



City of Stirling

Ordinary Meeting of the 41st Council

3 December 2024

Minutes

To: The Mayor and Councillors

Here within the Minutes of the Ordinary Meeting of Council of the City of Stirling held Tuesday 3 December 2024 in the City of Stirling Council Chamber, 25 Cedric Street, Stirling.

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

Stevan Rodic | Chief Executive Officer

Our Vision, Mission and Values

Vision

A sustainable City with a local focus.

Mission

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

Values

The City of Stirling's core values are:

- Approachable
- Responsive
- Transparent
- Innovative.

Disclaimer

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

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL OF TUESDAY 3 DECEMBER 2024 HELD IN CITY OF STIRLING
COUNCIL CHAMBER, 25 CEDRIC STREET, STIRLING**

1. OFFICIAL OPENING

The Presiding Member declared the Ordinary Meeting of Council open at 6.31pm.

2. ATTENDANCE AND APOLOGIES

ATTENDANCE

Mayor

Mark Irwin

Councillors

Councillor Andrea Creado
Councillor Michael Dudek
Councillor Joe Ferrante
Councillor Damien Giudici
Councillor Chris Hatton
Councillor Tony Krsticevic
Councillor David Lagan
Councillor Suzanne Migdale
Councillor Teresa Olow
Councillor Rob Paparde
Councillor Karlo Perkov
Councillor Stephanie Proud JP
Councillor Elizabeth Re (until 7.27pm)
Councillor Lisa Thornton

Employees

Chief Executive Officer - Stevan Rodic
Director Community Development - Michael Quirk
Director Corporate Services - Ingrid Hawkins
Director Infrastructure - Andrew Murphy
Director Planning and Development - Amanda Sheers
Manager Community Safety - Peter Mullins
Manager Parks and Environment - Ian Hunter
Manager Strategy and Performance - Michelle Wolsoncroft
Manager Waste and Fleet - Yvette Plimbley
Acting Manager Engineering Services - Gary Davis
Acting Manager Governance - Jackson Mawby
Service Lead Council & Civic - Candice D'Castro
Senior Media Advisor - Liam Croy
Lead Governance Officer - Regan Clyde
Senior Governance Officer - Daniel Govus
Senior Governance Officer - Amorette Kerklaan

Public

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Press

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APOLOGIES

Nil.

3. APPROVED LEAVE OF ABSENCE

Nil.

4. DISCLOSURES OF INTEREST

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

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

Community and Resources Committee - 26 November 2024

Mayor Mark Irwin disclosed an Impartial Interest in Item 12.1/TE4 as he has had repairs done at two of the companies who tendered.

Councillor Chris Hatton disclosed an Impartial Interest in Item 12.1/TE4 as the directors of S & A Smash Repairs are related through family.

Councillor Tony Krsticevic disclosed an Impartial Interest in Item 12.1/TE4 as his daughter worked for S & A Smash Repairs a number of years ago. Directors of the company also attended some fundraising events when he was an Member of the Legislative Assembly prior to March 2021.

Councillor Karlo Perkov disclosed an Impartial Interest in Item 12.1/TE4 as the directors of a tenderer are known to him.

Councillor Michael Dudek disclosed an Impartial Interest in Item 12.1/TE6 as the Chair of the Resource Recovery Group, Councillor Karen Wheatland, is a fellow State Councillor on WALGA.

Council - 3 December 2024

Councillor Stephanie Proud JP disclosed an Impartial Interest in Item 12.1/TE7 as a family member is a contractor for one of the companies which tendered.

Councillor Elizabeth Re disclosed an Impartial Interest in Item 12.1/8.1 as she resides within the southside of the Stirling City Centre project.

Manager Governance, Mr Jamie Blanchard, disclosed an Impartial Interest in Item 13.1 as he is a member of the Risk, Audit and Governance Committee of the National Heart Foundation, which advocates on smoking and vaping regulation.

5. PETITIONS

Nil.

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

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

Nil.

7. PUBLIC QUESTION TIME

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

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

Councillor Suzanne Migdale left the meeting at 7.16pm during Item 7, and returned to the meeting at 7.23pm.

Councillor Elizabeth Re retired from the meeting at 7.27pm during Item 7.

7.1 PUBLIC QUESTION TIME - R MITCHELL

The following question was submitted by R Mitchell, Karrinyup WA 6018, at the Council Meeting held Tuesday 3 December 2024.

- Q1. *“My first question relates - right powers and public appeal are at a loss over the proposed activity in enhancing the Bush Forever experience of the coastal environment. We know the intent of the boardwalk. However, we don't know what its built form will be or how long, large or high is proposed. Every Council meeting someone asked questions about the attraction of this, of these proposals. You stated at the media interview that you've got an award for doing away with red tape. Well, as I said before, it seems to be building up here. A constant regurgitation of this now. Now these matters are unnecessary and a waste of revenue resources. Surely this matter now raised - I don't know how many times has a plan or a proposed plan... and I just wonder if that can be explained now or put in the minutes in relation to how these proposals intend to put their built form forward. I put in - I think it was April - about where either property down at between Melros and Florida beach, where the City of Mandurah have put in a coastal walkway between the dunes there. And they've also got a little rotunda up the top where you can start your walk down into the dune and you can see out in the ocean where the crab pots are and god knows what else. And as you walk down, you come around and you go into a BBQ area. It is well done, and I thought someone from the Council maybe would have contacted someone and had a good look at it because it is really nice. And I think that would be a good thing out at Scarborough on a larger scale.”*
- A1. The Mayor advised that there is already some information on the process of the Coastal Boardwalk Feasibility Plan on the City of Stirling website, and that the full process would be posted there. The City will consult with the community once there are some preliminary designs to show how they could work, and the full process will be provided to Mr Mitchell in writing.

7.2 PUBLIC QUESTION TIME - G LORD

The following question was submitted by G Lord, Doubleview WA 6018, at the Council Meeting held Tuesday 3 December 2024.

- Q1. *“My question tonight is with regard to the Port Hedland motion and the findings of the contaminated DNA in the COVID vaccines. I’m wondering what are the plans for the Councillors here, now that this information has come to light? I looked on your website today and under the heading of public health, it states the City of Stirling has strategies and plans in place to keep our community safe. Our local pharmacies and hospitals and doctors are still advertising and selling the COVID jabs. It is a sale actually, and they are contaminated. Many people have been affected and died by these vaccines. The information has all been received from you, I believe, from the Port Hedland motion. We need to work together to resolve this issue”.*
- A1. The Mayor advised that there is no current view of this Council that any action would be taken regarding the Port Hedland motion.
- Q2. *“Would the Council consider having a special meeting for this? To stop the mandates and withdraw the vaccines.”*
- A2. The Mayor advised that a local government cannot action or enforce anything related to the COVID vaccination plan, as it is a federal issue.

7.3 PUBLIC QUESTION TIME - L THOMPSON

The following questions were submitted by L Thompson, Trigg WA 6029, at the Council Meeting held Tuesday 3 December 2024.

- Q1. *“I received the Coastal Ward news the other day and I just have some concerns. It reads: ‘we also heard how much our community loves getting active along the coast and it is interested in improved walkways between beaches without disturbing the natural environment’. Mr Mayor, how are you going to build a boardwalk without disturbing the natural environment?”*
- A1. The Mayor advised that there is no current plan in place for the boardwalk and that the environmental considerations will be published this week. If it is possible to construct the boardwalk in an environmentally sensitive way, it will progress to the next stage.
- Q2. *“My other question is - nowhere in this pamphlet, or in any communication used by the Council, e.g. the Feels Like Scarborough survey, is it mentioned that the area you want to build an elevated boardwalk in, is in Class A Reserve Bush Forever site?”*
- A2. The Mayor advised that any consultation carried out will consider the Class A Reserve.
- Q3. *“It’s just upsetting because it’s never been mentioned in the community in the PR campaign. And you know, when you’re giving it out to the community, people need to know what we’re doing because it is a special area, and it is a hard area to go and - but thank you. And I just want to know what you think of the beach between Scarborough and Trigg – is it iconic?”*
- A3. The Mayor agreed that the beach is a special place.

7.4 PUBLIC QUESTION TIME - M MASIELLO

The following questions were submitted by M Masiello, Trigg WA 6029, at the Council Meeting held Tuesday 3 December 2024.

- Q1. *“At the last Council meeting on 19 November 2024, the Manager Strategy and Performance indicated that the Council Boardwalk Environmental Impact Assessment was close to being finalised and will be shared to the public and key stakeholders within two weeks, which was yesterday. I checked today, there's no signs of the report. One would think if it was a true, independent and transparent assessment, this report would not need to go back and forth with the consultants, with comments and changes, potentially altering findings. What's the cause of the hold up and what's the new revised date for the assessment being made?”*
- A1. The Manager Strategy and Performance advised that the City has provided one round of comments back to the consultant. The consultant had advised the City earlier in the week that there had been a slight delay with some mapping that they are carrying out to show the rehabilitation works that have occurred, but that the City would receive the report by the end of the week.
- Q2. *“I note that the next stage of the Boardwalk Feasibility Study is the economic assessment reviewing the components of the assessment to essentially consider the economic benefits which mostly relate to inner-Scarborough entertainment precinct businesses. These businesses represent a small number of the ratepayers when you consider the City has 30 suburbs, 230,000 people and 24,000 businesses. It seems unfair that a significant chunk of ratepayer funds will be allocated away from more urgent City projects and essentially help fill the pockets of the Scarborough Beach Association's members. My question - please outline the process that will be developed to assist or assess the return on investment for the boardwalk, given that the benefits would mainly be received by a small number of businesses.”*
- A2. The Mayor confirmed that Mr Masiello would receive a detailed answer in writing.
- Q3. *“I've attended the Coastal Matters sessions at Foam Cafe on Thursday mornings. The reason I went initially was James Murphy insinuated there was free coffee! However, I found this wasn't the case. After getting over this, I found the sessions useful for open discussions between City stakeholders that have attended. I have come to the realisation that very few staff attendees actually live locally and actually reside in the City. Subsequently, most have a low-level of awareness of environmental factors unique to the South Trigg Beach Reserve area, or traffic or parking or any of that sort of stuff. I've also noticed the Coastal Ward Councillors driving this project or this proposal have been missing in action. Given the environmental and economic significance of the proposal, why have the Councillors, in particular the Coastal Ward Councillors, been missing in action from the community engagement sessions and why have they declined an offer to meet with Professor Semeniuk, WA's most renowned environmental specialist at the site?”*
- A3. The Mayor suggested that Mr Masiello take the question offline and ask the Coastal Ward Councillors directly.

Additional Information

A2. The economic assessment for the Coastal Boardwalk Feasibility Study will consider the economic impact of this project on the local area. The independent assessment will consider visitor attraction; revenue for City businesses, employment opportunities, economic stimulus, spending patterns of visitors and length of stays in the area. It will also investigate the broader impacts (both positive and negative) on the community regarding wellbeing, safety, participation and connectivity and quantify the direct and in-direct effects of the project. The City will engage an independent consultant to conduct the economic assessment and the outcomes, together with those from the environmental assessment and the community engagement, will inform decision

7.5 PUBLIC QUESTION TIME - A INMAN

The following questions were submitted by A Inman, Trigg WA 6029, at the Council Meeting held Tuesday 3 December 2024.

Q1. *“My first question refers to the recently distributed Coastal Ward news. Within this publication, there's reference to the City focusing on a study to understand the environmental impacts of a potential boardwalk between Scarborough and Trigg. The brochure states after this study it will then undertake an economic assessment, develop design options and then undertake extensive community consultation.*

There are many residents in the community, some of whom have met, that do not wish to be consulted about patterns, colours, alignment and other superficial elements of this proposed project. We simply do not wish for the boardwalk project to go ahead outside the existing path and pathway footprint due to significant environmental reasons and economic reasons.

My question is, why is this messaging in the brochure geared towards the extensive community consultation process taking place after the design options and the environmental assessment takes place?”

A1. The Mayor advised that the consultation (within the publication) is in place to help ratepayers better understand all aspects, from the design and appearance of the project to the environmental concerns it may raise.

Q2. *“When it comes to the infrastructure and new projects, it is considered best practice to consult as early as possible with all concerned stakeholders. The Coastal Matters sessions taking place at South Trigg (with or without coffee) on a fortnightly basis, as stated in the event invite, say that you want to know what matters to us and the community, especially when it comes to coastal projects and plans.*

Why then, if the City is seeking a range of views on this potential project, would the City be conducting the sessions weekdays from 7.30am to 8.30am? This time slot is geared towards select demographics of the population. Parents of young kids, students and commuters going to work are not available at this time slot all the time. Could you please provide further details of the intended consultation strategy for this proposal and how it will include other parties besides morning walkers and include traditional owner groups?”

A2. The Mayor advised that the City consults the public across a vast area and tries to facilitate the community with convenient meeting times as much as possible. The Mayor thanked Ms Inman for her feedback and confirmed that the City would take it on board.

At 6.49pm, in accordance with Clause 5.2(14) of the City of Stirling's Meeting Procedures Local Law 2021, the Presiding Member ruled that Public Question Time be EXTENDED.

7.6 PUBLIC QUESTION TIME - A BRADLEY

The following questions were submitted by A Bradley, Balcatta WA 6021, at the Council Meeting held Tuesday 3 December 2024.

Q1. *“On Saturday the 30th, I attended a wonderful catio workshop at the City of Bayswater and the Forever Project. As always, it was a very informative workshop and explained the do-it-yourself ways of building a catio on a budget and the positive information of having your cat safe in your own environment and keeping our wildlife safe.*

While I was at the workshop, I was asked by two of the ladies about cat registration. Both were residents of the City of Stirling. Both had cats that weren't registered. One of them, from Mirrabooka, stated that she collected two strays, which had adopted her place as their new home. They were not registered but she believes they came from a property in her neighbourhood that had housed up to 40 cats. Is the City of Stirling and the Councillors from the Balga Ward aware of this property and this problem?”

A1. The Manager Community Safety advised that he was not immediately aware of the property in question but would obtain the necessary details from Ms Bradley to follow up.

Q2. *“Is the City of Stirling aware that catios can be made economically to suit the person's budget with a little help in the catio workshops? I've attached two of the pamphlets from Saturday's workshop, one from Cat Haven and the other from the Forever Project, for help and guidance for any questions about keeping your cats at home.”*

A2. The Mayor advised that Ms Bradley's comments would be taken on board, and the Manager Community Safety would discuss it with her further.

Q3. *“Is the City of Stirling aware that Cat Haven has produced a pamphlet called 'How to Keep Your Cat Content' while contained to your property? Please read it and educate yourself and your ratepayers on responsible cat ownership.”*

A3. The Manager Community Safety advised that the City is aware, and doing everything it can to promote responsible cat ownership, which does include registered cat owners and unregistered cat owners using catios.

Additional Information

A1. The Manager Community Safety contacted Ms Bradley. The address of the property referred to as housing up to 40 cats was unable to be provided to the City.

7.7 PUBLIC QUESTION TIME - T ALEXANDER

The following questions were submitted by T Alexander, Trigg WA 6029, at the Council Meeting held Tuesday 3 December 2024.

Q1. *“I’ve witnessed the ongoing deterioration of vegetated coastal dunes at the front of the Surf WA building for the purpose of creating a surfer’s lookout since July. Given that the City is only the caretaker and not the landowner of the South Trigg Beach Reserve, why does the City feel it has the right to irreversibly alter the remaining naturally beautiful, environmentally important, and largely untouched section of coastal dunes to the South of this site to create a \$20 million boardwalk tourist attraction for the benefit of a small number of Scarborough businesses?”*

A1. The Manager Parks and Environment advised that there is a proposal to implement an informal surf lookout at the location in front of Surf WA. It is currently awaiting permissions for the environmental elements from the State Government, but it is scheduled to happen in the next few months.

The Mayor confirmed that the information concerning the boardwalk will be published on the City of Stirling website. The Council will seek direction once it has received the environmental studies.

Q2. *“What faith can be drawn from any of the City’s environmental impact assessments when the City let the Surf WA development in Trigg go ahead? Was the outcome of that environmental assessment that the sand dunes would be blocked from following their natural movement, resulting in sand building up on the paths and car parks either side of the development? If so, why did you allow it to be approved? If not, I revert to my initial question, what faith can be drawn from the City’s environmental impact assessment?”*

A2. The Mayor advised that it is an independent assessment, and that the Council was not involved in it. The City will provide Mr Alexander with the planning approvals process in writing.

Q3. *“Again, with reference to the South Trigg surfers’ lookout which you mentioned beforehand. I noticed the area was cleared in late July and no track fencing was reinstated until November 19, leading to four months of uncontrolled trampling of the dune vegetation around this area. This has led to increased dune erosion and significant vegetation damage. How can the ratepayers have any confidence in the City’s ability to manage environmentally sensitive projects following the demonstrated lack of responsible environmental management for the South Trigg surfers’ lookout project?”*

- A3. The Manager Parks and Environment advised that there had been some clearing of tracks which also entailed the removal of sand adjacent to the fence line. It was necessary to remove the fence line to clear the track. It is a dynamic environment and there is movement of sand from time to time. The City needs to move sand to maintain access down to those beachfronts. The City is in consultation with the Department of Water and Environmental Regulation, and it is fully aware of what the City's movements are in that regard.

Additional Information

- A2. The 'SurfingWA' development is located on a portion of coastal reserve that is reserved under the Metropolitan Region Scheme (MRS). As the development is located on an MRS reserve, the Western Australian Planning Commission (WAPC) is the determining planning authority for development.

As per the City's obligations, the City received a development application to refer to the WAPC for determination. The development was considered by the WAPC's Statutory Planning Committee meeting held on Tuesday 30 March 2021.

The WAPC issued an approval for the development on 11 May 2021.

7.8 PUBLIC QUESTION TIME - E WALLIS

The following questions were submitted by E Wallis, Wembley Downs WA 6019, at the Council Meeting held Tuesday 3 December 2024.

- Q1. *“Section 3.5 - legislative power of Local Governments (4b): nothing in the Health Miscellaneous Provisions Act of 1911 or the Public Health Act of 2016 prevents a local government from making local laws under this act about matters relating to public health as, defined in the Public Health Act of 2016 Section 4 (1). Mayor Irwin, will you use this power?”*
- A1. The Mayor advised that he would not be exercising that power as he does not believe it is under the remit of local government. COVID vaccines are an important issue that must be overseen by the State and Federal Governments.
- Q2. *“Mayor Irwin, you instructed the Manager Governance to respond to my letter, addressed to you and Councillors, in which he responded, and I quote, ‘the matters you have raised are entirely within the remit of the Western Australian and Commonwealth Governments’ and I should write to them. Therefore Mayor Irwin, how can the Chinese Trackless Tram which is state and federal managed, be in the remit of local government? What is the difference here?”*
- A2. The Mayor advised that Trackless Trams come under land use planning, which is entirely under the remit of local government.

7.9 PUBLIC QUESTION TIME - R MADDEN

The following questions were submitted by R Madden, Innaloo WA 6018, at the Council Meeting held Tuesday 3 December 2024.

- Q1. *“We’re quite lucky to have this system here because it means while I’ve been away attending to other things I can keep an eye on what’s going on here. I’ll be honest, I was watching last week, and it was particularly disheartening to see so much disinformation amongst Councillors here. We put trust in you, to vote on policy and practice put forward by the City and it seems that on the topic of cats, despite our best efforts, there’s a lot of misinformation and just falsehoods that are still permeating councils - councils that make decisions on policy.”*

So, it seems quite pertinent to front load this by saying owls are indeed native to WA and contrary to the ecological teachings of the old lady that swallowed a fly, cats don't actually propose a solution to rats in our suburbs; that's just a scientific fact. So, with this in mind, it seems quite staggering to us then that the draft Cat Local Law on the agenda tonight that you're being asked to vote on as Councillors, is in the opinion of many in the community, wholly insufficient. It is entirely at odds, in our opinion as well, with the City's stated core values of innovation and transparency. Notably, it's been stated several times by the City of Stirling that effective control laws are not possible, and they would rather wait for the state to do something and can appreciate where that sentiment comes from.

Will the City actually acknowledge that effective control laws are indeed possible and have most recently been enacted by the City of Bayswater?"

- A1. The Mayor advised that it is important to make clear that when referencing misinformation, Mr Madden is talking about a completely different agenda item, from the previous Council meeting, which was about owls and not about cats. This Council is elected by ratepayers to represent themselves. They have all got their own views and you will not always agree with their views, but they are a representative committee, not experts on cats.

In terms of transparency and accountability, the agenda item this evening regarding a Cat Local Law is drafted by City Officers. Council's decision tonight is to put it to the public to see if the community agrees with you, Mr Madden. It is not determining whether the City thinks something; it is presenting the Local Law to the public in a fully transparent manner for the whole community to comment on. The community may, or may not, agree with Mr Madden and then it will be considered by this Council.

- Q2. *"The wording in the agenda tonight is interesting because it seems quite intentional that the wording, I'd hate to think it wasn't intentional, but the sentiment there is that only some in the community seek effective cat control, and yet the City's own public consultations, there have been two or three surveys, the overwhelming majority of responses would suggest actually, the public do want effective control."*
- A2. The Manager Community Safety advised the reason the report refers to 'some' in the community is that the City has undertaken numerous cat containment consultations with the public. Some of these go beyond what is statutorily required. Less than 200 people responded to these consultations, however 6,145 cats are currently registered in the City of Stirling. To say 'some' supported cat containment is accurate, as around 50% of the 200 respondents indicated support.

- Q3. *“Why does the City not include in their report any of the scientifically evidenced data regarding cat predation rates, disease vectoring, mortality rates for cats, nuisance issues when presenting to Council these motions that are being voted on?”*
- A3. The Manager Community Safety advised there are numerous sources available around the impacts of cats. To include all would be extremely difficult for the City and to be able to verify particular sources would also be problematic for the City. Officers chose to provide information from the WA Feral Cat Working Group to Council, which the City believes is reasonable and consistent with what is happening in Western Australia.

The Mayor advised Council has had several significant Elected Member Workshops on cat containment issues in the lead up to this item being presented. Once the draft Local Law is out for public consultation, Mr Madden is welcome to provide this information as part of the consultation process.

7.10 PUBLIC QUESTION TIME - J JURACICH

The following questions were submitted by J Juracich, Scarborough WA 6019, at the Council Meeting held Tuesday 3 December 2024.

Q1. *“My question is in regards to a proposed boardwalk through the Bush Forever site and A Class Reserve. I work in consulting on capital intensive projects as a background. My question is, given that it’s best practice for capital investment guidance identifies that projects should only consider investments where the benefits outweigh the costs, will the City of Stirling undertake and publish a detailed cost benefit analysis which includes monetised benefits and identification of how they will be realised in the future, and who those benefits will be laying with prior to any project approval?”*

A1. The Manager Strategy and Performance advised that the City will be doing an economic assessment to understand the economic benefit and tourism impact on the area. It will not be an extensive cost benefit analysis, that might be part of the next stage of the project if it proceeds. At the moment the City is doing a preliminary environmental assessment and an economic assessment to then inform future decision making on the project.

Q2. *“Whilst you’ve talked about consultation, I believe going back - 2005 and 2013 - we have had that consultation and nothing has been built in that area. In addition to that in the Scarborough master plan, the Council wanted to build a road through this area. Why does there seem to be this desire to not protect this area for the future generations?”*

A2. The Mayor advised the roads were a different issue and that was State Government led as part of the DevelopmentWA proposal through the then road reserves. That was explored and it was ruled out. That may happen with the boardwalk as well. That stage will come when we determine the environmental considerations and the public gives the City their feedback on it.

“Hasn’t that feedback already been provided twice?”

The Mayor advised that feedback was provided to a different Council, at a different time. The first proposal came up two decades ago; a significant amount of time has lapsed.

