under the City’s Heritage Policies.</u></p>
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Policy Manual

<u>Heritage Protected Place</u>	<u>As per Schedule 2 Part 1 clause 1A of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</u>
Market	Means premises used for the display and sale of goods from stalls by independent vendors;  <i>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.</i>
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:

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

## 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	<p>The following comments provided:</p> <ol style="list-style-type: none"> <li><i>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'.</i></li> <li><i>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.</i></li> <li><i>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.</i></li> </ol>	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.



Policy Manual

## Local Planning Policy - Development Approval Exemptions

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### 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.



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.

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).

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 <b>3m</b> 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. <i>Note: *There may also be building code requirements that apply.</i>	450mm from the lot boundary.
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:  <ul style="list-style-type: none"> <li>no more than one support pier with a maximum horizontal dimension of 350mm; and</li> <li>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).</li> </ul>
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 <b>3m</b> ; B. Large and multiple outbuildings iii. does not exceed a wall height of <b>3m</b> ;
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:

<b>Applies to:</b>	<b>Condition(s)</b>
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<p>a) Alterations to non-residential buildings</p> <p><b>Except where the property is: affected by the <i>Heritage Act 2018</i>, is listed on the <i>City of Stirling Heritage List</i> and/or located within a <i>Heritage Protection Area</i>.</b></p>	<p>Alterations to the building facades (to the primary and secondary street) where:</p> <ol style="list-style-type: none"> <li>i. the height of the building is not increased; and</li> <li>ii. the alignment to a street is not altered by more than 300mm; and</li> <li>iii. meets all requirements of the City's Local Planning Scheme and relevant local planning framework.</li> </ol>
<p>b) Grouped Dwelling development that results in no more than two dwellings on a parent lot.</p>	<ol style="list-style-type: none"> <li>i. That meets all requirements of the City's Local Planning Scheme and any relevant local planning framework, and</li> <li>ii. The deemed-to-comply provisions of the R-Codes Volume 1.</li> </ol>
<p>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, <b>Grouped Dwelling additions</b> are exempt from development approval where they meet the following criteria.</p> <p><b>Except where the property is: affected by the <i>Heritage Act 2018</i>, is listed on the <i>City of Stirling Heritage List</i> and/or located within a <i>Heritage Protection Area</i>.</b></p>	<ol style="list-style-type: none"> <li>i. The development meets all requirements of the City's Local Planning Scheme and any relevant Local Planning Framework, and</li> <li>ii. The deemed-to-comply provisions of the R-Codes Volume 1.</li> </ol>
<p>d) Transportable Containers</p>	<p>Where present on the property for no more than 9 consecutive days in any 12-month period.</p>
<p>d) Viewing Platforms</p>	<p>When used to market homes in an approved development, to show potential views, and are:</p> <ol style="list-style-type: none"> <li>i. limited to one per <u>development</u> site; and</li> <li>ii. on-site for a maximum of 3 months within a 12-month period; and</li> <li>iii. within the maximum building height of the approved <u>development</u>; and</li> <li>iv. located behind all street setback areas; and</li> <li>v. setback a minimum of 7.5m from any lot boundary.</li> </ol>
<p>e) Incidental Structures</p> <p><b><i>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.</i></b></p>	<p>Such as but not limited to:</p> <ul style="list-style-type: none"> <li>• Satellite dish;</li> <li>• Air Conditioner;</li> <li>• Solar Panel;</li> <li>• Shade structure or sail;</li> <li>• Screening;</li> <li>• Clothes line</li> <li>• Swimming Pools - below ground for private use only.</li> </ul>



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.

Market	<p>Means premises used for the display and sale of goods from stalls by independent vendors;</p> <p><i>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.</i></p>
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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.
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## 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:	
<b>Policy Type: Local Planning Policy</b> <b>Policy Owner: City Future</b>	<b>Policy No. 6.15 (LPP6.15)</b> <b>Latest adopted review date: 15 Feb 2022</b>
<b>Policy Type: Local Planning Policy</b> <b>Policy Owner: City Future</b>	<b>Policy No. 6.13 (LPP6.13)</b> <b>Latest adopted review date: 1 Oct 2020</b>

**PROPERTY AND COMMERCIAL SERVICES**

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

**PCS1 GROUND LEASE MAJOR LAND TRANSACTION**

Business Unit:	Property & Commercial Services	Service: Property Services
Ward:	Coastal	Location: <a href="#">273 West Coast Highway, Scarborough</a>
Applicant:	Lofte Property No.1 Pty Ltd	

**Role**

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

Moved Councillor Proud, seconded Mayor Irwin

**THE COMMITTEE RECOMMENDS TO COUNCIL**

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**

The motion was put and declared **CARRIED (8/0)**.