Q3. *“With that significant amount of time, 10 years ago this proposed boardwalk was going to cost in the vicinity of \$1.9 million, only 10 years later we are spending \$500,000 of ratepayers’ money just to see whether or not it is feasible and potentially another \$20 million according to your words. Where are those benefits? I fail to see that spike in cost and given that things are probably going to cost more than you think they are going to be, I don’t know where we are going to get \$30 million worth of benefits.”*

A3. The Mayor advised these points would be investigated through the process and justified to the community. There is no intent at this stage to spend any money until that can be done, in terms of the \$20 million, or any more or any less. The \$500,000 is not spent yet, only a small portion of it has. For it to go to the next stage, the City would expect it would include some design.

7.11 PUBLIC QUESTION TIME - R HADLEY

The following questions were submitted by R Hadley, Woodlands WA 6018, at the Council Meeting held Tuesday 3 December 2024.

Q1. *“The Mayor has stated that no ratepayers’ monies has been spent in relation to the \$2 million federal grant that was issued in respect of the business case. At the Council meeting held 19 October 2024, this was queried. But naturally, the Minutes failed to confirm this. Even though costs for airfares, accommodation, etcetera for you and staff to fly to Canberra to lobby for this Trackless Tram project over many years. Also, over \$10,000 being spent on producing Trackless Tram videos. Over \$1,250 spent on specially printed hats for the City staff to wear.*

The long awaited 652-page biased business report, which Mayor Irwin stated would be met by the Council. How much? We don’t know. So, Mayor Irwin, do you think ratepayers accept your statement? And before you answer I shall continue. Also, at the Council meeting held 19 November 2024, we sought financial details of the acquittal amounts submitted to the federal treasury. Again, no details in the Minutes. So, Mayor Irwin, in the interest of transparency, accountability, good business practice, will you supply these details? Yes, or no? If not, why?”

A1. The Mayor advised that the question would be taken on notice and a written response provided.

Q2. *“Ratepayers are aware that financial details have been sought since 15 October 2024 for electricity usage in regard to the \$350,000 of Christmas lights and \$90,000 to illuminate a clock tower. Information given to me was low voltage LED bulbs, estimated cost of \$0.38 per 10 watts, per month across 50 items. I did seek clarification, but no surprise, nothing heard.*

Ratepayers who take time and take part in Public Question Time at this ‘City of Choice’ do not get replies that equate to transparency, accountability, nor comprehension, certainly in the last case. The question remains, Mayor Irwin, will you provide answers that make sense to me as regards electricity costs?”

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

Q3. *“Mayor Irwin has sought Council approval to attend the Leadership Conference in California at a cost to ratepayers of nearly \$14,000. Ratepayers will wonder if this would in any way restrict Mayor Irwin’s spending spree. \$400,000 for new shire boundary markers; \$350,000 for Christmas lights; \$90,000 to illuminate a clock tower, don’t ask where, we know where it is. \$700,000 to reduce Mirrabooka Reserve to accommodate Perth Glory. \$500,000 for a boardwalk environmental study so the South Trigg car park can be developed. How many thousands regarding the Karrinyup Library complex will be spent? We wonder what else is in the pipeline.*

The Mayor’s continual habit of adding ad hoc items throughout the years, items that never were listed in the agreed budgets, illustrates his lack of financial control. We consider his application to attend a leadership conference far too late to benefit the City’s ratepayers.”

- A3. The Mayor advised the City will provide Mr Hadley with copies of the statutory budgets for the last five years which shows Council endorsement of all the projects mentioned.

Additional Information

- A1. The Trackless Tram Business Case includes estimated costing for the implementation of this project which can be found on the City's website [here](#). The City has advised that State and Federal Government funding will be required for this project to proceed. The acquittal for the Trackless Tram Business Case is not required to be submitted to Council and will be provided directly to the Australian Government in line with the grant agreement.
- A2. Estimating the cost of the Christmas lights is challenging due to the number of lights and locations involved. Due to the low voltage LED lights being used, the City anticipates that it will be less than \$1,000 across all locations for 2024.

The approximate cost of electricity to illuminate the clock tower is \$263 per year based on 12 lights being on for approximately 12 hours per day.

- A3. In line with the State Government Integrated Planning and Reporting Framework, the City's Corporate Business Plan outlines the services, projects and program that will be delivered each financial year. This plan is developed and formally approved by Council which includes the resourcing allocated for the projects mentioned such as the Christmas Lights, City Entry Statements and the Coastal Boardwalk etc. A copy of this is found on the City's website [here](#). Delivery is tracked throughout the year and performance is reported in the City's Annual Report providing further transparency and accountability. Copies of the City's Annual Reports, Financial Statements and Statutory Budgets for the past five years are available on the City's website [here](#).

7.12 PUBLIC QUESTION TIME - S WHEELER

The following questions were submitted by S Wheeler, Scarborough WA 6019, at the Council Meeting held Tuesday 3 December 2024.

Q1. *“Some of you will be devastated to hear this will be my last Council appearance. Mayor Irwin, I'm going to waste one of my questions to point out that the Manager Community Safety pulled from somewhere that 50% of respondents were interested in cat containment. Now, we've seen all those responses and that is absolute and utter nonsense. Had that information been in the report tonight, we would all be able to see that it was utter nonsense.”*

A1. The Manager Community Safety advised that the figure represents the summary of what the Manager reviewed in all of the comments. There were several comments that made lots of different use of words and what was taken to be cat containment. That was his view and his opinion.

Q2. *“My first question is prompted by a mistake in tonight's agenda on page 202, where an answer to how one might report a nuisance cat has been replaced instead with remedies for male pattern baldness that one may have found in certain gentlemen's magazines of the past. Advertising application of a little citrus peel, coffee grounds, cinnamon, lemongrass and of course, garlic. Though I honestly thought that garlic was for vampires.*

Whilst I have zero doubt that oil of lavender and vinegar sprayed in specific areas will keep pussy away, what on earth, Mayor Irwin, does that have to do with the response to City-initiated public consultation that overwhelmingly asked, not for recipes, eye of newt hair of bat, but for solutions. This is one of the most blinkered and one-sided reports I've ever read. I'm aware that internally it has been suggested that the number of respondents to the local laws in focus, as just mentioned, are only a small proportion of the population. This, despite being from residents that actually exist, as opposed to manufactured community demand for a boardwalk requiring the employment of journalists to help support the non-existent waves of pitchfork, waving ratepayers demanding the destruction of a Class A Reserve to stop the carnage that is not happening on the existing shared path. Sorry, that's a bit off topic.

This report and internal advice condemns consultation as irrelevance in the City of Stirling. Just another waste of ratepayer's funds. Have your say, just don't expect to be heard or even acknowledged.

Mayor Irwin, my question is what internal advice was given to Councillors as to why the results of community consultation on the local cat laws were considered irrelevant enough to be withheld from tonight's agenda?”

- A2. The Director Community Development advised the key outcome of the City's review of the community consultation is that there were a number of residents seeking cat containment. The City's position, based on consultation with the Department of Local Government, with the WA Local Government Association with advice from the Joint Standing Committee and the City's own legal advice, is that cat containment is not possible under WA's current *Cat Act 2011*. It is understood that Mr Wheeler disagrees with that point of view, but that is the City's perspective.

Whilst the City did collect that community engagement and consultation information and may not have presented it in a manner that you feel is appropriate, it has still taken on board the crux of the concern amongst the community. This is the impact of cats on flora and fauna. What the City was comfortable with, is that it can, under the *Cat Act 2011*, deal with cat prohibited areas. Officers have endeavoured to respond to the general themes of the community consultation, but the City's firm view is that cat containment is not possible under the current Act. The City is aware that effective control another means that some local governments are using, but cat containment is not possible under the Act. It does not matter how the City slice and dice and present the community consultation through this report. Cat containment is not possible under the Act.

- Q3. *"At Committee, Mayor Irwin, Councillor Dudek asked if I knew the proportion of rats and mice versus other wildlife killed by cats, ignoring that some mice, a little bit like owls, are in fact native. This information should have been available in the Officer's report, as it has been to Councillors statewide who are armed with fit for purpose reports, underlining the devastating effect roaming cats have on our environment, and indeed themselves.*

Statistics from state and federal governments, from veterinarians, from rangers, from the CSIRO, from the RSPCA and institutions like the ANU, whose studies show that roaming pet cats kill some 60 million native animals each year in Sydney alone. I understand that some Councillors have personal opinions that differ from these organisations, but sentimentality and rose coloured glasses do not negate a requirement for informed debate, something that cannot occur when pretending a problem, or indeed ratepayers, do not exist. This represents a deplorable abrogation of duty.

So my question is, Mayor Irwin, will Councillors, if only in the name of good governance, demand that this item be deferred until a fit for purpose report is put before them, which covers all of the pertinent and topical issues relevant to the making of a local cat law in 2025?"

- A3. The Mayor advised this question would be taken as a comment. Councillors are listening and it is entirely up to them whether they wish to defer the item, otherwise they will vote for it to go out to public consultation.

Q4. *“With respect to the Director, I don't believe that the information that was gathered in the consultation was provided to Councillors, it's simply not there. There's a profound and wilful ignorance at play here. The overwhelming evidence that won't be found in tonight's agenda underlines that domestic cats are infinitely healthier, safer and happier when kept at home. The life of a roaming cat is at best precarious, rife with injuries inflicted by cars, dogs, humans and rival felines. A life punctuated by disease and a far greater dependence on veterinary intervention.*

Is this Council aware that some 40 or so fur babies won't come home each and every week in Metro WA? They haven't run off to join the Liberal Party or a cult, they have not won the lottery and retired to a fish market in the South of Italy, where some of us might be going. They are dead. Sorry to bring you down. They're flat cats with perhaps a swift ending for the lucky ones, but for the rest, a slow, painful, lonely and altogether miserable death. The contents of the insides of those statistics are a sad testament to the destruction caused to our native wildlife by pet cats. Is Council aware that the current status quo is a losing situation for cats, cat owners and for our environment? And if so, why is it allowing these miseries to perpetuate?”

A4. The Mayor advised this question would be taken as a comment. Councillors will take this on board and make a determination.

7.13 PUBLIC QUESTION TIME - K KELLY

The following questions were submitted by K Kelly, Scarborough WA 6019, at the Council Meeting held Tuesday 3 December 2024.

- Q1. *“My first question is on the minutes of the Council meeting held 15 October 2024, which I take true and correct. Item 4 in that agenda was a disclosure of interest and we had Councillors Chris Hatton and Damian Giudici actually disclose over a conflict of interest in something coming up in that meeting; no other mention of any of other Councillors disclosing interest for this meeting.*

Forward to Item 18.1, the Mirrabooka Town Centre, alias the Perth Glory Oval. This item was discussed behind closed doors, according to the Minutes at 8.32pm, Mayor Irwin, Councillor Ferrante, Councillor Lagan and the Director Infrastructure, left the meeting. Did they leave the meeting due to a conflict of interest or other reasons? And why was there no reason noted in the Minutes?”

- A1. The Mayor advised that he had left the meeting due to a conflict of interest.

The Acting Manager Governance confirmed that the mentioned Councillors had also left the meeting due to their disclosed conflicts of interest. The disclosures would not be included within the public minutes as the item was discussed behind closed doors and would be included within the confidential minutes.

- Q2. *“My second question is in regard to the Mirrabooka Town Centre Perth Glory Training Centre, can the Council inform me of the water allocation for this Oval and will the Council guarantee that other Community Ovals won't have their water allocation lessened due to the high maintenance and watering regime required for the upkeep of the training facility for the Perth Glory Sporting Club?”*

- A2. The Director Community Development advised the City's water licencing and the increased requirements of Mirrabooka Regional Open Space to accommodate Perth Glory is a key consideration. The approach the City is taking is that the Perth Glory has applied for their separate licence through the Department of Water and Environmental Regulation. That will ensure that the allocation of water does not affect the City's licence and therefore other public open spaces across the district.

Q3. *“The Carine Open Space, commonly known as canine open space. So, in 2019/2020, \$217,000 was spent on a dog enclosure in 2023/2024 another \$195,000 was spent on a staircase right next to the enclosure, so these people can get down a slight embankment, so a total of \$412,000 was spent on this dog enclosure and there's still a car park to come, I believe, which could be in the vicinity of another \$4000 to \$5000. That takes it almost to \$1,000,000 for a dog enclosure.*

My question is, is this a prudent use of ratepayers' money so a few dogs can run around while their owners are on their phones? And I do note that in the agenda tonight in 12.1, we are talking about the Hamer Park dog extension as well, so I'm just wondering is that a prudent use of money when we do have parks and small parks in the Council area that don't have any grass or water, as was let known in the meeting not so long ago. One particular park in Doubleview, which is just wood chips and red backs.”

A3. The Mayor advised Mr Kelly his comments were noted. Council balances the needs and aspirations of the community. There are differing levels of what the community see as a prudent use of these funds. It is not just about keeping dog walkers happy, a lot is about keeping dogs off major reserves and potentially disrupting sports clubs. These are always Council decisions that go through community consultation.

7.14 PUBLIC QUESTION TIME - W CHARNELL

The following question was submitted by W Charnell, Scarborough WA 6019, at the Council Meeting held Tuesday 3 December 2024.

Q1. *“Twenty years ago I purchased my property in Scarborough, overlooking the dunes where the boardwalk is going to be, and overlooking the bike path. One of the main reasons I purchased there was because it was a designated conservation area. I want to know when and why it is no longer a conservation area, and what one does to have it reinstated as such?”*

A1. The Mayor advised that the area being referred to is a Class A Reserve. There is no intent to remove it from being a Class A Reserve.

7.15 PUBLIC QUESTION TIME - L MATTEOLI

The following question was submitted by L Matteoli, Scarborough WA 6019, at the Council Meeting held Tuesday 3 December 2024.

Q1. *“Before the final design of the eventual boardwalk will be made, will a formal study and research be carried out on the interaction between wind, vegetation and the new boardwalk? I feel and fear that the boardwalk will change the dynamics of the wind around those dunes and will make them unstable in the next 30 to 40 or 50 years. I think that the solar design has to be informed by the wind interaction with the new proposed structure.”*

A1. The Mayor stated that he was in agreement with that comment.

7.16 PUBLIC QUESTION TIME - S DOWLING

The following questions were submitted by S Dowling, Stirling WA 6021, at the Council Meeting held Tuesday 3 December 2024.

Q1. *“A few people have brought up this topic, and I understand Mayor Irwin, that you said it is not your jurisdiction, but I beg to differ. I've got the Local Government Act which does say you can. So the Local Government Act from 1955, section 3.1 General Function. If you go to 1A and then the third point in making decisions to consider potential long term consequences and impacts on future generations. This goes back to the DNA contamination in the COVID injections, which the majority of strains had to take. Over 60 million injections were given to 20 million people. The great debate was on Friday night last week, it was brilliant, a lot of well spoken people spoke. So I've just got concerns as a human being, my fellow man everywhere, I'm seeing a mass amount of illness. There was a lot of evidence for people to do some research if they could or wanted to, or knew how my concern is the elder population of Stirling. So Stirling Council, I believe is the 17th biggest council in Australia. There's over 240,000 ratepayers. Oh by the way, the City of Joondalup is joining in the motion. So there's about four councils, City of Joondalup's pretty big as well. So my concern is the elderly population. I mean, a lot of them just watch telly, et cetera. But they don't understand. The doctors have been hoodwinked. People are being coerced. Your own staff were mandated this deadly injection. We're all talking about budgets and all these wonderful things that the City of Stirling is going to do, but I wonder how many people are going to be left. So my question is, which you already answered, how does the City intend to respond to the information supplied by the Town of Port Hedland and the contamination of DNA with regards to the to the ratepayers, the workers and yourselves, your families and friends - surely someone's affected?”*

A1. The Mayor thanked Ms Dowling for the question, and advised that the City does not intend to respond. Port Hedland put a motion forward that they will continue to put forward their viewpoint to state and national authorities; the City of Stirling does not intend to respond to Port Headland.

Q2. *“This is what I don’t understand, it’s your community. We’re all affected. Don’t you care?”*

A2. The Mayor advised it would be inappropriate to allow residents to believe that the City had a voice in issues such as this. Councils have no authority in such matters. If there are any mandates with staff, such as frontline workers, these come from state legislation. The intent of the *Local Government Act 1995*, in relation to public health, was certainly not around COVID vaccines or any significant federal health issues.

“No, but it says you can prevent... it says it also in 4B, 3.5 it says nothing in the Health. Miscellaneous Provisions Act 1911 or the Public Health Act 2016 prevents a local government from making local laws under this act about matters relating to public health.”

The Mayor advised that if the City made local laws regarding things like COVID vaccines, they would be unenforceable local laws. The City has no legislative ability to do anything with them.

Q3. *“The other day I was outside Shearwater Reserve and I noticed that your staff were treating with glyphosate. I know that you’re eventually going to get rid of it but it’s interesting that when they left the signs went. I was watching children, dogs and people using the park and lying on the park. I’m thinking that glyphosate is still there. Again, that’s public health and safety. So you’re concerned about cats killing birds but crows have been found... one resident said every time the Council sprays, they find about a dozen dead crows and birds. So you’re trying to get rid of it, all cats in houses I understand and yeah, I’m a cat and dog lover and an animal lover, but at the same time, then you’re spraying and you’re killing the wildlife. That glyphosate goes into the water table, that affects us all. I’m just curious about the way things are done the way they are. Can you please remove glyphosate and stop using it. Full stop. We all know it’s bad.”*

A3. The Manager Parks and Environment advised the City sparingly applies glyphosate on reserves and bushland areas The City adheres to integrated pest management principles and only uses glyphosate as a last resort. Six years ago, the City was applying about 2000 litres of glyphosate per year, but in the past six years the use of glyphosate has dropped by 70%.

7.17 PUBLIC QUESTION TIME - B MATTHEWS

The following questions were submitted by B Matthews, Churchlands WA 6018, prior to the Council Meeting held Tuesday 3 December 2024.

- Q1. *“Christine Tonkin has repeatedly stated that the City of Stirling proposed the Churchlands connector road including in her written overview to the electorate in around August 2024. Given we now know through FOI requests that she and her TCRS Working Group proposed it, can the City of Stirling correct the record on this matter as there are two conflicting statements on the public record?”*
- A1. The City recognises the important role which Ms Christine Tonkin’s office played regarding this matter and the subsequent report to Council.
- Q2. *“The City of Stirling has stated in its May 2024 minutes that a connector road, when raised initially, was an ‘excessive solution’ to alleged traffic congestion issues in Churchlands Green. It then closed the right turn into Alumni Terrace from Pearson Street from May 2022 and considered the issue of non-local traffic into the estate had been addressed as the roads operate within their operational design capacity. With that on the public record, (and based on what statistical evidence) why did the City unanimously vote in May 2024 to seek support from Main Roads WA for the preparation of a design for the connector road and also write to Christine Tonkin for a commitment for full funding for the design of the road from the state government?”*
- A2. The City made an informed decision based on the benefits versus cost as part of the report presented to Council at its meeting held 28 May 2024.
- Q3. *“In the May 2024 Council minutes, the City of Stirling stated that it considered the retention of trees and vegetation within the Churchlands road reserve as being extremely difficult to achieve if a connector road was built. The TCRS Working Group (comprising of Churchlands Green residents who have a conflict of interest and live on the "rat running" roads) stated that only 5-6 "significant" trees would be required to be removed. The group also stated that the road would "meander" through the reserve and avoid significant trees. It then provided a schematic of a gun barrel straight road through dense bushland. Given the obvious differences between the views of the TCRS Working Group and the City of Stirling and identified credibility/conflict of interest issues related to the Working Group, why did the City of Stirling press ahead with a decision to obtain Main Roads and State Government support for the road?”*
- A3. The resolution (shown below) from the Council meeting held 28 May 2024, is quite conditional. A proposed design route which balances all the factors including environmental considerations has not been established and would be an important part of the design after receiving funding assurances from the State Government.

Council Resolution Number 0524/022

1. That the City WRITES to Main Roads WA to seek its support and collaboration in the preparation of a design for a local connector road through the Stephenson Highway road reserve between Pearson Street and Empire Avenue.
2. That the Mayor WRITES to the Member for Churchlands and the Minister for Transport seeking a commitment to fully fund the preparation of a design for a local connector road through the Stephenson Highway road reserve between Pearson Street and Empire Avenue.
3. That the City concurrently UNDERTAKES discussions with the Town of Cambridge to explore the broader network and connection opportunities to alleviate traffic and connectivity issues that are present so that a comprehensive approach to the road network can be delivered.
4. That the outcomes of the discussions with the Town of Cambridge and options to deliver a comprehensive solution to the road network be REPORTED to Council within six months.

7.18 PUBLIC QUESTION TIME - R MURPHY

The following questions were submitted by R Murphy, Karrinyup WA 6018, prior to the Council Meeting held Tuesday 3 December 2024.

- Q1. *“Why is the Council spending \$150,000 on a PR Strategy involving marketing, advertising and project management on a coastal boardwalk feasibility study through a narrow dune Class A Reserve at South Trigg Beach that has been rejected twice before on environmental grounds?”*
- A1. The City has allocated approximately \$150,000 of the total budget for the Coastal Boardwalk Feasibility Study on extensive community engagement. This is a core element of the project and the City wants to ensure that everyone in the community has the opportunity to share knowledge and provide feedback on the future direction of the proposed boardwalk. This will happen over the duration of the project to inform the decision-making process by Council.
- Q2. *“Why is the Council spending \$150,000 of ratepayers money on the development of concept designs for a coastal boardwalk through the Class A Reserve at South Trigg Beach when similar concept designs have been rejected by Council and the community twice in the past?”*
- A2. The City has allocated approximately \$150,000 of the total project budget for the Coastal Boardwalk Feasibility Study on concept designs. The concept designs will be informed by the outcomes of the environmental and economic assessments and will assist with the decision-making process. Concept designs will also assist with identifying a cost estimate for the proposed boardwalk.
- Q3. *“Why when the Local Government Association has called for an urgent response to coastal erosion and increased funding to mitigate the threat to the state’s beaches by storm surges, tidal flooding and rising sea levels, is the Council proposing the construction of a 800 m long boardwalk through a narrow coastal dune system that provides a buffer for residential buildings and roads along West Coast Highway at South Trigg Beach?”*
- A3. In regard to the proposed coastal boardwalk, the City’s Coastal Hazard and Risk Management Adaptation Plan (CHRMAP) and other government legislation and policies will guide any future consideration and decision making on this project. The aim of the CHRMAP and other policies is to ensure that development and the location of coastal facilities takes into account coastal processes.

8. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

9. CONFIRMATION OF MINUTES

Council Resolution

1224/001

Moved Councillor Krsticevic, seconded Councillor Giudici

That the Minutes of the Ordinary Meeting of Council of 19 November 2024 be confirmed as a true and correct record of proceedings.

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

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

Against: Nil.

10. ANNOUNCEMENTS BY THE PRESIDING MEMBER

10.1 ANNOUNCEMENT - FINAL COUNCIL MEETING OF 2024

Mayor Mark Irwin made the following announcement:

"It's the last Council meeting of the year, and it's an appropriate time for us as a Council to acknowledge the community, and also to acknowledge the year that has been.

It's been a significant year for the City of Stirling. It's been a year with a brand new CEO - a massive change after so many years. I noted on Saturday night that under Stev's leadership, his endorsement by this Council was specifically around cultural change and engaging with the many officers of the building to deliver for the community. And I want to congratulate the CEO and the Executive Team, who are also here this evening - I think it's been a wonderful year. I know Council has felt there's been a slight change in direction; there's more focus on processes and how we do things, and how we engage with the community. Your style is noted, and I feel like the organisation has been set up for a really positive future.

So I want to acknowledge yourselves. I want to acknowledge the officers who are here tonight, and it's probably a good time to acknowledge the incredible work you do all year round. Something often not seen by the community, because it's such a Council-led organisation, is that officers are often here Monday nights, Tuesday nights, Wednesday nights supporting citizenships, Thursday nights supporting Regional Council meetings, and all the other days and weekends, and all the work consulting with our community. So we thank all of you.

To the community - we thank you. I know often when community members ask questions, they apologise for perhaps the intent of the question. But we understand the reason you're here. Normally something has upset you, or perhaps there is something that really concerns you in the community. We do respect the fact that our community gets up on a Tuesday, leaves their house, and comes here to 'prosecute their argument' or put forward their case. We may not always agree with it, but it is an important part of the democratic process. So, we thank our community for being involved, including those who are watching our meeting via the live stream, and those who engage with our teams when they're out there talking and consulting on so many issues and things that affect their communities. So, a big thank you from me.

I'd like to finish by thanking the Councillors. You're a massive support to me, I often say it. We're so lucky at the City of Stirling. We don't agree on all things, but I feel like we have an incredibly respectful relationship where we can debate and discuss items. I feel like I have incredible support from all of you in delivering for our community. I noted over the last few weeks, I think there weren't many nights that you guys were at home - you're out representing myself or the Council at community events. So, thank you for your work and for taking that time away from your families. And I wish everyone (including Mr Wheeler!) a very Merry Christmas. I wish you all the best for the holiday season, when we finish this meeting!"

10.2 ANNOUNCEMENT - FAREWELL TO MANAGER GOVERNANCE

Mayor Mark Irwin made the following announcement:

“My second announcement, and this one is very special - I wish to advise that on Friday 25 October, our CEO Stev received Jamie Blanchard's resignation as Manager Governance. Jamie will be commencing at the City of Cockburn in January 2025 as Manager of Legal and Compliance. Jamie, over the last six years you've worked for the City, there are many highlights. We've discussed these, and I know you've talked about these with your team. I think about you conducting the first publicly-elected Mayoral Election for the City of Stirling, the largest local government in Western Australia, and doing a brilliant job of it. (You got a good result in the end, didn't you!)

Maintaining effective governance through the COVID-19 pandemic, and as we saw tonight, it's still having a lasting effect on our community. But you were able to guide and have a sensible head on how this Council navigated that with effective governance. I think you've elevated the role of risk in governance. We talked about this at some of the previous meetings when we looked at the maturity of this Council and the organisation in starting to look at the risks on how we conduct our business, and how we comply with all those different State, Federal and Local Government compliance issues.

You've reduced the annual legal spend by about 50% over the long term - there have been incredible reductions. It saves our ratepayers millions of dollars. So, we thank you for that and I'm sure they thank you for that.

Developing a sector leading approach to integrity and delivering the first data strategy for the City of Stirling are incredible milestones that have lasting legacies on this organisation. A big part of that isn't just you doing it - it's the way you're able to work across the organisation and provide support to all the different areas.

There was also conducting the first election under the new Optional Preferential Voting rules as well. When you think back to that last Mayoral Election only a year ago, it's certainly the organisation, and the work done by our Governance Team, that meant the City of Stirling, as the largest local government, was the only one to be able to declare the Mayor - even though it was out of 240,000 - on the night. And that was in no small part due to the work that you guys do and your team in preparing for those sorts of events.

And of course, supporting Council to become the first in Western Australia to pay superannuation to Elected Members. I'm sure all Councillors and future Councillors thank you for that recognition and the work you did to look at ways to do things, rather than look at ways not to do things.

On Friday 2 August, I was very proud and pleased to be at an event where Jamie received the Local Government Distinguished Officer Award at the WALGA Local Government Awards for 2024 for his leadership in the field of governance. Jamie leaves the City's governance framework in a very strong position, and indeed leaves us with a very strong team who he has developed over his years here. The City is a well-considered, sector-leading performer in the governance space, and I note now even as Jamie prepares to leave us, he still continues to lead the sector, providing advice to other agencies. And has an incredible following on his LinkedIn profile of how Blanchard sees things, which I follow because it is truly interesting!

Jamie, you've been a massive support to me in my time as Mayor. I know Stuart in his time as CEO would echo that, and Stev has appreciated your guidance through this transition. In talking to our Council, they value not only your leadership and your counsel, but the humour in which you're able to do it, and the productive way that you look to enable good outcomes and good things, rather than looking only at compliance where you stop things happening. You're going to be sadly missed by this Council, Jamie, and we truly wish you all the very best in your future."

11. UNRESOLVED BUSINESS FROM PREVIOUS MEETING

Nil.

12. REPORTS AND RECOMMENDATIONS OF COMMITTEES

12.1 COMMUNITY AND RESOURCES COMMITTEE - 26 NOVEMBER 2024

12.1/P1 HAMER PARK DOG PARK EXTENSION, MOUNT LAWLEY

Business Unit:	Parks and Environment	Service: Open Space & Parks Development
Ward:	Lawley	Location: Inglewood Oval – Inglewood Fenced Dog Park
Applicant:	Not Applicable	

Role

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

Council Resolution

1224/002

Moved Councillor Perkov, seconded Councillor Migdale

- 1. That Council NOTES the results of investigations to modify or expand the dog park at Hamer Park, Mount Lawley, to cater specifically for small dogs and for increased use of the park.**
- 2. That a further report is PRESENTED to Council in February 2025, with costings for a fence and gate to modify the existing park as requested.**

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

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

Against: Nil.

Committee Recommendation

1. That Council NOTES the results of investigations to modify or expand the dog park at Hamer Park, Mount Lawley, to cater specifically for small dogs and for increased use of the park.
2. That a further report is PRESENTED to Council in February 2025, with costings for a low fence and gate to modify the existing park as requested.

Officer's Recommendation

That Council NOTES the results of investigations to modify or expand the dog park at Hamer Park, Mount Lawley, to cater specifically for small dogs and for increased use of the park.

Purpose

In response to a Notice of Motion resolved (Council Resolution Number 0824/027) by Council at its meeting held 13 August 2024, this report is to update Council on options to modify or expand the fenced dog park at Hamer Park, Mount Lawley to cater specifically for small dogs and for increased park use.

Details

The Inglewood Fenced Dog Park shown in Figure 1, the first facility of this type built within the City, was opened in 2013 as a result of identified community need. Due to its success, it has received several upgrades over the years including:

- 2014 - Sand pit and agility equipment added.
- 2016 - An additional drink fountain and seating.
- 2020 - Increase in size by 550m², amended to include the existing shelter within the fenced dog park and the construction of an additional entry to spread wear and tear.



Figure 1 – Inglewood fenced Dog Park and List Field within Inglewood Oval Precinct

The Bureau of Meteorology’s Inglewood Weather Station is located within the fenced dog park. The design of the dog park was required to accommodate the weather station by ensuring there was no irrigation or structures within the offset zone of the weather station.

Based on the success of the Inglewood Fenced Dog Park, the Parks and Environment Business Unit prepared a Citywide strategy for the delivery of fenced dog parks across the City. This strategy, now implemented, has seen fenced dog parks established at:

- Charles Riley Reserve;
- Dianella Regional Open Space;
- Carine Regional Open Space; and
- Princess Wallington Reserve.

The only option to extend the Inglewood Fenced Dog Park is to the north-east, which would require occupying List Field. List Field is currently utilised by:

- Perth Baseball Club / Perth Cubs Tee Ball Club; and
- Mount Lawley Football Club.

The Active Communities Service Unit has undertaken consultation with these sporting groups to gauge their current use of List Field and the impact of having reduced access to this oval. The outcome of this consultation is provided below.

Perth Baseball Club and Perth Cubs Tee Ball Club

The Perth Baseball Club has confirmed that during the season List Field is used on Tuesday, Wednesday and Thursday evenings for various training activities and on Saturday and Sunday as a warm-up area. They have also confirmed that during the off season the area is used for their high-performance program between three and four times per week.

Perth Cubs Tee Ball Club is currently utilising Inglewood Oval to capacity, and they see List Field as the area they will likely expand into as they start State Training when an additional three diamonds will be required.

Mount Lawley Football Club

Mount Lawley Football Club has confirmed that the club uses List Field extensively on match days as a warmup area for all their teams. They have also confirmed that they regularly use this space during pre-season when there is crossover with the summer sports clubs.

Given the high usage of List Field by the clubs identified above, there is currently no opportunity to expand the Inglewood Fenced Dog Park into this active sports reserve.

Splitting the existing fenced dog park into two spaces for active and passive dogs is not recommended, as this will significantly decrease the available exercise space, concentrate wear and tear into smaller areas and likely result in significant deterioration of the turf surface to below community expectations. At its current size it has recently been necessary to re-turf this facility due to the declining quality of the turf from wear and tear.

Given the interest shown in additional fenced dog park facilities in this area, the City will continue to investigate opportunities for this type of facility in this area.

Financial Assessment and Implications

Nil.

Stakeholder Engagement

Nil.

Options Summary

The following option was considered.

OPTIONS	
1.	Retain the current size of the Inglewood Oval Fenced Dog Park, as the high usage of List Field by several clubs results in no opportunity for expansion at this location.

Recommended Action

As there is no opportunity to expand the Inglewood Fenced Dog Park into List Field, the recommended action is to continue to explore other opportunities in this area to provide additional fenced dog park facilities.

Relevant Policies, Legislation and Council Resolutions

[Local Government Act 1995](#)

Meeting Date	Council Resolution Number	Council Resolution
13 August 2024	0824/027	That a report be PRESENTED to Council by the end of November 2024 to consider options to modify or expand the dog park at Hamer Park, Mount Lawley to cater specifically for small dogs and also for increased use of the park.

Sustainable Stirling 2022-2032

Key Result Area: Our community

Objective: An active and healthy City

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

Strategic Risk

Strategic Risk	Risk Appetite
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

Nil.

Available for viewing at the meeting

Nil.

Linked Documents

Nil.

12.1/P2 PROPOSED INGLEWOOD PARKLAND PROJECT

Business Unit:	Parks and Environment	Service: Open Space & Parks Development
Ward:	Inglewood	Location: Wordsworth Reserve – Inglewood Parkland
Applicant:	Not Applicable	

Role

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

Council Resolution
1224/003
Moved Councillor Perkov, seconded Councillor Migdale

1. That Council **NOTES** the concept design and associated costing for the development of the Inglewood Parkland.
2. That Council **NOTES** that the information will be included in the Integrated Planning and Budget packs for 2025/26 for further consideration.
3. That the Chief Executive Officer **ENGAGES** with the Federal and State Government representatives and external grant funding bodies to seek financial support towards the proposed Inglewood Parkland Project, based on the concept design and associated costing.

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

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

Against: Nil.

Committee Recommendation

1. That Council NOTES the concept design and associated costing for the development of the Inglewood Parkland.
2. That Council NOTES that the information will be included in the Integrated Planning and Budget packs for 2025/26 for further consideration.

Officer's Recommendation

1. That Council NOTES the concept design and associated costing for the development of the Inglewood Parkland.
2. That Council NOTES that the information will be included in the Integrated Planning and Budget packs for 2025/26 for further consideration.

Purpose

The purpose of this report is to provide the concept designs and associated costings for the proposed Inglewood Parkland to Council.

Details

At its meeting held 21 November 2023, Council resolved (Council Resolution Number 1123/016) to prepare a concept design and cost estimate for the proposed Inglewood Parkland.

Subsequently, community consultation was undertaken to inform the development of the concepts for the Youth Parkland. Details of the stakeholder engagement are included below.

The community consultation identified the amenities listed below as priorities for this project. The concept design has included these amenities to ensure the proposal responds to the ideas identified by the community.

- Multiple purpose sports courts – basketball and netball.
- Skate/Scooter and BMX.
- Urban Mountain Bike Trail and Jumps.
- Outdoor fitness space.

- Wellbeing Space:
 - Hangout Space including bespoke style seating and conversational led swings for girls.
 - Social Enterprise showing a sustainable designed “cabin” style modern “green” structure/building for young people to utilise for pop up events, café, programs as well as community groups such as for a well-being mindfulness afternoon.
- Adventure park with ninja and flying fox.
- Feature Lighting – Art.
- Bike Racks / scooter Bike Parking for Active Transport and active transport options.
- Activation Event Opportunities such as:
 - Coffee van and food trucks and small event mode such as street hustle 3 x 3 basketball. Street style 3 x3 basketball event, small skate / BMX event and mountain bike competition.
- Landscaping with natural shading.
- Phone and emergency phone station with charging.
- Bespoke conversational seating and yarning circle.

Two concepts and associated costings have been prepared and are attached. Concept A (Attachment 2) includes all the amenities identified as priorities through the public engagement process. Concept B (Attachment 3) provides a scaled back version that includes mountain bike jumps and trail facilities, skate BMX and scooter facilities with car parking and open grassed areas.

Financial Assessment and Implications

An estimate of the costs for the next phase of the project (design development) is provided in the below table for consideration as part of the 2024/25 integrated planning and budgeting process.

Also included in the table is the total project cost estimates and indicative annual maintenance costs.

The ongoing operational and maintenance costs for this development have been estimated from current actual costs at Bina Parkland which has similar facilities as proposed in this development.

	Total Project Cost Estimate	Design Development Estimate (Professional Fees)	Maintenance Estimate (Landscaped and Engineered Facilities)
Concept A	\$9.2 Million	\$250,000	\$250,000 per annum
Concept B	\$5 Million	\$150,000	\$175,000 per annum

A breakdown of the cost estimates for Concept A and Concept B are shown in Attachments 4 and 5.

Stakeholder Engagement

Impact	<p>Consistent with Council Resolution Number 1123/016, the purpose of the Inglewood Youth Parkland engagement was to seek community views on a proposed vision to inform the preparation of a concept design.</p> <p>To bring the project to life, the City invited new perspectives and innovation by requesting the community share their vision by submitting an inspiration image or responding to the following questions:</p> <p>What is your vision for this space? What ideas are captured in your image? Any additional comments you would like to share?</p>
Interest	<p>The City received 112 submissions between 30 April 2024 and 18 June 2024. This included 38 photo submissions and 281 ideas (including duplicates).</p> <p>As of 30 June 2024, the Inglewood Youth Parkland project page had received 1,295 visits.</p> <p>The engagement utilised a range of engagement tactics including a Councillor video, onsite signage, social media posts and the distribution of 19,650 flyers.</p> <p>The City engaged the Stirling LEADS (Leadership, Empowerment, Achievement, Development, and Service) team to provide advice on the project and to help ensure that the project captured the voices and ideas of our local young people. In response, a youth-driven school workshop process was developed to help refine the submission ideas.</p> <p>More than 200 young people participated in the school workshops including students from Inglewood Primary School, Ishar Multi Cultural Women Youth Group and Mount Lawley Senior High School which included the creation of dioramas presented at a school fair.</p>
Influence	<p>The top three ideas captured from the submissions are:</p> <ol style="list-style-type: none"> 1. Basketball. 2. Skate / scooter street style plaza. 3. Mountain bike trail.

	<p>At the school workshops, 15 groups voted on the principles and ideas that would make a great space. Inclusion, safety, accessibility and minimising the impact on the bushland were identified as key principles.</p> <p>The top ideas that would make a great space included:</p> <ul style="list-style-type: none"> • Impactful: Café; basketball court / with net; pop-up space for all things such as events outdoor cinema, food stalls, markets, and music events. • Negotiables: Keeping safe and connected - charging, wi-fi, lockers; BBQs; graffiti wall / mural wall. • Essentials: Toilets, bins, parking. <p>The Inglewood Youth Parkland Engagement Outcomes is included in Attachment 1.</p>
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Options Summary

The following options were considered.

OPTIONS	
1.	<p>Concept A</p> <p>Basketball and netball courts, mountain bike jumps and trails, flying fox, social enterprise hub building, skate/BMX/scooter, Ninja adventure exercise course, outdoor gym/swings, car parking/ pedestrian and vehicular access, open green space and shade trees.</p>
2.	<p>Concept B</p> <p>Mountain bike jumps and trails, skate/BMX/scooter, car parking/pedestrian and vehicular access, open green space and shade trees.</p>

Recommended Action

For Council to receive Concept Plan A and B and the associated cost estimates.

Relevant Policies, Legislation and Council Resolutions

[Community and Stakeholder Engagement Policy](#)

[Leisure Planning Policy](#)

[City of Stirling Skate and BMX Strategy](#)

[Local Government Act 1995](#)

City of Stirling Community Infrastructure Plan (draft)

Meeting Date	Council Resolution Number	Council Resolution
30 May 2023	0523/049	That a report be PRESENTED to Council identifying the proposed scope, estimated cost and timeframe for the provision of a skate and BMX facility at the triangular open space next to Stirling Leisure Centres – Terry Tyzack Aquatic Centre, Inglewood.
21 November 2023	1123/016	<ol style="list-style-type: none"> 1. That Council CONSIDERS listing \$100,000 on the 2023/2024 mid-year budget review to prepare a concept design and capital cost estimate for the proposed Inglewood Parkland. 2. That Council ENGAGES with the community to seek their views on a proposed vision for the proposed Inglewood Parkland to inform the preparation of a concept design. 3. That a further report be PRESENTED to Council following the preparation of a concept design and cost estimate for the proposed Inglewood Parkland.

Sustainable Stirling 2022-2032

Key Result Area: Our community

Objective: An active and healthy City

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

Strategic Risk

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

Relevant Documents and Information

Attachments

Attachment 1 - Inglewood Youth Parkland Engagement Outcomes Final [↓](#)

Attachment 2 - Inglewood Parkland Concept Plan A [↓](#)

Attachment 3 - Inglewood Parkland Concept Plan B [↓](#)

Attachment 4 - Inglewood Youth Concept A - Cost Estimate [↓](#)

Attachment 5 - Inglewood Youth Concept B - Cost Estimate [↓](#)

Available for viewing at meeting

Nil

Linked Documents

Nil.



Locally-led
Stirling

Inglewood Youth Parkland Engagement Outcomes

The City is seeking inspiration to inform the preparation of an Inglewood Youth Parkland concept plan.

In response to the current and future needs of young people (and their families) the City is planning a multi-purpose parkland facility at the triangular open space next to Stirling Leisure Centres – Terry Tyzack Aquatic Centre, Inglewood.

The proposed Inglewood Youth Parkland focuses on young people within the 12 – 20 age group and will consider a range of amenities that responds to the needs of our younger community.

To help bring the project to life, we're inviting new perspectives and innovation by requesting our community share their vision for the proposed Inglewood Youth Parkland.

You told us



Engagement summary

19,650

Flyers distributed

1,295

Project page views

112

Total number of submissions (Online, written letters and RMS)

281

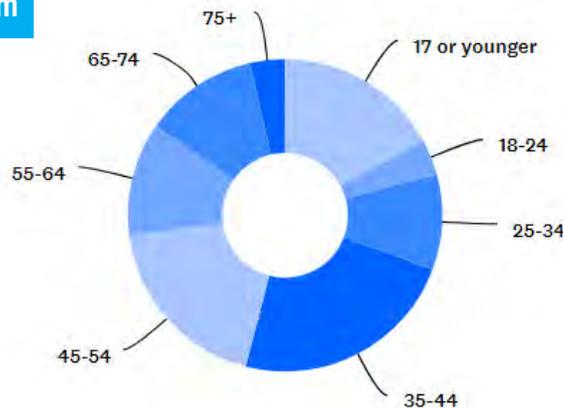
Total number of ideas (includes duplicates)

38

Photo submissions received



Who we heard from



How many young people were involved?

18

Stirling LEADS

5

Ishar Multicultural Women Youth group

25

Year 6s Inglewood Primary School

25

Year 10s Mount Lawley Senior High School

128

Year 8s Mount Lawley Senior High School STEAM Fair dioramas

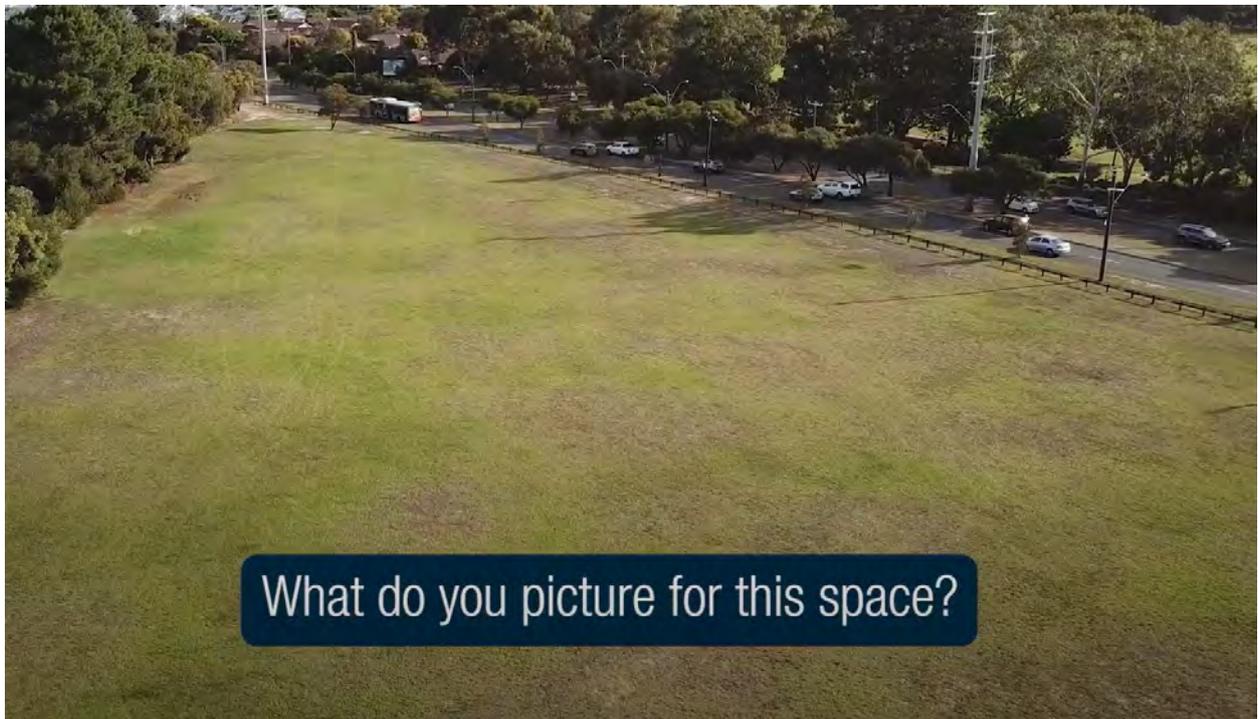
201

Total Young People involved



These are the top current ideas captured from the submissions

- 33 Basketball court
- 27 Skate / Scooter street style plaza
- 10 Mountain Bike Trail
- 8 Inclusive, safe, accessible
- 8 Formalised seating with shade
- 8 Tennis court
- 8 Fitness equipment
- 7 Running track / walking trail
- 7 Hangout space / space to yarn and connect
- 6 Pop up space for events, outdoor cinema, food stalls, markets, music events





These are the top ideas captured from the school workshops

Across the school workshops 15 groups voted on each idea captured from the submission process



Impactful: The big picture activities.

10 Café

9 Basketball court / with net

9 Pop up space for things such as events, outdoor cinema, food stalls, markets, music events

7 Netball courts / ring

7 Flying fox

5 Adult-tween swings / playground / nature play / slides / rope play

4 Adventure facility

4 Parkour / Ninja equipment

4 Trampolines

3 Bridge crossing Alexander Drive

3 Soccer goals

2 Basketball half court

2 Beach volley ball

2 Climbing wall

2 Fitness equipment

2 Futsal

2 Hangout space / space to yarn and connect

1 Archery

1 Bike jumps / jump line

1 BMX pump track

1 Japanese garden

1 Mountain Bike trail

1 Open space to kick footy

1 Relaxation / mindfulness space

1 Skate / scooter small skatepark

1 Skate bowl

1 Tennis Court



Negotiables: Extra things to make the space youth friendly

9 Keeping safe and connected - charging, Wi-Fi, lockers

7 BBQs

4 Graffiti wall / Mural wall

4 Picnic spots

4 Tree canopy / shade

3 Gazebos - hireable for parties

3 Native plants

3 Seating - formalised and shaded

3 Trees to climb

2 Bike parking

2 Bright colours (design phase)

1 Artwork by young people

1 Lighting - art

1 Shade sails



Essentials: Items that are needed to make the space function

13 Toilets

10 Bins

7 Parking

6 Lighting

3 Safety / CCTV

3 Drinking fountains

2 Seating

1 Tree planting



Principles: What is the difference between a good space and a great space?