**For:** Councillors Dudek, Ion, Krsticevic, Migdale, Perkov, Proud, Thornton and Mayor Irwin.

**Against:** Nil.

## 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 2,984m<sup>2</sup> 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
<b>Total responses</b>	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.

<b>OPTIONS</b>	
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	<ol style="list-style-type: none"> <li>1. That Council ENDORSES the Land Asset Action Plan 2023 - 2028 and its recommendations.</li> <li>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.</li> </ol>
13 February 2024	0224/014	<ol style="list-style-type: none"> <li>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.</li> <li>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.</li> </ol>

## 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 the 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 15<sup>th</sup> 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 2,984m<sup>2</sup> 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 <sup>2</sup>
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 26<sup>th</sup> November 2025 to Thursday 15<sup>th</sup> 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](mailto:propertyservices@stirling.wa.gov.au)

Website: [www.stirling.wa.gov.au/businessplan](http://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
<b>Support</b>	0	0	4	0	4
<b>Object</b>	0	0	0	0	0
<b>Total responses</b>	0	0	4	0	4

### Summary of feedback raised for the proposal

Feedback Reference	Feedback theme	Description
1	Support the proposal	<p>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.</p> <p>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.</p> <p>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.</p>
2	Support the proposal	<p>I am writing to express my support for the proposed hotel development behind Brighton Beach in Scarborough, Perth.</p>



		<p>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.</p> <p>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.</p> <p>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.</p> <p>I believe this project represents a positive and forward-looking investment in Scarborough's future and strongly support its approval.</p>
3	Support the proposal	<p>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.</p>
4	Support the proposal	<p>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.</p> <p>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.</p>



		<p>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.</p> <p>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.</p> <p>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.</p>
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## 8. MATTERS BEHIND CLOSED DOORS

Moved Mayor Irwin, seconded Councillor Perkov

1. That in accordance with the *Local Government Act 1995*, the meeting is to **BE CLOSED TO THE PUBLIC** to ensure confidentiality for the following matter, as the information contained in the report (and subsequent discussion) details information or may discuss information so prescribed:
  - a. Item 8.1 - Property Lease Proposal as it deals with a matter under section 5.23(4)(g) of the *Local Government Act 1995* and regulation 4A(c)(iii) of the Local Government (Administration) Regulations 1996 – information relating to property that is used, or is potentially to be used, for a shelter for persons who have experienced family or domestic violence.
2. That following discussion and decision being made on the item detailed in Part 1 above, the meeting will **BE OPENED TO THE PUBLIC**.

The motion was put and declared **CARRIED (8/0)**.

**For:** Councillors Dudek, Ion, Krsticevic, Migdale, Perkov, Proud, Thornton and Mayor Irwin.

**Against:** Nil.

At 6.33pm the meeting was closed to the public and all employees who were not required left the meeting prior to consideration of Item 8.1.

Councillor Joe Ferrante left the meeting at 6.33pm prior to consideration of Item 8.1 and returned to the meeting at 6.42pm.

Councillor Joe Ferrante retired from the meeting at 6.47pm after consideration of Item 8.1.

## 8.1 PROPERTY LEASE PROPOSAL

### Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 5.24(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 Reg 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.*

**Moved Councillor Proud, seconded Councillor Ion**

### THE COMMITTEE RECOMMENDS TO COUNCIL

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 (8/0)**.

**For:** Councillors Dudek, Ion, Krsticevic, Migdale, Perkov, Proud, Thornton and Mayor Irwin.

**Against:** Nil.

**Moved Councillor Krsticevic, seconded Councillor Ion**

**That the Meeting be REOPENED to the public.**

**The motion was put and declared CARRIED (8/0).**

**For:** Councillors Dudek, Ion, Krsticevic, Migdale, Perkov, Proud, Thornton and Mayor Irwin.

**Against:** Nil.

At 6.46pm the meeting was reopened to the public. The Presiding Member read aloud the motion that was passed behind closed doors.

**9. MEMORANDUM OF OUTSTANDING BUSINESS**

#	Item	Item Presented	Responsible Officer	Future Actions
1.	Lease and Licence Agreement – Proposed Policy	<a href="#">15 August 2023</a>	Manager Commercial Portfolio	Community engagement is currently underway, concluding on 20 February 2026. A report is expected to be presented to Council in March 2026.
2.	Proposed Notice of Motion - Councillor Elizabeth Re - Police Station Site Options at Morris Place, Innaloo	<a href="#">25 November 2025</a>	Manager Commercial Portfolio	A report is expected to be presented to the Planning and Development Committee Meeting to be held 10 March 2026.

**10. CLOSURE**

The Presiding Member declared the meeting closed at 6.49pm.

These minutes were confirmed as a true and correct record of proceedings on:

Date: .....

SIGNED:

.....  
Presiding Member Signature

.....  
Presiding Member Name (*please print*)