12 Inclusive, safe, accessible

9 Minimise impact to the bushland

6 Accessibility access

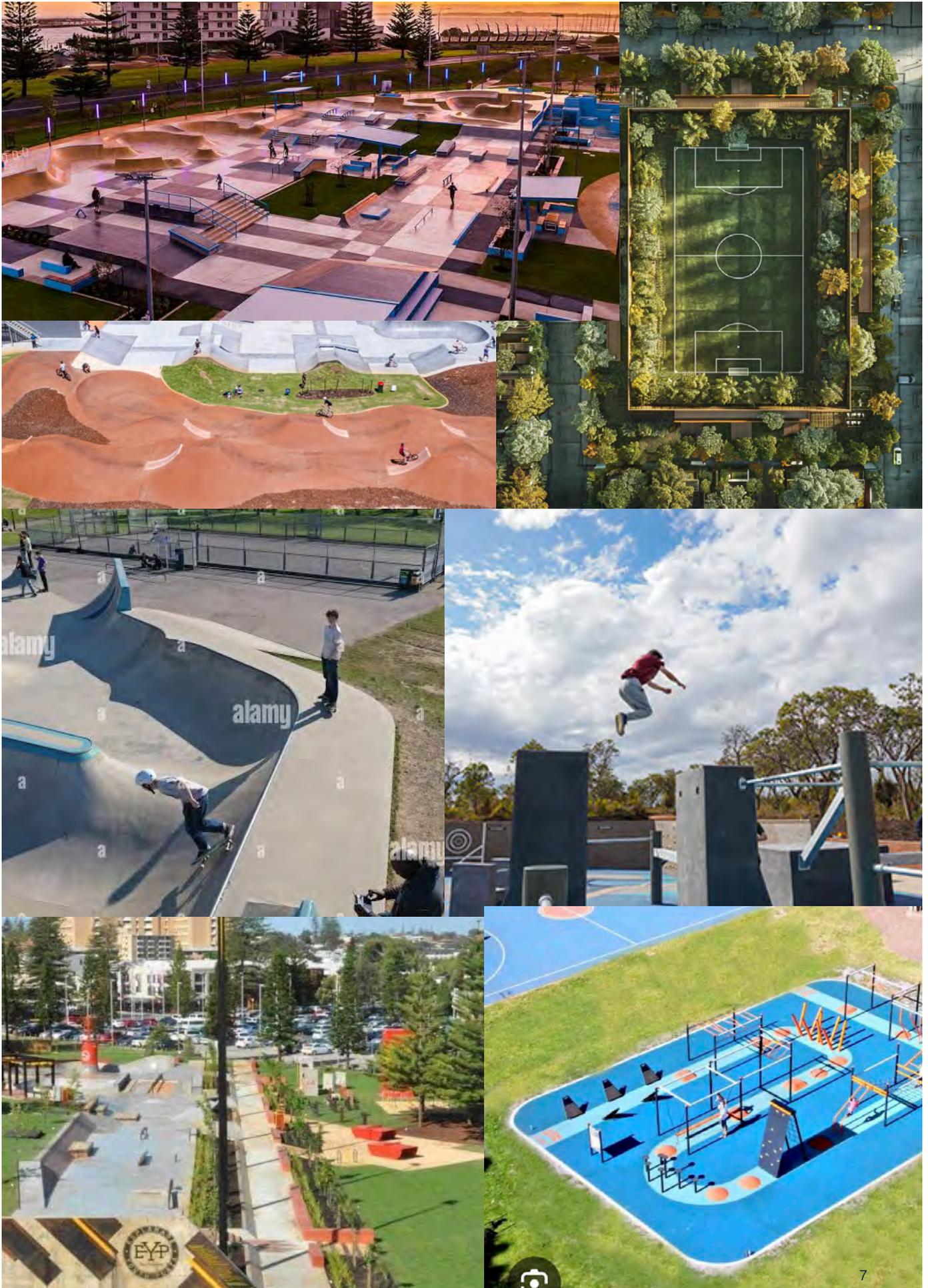
6 Improving health for young people



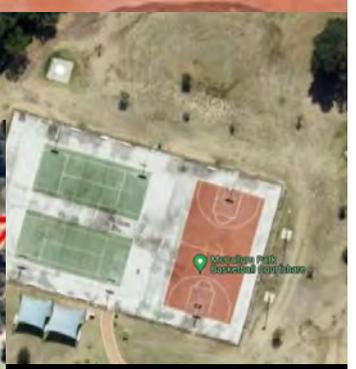
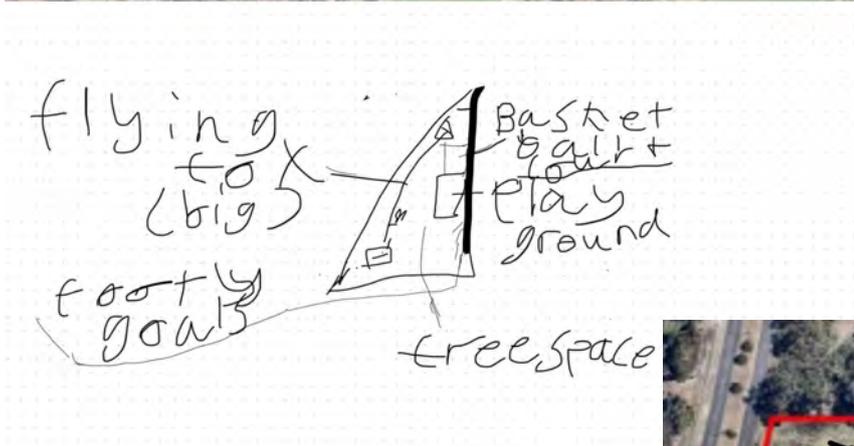
Photo submissions received













Submissions in reponse to the question what is your vision for this space?



This is a snapshot of what the 17 or younger age group told us

"This space needs a basketball court. Even if its a half court, would be nice."

"Basketball court with lights."

"Running track, a 3x3 basketball court with seating around it for my Mum and Dad to watch me play, and a long skate section to go up and back."



Basketball

"Expand Terry Tyzack aquatic Centre and have large water slides like adventure World."



Water-play

"I am 11 and live close. It would be cool to have a place to go with friends where we could try lots of different activities and hang out and be safe."



Hangout space / space to yarn and connect

"Mountain biking trails I know lots of my friends have been wanting a mountain biking trails close by so we don't have to travel to Fremantle and go to the Mountain bike trails there as it is a long way to go by having trails closer by will be more convenient."

"I would like to see this space turned into a cool pump track. Next year when I start high school I will ride past this park every day and it would be cool to have fun on the pump track on my way home."



BMX pump track

"A small skate park in the corner of the park small to big jumps and smaller jumps for the kids."

"I see in my mind kids playing on sport courts, skate ramps, super tall slides, epic equipment, a rocking ship, an automatic train, trampolines and kids swimming in a pool running around on obstacle courses, eating at a cafe, with a toilet in in and kids going fishing with their parents."



Skate / scooter street style plaza



This is a snapshot of what the 18 - 24 age group told us

"My vision for this space is a water park, with slides and other aquatic activities."



Water-play

"Space have more greenery. Trees and beautiful landscape garden where young people can meditate and enjoy nature. City has become overcrowded and too many sensory overload stimulants as a result of overcrowding. Disabled people have no space in the City really. Make this a sensory friendly place."



Relaxation / mindfulness space

"Basketball/netball court, gym equipment, Skate and mountain biking track."



Basketball / netball

"Perhaps an outdoor gym could be integrated into this space similar to the one at Scarborough Beach."



Fitness equipment

"Parking so as not to encroach on pool parking."



Parking



This is a snapshot of what the 25 - 34 age group told us

"A 'toned down' skate park. None of the whiz-bang stuff that non skaters think looks cool but is actually super impractical. It needs flat ground, low rails, small ramps suitable for street skaters, not just BMX users. Councils love going for "wow" factor and implement giant skate bowls (see Scarborough and Percy Doyle) but 80% of skaters can't skate it. Look into Waterloo and Glebe in Sydney, Riverside in Melbourne. Best in Perth are Kwinana and Crimea, and possibly the new Bayswater one."

"There is already a large skate park just down the road. It would be good to provide an area that youth who don't skate can enjoy."



Skate / scooter street style plaza

"Playgrounds, BBQ and picnic spots, trees and nature, walking trails, space for food trucks/ coffee."

"I think this area is crying out for a wine bar/eatery and coffee shop to support the proposed space."



Picnic spots / café

"I believe that this space would suit perfectly a professional athletic running track to promote intermediate & advanced running training for community use. Even if it's just 2-3x 100m straight tracks on an easily maintainable synthetic grass turf, in amongst other ideas/uses for the total space."



Running track

"The mountain bike/skatepark/climbing wall as seen in Scarborough would be a great addition."

"I would be very sceptical of a mountain bike trail. The one in the City of Fremantle has been disastrous for the local community, crime in the area has gone up. A small minority are there to cause damage and upset, however that small minority is causing a lot of damage, police are being called frequently, and police cameras are now stationed there. That I know of there have been 2 arrests of children (1 for throwing rocks at passing cars the other for threatening people with a knife and defecating in the hole of the nearby golf course).



BMX pump track

"Skatepark, basketball court and calisthenics bars for workouts."

"A community basketball court and skate park, That is accessible, welcoming to all, and made with sustainable materials."

"An outdoor basketball court, as well as a mountain bike pump track. Just like the facility that has been built at Lake Monger."



Basketball

"This place should be designed like Mills Park in Beckenham. One of the best parks in Perth or Bina Parkland in Balga incorporating all a park has to offer from 24/7 basketball and tennis courts, turf soccer pitches to casual plays, walking trails and playground for children."



Adult-tween swings / playground / nature play / slides / rope play



This is a snapshot of what the 35 - 44 age group told us

"Skate park and BMX track with shade options."

"A multipurpose youth centered skatepark and congregation space."

"We would like a skatepark and a basketball court with some seating for my parents. SMALL (2ft - 3ft high) skate BOWL with seating/ shade/ toilets that is kid/ beginner friendly. There are many plaza/ quarter pipe style skate facilities (Bina Parkland, Crimea, the new Mt Hawthorn development), but no beginner/ small skate bowls. The ones that exist are VERY popular and such a great facility for kids on scooters/ skateboards/ BMX bikes."



Skate / scooter street style plaza

"I think a footbridge/cycling bridge that runs over the bridge and connects the two spaces together would not only further encourage usage of both spaces, but keep the youth safe when coming from the suburbs on the reserve side of the road."

"Living near Wordsworth Avenue, I have seen many near misses of people trying to cross Alexander Drive from the reserve. There is little to slow down the traffic between Central Avenue and Woodrow Avenue."



Bridge crossing

"I have two young kids under 4 but would love for them to be able to utilise this space along with older kids. I like the ideas listed as example but my main thing I want to see is that the space is a sustainable greenscape and doesn't become a harsh concrete jungle. As you already have a main road next to the space so something to soften that would be amazing."

"A rewilding area that is for nature learning and recreation. Trails biking for older kids, creek beds that capture rain for younger kids. A place where kids explore and get messy, learn risk taking under guidance. Contribute back to country with a huge range of native plant areas, native edible plants & extensive tree canopy that encourages the amazing bird population of the area. Comprehensively co-designed with First Nations peoples."



Tree canopy / shade

"An Urban Pump Track for kids aged 4 and up. and an accessible playground."

"Pump track would be great. Care needed to get the target ages right. The Lake Monger one is great, but kids of different ages and abilities mix on the one track. Suggest splitting them out a little bit, so that it can be safe and fun for the younger ones and challenging for the older kids."

"A bike park that integrates with vegetation in the area, earthen ramps and tracks interspersed by trees to provide shade and connection to the natural environment."



BMX pump track

"A space that will engage and excite older kids and encourage them to want to be outside and engage with other kids of their age in the area. Make it easier to get them outside and off devices."

"Outdoor ninja warrior playground and rock climbing wall (like at Scarborough beach)."



Parkour / Ninja equipment

"I would love to see some multi function courts built. Basketball/netball/tennis. With a potential skate park as well. Similar to Scarborough."

"McCallum Park is a great example. I'm an active basketball player and good outdoor facilities are scarce North of the river. It's well perceived by all ages and there's a real community in McCallum Park."

"We are in desperate need for skate/basketball facilities nearby. Skate park suitable for all levels. Basketball half courts. Native landscaping and trees for shade. Toilet facilities onsite. Night time lighting. Seating and bbq facilities. Grass areas for picnics, ball sports. Parking nearby - parents will be the ones bringing kids (no parking = underuse)."

"Enclosed dog park, cafe, skate park, basketball courts, nice landscaping."



Basketball



This is a snapshot of what the 45 - 54 age group told us

"It would be best to leave this land as it is. Or sell it to a developer for aged care. A youth park may attract some unwanted youth and young adults to a nice neighbourhood. The lack of road crossing controls on alexander drive may also be a cause for concern. Imagine droves of teenagers with their face in their phones crossing the roads. That is an accident waiting to happen. With Aged Care facilities in the vicinity as well. A youth park may not be very welcomed."



Bridge crossing

"An active space to engage youth in activities that interest them- basketball, skate park, parkour course, monkey bars and climbing obstacles, tennis wall and half court. Fenced dog activity/agility area so animals kept away from kids areas safely."

"An outdoor active space for youth and young adults that can be used for daily recreation as well as hosting pop up events (outdoor cinema, demos, etc.)"

"Futsal pitches like at Mount Lawley Bowls Club and a skatepark."



**Hireable clubroom / room / space
Pop up space for things such as events, outdoor cinema, food stalls, markets, music events**

A forest of trees and vegetation."

"A back to Nature replanting with large trees and fallen logs on ground bringing back bird life bees to area like Yokine playground.

Skateboard circuit centre of triangle and low elevation perimeter mountain bike trail with log crossings and tunnels similar to Britain park Mt Hawthorn."



Tree canopy / shade

"I think we can take some inspiration from the new Belgravia East Fremantle community space. They seem to have ticked all boxes in appealing to a wide range. The addition of a cafe would give the youth a place to meet up, chill and socialise with their friends."



Café

"Chatting with my three teenagers, they would like a full undercover basketball court and an area with gym equipment, water fountain, benches and undercover seating, also an enclosed area for dogs."

"A place for teens to hang out. An adult play ground or just hang. Parkour equipment, fitness equipment, climbing equipment, adult swing, Skate path (roller skates) seating area with shade (also for carers) seating similar to yarnning circle for kids to sit around. Drinking fountains, bbq's."

"Social/ safe place for kids to be."



Hangout space / space to yarn and connect

"Would love to see some basketball courts. We have three kids all whom love to play basketball. The clubs/courts in Mount Hawthorn/Morley/East Perth are all oversubscribed - it can be tough to get into a team. It would be so beneficial to have a rec centre that could cater for basketball/indoor soccer/volleyball etc."

"Outdoor Basketball Courts. A mixture of full size court/s and shooting hoop/s that would be floodlit in the evenings. Young people are currently using some of the basketball courts in the local schools."

"Would love to see Basketball courts and netball rings for teenagers and youth . Exercise equipment."

"Create basketball courts and tennis courts in the space. The courts should have lighting until 10pm. The courts could be administered and entered at subsidised price via the Terry Tyzack Leisure Centre nearby."



Basketball / netball / tennis

"Street style Skateboard and half pipe."

"We're in dire need of a good skate park, basketball courts, dirt bike trails, climbing frames or parkour course."



**Skate / scooter street style plaza
BMX pump track**



This is a snapshot of what the 55 - 64 age group told us

"Well, an under road walkway as well as an entry and exit onto Alexander Drive, with ample bays facing both towards and away from Alexander Drive. Planting trees amongst the parking area to enhance the climate change. Instead of Men's Shed, call it Youth Yard. Horticulture, automotive, solar and wind generation etc."



Bridge crossing

"Teen/Youth space sounds like a great us. It would need to have facilities that make it a destination (courts/BMX etc) as its it not on the way to anywhere."

"Please look at the Inglis Park: Randwick's Mega Playground & Dining Precinct. This has an amazing kids and family play area."

"Outdoor cinema, weekly night markets with food trucks and entertainment. Weekly Sunday farmer market with face painting and bouncy castle."



Pop up space for things such as events, outdoor cinema, food stalls, markets, music events

"Replacement of the tree canopy lost by the destruction of trees on the adjacent Mt Lawley Golf Course. An interactive adventure playground underneath the trees."



Tree canopy / shade

"An active area for the young kids. Basketball Hoop. Half court. Mountain bike trail. Skateboarding bowls. Etc"



Basketball

"The suggestions mentioned so far are excellent. The design and layout needs to follow CPTED principles and be well lit during non daylight hours. Structures need to consider how they are positioned/ laid out to ensure visibility of all areas at all times."

"I don't understand who came up with this idea what committee but there is Yokine reserve across the road. To me no logic in this. Skateparks etc you have mentioned will cause more problems with youths loitering around. Expand Terry Tyzack swimming pool."

"My vision is please leave it as it is. Why does the council feel the need to constantly infill our parks, instead of leaving some nice open space. This location which I walk occasionally is quite noisy with adjacent traffic and lacks easy access or parking. Find somewhere else or even better save some \$ and stop putting the rates up."

"Certainly not a youth area. It's putting them at risk, being such an isolated space with no residential or businesses nearby. Nowhere for them to turn to should they be getting harassed, bullied, or at any stage feeling threatened or intimidated. Also, too easy to be preyed on."



Safety / CCTV

"I'd love to see this space utilised to provide facilities that residents don't want near their homes due to noise. The unique thing about this piece of land is that it does not border any residential areas. This provides the opportunity for things like basketball courts, and skate bowls."

"I don't have a specific idea for the space, however this is a unique place as it does not border residential properties. This space could accommodate a skate park as well as a family friendly setting and playground."



Skate / scooter small skatepark



This is a snapshot of what the 65 - 74 age group told us

"A place for teenagers and young adults to enjoy leisure activities."

"Enclosed stage area where young people can get up and practice their performing skills. Giant blackboard graffiti wall so budding artists can create in a public space. A young people's community run garden. A "quiet" space with maybe a pond with seating around it for those young people who just want a bit of "time out" such as those young people who are full-time carers."

"A link between the aquatic centre and the designated areas. More water play. Trampolines set into a pit (for safety)."

"Walls for climbing. Please NO skateboard areas."

What a great opportunity to prepare our next generational youth for adulthood and the complex modern world. Invision a suburban "bootcamp" style workshop space (indoor and out), where they can learn to build resilience, real life skills and strategies, not taught in school or at home."



Pop up space for things such as events, outdoor cinema, food stalls, markets, music events

"Social Housing. Council can manage them and get a rental return on investment. (Private enterprise does not do it better!) I'm totally against the youth recreational idea and I feel you are wasting ratepayers funds."



Housing



This is a snapshot of what the 75+ age group told us

"Leave it as is. There is a games field behind it, and other close by. We need open spaces, preferably filled with native plants and trees. Not more cement, car parks etc."



Tree canopy / shade

"Outdoor exercise equipment, basketball courts, tennis wall, cafe for the young, security supervision, good lighting."

"Basketball, as the nearest indoor courts and training is in Wembley. Definitely not a skateboard park as they are a new one on the corner of Alexander Drive. Lovely indoor basketball courts - as an international game now."



Basketball / netball / tennis

"I agree with council vision - skate park, BMX, nature play area."

"Skate park with facility to accommodate from young to teen children. Full size basketball courts for all ages. BMX Track."



**Skate / scooter street style plaza
BMX pump track**

"Re-treed back to native bush to replace the trees that have been cut down on the adjacent golf course. To provide trees, nest areas and habitat for the Carnaby's black cockatoo to replace what has been removed."

"I don't care what goes into the park but. I would not be supportive if the trees were chopped down or the activities cause undue noise and/or bring into the suburb undesirable behaviour."



Tree canopy / shade



Adventure facility

"My suggestion is to build a "Beginners", "Intermediate" and "Advanced", Adventure training facility on the Inglewood Youth Parkland. The three courses will test students, as they develop in experience, height, strength, stamina, and agility through their high school years."



Written submissions via the City's customer service channels

"There is a Stirling sign on a grass field next to Terry Tyzack recreation area looking for suggestions on what to do with the land. Am I in the correct place? My suggestion is to put in PICKLE BALL courts. I don't think there are ANY pickle ball courts in the city as of yet and the sport is very popular around the world and gaining popularity very quickly because all ages can play this game and can be picked up very quickly and very cost efficient to get the gear and to start playing. There are no noise issues since there aren't any residential homes in the area and it makes perfect sense being located right next to Terry Tyzack. The area can be accessed via the road at the back of Terry Tyzack as well so there would be no need to enter from Alexander Drive. Lights can also be placed in the courts for night use. You can fit three of these pickle ball courts in the size of one tennis court. The sport has taken off quite quickly in California and many places around the world. I think there are some new courts in Floreat right across from the Forum. I would be happy to help further if need be."

Dear Officer in charge of Leisure section,

Please forgive my literacy I am too old to learn.

You wanted ideas for the park behind Terry Tyzack Pool.

These are a few ideas for that area:

- 1) Mini golf. Balls and club to be hired out from pool.
- 2) A rebound soccer net
- 3) A basketball ring
- 4) A wall marked as a Tennis court for people to practice against.

P.S The many old people in the village on Freedman Road will be able to just walk to the park with their grandchildren.

Thank you for your consideration.



Submissions in reponse to the question what is your vision for this space?



This is a snapshot of responses that do not support a Youth Parkland

"It would be best to leave this land as it is. Or sell it to a developer for aged care. A youth park may attract some unwanted youth and young adults to a nice neighbourhood. The lack of road crossing controls on alexander drive may also be a cause for concern. Imagine droves of teenagers with their face in their phones crossing the roads. That is an accident waiting to happen. With Aged Care facilities in the vicinity as well. A youth park may not be very welcomed."

"Stop trying to find ways to spend/waste money."



45 - 54 age group

"The suggestions mentioned so far are excellent. The design and layout needs to follow CPTED principles and be well lit during non daylight hours. Structures need to consider how they are positioned/ laid out to ensure visibility of all areas at all times."

"I don't understand who came up with this idea what committee but there is Yokine reserve across the road. To me no logic in this. Skateparks etc you have mentioned will cause more problems with youths loitering around. Expand Terry Tyzack swimming pool."

"My vision is please leave it as it is. Why does the council feel the need to constantly infill our parks, instead of leaving some nice open space. This location which I walk occasionally is quite noisy with adjacent traffic and lacks easy access or parking. Find somewhere else or even better save some \$ and stop putting the rates up."

"Certainly not a youth area. It's putting them at risk, being such an isolated space with no residential or businesses nearby. Nowhere for them to turn to should they be getting harassed, bullied, or at any stage feeling threatened or intimidated. Also, too easy to be preyed on."

"Well, an under road walkway as well as an entry and exit onto Alexander Drive, with ample bays facing both towards and away from Alexander Drive. Planting trees amongst the parking area to enhance the climate change. Instead of Men's Shed, call it Youth Yard. Horticulture, automotive, solar and wind generation etc."



55 - 64 age group

"Social Housing. Council can manage them and get a rental return on investment. (Private enterprise does not do it better!) I'm totally against the youth recreational idea and I feel you are wasting ratepayers funds."

"Leave it as is. There is a games field behind it, and other close by. We need open spaces, preferably filled with native plants and trees. Not more cement, car parks etc."



65 - 74 age group

"Re-treed back to native bush to replace the trees that have been cut down on the adjacent golf course. To provide trees, nest areas and habitat for the Carnaby's black cockatoo to replace what has been removed."

"I don't care what goes into the park but. I would not be supportive if the trees were chopped down or the activities cause undue noise and/or bring into the suburb undesirable behaviour."



75+ age group



Written submissions via the City's customer service channels

"Can the council leave the area next to Terry Tyzack pool as is? It's a nice area to come to just sit on the grass when the other areas of grass are too busy. Yokine reserve and other park ok Homer Street are always being used for sports. No green grass to sit and relax."

Sir / Madame Good Morning,
As a 78 year old pensioner confused with email. Is it possible this handwritten thought could survive and be considered. The area you propose is bounded by the golf club and Terry Tyzack Pool – both will immediately build high level walls / fences to keep any possible trouble out. This development now fronts Alexandar Drive, if this idea develops as you plan any these youngsters will cross Alexandar Drive – dangerous and possibly merger with main park.
I know this is a negative, Yokine, Menora, Mount Lawley are truly crime free suburbs, what this will do is attract others! Will the Council supervise – does this need security?
Could you realistically plan for 12 – 20 year olds from chewing gum – vodka.
Yes I am a local rate payer, but live far enough away to not be concerned for myself.
Within two years troublemakers from the northern suburbs will control.
I'm 78 with a medical condition so whatever you do will not attract me. I will be in the playground in heaven two hope.
Sincerely concerned.

"Why don't you plant a forest so that our youth have a future."



Submissions in response to the question any additional comments you would like to share?



Additional comments from 17 or younger age group

"Since there are no trails nearby me and my friends had to resort to making trails at Hamer Park because there is nowhere for us to ride and have fun nearby."

"Dirt/gravel - NOT asphalt/tarmac."

"Easy to go to from Yokine Reserve."

"I think this would be cool 🚲 😊."

"Lots of trees to climb! It should be colourful and cheerful. Also a big tree to relax under."

"This is important to get the older kids out and active."

"A mountain bike course would be good to do."

"Make it an area where teenagers can hang out and because it is relatively far away from houses can be a bit louder. Have access to Terry Tyzack to buy drinks/snacks etc."

"Maybe also a central hub/ hall /teen cafe / hangout / arts centre/ can be hired by the community for parties etc."

"This is a great idea for the youth to get in and make a change for themselves."

"Pop up food stalls."

"Live music."

"We should have a basketball court as it is a very popular sport now and me and my friends can catch the bus from school to the court. I also am too poor to afford my own basketball hoop so this would help me go pro."

"This would be such a good idea to put a basketball court as it is very close to me and I don't have to pay to play."

"Make the backboard glass and the net polyester don't use wood backboards and don't use any other nets."

"Doing sports are good for your body."

"I think encouraging the wildlife would be good because it can help endangered species like the Red-Tailed Black Cockatoo. You can have native trees for the animals to roost, make their home in, and feed off, (especially the black cockatoos.) and it will provide shade for everyone. We should put in soccer goals because lots of people love soccer including me."



Additional comments from 18 - 24 age group

"City does not need disabilities unfriendly facilities such as BMX park. There is already that in Dianella. Youth have run out of natural spaces to wind down and relax. Japanese garden is disabled friendly and educational for youth. Youth can appreciate nature over BMX. The pool is already activity space for youth."

"Wonderful idea as a very underused area."

"I think creating a water park in the IYP would bring the community together, and be an interactive hub for youth."



Additional comments from 25 - 34 age group

"Golfers are constantly having these children throw rocks at them. The city won't answer how many ambulances have been called due to accidents and they have actually cut the water taps off to prevent these children throwing water balloons at cars driving past. Absolute nightmare. Unfortunately, a trail like that cannot operate safely unless it is operated with staff on the ground monitoring anti-social behaviour."

"It isn't too close to residents - while also providing something for residences."

"Make it easier to cross Alexander Drive. We live near Terry Tyzack, trying to cross Alexander Drive from our side to the Yokine Regional Open Space where we take the kids to play can take five or more minutes around peak hour, it's quite stressful and its sometime easier to drive across. Doing something to connect the Terry Tyzack side to the Yokine Regional Open Space side for walkers and cyclist in a safer and more convenient way would be great."

"Other ideas include a squash wall, basketball half court, chilling gazebo and charging station. Make sure you involve the right people. Speak to local skaters and youth workers, artists, local youth-oriented businesses etc. Don't be risk adverse or scared off by possible anti-social behaviour"

"The Yokine area is lacking basketball courts. As a new mum I worry about the lack of welcoming and attractive areas for teenagers and youths in our area and think utilizing this space for this purpose is a great idea."

"A multifunctional park not only for youth but for all ages including dogs."

"Please no skate park."

"Skatepark can be similar to Leederville. Even add a kids playground next to it like Leederville, kids playground would be closer to the swimming pools."



Additional comments from 35 - 44 age group

"I think connectivity is important."

"How can local kids get there without pestering parents to drive them. How can we develop this site without adding even more car-based infrastructure i.e, car bays, intersections etc."

"Skate park and BMX track with shade options."

"Security and deterring unsocial behaviour must be heavily considered."

"I have lived opposite Terry Tyzack for 18 years now and have used the space over the years for dog walking. I think it's great the city is looking to do something with this unique space."

"It's great to see this space getting a revamp."

"The area has plenty of open green areas but lacks decent (new) infrastructure for children to play on."

"Kids in this area need places to hang out, that are safe and not hidden away from sight where issues can happen."

"Try to create relaxing spaces where they can chill and chat to their friends. Would be great to incorporate trees and nice planting especially by the road to close it off and make it feel more country rather than so urban. A fence needs to be put up by the road."



Additional comments from 35 - 44 age group continued

"We need more cafes next to parks for example Light Street Reserve and Yokine Open Space."

"Bike track also please."

"I would love to be included in any workshops or focus groups related to the IYP and would greatly appreciate some feedback on the attached submission! Thanks!"

"There are already so many playgrounds for small children that I don't think that needs to be a part of the Youth project. Having said that, everyone enjoys a swing, so why not add a couple in!"

"Using this space to better bushland and life assists and provides hope to the future in a drying climate and where dying trees are especially evident can invoke despair for young people (and old)."

"That the park is intrinsically of its place, what is the history of the ecology of the area? That the park caters for youth of varying ages and varying abilities. Not everyone is able bodied and this must be an inclusive design."

"Appropriate lighting if required."

"A place that you could host a small outdoor function given that We're Living in smaller dwellings."

"Safety across Alexander Drive will be very important, given the speed of traffic along the road and the age of likely future users of the space (and the likely desire line coming from the paths in Yokine Reserve). I suspect a light controlled pedestrian crossing will be required, so it would be worth engaging with MRWA sooner rather than later."

"Please listen to the residents/young people that live the closest to this area. Please do not install equipment that is either not fit for purpose, not technically correct. Please do not limit use to daytime only. Please install cameras for safety and have good lines of sight for all areas of the park."

"Basketball courts."

"My son wrote this he loves doing tricks on his scooter but we never have time because there so far away."

"Small sized skate bowls are a great element for kids learning to scoot / skate. There are very few small bowls around, with the new ones being built all on the large size (Scarborough, Bayswater, Percy Doyle when complete, Cottesloe when complete) - but this precludes many kids from ever using them as the size is too large. Small bowls can be smaller than a plaza and take up less room, while also providing a great place to learn for kids and adults alike."



Additional comments from 45 - 54 age group

"Please come up with something else instead of a youth park. The serenity of this area will be affected if a youth park is put up."

"So great council is catering for this age group now, have slowly seen all the nearby parks lose even play equipment that they could enjoy, like high monkey bars, swings etc and replace with nature-based equipment for younger kids. Really nothing in area for this age group now."

"My teen is social and enjoys going to hang with friends at the park. Often they just sit there and chat, it would be great to have something that they would use and have some fun too."

"Stop trying to find ways to spend/waste money."

"I live in this area...there's plenty of activities and spaces around here for kids...but, increasingly there are less and less trees that provide more benefits for the health of our children and general environment than any 'built environment' can ever have, in the short, medium and long term. Plant trees."

"Parking near the courts if possible, for parent drop off pick up."

"Love to see something similar to Bunbury foreshore but with more shade, natural trees to provide shade and shade cloth over some areas to improve useability in hot weather. My kids would utilise both and others."

"It is such a big area, so it would be a waste to only put one type of attraction there."

"Would love to see Basketball courts and netball rings for teenagers and youth. Exercise equipment."

"There are no skate parks anywhere near Yokine. We have a huge reserve and so many teens needing a safe place to skate and scooter."

"To eliminate young teenagers, urge to build their own tracks and ramps in local areas let's supply a safe area under trees that can be safely accessed both sides of Alexander Drive. I feel we supply plenty of nature play for young kids but not enough for teenagers."

"Fremantle has a great youth space on The Esplanade that is heavily used by young people for the above purposes."

"Whatever the area becomes the three main things we are concerned about are:
Security: Cameras and lights at night
Road safety for children: A pedestrian bridge across Alexander Drive
Existing antisocial behaviour: Keep areas open/no hidden spots and keep kids facilities away from back of pool road and golf course bushes."

"Space for a food truck and or coffee van to park on weekends so that kids and parents can get food."

"Community facilities are subject to damage and graffiti by some members of the community. Therefore, I believe the courts should be administered by the nearby Terry Tyzack Leisure centre. The courts would need to be booked in advance and accessed via the Leisure centre entrance. I would suggest charging a subsidised nominal fee to use the courts to cover costs for lighting and maintenance."

"You could also have a small enclosed area a paid for area that is managed by a professional organisation or administered by COS staff that includes a practice jump pit. Like the big one in QLD by cousin who is into his BMX would have to fly to QLD to go to the big indoor pit to safely practice his jumps and flips before he could do them outdoors."



Additional comments from 55 - 64 age group

“Greater care of the bushland in the golf course adjacent to the park so that the two facilities merge together as a green space would be a great result. Currently the derelict bushland on the other side of the fence in an eyesore.”

“This area is for the youth who will be driving, so parking is vital as is public amenities and being so environmentally friendly that it becomes a platform for future developments.”

“It should have plenty of shade.”

“Have not thought about the whole process of issues that will arise from bad behaviour etc.”

“I just thought you would have realised more space for Terry Tyzack facilities that is open to everyone.”

“I believe that a pedestrian overpass should be built between these areas for the safety of the residents.”

“Had issues with youth in our area in December in damaging cars, cutting and damaging Christmas decorations. Security were fantastic when contacted but when you see a group of them not safe to approach.”

“Yokine Open Space, Terry Tyzack and now this potential youth parkland are frequented by a large portion of the neighbourhood. The biggest problem is Alexander Drive separates them and at certain times of the day is difficult to cross due to the heavy traffic conditions.”

“Ideal place for active sports for younger people. Not close to housing, so noise shouldn't be an issue.”

“A drop off recycling centre would be good as people find Balcatta too far. i.e, for aerosol cans etc. Or a local mixed access tools shed for both men and women. And where youth can be trained in some basics.”



Additional comments from 65 - 74 age group

“Thank you for doing this. We certainly need as much green space as we can get - I have noticed a large increase in the pressure on these spaces since Covid. Popular parks such as Yokine can have a lot of pressure on parking.”

“There are countless parks around Mount Lawley / Inglewood. Surely there is a corner in Hamer Park, Yokine reserve, the park behind the soccer club and no doubt lots more, do we need more recreational reserves.”

“Outdoor exercise equipment, basketball courts, tennis wall, cafe for the young, security supervision, good lighting.”

“It is a wonderful opportunity for the Council to get together with the State and create a residential area for people that are in need. It provides great facilities very close by, such as the pool, great parks, bus service on the doorstep.”

“Maybe see what the State Government is going to plonk in the ECU space. That will probably be a hell of a surprise.”

“Doesn't seem to be enough parks dedicated to sport particular for teens around Stirling specially around this area.”



Additional comments from 65 - 74 continued age group

"Yokine open space is a huge space but sadly has no basketball courts or skate area for youth. So, this additional park dedicated to teens will be great."

"There are loads of recreational land on the other side of the highway. Also, lots of never used playground facilities dotted around in parks amongst the housing suburbs. Don't need more kids' stuff"

"What are you going to do about the annoying basketball hoops at private properties. Bounce, Bounce, Bounce. Can you ban them? So awful if someone has one and kids next door. The bounce alone is annoying but then there is the screaming and yelling."

"Please retain the trees and open space. There is so little of it around now."

"Noise shouldn't be a concern as no-one would be living close by. Noise was a major concern expressed by people living close to Macaulay Park when public information sessions were held to discuss the upgrade in that area. Not enough facilities are provided for teenagers and young adults."

"It would be good if the space also hosted monthly quirky intergenerational events/competitions e.g. who can create the weirdest hat? Egg and spoon races. Talent quest etc."

"The area needs to avoid attracting 'gangs'. Consider the noise factor directly across to Wordsworth Ave. That is where the closest houses are located. The residences in Homer St are separated by the golf course...hence less noise for those residents."

"Non-existent early intervention and a serious lack of "Traditional initiations" into adulthood is ill preparing our children. Many issues - like mental health are serious problems. Not able to be solved by any one sector in our society and causing much distress in families and communities. Dedicating a specific space for ongoing appropriate and essential programs would fill the gaps not catered for by any other social activity."

"I am a senior and think it is an excellent idea for this age group and can easily support the loss of this public open space for this new purpose. Liaising with swim pool to share parking, toilets, refreshments? Screening foliage along boundary with busy Alexander Drive?"

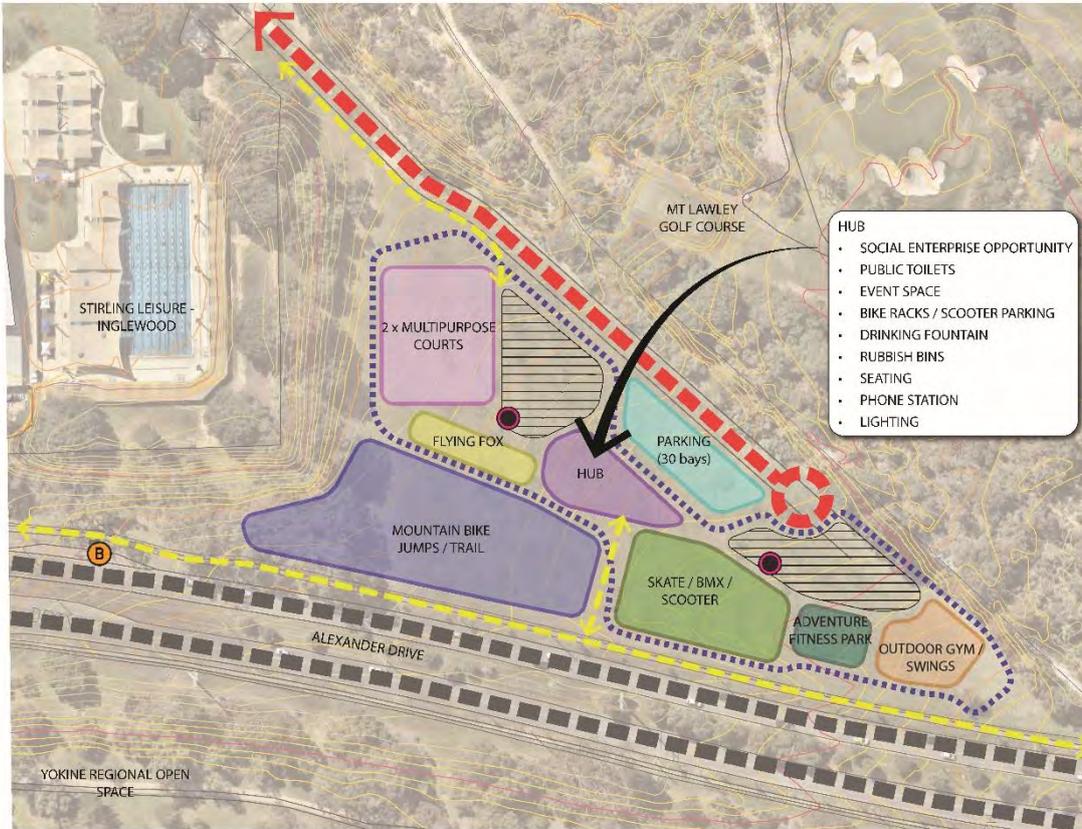


Additional comments from 75+ age group

"As mentioned above, it is not necessary to fill green spaces, especially when they are so close to a main road and would require additional car spaces etc."

"An Adventure facility on the Inglewood Youth Parkland will contribute in future medical and community savings through a positive improvement in the promotion of personal physical fitness, mental well-being, leadership and teamwork skills in the City's youth."

City of Stirling | Inglewood Youth Parkland - Landscape Concept Plan A | Parks and Environment
October 2024



LEGEND

- ▬▬▬ VEHICULAR ACCESS
- ▬▬▬ PEDESTRIAN ACCESS
- ▬▬▬▬▬▬ 500M CIRCUIT TRACK
- ▨▨▨▨▨▨ OPEN GRASSED AREAS
- PICNIC FACILITIES
BBQ / TABLES / SHELTER
- B EXISTING BUS STOP

HUB

- SOCIAL ENTERPRISE OPPORTUNITY
- PUBLIC TOILETS
- EVENT SPACE
- BIKE RACKS / SCOOTER PARKING
- DRINKING FOUNTAIN
- RUBBISH BINS
- SEATING
- PHONE STATION
- LIGHTING

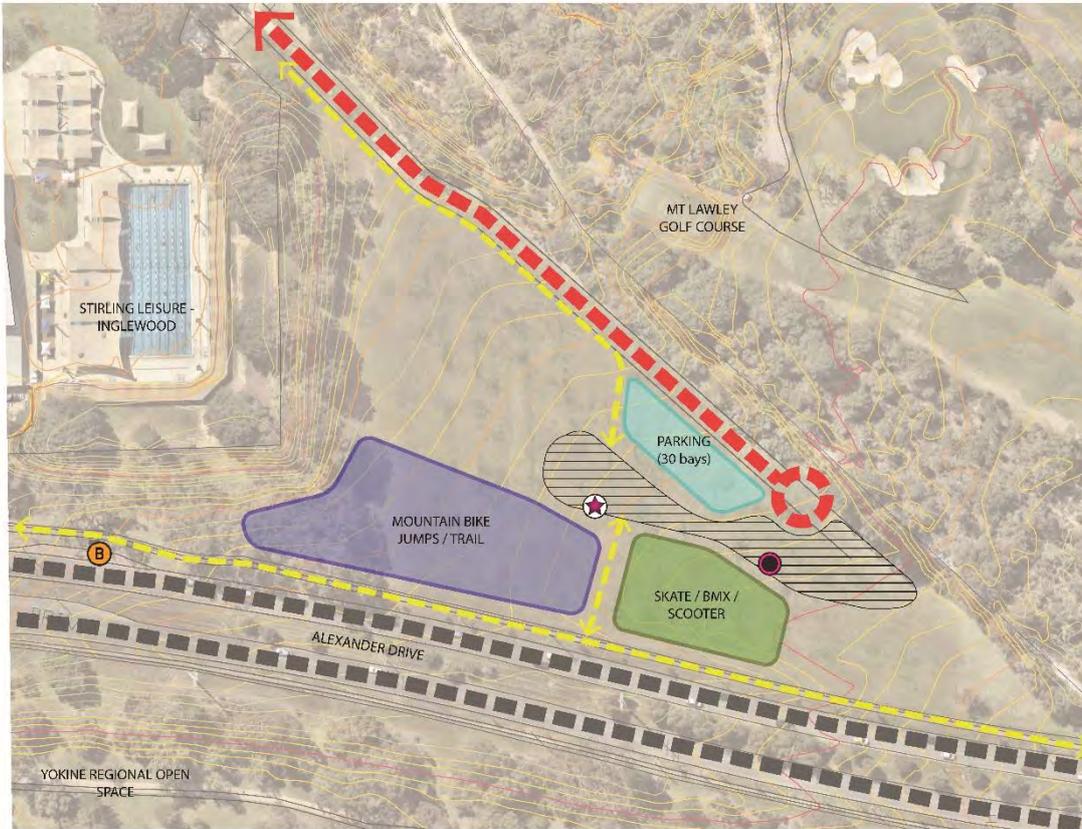
SKATE PARK

BASKETBALL COURT

MOUNTAIN BIKE JUMPS / TRAIL

0 5 10 20 30
SCALE: 1:1000 @ A3

City of Stirling | Inglewood Youth Parkland - Landscape Concept Plan B | Parks and Environment
October 2024



LEGEND

- ▬▬▬ VEHICULAR ACCESS
- ▬▬▬ PEDESTRIAN ACCESS
- OPEN GRASSED AREAS
- PICNIC FACILITIES
BBQ / TABLES / SHELTER
- ★ PUBLIC TOILET
- B EXISTING BUS STOP



SKATE PARK



MOUNTAIN BIKE JUMPS / TRAIL



OPEN GRASSED AREAS



0 5 10 20 30

SCALE 1:1000 @ A3

Inglewood Youth Parkland
Concept A - Cost Estimate

Item No	Item Description	Unit Cost	Quantity	Cost Ex GST
	Consultants	\$ 600,000.00	1.00	\$ 600,000.00
	Preliminaries	5%		\$ 350,000.00
	Site Works and servicing	\$ 150,000.00	1.00	\$ 150,000.00
	Roadworks & Car Parking	\$ 1,423,000.00	1.00	\$ 1,423,000.00
	Hub	\$ 1,100,000.00	1.00	\$ 1,100,000.00
	Multipurpose Courts	\$ 350,000.00	1.00	\$ 350,000.00
	Courts grandstand seating	\$ 100,000.00	1.00	\$ 100,000.00
	Courts and floodlighting	\$ 400,000.00	1.00	\$ 400,000.00
	Flying Fox	\$ 100,000.00	1.00	\$ 100,000.00
	Mountain Bike	\$ 500,000.00	1.00	\$ 500,000.00
	Skate/BMX Track	\$ 800,000.00	1.00	\$ 800,000.00
	Adventure Fitness Park	\$ 250,000.00	1.00	\$ 250,000.00
	Outdoor Gym & Swings	\$ 400,000.00	1.00	\$ 400,000.00
	Running Track	\$ 250,000.00	1.00	\$ 250,000.00
	Picnic Facilities	\$ 115,000.00	1.00	\$ 115,000.00
	Lighting (exc street lights)	\$ 250,000.00	1.00	\$ 250,000.00
	Ancillary Landscape Works	\$ 200,000.00	1.00	\$ 200,000.00
	Irrigation	\$ 100,000.00	1.00	\$ 100,000.00
	Establishment Maintenance (13 weeks)	\$ 15,000.00	1.00	\$ 15,000.00
	Public Art (2% of total - not including consultants and below ground works)	2%		\$ 129,760.00
	Sub-total			\$ 7,582,760.00
	Contingency	20%		\$ 1,516,552.00
	Project management/officer time			\$ 95,542.78
	Total			\$ 9,194,854.78
	Ongoing Maintenance - per annum	\$ 250,000.00	1.00	\$ 250,000.00

Inglewood Youth Parkland
Concept B - Cost Estimate

Item No	Item Description	Unit Cost	Quantity	Cost Ex GST
	Consultants	\$ 300,000.00	1.00	\$ 300,000.00
	Preliminaries	5%		\$ 200,000.00
	Site Works and servicing	\$ 75,000.00	1.00	\$ 75,000.00
	Roadworks & Car Parking	\$ 1,423,000.00	1.00	\$ 1,423,000.00
	Public Toilet	\$ 350,000.00	1.00	\$ 350,000.00
	Mountain Bike	\$ 500,000.00	1.00	\$ 500,000.00
	Skate/BMX Track	\$ 800,000.00	1.00	\$ 800,000.00
	Picnic Facilities	\$ 90,000.00	1.00	\$ 90,000.00
	Lighting (exc street lights)	\$ 125,000.00	1.00	\$ 125,000.00
	Ancillary Landscape Works	\$ 100,000.00	1.00	\$ 100,000.00
	Irrigation	\$ 50,000.00	1.00	\$ 50,000.00
	Establishment Maintenance (13 weeks)	\$ 7,500.00	1.00	\$ 7,500.00
	Public Art (2% of total - not including consultants and below ground works)	2%		\$ 70,260.00
	Sub-total			\$ 4,090,760.00
	Contingency	20%		\$ 818,152.00
	Project management/officer time			\$ 51,543.58
	Total			\$ 4,960,455.58
	Ongoing Maintenance - per annum	\$ 175,000.00	1.00	\$ 175,000.00

12.1/F1 SCHEDULE OF ACCOUNTS FOR PERIOD 4 ENDING 31 OCTOBER 2024

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

Role

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

Council Resolution
1224/004
Moved Councillor Perkov, seconded Councillor Krsticevic
That the schedules for Period 4, 1 October – 31 October 2024 comprising of:

- a. **Cheques drawn and payments made amounting to \$30,338,167.21; and**
- b. **Fuel Card Payments made amounting to \$30,460.51**

be RECEIVED.
The motion was put and declared CARRIED (14/0).
For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Krsticevic, Lagan, Migdale, Olow, Papparde, Perkov, Proud, Thornton and Mayor Irwin.

Against: Nil.

Reason for Alternative Recommendation

The original attachment (Attachment 1) to the Community and Resources Committee meeting of 26 November 2024 included duplicated amounts for some invoice listings. This was due to an error in the data warehouse. No duplicate payments have been made.

Committee Recommendation

That the schedules for Period 4, 1 October – 31 October 2024 comprising of:

- a. Cheques drawn and payments made amounting to \$32,797,549.05 and
- b. Fuel Card Payments made amounting to \$30,460.51

be RECEIVED.

Officer's Recommendation

That the schedules for Period 4, 1 October – 31 October 2024 comprising of:

- a. Cheques drawn and payments made amounting to \$32,797,549.05 and
- b. Fuel Card Payments made amounting to \$30,460.51

be RECEIVED.

Purpose

To inform Council of funds disbursed for the period 1 October – 31 October 2024.

Details

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

Fuel cards are considered purchasing cards and so a separate attachment (Attachment 2) has been prepared for this transaction. Fuel cards are used for the purchase of fuel for the City's petrol vehicles and plant. The use of fuel cards is controlled with the card assigned to an individual vehicle and transactions limited to the purchase of fuel. Vehicle odometer readings are recorded for each fuel purchase. The full payment to Ampol is shown in the Payments Listing; the amount on the fuel card report may differ due to the timing of invoices.

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

Expenditure on Agency Staffing

The tables below show the spend on agency staffing for October 2024. The actual spend of \$607,627 equates to 1.3% of the total direct staffing cost October 2024.

Agency Costs by Business Unit	Year to Date October 2024 Actual \$	% of Total Staffing Cost	Explanation
Finance Services	40,979	2.4%	Maternity leave cover
Parks & Environment	151,754	2.5%	Temporary staff to manage seasonal workload
Waste & Fleet	147,973	4.1%	Cover for Recycling Centre and Waste Collection staff
Recreation & Leisure Services	795	0.0%	Staffing of Terry Tyzack Aquatic Centre kiosk
Community Development	32,500	0.5%	Flexible staffing for Community Food Services
Corporate Information Services	8,945	0.4%	IT Project staffing
Customer & Communications	46,565	2.1%	Short term cover for Digital Officer & Graphic Designer positions
Property & Commercial Services	27,386	6.8%	Part Time Land Administration Specialist
Engineering Services	88,826	1.9%	Temporary staff for Maintenance Works
Development Services	61,905	1.8%	Temporary administration staff
Total	607,627	1.3%	

Relevant Policies, Legislation and Council Resolutions

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

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

[Local Government Act 1995](#)

Sustainable Stirling 2022-2032

Key Result Area: Our leadership

Objective: A well-governed City

Priority: Comply with legislation, standards and obligations

Strategic Risk

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

Relevant Documents and Information

Attachments

Attachment 1 - Payment Listing - October 2024 (ECM No. 11130472) (previously circulated to Elected Members under separate cover)

Attachment 2 - Ampol Purchase Fuel Card Report - October 2024 (ECM No. 11130476) (previously circulated to Elected Members under separate cover)

Attachment 3 - Payment Listing October 2024 (updated at 27 November 2024) (ECM No. 11139784) (previously circulated to Elected Members under separate cover)

Available for viewing at meeting

Nil

Linked Documents

Nil.

12.1/F4 DOUBLEVIEW/SCARBOROUGH/INNALOO TARGETED UNDERGROUND POWER PROJECT

Business Unit:	Finance Services	Service: Rates & Receivables
Ward:	Not Applicable	Location: Not Applicable
Applicant:	Not Applicable	

Role

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

Moved Councillor Perkov, seconded Councillor Hatton

1. That Council APPROVES a consultation process with property owners via survey to gauge community support for the Doubleview/Scarborough/Innaloo Targeted Underground Power Project.
2. That Council REAFFIRMS approval to participate in the Doubleview/Scarborough/Innaloo Targeted Underground Power Project only with majority support of property owners (greater than 50%) following the survey.

The motion was put and declared LOST (5/9).

For: Councillors Dudek, Ferrante, Hatton, Lagan and Migdale.

Against: Councillors Creado, Giudici, Krsticevic, Olow, Papatde, Perkov, Proud, Thornton and Mayor Irwin.

During debate, the following motion was FORESHADOWED by Councillor Tony Krsticevic.

Council Resolution

1224/005

Moved Councillor Krsticevic, seconded Councillor Proud

That Council APPROVES a consultation process to inform property owners of the costs and process for the Doubleview/Scarborough/Innaloo Targeted Underground Power Project.

The motion was put and declared CARRIED (9/5).

For: Councillors Creado, Giudici, Krsticevic, Olow, Papparde, Perkov, Proud, Thornton and Mayor Irwin.

Against: Councillors Dudek, Ferrante, Hatton, Lagan and Migdale.

Reason for change

The recommendation has been changed to demonstrate Council's support for this and future underground power projects, and to ensure alignment with the City's recently adopted Community Engagement Policy which defines consultation as *'To listen to our community's feedback on options or a potential decision and consider their views in our decision'*.

Committee Recommendation

1. That Council APPROVES a consultation process with property owners via survey to gauge community support for the Doubleview/Scarborough/Innaloo Targeted Underground Power Project.
2. That Council REAFFIRMS approval to participate in the Doubleview/Scarborough/Innaloo Targeted Underground Power Project only with majority support of property owners (greater than 50%) following the survey.

Officer's Recommendation

1. That Council APPROVES a consultation process with property owners via survey to gauge community support for the Doubleview/Scarborough/Innaloo Targeted Underground Power Project.
2. That Council REAFFIRMS approval to participate in the Doubleview/Scarborough/Innaloo Targeted Underground Power Project only with majority support of property owners (greater than 50%) following the survey.

Purpose

To provide an update to Council on the Doubleview/Scarborough/Innaloo Targeted Underground Power Project following receipt of updated cost estimates and connection numbers from Western Power.

Details

At its meeting held 25 October 2022, Council considered a report (Council Resolution Number 1022/022) on Western Power’s Targeted Underground Power Program (TUPP). The report detailed the funding mechanism for the program, the projects that were planned for the City of Stirling and the indicative cost property owners would pay, based on Western Power’s initial estimates.

The TUPP is for the replacement and upgrade of existing overhead infrastructure with more reliable underground infrastructure. The cost of a TUPP includes Capital Expenditure (the cost of installing the underground network) and Operating Expenditure (the cost of connecting each property to the new network). Under the funding model for TUPP, the Capital Cost is shared by Western Power, the Local Government and in some cases the State Government (State Government funding is provided to areas where the Median House Price is less than the Perth average). The Operating Expenditure is paid by the local government. The funding model is summarised in the table below:

Party	Capital Expenditure (Network Cost)	Operating Expenditure (Connection Cost)
Western Power	Contribution equal to the calculated net benefit of not having to replace, augment and maintain the overhead network	N/A
State Government	Sliding Scale from 0% to 50% based on a comparison of the median house price of the project area to the Perth median house price	N/A
Local Government	Balance of the Capital Cost	All Operating Expenditure Costs

The cost estimates for projects included in the 25 October 2022 Council report were based on data supplied by Western Power, being:

- The E30 (+/- 30%) project cost estimate
- The number of meters in the project area

Cost to property owners

The City implements a user pays charge model to on charge the cost of underground power projects to property owners. Under the model, all property owners pay a contribution to the Network Cost based on the number of connections. As multiple unit dwellings usually have one connection to the network, the Network Cost would be shared between the dwellings and the cost would therefore be less than a stand-alone property.

The connection cost is only charged to those properties requiring a new connection. Newer houses will already have an underground connection from the house to the existing overhead network and would therefore not receive a connection charge. Property owners will therefore either pay the Network Charge only or the Network and Connection charge. The cost to property owners would be scaled based on the number of properties sharing the connection.

At its meeting held 25 October 2022, Council resolved (Council Resolution Number 1022/022) to include the Doubleview/Scarborough/Innaloo Project. The E30 estimated Project Cost, Funding and Average Cost for property owners is summarised in the table below:

E30 Cost Estimate Doubleview Project	Total Project Cost	Capex Cost			Opex Cost City of Stirling	Total City Cost
		Western Power	State Gov't	City of Stirling		
Project Cost	18,710,000	14,160,000	-	2,650,000	1,900,000	4,550,000
Total Meters	2,571			2,571		
New Connections	793				793	
Average Cost						
Network Charge				\$ 1,031		
Connection					\$ 2,396	
Network & Connection						\$ 3,427

The network and connection charge of \$3,427 was the maximum cost a property owner would be expected to pay based on Western Power's estimates at that time.

Following the procurement process for the Doubleview/Scarborough/Innaloo project, Western Power provided an updated E10 Estimate (+/- 10%) in August 2024. The revised estimate included:

- \$20.6 million increase in the total project cost (+110%) (this was anticipated to only increase / decrease by 20% from the E30 estimate).
- 23% reduction in total meters.
- 17% reduction in new connection numbers.

Western Power has noted that the increased costs are associated with significant increases in contractor construction costs. They noted that in addition to general market cost increases, there are also the following specific items related to the Doubleview/Scarborough/Innaloo project:

- Large increase in traffic management costs (larger crew sizes now required in addition to more expensive rates).
- Traffic management estimate includes a higher number of complex junctions and nightworks that were not included in the E30 estimates.
- Cable installation cost increases due to the assessed amount of cap rock (relatively impermeable rock) in the project boundary, which is higher than earlier estimates.
- Materials costs have increased by approximately 40%.

This revised data has had a significant impact on the cost property owners will be charged under the City’s model as follows:

E10 Cost Estimate Doubleview Project	Total Project Cost	Capex Cost			Opex Cost City of Stirling	Total City Cost
		Western Power	State Gov't	City of Stirling		
Project Cost	39,343,793	31,898,087	-	4,446,056	2,999,650	7,445,706
Total Meters	1,980			1,980		
New Connections	661				661	
Average Cost						
Network Charge				\$ 2,245		
Connection					\$ 4,538	
Netork & Connection						\$ 6,783

The maximum cost a property owner would be charged has increased from \$3,427 (October 2022 E30 estimate) to \$6,783 (August 2024 E10 estimate) which is nearly double the original estimate.

Council approved participation in the project on the basis of a maximum charge of \$3,427 to property owners.

Financial Assessment and Implications

The cost of the Doubleview/Scarborough/Innaloo Targeted Underground Power Project has increased by 110% resulting in a maximum charge to a property owner of \$6,783 against the E30 estimate of \$3,427, an increase of \$3,356.

The additional cost to the City as a property owner is \$50,000.

Stakeholder Engagement

The Targeted Underground Power Program is the third generation of projects the City has participated in. The first generation was the State Underground Power Program (SUPP) where Local Governments bid at least 50% of the project cost to participate. Property owners were surveyed, and it required the majority support of owners (which was greater than 50%) to proceed. The average cost per property was around \$9,000.

The second generation was the Network Renewal Underground Program Pilot (NRUPP) which replaced overhead power lines at the end of their useful life. Property owners only paid the connection fee of around \$2,350, and, in line with the Council resolution 0220/019, the City did not undertake a formal consultation with property owners, but informed them, as:

- The cost was less than a third of a SUPP project.
- Three year payment terms were available to owners to spread the cost.
- If the City did not accept the cost of the project, Western Power would make a like for like replacement of the overhead powerlines with new overhead infrastructure. Undergrounding of the network was considered the best outcome for the community.

For TUPP projects, the City elected not to undertake a consultation with property owners for the same reasons as the NRUPP projects.

It should be noted that the first point above is no longer valid for the Doubleview/Scarborough/Innaloo project with the E10 estimates costing 75% of the average SUPP project.

The City has not previously imposed an underground charge of this value without engaging with property owners.

Options Summary

The following options were considered.

OPTIONS	
1.	Increased contribution by Western Power.
2.	Consultation with property owners via survey to gauge community support, with majority support required (greater than 50%) to proceed.
3.	Amend contribution model to spread cost more evenly.
4.	Advocate to State Government for cap on the property owner contribution.
5.	Contact WALGA to advocate on behalf of the local government sector for cap on the property owner contribution or for full payment by State Government / Western Power.
6.	The City contributes to cover the increase.

It is important to note that any decision taken will be implemented for all future TUPP projects in the City. This is a 20+ year program, with over 61 projects scheduled within the City.

With regards to the options, Western Power had increased their contribution from 76% of the network cost to 81% in bringing the updated estimates to the City. At this point they have noted that the current contribution is the maximum that can be provided in line with their cost model (Western Power contributes its net benefit (replacement and maintenance costs avoided)).

Western Power is advocating to the State Government to place a cap on the amount paid by property owners and the City has approached the WALGA underground power steering group to also advocate for this cap.

The City reviewed the contribution model for property owners, but to ensure a fair distribution of cost, it had minimal impact on reducing the maximum cost to a property owner.

The City contemplated a contribution, however, the City has not contributed to other underground projects (other than as a property owner) and a contribution to this project would mean that those property owners that have contributed to earlier SUPPs or NRUPPs would need to contribute again, which would not be equitable.

Recommended Action

Due to the significant increase in the maximum cost a property owner would be charged, from \$3,427 (October 2022 E30 estimate) to \$6,783 (August 2024 E10 estimate) it is recommended that the City consult with property owners via survey to gauge community support for the Doubleview/Scarborough/Innaloo Targeted Underground Power Project.

It is further recommended that the Doubleview/Scarborough/Innaloo Targeted Underground Power Project should only proceed where there is majority support of property owners (greater than 50%).

The time to consult will push out the start date of the project, should it be supported.

Should it not be supported, there is a risk that Western Power will make a like for like replacement of the overhead powerlines with new overhead infrastructure.

It is recommended that future TUPP projects of this magnitude require property owner survey and majority support.

Relevant Policies, Legislation and Council Resolutions

[Local Government Act 1995](#)

Meeting Date	Council Resolution Number	Council Resolution
11 February 2020	0220/019	<ol style="list-style-type: none"> 1. That AUTHORITY be given to the Mayor and Chief Executive Officer to sign a memorandum of understanding between the City of Stirling and Electricity Networks Corporation relating to the Metropolitan Undergrounding Scheme at Scarborough. 2. That the City and Western Power INFORM the community of the implications, owner contribution and proposed timing of the project. 3. That AUTHORITY be given to the Mayor and Chief Executive Officer to sign and affix the Common Seal to the necessary documentation to effect this proposal on confirmation of owner contribution and approval of the project through the 2020/2021 Annual Budget.
25 October 2022	1022/022	<ol style="list-style-type: none"> 1. That Council APPROVES the City's participation in the Osborne Park/Tuart Hill/Joondanna Targeted Underground Power project. 2. That Council APPROVES the City's participation in the Doubleview/Scarborough/Innaloo Targeted Underground Power project. 3. That Council APPROVES the City's participation in the North Perth/Mount Hawthorn Targeted Underground Power Project. 4. That AUTHORITY be given to the Mayor and Chief Executive Officer to sign and affix the Common Seal to the necessary documentation to effect the approved Targeted Underground Power projects. 5. That the City and Western Power COMMUNICATE with property owners to provide information on the implications, owner contribution and proposed timing of the Programs. 6. That Council SUPPORTS future projects in the Targeted Underground Power Program.

Sustainable Stirling 2022-2032

Key Result Area: Our built environment

Objective: A liveable City

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

Key Result Area: Our leadership

Objective: A customer-focused City

Priority: Involve, engage and inform our community

Strategic Risk

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

Relevant Documents and Information

Attachments

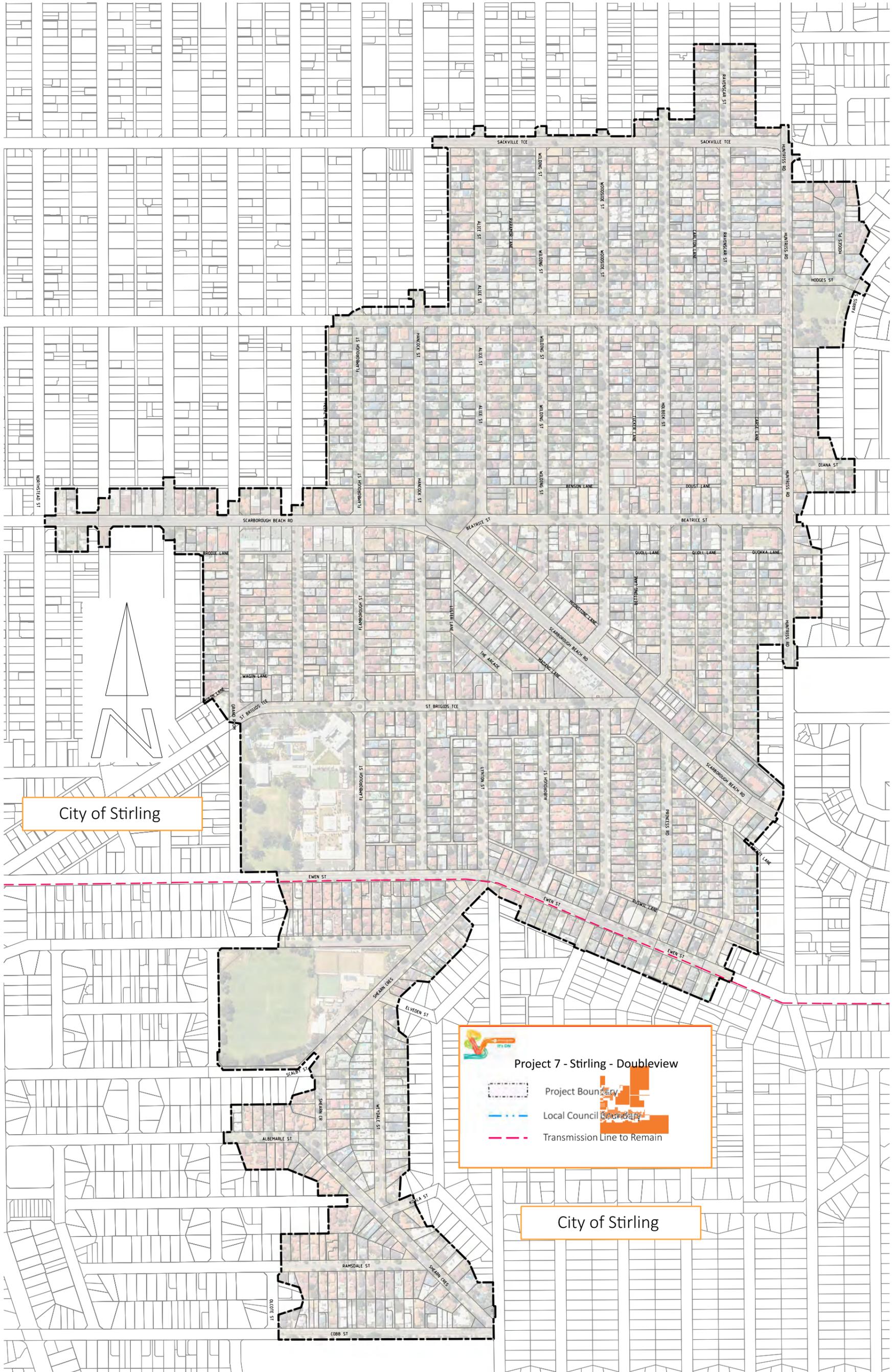
Attachment 1 - TUPP - Doubleview Scarborough Innaloo Project Boundary [↓](#)

Available for viewing at meeting

Nil

Linked Documents

Nil.



City of Stirling

Project 7 - Stirling - Doubleview

-  Project Boundary
-  Local Council Boundaries
-  Transmission Line to Remain

City of Stirling

Mayor Mark Irwin disclosed an Impartial Interest in Item 12.1/TE4 as he has had repairs done at two of the companies who tendered.

Councillor Chris Hatton disclosed an Impartial Interest in Item 12.1/TE4 as the directors of S & A Smash Repairs are related through family. He left the meeting at 8.12pm prior to consideration of the item.

Councillor Tony Krsticevic disclosed an Impartial Interest in Item 12.1/TE4 as his daughter worked for S & A Smash Repairs a number of years ago. Directors of the company also attended some fundraising events when he was an Member of the Legislative Assembly prior to March 2021.

Councillor Karlo Perkov disclosed an Impartial Interest in Item 12.1/TE4 as the directors of a tenderer are known to him.

12.1/TE4 50152 - PANEL BEATING, PANEL PAINTING, PANEL REPAIR AND RECOVERY SERVICES

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

Role

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

Council Resolution

1224/006

Moved Councillor Perkov, seconded Councillor Proud

That the tender for the Panel Beating, Panel Painting, Panel Repair and Recovery Services be ACCEPTED as detailed in Confidential Attachment 1.

The motion was put and declared CARRIED (13/0).

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

Against: Nil.

Committee Recommendation

That the tender for the Panel Beating, Panel Painting, Panel Repair and Recovery Services be ACCEPTED as detailed in Confidential Attachment 1.

Officer's Recommendation

That the tender for the Panel Beating, Panel Painting, Panel Repair and Recovery Services be ACCEPTED as detailed in Confidential Attachment 1.

Purpose

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

Details

Tender Description

The City of Stirling (Principal), invites tenders from professional contractors for the provision of panel beating, panel painting, panel repair and recovery services as a result of accident of a Principals Vehicle, Plant or Fleet item.

Tender Details

IFT Number 50152
IFT Title Panel Beating, Panel Painting, Panel Repair and Recovery Services
Recommended Tenderer(s) As per confidential Attachment 1

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

Contract Term Initial: Three Years
 Extension Options: One Extension Option of 2 Years
Tendered Rates/Cost Provided in Attachment 1 to this report (confidential)
Advertising: Saturday 17 August 2024 The West Australian
Tender Deadline: Wednesday 4 September 2024 2.00pm
Tender Opening: Wednesday 4 September 2024 2.00pm

Tender Submissions

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

Tenderer	Trading Name	Stirling or Local Business?
AMA Group Solutions Pty Ltd	AMA Group Solutions Pty Ltd	YES
The Trustee for the CEA Trust	Balcatta Panel & Paint	YES
Borsa Pty Ltd	S & A Smash Repairs	YES
The Trustee for Nova Smash Unit Trust	Nova Smash Repairs Pty Ltd	YES

Contract

Commencement Date of New Contract: December 2024
Reason for gap between Contracts: Business Unit Availability
Completion Date of New Contract: December 2027
Price Basis of New Contract: Schedule of Rates

Tender Evaluation Panel

The tender evaluation panel comprised of four members, including a Business Unit Manager (Chairperson) and Officer(s). Process and probity advice during evaluation was provided by a City Procurement Officer.

Evaluation of Tenders

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

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

Evaluation Justification

Provided in Confidential Attachment 1 to this report.

Comment

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

It is confirmed that the following checks have been undertaken:

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

Financial Assessment and Implications

Provided in Confidential Attachment 1 to this report.

Stakeholder Engagement

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

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

Relevant Policies, Legislation and Council Resolutions

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

[City of Stirling Procurement Policy](#)

[Delegated Authority Register](#)

[Local Government Act 1995](#)

Sustainable Stirling 2022-2032

Key Result Area: Our leadership

Objective: A capable and efficient City

Priority: Provide responsible financial and asset management

Strategic Risk

Strategic Risk	Risk Appetite
Business Disruption	The City recognises the possibility of major disruptions to community, workforce, assets and systems and will have business continuity plans for each service for activation as required.

Relevant Documents and Information

Attachments

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

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

Available for viewing at meeting

Nil

Linked Documents

Nil.

Councillor Chris Hatton returned to the meeting at 8.13pm prior to consideration of Item 12.1/GOV1.

12.1/GOV1 PROPOSED CAT LOCAL LAW 2025

Business Unit:	Governance	Service: Compliance, Risk & Information Management
Ward:	Not Applicable	Location: Not Applicable
Applicant:	Not Applicable	

Role

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

Moved Councillor Perkov, seconded Councillor Krsticevic

1. That the City gives NOTICE of the proposed Cat Local Law 2025, as shown in Attachment 1, in accordance with *the Local Government Act 1995*.
2. That the Minister for Local Government be PROVIDED with a copy of the proposed Cat Local Law 2025.
3. Following advertising, that public submissions be PRESENTED to a future Council meeting for consideration.

Council Resolution

1224/007

Moved Councillor Dudek, seconded Councillor Thornton

That Item 12.1/GOV1 – Proposed Cat Local Law 2025 be REFERRED to the Community and Resources Committee Meeting to be held 25 March 2025 to allow further consideration by Elected Members.

The motion was put and declared CARRIED (12/2).

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

Against: Councillor Krsticevic and Mayor Irwin.

Committee Recommendation

1. That the City gives NOTICE of the proposed Cat Local Law 2025, as shown in Attachment 1, in accordance with *the Local Government Act 1995*.
2. That the Minister for Local Government be PROVIDED with a copy of the proposed Cat Local Law 2025.
3. Following advertising, that public submissions be PRESENTED to a future Council meeting for consideration.

Officer's Recommendation

1. That the City gives NOTICE of the proposed Cat Local Law 2025, as shown in Attachment 1, in accordance with *the Local Government Act 1995*.
2. That the Minister for Local Government be PROVIDED with a copy of the proposed Cat Local Law 2025.
3. Following advertising, that public submissions be PRESENTED to a future Council meeting for consideration.

Purpose

To seek Council's approval to advertise the proposed Cat Local Law 2025 and invite public submissions. The purpose and effect of the proposed Local Law is included in sections 1.4 and 1.5 of the proposed Local Law as follows:

Purpose: The purpose of the proposed local law is to provide the City of Stirling with sufficient measures, in accordance with the *Cat Act 2011 (WA)*, to control the keeping of cats and protect native fauna and flora across the district.

Effect: The effect of the proposed local law is the ability to control the number of cats that can be kept and provide defined areas where cats are prohibited.

Details

Legislation is required to be reviewed from time to time to ensure it reflects current practice and anticipates future needs.

The drafting of the proposed Cat Local Law 2025 has been completed, guided by the following themes:

- Consider the appropriateness of the number of cat-prohibited areas to provide increased protection of flora and fauna within natural areas from cats.
- Review the requirements for permits for the number of cats per property.
- The potential removal of permits to identify cat owners.
- Ensuring alignment with the *Cat Act 2011 (WA)*.

The City has considered the feedback received by the City through the various engagement activities and statutory public consultation undertaken including:

- Local Laws in Focus – Control of Cats Local Law (March to July 2023).
- Statutory Public Consultation - (January 2024).
- Cat Local Law Briefing Session - (February 2024).
- Electors' General Meeting motions and questions (2022 and 2023).

As a high-level summary, the following amendments have been included in the City's new proposed Cat Local Law 2025.

- An additional 30 reserves have been included as cat prohibited areas bringing the total number of cat prohibited areas within the City of Stirling to 41. A set of maps have been included in the local law to visually represent all Cat Prohibited Areas.
- Introduced a new requirement that every cat located within a Fauna Protection Buffer Zone (which is any land extending 200m from the boundary of a Cat Prohibited area) must apply and be issued a permit to have a cat in one of these zones. If a permit is issued it will be subject to a set of conditions that are permissible under the local law.
- Removal of unnecessary requirements for identifying cats and other clauses that are now superseded by the *Cat Act 2011 (WA)* and associated regulations.

The City's position has been the State Government *Cat Act 2011 (WA)* is the most effective legislative instrument to provide for the control and management of cats, and to promote and encourage the responsible ownership of cats. Based on previous advice from the Minister of Local Government it is understood that a statutory review of the Act is due to commence as soon as practicable after 2024. Through this Local Law Review process, the City has proposed amendments, in accordance with what is permitted to be introduced in a local law and strengthened provisions to protect fauna and flora in natural areas.

The City is aware that at WALGA's recent AGM meeting it considered a motion for WALGA to request that the State Government make changes to the *Cat Act 2011*, to allow Local Governments to make local laws to contain cats to the owner's property.

The Secretariat comment was that, *"although not currently achievable, the intent of this Motion can be considered upon successful advocacy for a review of the Cat Act 2011 and provision of the necessary heads of power that allow Cat Local Laws to prevent cats from wandering."* Whilst the City's position remains that the most effective method to effect change regarding the control of nuisance/wandering cats in public places is through the next statutory review of the *Cat Act 2011* (WA), the City will monitor WALGA's advocacy efforts with interest and continue to advocate for State based legislation.

A proposed Local Law, encompassing changes guided by the themes, is shown in Attachment 1.

The Local Law Making Process

Proposed Local laws are made in accordance with section 3.12 of the *Local Government Act 1995*. To progress the proposed local law, the City is required to:

- Give local public notice stating:
 - a) It proposes to make the Cat Local Law 2025;
 - b) A summary of its purpose and effect; and
 - c) Where and when a copy of the proposed local law can be inspected.
- As soon as the notice is given, provide the Minister for Local Government with a copy of the proposed local law.
- Provide a copy of the proposed local law to any person requesting it. Local public notice is given in accordance with section 1.7 of the *Local Government Act 1995*, and clause 3A of the Local Government (Administration) Regulations 1996.

Financial Assessment and Implications

The City will incur costs in advertising the review and engaging with the community. These costs are provided for within the 2024/2025 Annual Budget.

Stakeholder Engagement

If Council proceeds with the recommendation contained in this report, local public notice will be given summarising the draft Local Law, and submissions from members of the public may be made. Advertising will occur following the Christmas and New Year's holiday period. Consultation will continue for a minimum of six weeks. A copy of the draft Local Law will be provided to any person who requests it and will be made available on the City's Shaping Your City page. The comments will be presented to Council for consideration at a future meeting.

Recommended Action

A review of the City of Stirling Keeping and Control of Cats Local Law 1999 has been completed. Based upon information obtained and reviewed through the Local Law review process, it is evident that domestic cats are having a negative impact on flora and fauna across the district particularly within natural areas. This is the basis for the number of cat prohibited areas being significantly increased and for a permit requirement being introduced within fauna protection buffer zones through the proposed Cat Local Law 2025.

While it is understood that some within the community seek cat containment by requiring cats to not be in a public place unless under effective control, the City maintains the position that the next statutory review of the State Government *Cat Act 2011* is the most effective method to effect change regarding the control of nuisance/wandering cats in all public places. This statutory review of the Act must also consider strategies, in collaboration with Local Government, to increase the rates of cat registration / microchipping / sterilisation across Western Australia as well as increasing the capacity and capabilities of cat welfare organisations to effectively manage the expected increase in lost / unregistered / unwanted cats.

Based on this review, an updated Local Law is proposed (as shown in Attachment 1). If Council proceeds with the recommendation, it will be advertised, and members of the public can provide submissions to the City. The comments will be presented to a future Council meeting for consideration.

Relevant Policies, Legislation and Council Resolutions

[Local Government Act 1995](#)

Meeting Date	Council Resolution Number	Council Resolution
9 May 2023	0523/010	<ol style="list-style-type: none"> 1. That the Mayor WRITES to the Minister for Local Government requesting that the State Government prioritise amendments to the Cat Act 2011. 2. Council INVESTIGATES the process to amend existing local cat laws to expand cat prohibited areas to all parks, bushland and foreshore areas within the City of Stirling. 3. That Council CONSIDERS the allocation of funding in the 2023/24 budget for increased cat trapping within bushland areas as well as a microchipping/sterilisation program. <p>That Council NOTES Elector Motion/s and that analysis of key considerations and issues has commenced to directly inform reviews in 2024 of both the State Government Cat Act 2011 and the City of Stirling Keeping and Control of Cats Local Law 1999.</p>
30 April 2024	0424/016	<ol style="list-style-type: none"> 1. That the minutes of the Electors' General Meeting 2022/2023 (as shown in Attachment 2) held Monday 18 March 2024, be RECEIVED. 2. That Council PROCEEDS with the recommendations as outlined in Attachment 1, with the exception of Elector Motion 9.12/5, which is to be considered separately. <p>Details of the Electors' General Meeting motions relevant to the Keeping and Control of Cats Local Law Review:</p> <ul style="list-style-type: none"> • That Council NOTES Elector Motion 9.9/1 and NOTES the outcomes of the Keeping and Control of Cats Local Law Review will be presented for consideration in June 2024. • That Council NOTES Elector Motion 9.9/2 and takes no further action in response to this motion.

Meeting Date	Council Resolution Number	Council Resolution
		<ul style="list-style-type: none"> • That Council NOTES Elector Motion 9.9/3 and takes no further action in response to this motion. • That Council NOTES Elector Motion 9.9/4 and NOTES the outcomes of the Keeping and Control of Cats Local Law Review will be presented for consideration in June 2024.
25 June 2024	0624/018	<ol style="list-style-type: none"> 1. That Council RECEIVES the outcomes of public consultation on the below local laws: <ul style="list-style-type: none"> • City of Stirling Beekeeping Local Law 2008; • City of Stirling Dogs Local Law 2008; • City of Stirling Fencing Local Law 2008; • City of Stirling Health Local Law 2009; and • City of Stirling Keeping and Control of Cats Local Law 1999. 2. That Council SUPPORTS the amendment of the below local laws: <ul style="list-style-type: none"> • City of Stirling Beekeeping Local Law 2008; • City of Stirling Dogs Local Law 2008; • City of Stirling Fencing Local Law 2008; and • City of Stirling Keeping and Control of Cats Local Law 1999. 3. That Council PROGRESSES the legislative local law-making process for the City of Stirling Parking Amendment Local Law and the proposed City of Stirling Streets and Public Places Local Law. 4. That Council APPROVES for the City to commence the legislative local law-making process for a new City of Stirling Shopping Trolleys Local Law. 5. That Council NOTES the progress in drafting the proposed Protection of Large Trees Local Law.

Sustainable Stirling 2022-2032

Key Result Area: Our leadership

Objective: A well-governed City

Priority: Comply with legislation, standards and obligations

Strategic Risk

Strategic Risk	Risk Appetite
Governance	The City will act with integrity and implement appropriate processes and controls to avoid breach of legislation.
Environment	The City will prioritise protection, enhancement and sustainability of the natural environment unless this cannot be achieved without significantly compromising the City's economic or social sustainability.

Relevant Documents and Information

Attachments

Attachment 1 - Proposed City of Stirling Cat Local Law 2025 [↓](#)

Attachment 2 - Cat Local Law Briefing Session Feedback [↓](#)

Attachment 3 - Local Laws in Focus – Control of Cats Local Law Responses [↓](#)

Linked Documents

Nil.

City of Stirling

CAT LOCAL LAW 2025

DRAFT

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CAT LOCAL LAW 2025

PART 1 - PRELIMINARY

Citation

- 1.1 This local law may be cited as the *City of Stirling Cat Local Law 2025*.

Commencement

- 1.2 This local law comes into operation fourteen (14) days after the date of its publication in the Government Gazette.

Repeal

- 1.3 This local law repeals the *City of Stirling Keeping and Control of Cats Local Law 1999* as published in the *Government Gazette* on 12 January 2000 and as amended and published in the *Government Gazette* on 13 November 2001.

Purpose and Effect

- 1.4 The purpose of the proposed local law is to provide the City of Stirling with sufficient measures, in accordance with the *Cat Act 2011* (WA), to control the keeping of cats and protect native fauna and flora across the district.
- 1.5 The effect of the proposed local law is the ability to control the number of cats that can be kept and provide defined areas where cats are prohibited.

Definitions

- 1.6 In this local law unless the context otherwise requires -

"Act" means the *Cat Act 2011* (WA);

"applicant" means the occupier of premises who makes an application for a permit under this local law;

"approval" means approval under regulation 9 of the *Cat (Uniform Local Provisions) Regulations 2013* and Part 3 of this local law;

"authorised person" means a person authorised by the City under section 9.10 of the *Local Government Act 1995* to perform any of the functions of an authorised person under this local law;

"cat" has the meaning given to it in the Act;

"cat control notice" means a notice given under section of the Act in the form prescribed by Schedule 1 of the *Cat Regulations 2012*;

"cat management facility" has the meaning given to it in the Act;

"Cat Prohibited Area" means the land described in Schedule 1;

"cattery" means any premises where four (4) or more cats are kept, boarded, housed, trained or bred, whether for profit or otherwise, and where the occupier of the premises is not the ordinary owner of the cats;

"CEO" means the Chief Executive Officer of the City;

"City" means the City of Stirling;

"Council" means the council of the City;

"district" means the district of the City;

"Fauna Protection Buffer Zone" means any land extending 200m from the boundary of a Cat Prohibited Area and includes all of the properties through which the 200m limit passes;

"owner" means the owner of the cat as defined in the Act;

"Nuisance" means behaviour that includes where a cat –

- (a) excretes or urinates on premises being premises where the cat is not normally resident;
- (b) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
- (c) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land;
- (d) interference which causes material damage to land or other property on the land affected by the interference; or
- (e) is, or is likely to be, injurious or dangerous to the health of any person or domestic or Australian indigenous animal;

"occupier" has the meaning given to it in the *Local Government Act 1995*;

"permit" means a permit issued by the City under this local law;

"permit holder" means a person who holds a valid permit under clause 3.8;

"premises" has the meaning given to it in the Act;

"Register" is defined in clause 4.1(1);

"RSPCA" means the Royal Society for the Prevention of Cruelty to Animals (Inc) of Western Australia;

"Schedule" means a schedule to this local law;

"Scheme" means a local planning scheme of the City made by it under the *Planning and Development Act 2005 and its antecedents*; and

"State" means the State of Western Australia.

- 1.7 A term that is used in this local law and is not defined in clause 1.4 has the same meaning given to it in the Act or, if not defined in the Act, the same meaning given to it in the *Cat Regulations 2012*, the *Cat (Uniform Local Provisions) Regulations 2013* or the *Local Government Act 1995*.

Application

- 1.8 This local law applies throughout the district.

PART 2 - CAT CONTROL

Cats not to be a nuisance

- 2.1 (1) An owner shall not allow a cat to be or create a nuisance.
- (2) Where in the opinion of an authorised person, a cat is creating a nuisance, the City may give written notice to the owner of the cat requiring that person to abate the nuisance.
- (3) When a nuisance has occurred and a notice to abate the nuisance is given, the notice remains in force for the period specified by the City in the notice which shall not exceed twenty eight (28) days.
- (4) An owner given a notice to abate the nuisance must comply with the notice within the period specified in the notice.
- (5) If the owner fails to comply with this clause, the owner of the cat commits an offence.

Cat Prohibited Areas

- 2.2 (1) Unless in accordance with written authorisation from the City, a cat shall not be in a Cat Prohibited Area, as provided for in Schedule 1, at any time.
- (2) If a cat is at any time in a Cat Prohibited Area contrary to subclause (1), then –
- (a) the owner of the cat at that time commits an offence;
- (b) an authorised person may seize and remove, or direct the seizure and removal of a cat from a Cat Prohibited Area, pursuant to the Act; and
- (c) an authorised person may impound the cat in accordance with the Act.

PART 3 - PERMITS FOR KEEPING CATS

Interpretation

- 3.1 For the purposes of applying this Part –
- "cat" does not include a cat less than 6 months old.

Prescribed premises

- 3.2 For the purposes of the definition of prescribed premises in regulation 4(1) of the *Cat (Uniform Local Provisions) Regulations 2013*, this local law limits the number of cats that may be kept at any premises within the district except –
- (a) a cat management facility operated by a body prescribed as a cat management facility operator under the *Cat Regulations 2012*; or
- (b) a cat management facility operated by the City; or
- (c) a veterinary clinic or veterinary hospital as defined under section 2 of the *Veterinary Surgeons Act 1960*, but only in relation to cats kept on those premises for treatment.

Standard number of cats

- 3.3 For the purposes of the definition of 'standard number of cats' in regulation 4(1) of the *Cat (Uniform Local Provisions) Regulations 2013*, no more than two (2) cats may be kept on any premises.

Cats for which a permit is required

- 3.4 (1) A person shall not –
- (a) unless subclause (2) or (3) applies, keep 3 or more cats on any premises; or
 - (b) use any premises as a cattery or cat management facility,
- except in accordance with a valid permit in relation to those premises.
- (2) A person shall not keep any cat on any premises in a Fauna Protection Buffer Zone except in accordance with a valid permit in relation to those premises.
- (3) A permit is not required under subclause (1)(a) or (2) if the premises concerned are–
- (a) a refuge of the RSPCA or any other body prescribed in regulation 4 of the *Cat Regulations 2012*;
 - (b) a cat management facility which has been approved by the City;
 - (c) a veterinary surgery; or
 - (d) the subject of an exemption granted by the City.
- (4) A person who keeps more than the standard number of cats, as provided under clause 3.3, on a prescribed premises without approval commits an offence.

Application for permit

- 3.5 An application for a permit under clause 3.4 shall be –
- (a) made in writing by an occupier of the premises;
 - (b) in a form approved by the City, describing and specifying the number of cats to be kept on the premises;
 - (c) accompanied by a reason and justification for the request;
 - (d) accompanied by the plans of the premises to which the application relates to the specification and satisfaction of the City from time to time;
 - (e) accompanied by any fee imposed and determined by the City under and in accordance with sections 6.16 to 6.19 of the *Local Government Act 1995*; and
 - (f) accompanied by the consent in writing of the owner of the premises, where the occupier is not the owner of the premises to which the application relates.

Refusal to determine application

- 3.6 The City may refuse to determine an application for a permit if it is not made in accordance with clause 3.5.

Factors relevant to determination of application

- 3.7 (1) In determining an application for a permit the City may have regard to –
- (a) the reasons and justifications provided for the request;
 - (b) the physical suitability of the premises for the proposed use;
 - (c) the suitability of the zoning of the premises for the proposed use under any scheme which applies to the premises for the proposed use;

- (d) the environmental sensitivity and general nature of the location surrounding the premises for the proposed use;
 - (e) the structural suitability of any enclosure in which any cat is to be kept;
 - (f) the likelihood of a cat causing nuisance, inconvenience, or annoyance to the occupiers of adjoining land;
 - (g) the proximity of the premises to a Cat Prohibited Area or a Fauna Protection Buffer Zone;
 - (h) the likely effect on the amenity of the surrounding area of the proposed use;
 - (i) the likely effect on the local environment including any pollution or other environmental damage which may be caused by the proposed use;
 - (j) any submissions received under clause 3.7(2); and
 - (k) such other factors which the City may consider to be relevant in the circumstances of the particular case.
- (2) In determining an application for a permit pursuant to subclause (1) the City may consider such matters as it deems appropriate and may request the applicant –
- (a) consult with nearby landowners and/or occupiers and may specify which properties should be consulted;
 - (b) advise nearby landowners and/or occupiers that they may make submissions to the City on the application for a permit within fourteen (14) days of receiving that advice, before determining the application for the permit; or
 - (c) provide such further or other information as deemed necessary in order for it to make a determination.

Decision on application

- 3.8 (1) The City may -
- (a) approve an application for a permit, as it was submitted, in which case it shall approve it subject to the conditions referred to in clause 3.9(1); or
 - (b) approve an application but specify an alternative number of cats permitted to be kept at the premises, subject to the conditions referred to in clause 3.9(2); or
 - (c) refuse to approve an application for a permit.
- (2) If the City approves an application under subclause 3.8(1)(a) or 3.8(1)(b), then it shall issue to the applicant a permit in the form determined by the City.
- (3) If the City refuses to approve an application under subclause 3.8(1)(c), then it is to advise the applicant accordingly in writing.

Conditions

- 3.9 (1) Every permit is issued subject to the following conditions –
- (a) each cat kept on the premises to which the permit relates shall be an identified cat which shall comply with the requirements of the Act;

- (b) that the premises must be adequately fenced (and premises will be taken not to be adequately fenced if there is more than one escape of a cat from the premises);
 - (c) each cat may be required to be contained on the premises unless under the control of a person;
 - (d) the premises shall be maintained in good order and in a clean and sanitary condition.
- (2) In addition to the conditions referred to in subclause 3.9(1), every permit to keep 3 or more cats on premises or to keep more than one cat in a Fauna Protection Buffer Zone is issued subject to the following conditions -
- (a) adequate space shall be provided on the premises for the exercise of the cats; and
 - (b) the permit holder shall not substitute or replace any cat once that cat-
 - (c) dies; or
 - (d) is permanently removed from the premises; or
 - (e) has been registered with another local government,
- without first obtaining the consent of the City.
- (3) In addition to the conditions referred to in subclause 3.9(1), every permit to use premises as a cattery is issued subject to the following conditions -
- (a) any enclosure for the cats shall be structurally sound, have impervious flooring, be well lit and ventilated and otherwise comply with all legislative requirements;
 - (b) the premises shall have a feed room, wash area, isolation cages and maternity section;
 - (c) materials used in structures are to be of a type approved by the City;
 - (d) the internal surfaces of walls are, where possible, to be smooth, free from cracks, crevices and other defects;
 - (e) all fixtures, fittings and appliances are to be capable of being easily cleaned, resistant to corrosion and constructed to prevent the harbourage of vermin;
 - (f) washing basins and running hot and cold water shall be available to the satisfaction of the City;
 - (g) the maximum number of cats to be kept on the premises stated on the permit is not to be exceeded;
 - (h) the permit holder shall keep a register recording in respect of each cat the-
 - (i) date of admission;
 - (j) date of departure;
 - (k) breed, age, colour and sex; and
 - (l) name and residential address of the owner;
 - (m) the permit holder shall produce the register for inspection on the request of an authorised person;

- (n) enclosures shall be thoroughly cleaned each day and disinfected at least once a week; and
 - (k) any sick or ailing cat is to be removed from the premises or transferred to an isolation cage separated from other cats kept on the premises.
- (4) In addition to the conditions subject to which a permit is to be issued under this clause, a permit may be issued subject to such other conditions as the City considers appropriate.

No contravention of condition

3.10 Subject to a defence under the Act, an owner shall not contravene a condition of a permit.

Cat control notice may be given to cat owner following complaint

- 3.11 (1) A person may give a complaint in the form of a declaration made under section 106 of the *Evidence Act 1906* to the City –
- (a) alleging that at a particular date she or he saw a cat outside of premises where the cat is ordinarily kept or is ordinarily permitted to live;
 - (b) alleging that the cat was not under the control of any person;
 - (c) giving a description of the cat;
 - (d) stating how he or she knows that the cat is ordinarily kept or is ordinarily permitted to live at the premises;
 - (e) stating whether any other person saw the cat outside of the premises and, if so, giving details of that person; and
 - (f) giving such other details as the City may require.
- (2) Where the City receives a complaint under subclause 3.11(1), then the City must give the owner of the cat, a Cat Control Notice if: -
- (a) the cat is the subject of a permit;
 - (b) the premises are the subject of the same permit; and
 - (c) 2 or more complaints are received from 2 or more occupiers of different premises.

Note: A statutory declaration may be made before a Justice of the Peace or by virtue of the Declarations and Attestations Act 1913, before the persons listed in the Schedule to that Act, including the CEO and the Deputy CEO of the City, a Councillor of the City, a teacher, a solicitor, a police officer, a medical practitioner, a pharmaceutical chemist and a real estate agent.

Duration of permit

3.12 Unless otherwise specified in a condition on a permit, a permit commences on the date of issue and is valid unless and until it is cancelled.

Renewal of permit

- 3.13 (1) An application is to be renewed if –
- (a) the approved person has not breached the conditions of the approval;
 - (b) the approval would have been granted if a fresh application for approval had been made; and

- (c) the renewal fee, imposed and determined by the City under sections 6.16 to 6.19 of the *Local Government Act 1995*, is paid to the City before the expiry of the approval.
- (2) On renewal of an approval, the conditions of the approval that applied immediately before the renewal continue to have effect.

Variation or cancellation of permit

- 3.14 (1) The City may, at any time, vary the conditions of an approval by giving written notice to the permit holder and specifying the date on which the changes will become effective.
- (2) The City may cancel an approval –
 - (a) on the request of the approved person;
 - (b) if the approved person breaches the Act, the *Cat Regulations 2012*, the *Cat (Uniform Local Provisions) Regulations 2013* or this local law; or
 - (c) if the approved person is not a fit and proper person to provide for the health and welfare of the cat(s).
- (3) If an approval is cancelled, the fee paid for the approval is not refundable for the term of the approval that has not yet expired.

Revocation

- 3.15 The City may cancel a revoke a permit if the permit holder fails to observe any provision of this local law or a condition of a permit.

Permit not transferable

- 3.16 A permit is not transferable either in relation to the permit holder or the premises.

Permit to be kept at the premises and available for view

- 3.17 (1) A permit issued by the City shall be kept at the premises to which it applies and shall be provided to an authorised person immediately on demand.
- (2) In the case of a registered cattery or cat management facility, the permit shall be displayed in a prominent place within the premises.

PART 4 - REMOVAL AND IMPOUNDING OF CATS

Register

- 4.1 (1) The City is to keep a record of removed and impounded cats (the “Register”).
- (2) The Register is to contain the following information about each impounded cat -
 - (a) the breed and sex of the cat;
 - (b) the colour, distinguishing markings and features of the cat;
 - (c) if known, the name and address of its owner;
 - (d) the date and time of removal;
 - (e) the name of the person who removed the cat;

- (f) the reason for the removal; and
- (g) the date of release or disposal.

No destruction of container for cats

- 4.2 A person shall not destroy, break into, damage, or in any other way interfere with any container or other property used for the purpose of catching, holding or conveying cats by an authorised person.

PART 5 - FEES, CHARGES AND COSTS

Fees, Charges and Costs

- 5.1 The following are to be imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995* –
- (a) the charges to be levied under section 31(1)(a) of the Act relating to the removing and impounding of a cat;
 - (b) the charges to be levied under section 31(1)(b) of the Act relating to keeping and caring for a cat;
 - (c) the costs incurred by the operator of a cat management facility under section 31(1)(c) of the Act for the microchipping of a cat prior to release if so required under section 33 of the Act;
 - (d) the cost incurred by the operator of a cat management facility under section 31(1)(d) of the Act for the sterilisation of a cat if so required under section 33 of the Act; and
 - (e) the costs for destruction and the disposal of a cat under section 49 of the Act.

PART 6 - DESTRUCTION OF CATS

Request to destroy cat

- 6.1 (1) A owner of a cat may request the City to destroy the cat.
- (2) The request under subclause (1) must –
- (a) be in the form determined by the City;
 - (b) be signed by the person making the request; and
 - (c) state –
 - (d) that the person making the request is an owner of the cat;
 - (e) the name and residential address of the owner;
 - (f) a description of the cat including its breed, colour, sex and age;
 - (g) the reason for requesting the destruction; and
 - (h) that the person making the request indemnifies the City in respect of any costs or liabilities incurred by the City arising from the destruction of the cat.
- (3) The City may cause a cat to be destroyed in a humane manner where a request is made in accordance with subclause (2).

PART 7 - OFFENCES, DEFENCE AND PENALTIES

Offences and penalty provisions

- 7.1 (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

Modified penalties

- 7.2 (1) An offence against a clause specified in Schedule 2 is a prescribed offence for the purposes of section 84 of the Act.
- (2) The amount appearing in the fourth column of Schedule 2 adjacent to a clause is the modified penalty payable in respect of an offence against that clause if the offence does not occur in a Fauna Protection Buffer Zone or a Cat Prohibited Area.
- (3) The amount appearing in the fifth column of Schedule 2 adjacent to a clause is the modified penalty payable in respect of an offence against that clause if the offence occurs in a Fauna Protection Buffer Zone or a Cat Prohibited Area.

Serving infringement notices

- 7.3 An infringement notice issued under section 62 of the Act or this local law may be given to a person –
- (a) personally;
 - (b) by postal mail addressed to the person;
 - (c) by registered mail addressed to the person;
 - (d) by leaving it for the person at her or his business; or
 - (e) by email.

SCHEDULE 1
Cat Prohibited Areas

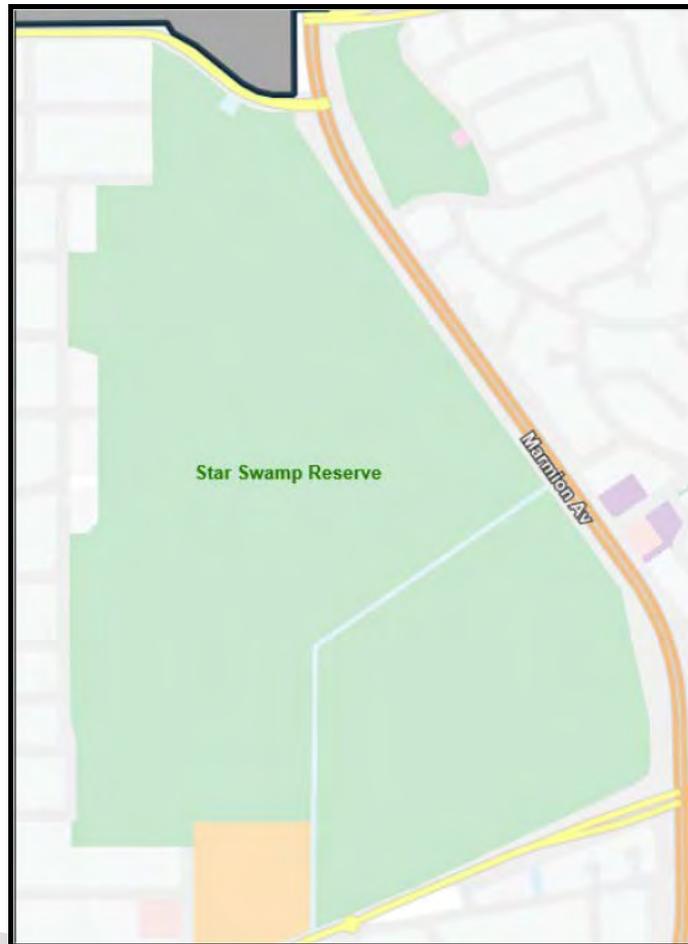
Common Name	Reserve/Lot Number	Location (bound by or accessed from)	Suburb
Star Swamp Bushland Reserve	As shown in Map 1	Marmion Avenue, North Beach Road, Hope Street	North Beach
Carine Regional Open Space	As shown in Map 2	Beach Road, Okely Road, Reid Highway, Monyash Road	Carine
Lake Gwelup Open Space	As shown in Map 3	Wanstead Street, Huntriss Road, Segrave Street, North Beach Road	Gwelup
Trigg Bushland Reserve	As shown in Map 4	Karrinyup Road, West Coast Highway	Trigg
Herdsmen Lake Regional Park	As shown in Map 5	Jon Sanders Drive, Pearson Street	Herdsmen
Jackadder Lake Reserve	As shown in Map 6	Birchwood Avenue, Blackbutt Road, Jackadder Way, Rosewood Avenue	Woodlands
Dianella Regional Open Space	As shown in Map 7	Light Street, Alexander Drive, Morley Drive	Dianella
Hamersley Public Golf Course	As shown in Map 8	Marmion Avenue, Milverton Avenue	Karrinyup
Cottonwood Bushland Reserve	As shown in Map 9	Cottonwood Crescent, Dianella Drive, Gay Street, Broadcast Drive	Dianella
Mirrabooka Open Space	As shown in Map 10	Reid Highway, Mirrabooka Avenue	Mirrabooka
Coastal Reserves	As shown in Map 11	West Coast Drive	Trigg
Inglewood Triangle Reserve	As shown in Map 12	Walter Road West, Eighth Avenue, Hamer Parade	Inglewood
Breckler Park	As shown in Map 13	Cresswell Road, Aldersea Road, Cornwall Street	Yokine
Princess Wallington Reserve	As shown in Map 14	Maitland Road, Wallington Road, Princess Road, Camberwell Road	Balga
Memory Place Natural Reserve	As shown in Map 15	Tuscany Way, Memory Place, Churchlands Avenue, Silkwood Turn, Dolomite Court	Churchlands
Rannoch Reserve	As shown in	Rannoch Circle, Tay Place, Earn Place, Aviemore Close, Glenorchy	Hamersley

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Common Name	Reserve/Lot Number	Location (bound by or accessed from)	Suburb
	Map 16	Crescent	
Terry Tyzack Bushland	As shown in Map 17	Alexander Drive	Inglewood
Richard Guelfi Reserve	As shown in Map 18	Delawney Street, Natalie Way, Gibberd Road	Balcatta
Aintree Eglinton Reserve	As shown in Map 19	Eglinton Crescent, Belvedere Road, Lampard Street, Glendale Avenue, Nimrod Street	Hamersley
Wythburn Redcliffe Reserve	As shown in Map 20	Wythburn Avenue, Balga Avenue, Redcliffe Avenue, Hawkshead Way	Balga
Herb Elliott Reserve	As shown in Map 21	Elliott Road, Rinaldi Crescent, Jeanes Road	Karrinyup
Esperanto Martin Reserve	As shown in Map 22	Esperanto Way, Reid Highway	Westminster
Charles Riley Memorial Reserve	As shown in Map 23	Charles Riley Road, Wendling Road, Williamson Way, Kitchener Street, North Beach Road	North Beach
Beach Marmion Reserve	As shown in Map 24	Kimble Court, Beach Road, Marmion Avenue, Cressbrook Way, Whittington Avenue	Carine
Jeanes-Prisk Reserve	As shown in Map 25	Jeanes Road, Prisk Street, Taris Place, Karrinyup Road	Karrinyup
Coralberry Verbena Reserve	As shown in Map 26	Coralberry Crescent, Verbena Crescent, Thistle Court	Dianella
Esperanto Harris Gibb Reserve	As shown in Map 27	Harris Way, Mirrabooka Avenue, Gibb Crescent	Westminster
Belleview Hellenic Reserve	As shown in Map 28	Hellenic Drive, Bale Lane, Belleview Crescent	Dianella
Meadowbrook Montclair Reserve	As shown in Map 29	Meadowbrook Boulevard, Cherrywood Avenue, Montclair Retreat, Tobruk Lane	Dianella
Chellaston Edlaston Reserve	As shown in Map 30	Chellaston Crescent, Edlaston Road	Carine
Redunca Coronata Reserve	As shown in Map 31	Redunca Way, Pallens Grove, Nodding Gardens, Coronata Way	Mirrabooka
Wanneroo Derrington Reserve	As shown in Map 32	Wanneroo Road, Hames Court, Arnold Place Loop, Derrington Crescent	Balga

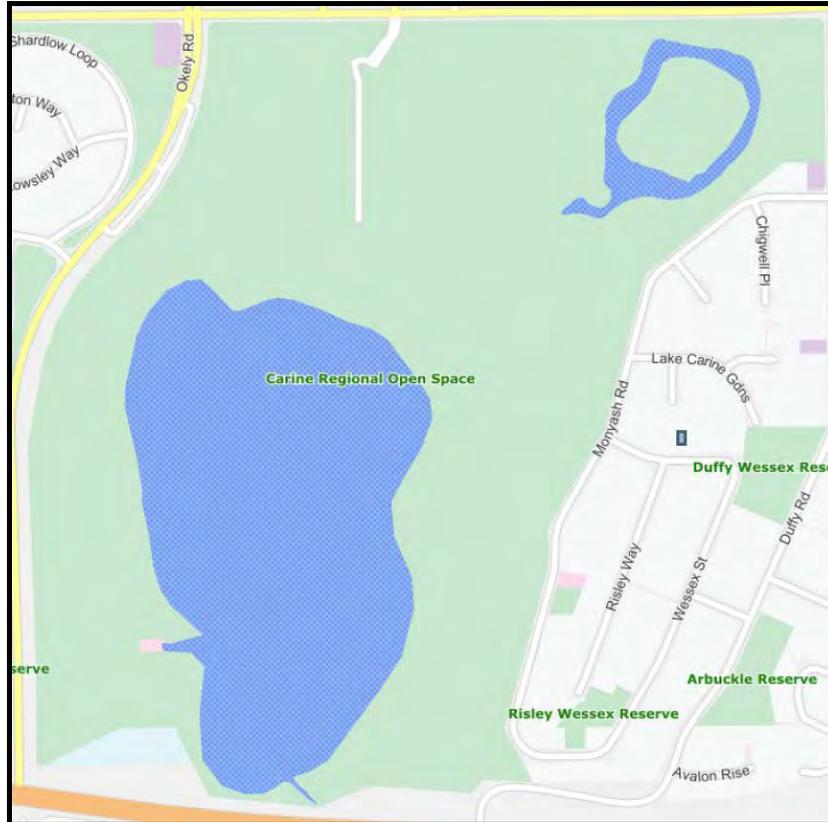
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Common Name	Reserve/Lot Number	Location (bound by or accessed from)	Suburb
Emerald Marmion Reserve	As shown in Map 33	Marmion Avenue, Reid Highway, Emerald Way	Carine
Careniup Wetlands Reserve	As shown in Map 34	Careniup Avenue, Balcatta Road, Water Crest Gardens, Grimwood Avenue	Gwelup
Roselea Reserve	As shown in Map 35	Roselea Boulevard, Coralvine Grange, Grindleford Drive	Stirling
Sattelberg Prevelly Reserve	As shown in Map 36	Sattelberg Ramble, Gracetown Drive, Muchea Gardens, Eora Creek Terrace, Pomona Lane	Dianella
Jackson Duke Wheeler Reserve	As shown in Map 37	Jackson Avenue, Wheeler Road, Duke Street	Karrinyup
Heritage Park	As shown in Map 38	Millgate Road, Cartwright Road, Wallington Road	Balga
Laurie Strutt Reserve	As shown in Map 39	Elvire Street, Hugh Street, Hale Street	Watermans Bay
Apple Blossom Polyantha Reserve	As shown in Map 40	Apple Blossom Drive, Polyantha Gardens, Lambourne Retreat	Mirrabooka
Clarko Reserve	As shown in Map 41	Trigg Place, West Coast Drive	Trigg



Map 1 - Star Swamp Bushland Reserve

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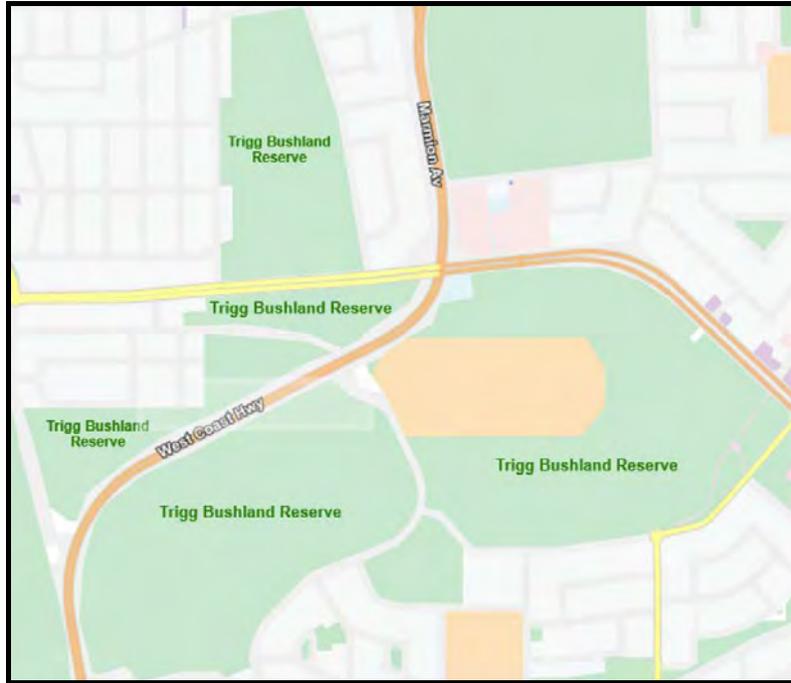
Map 2 – Carine Regional Open Space

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Map 3 - Lake Gwelup Open Space

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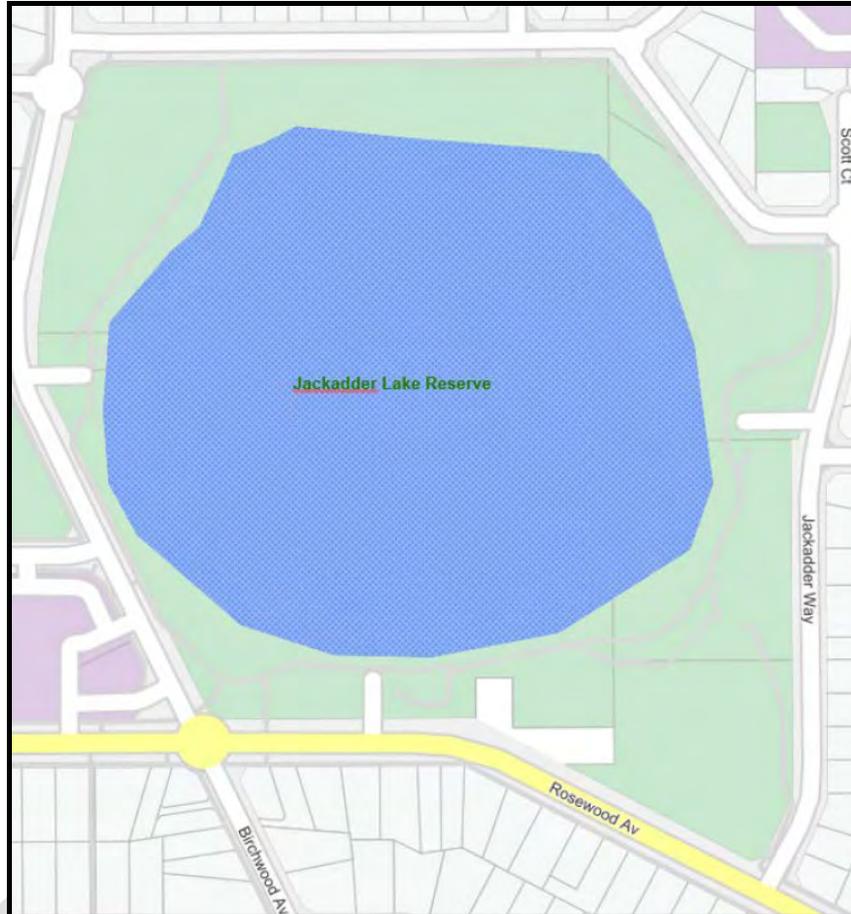


Map 4 - Trigg Bushland Reserve



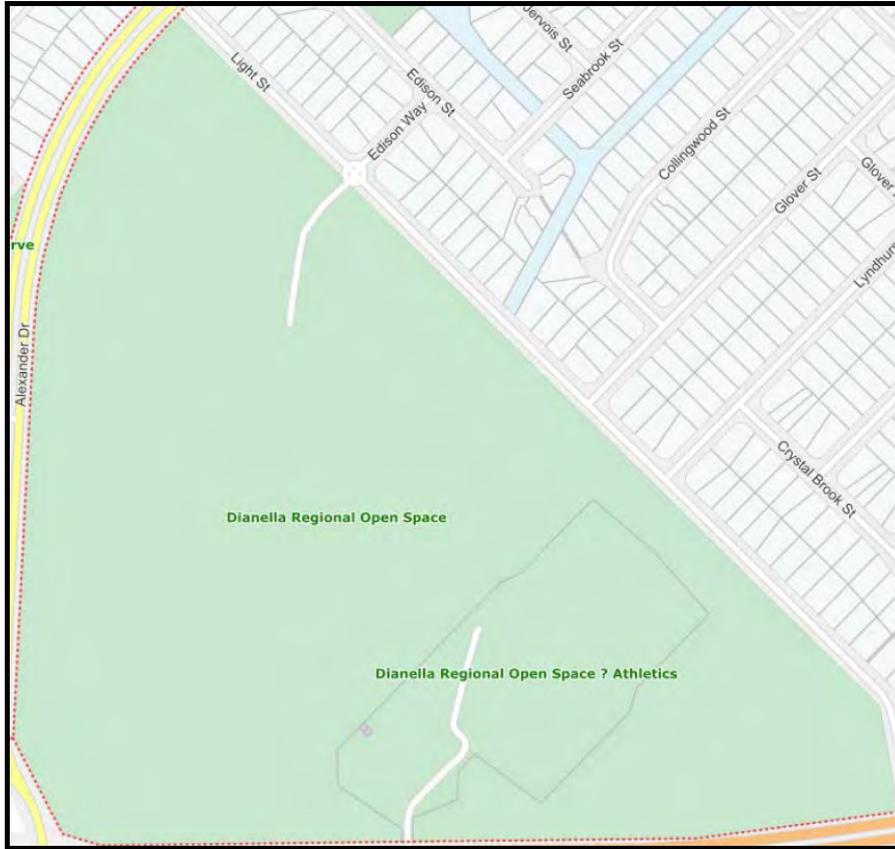
Map 5 - Herdsman Lake Regional Park

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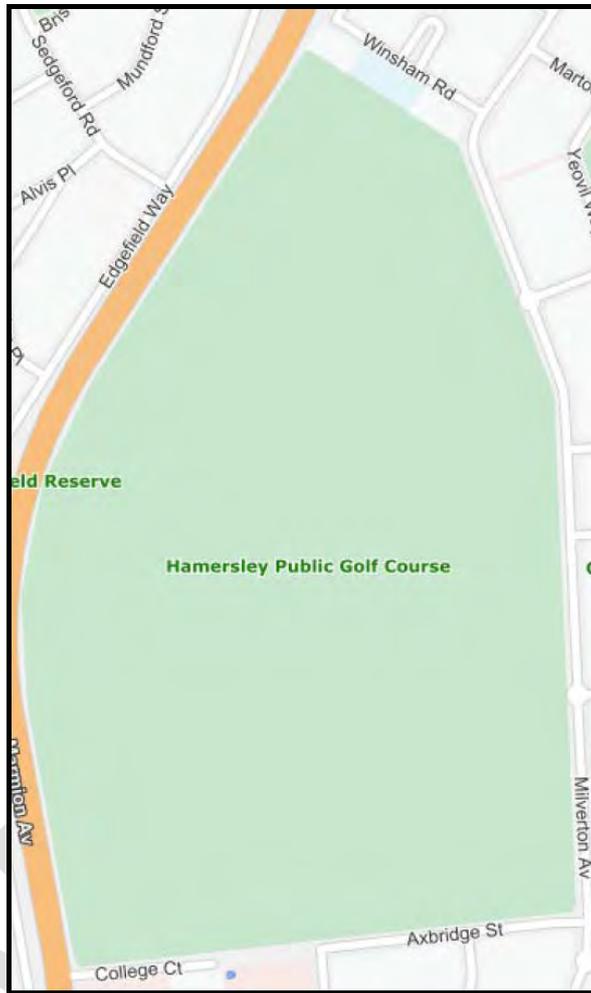
Map 6 - Jackadder Lake Reserve

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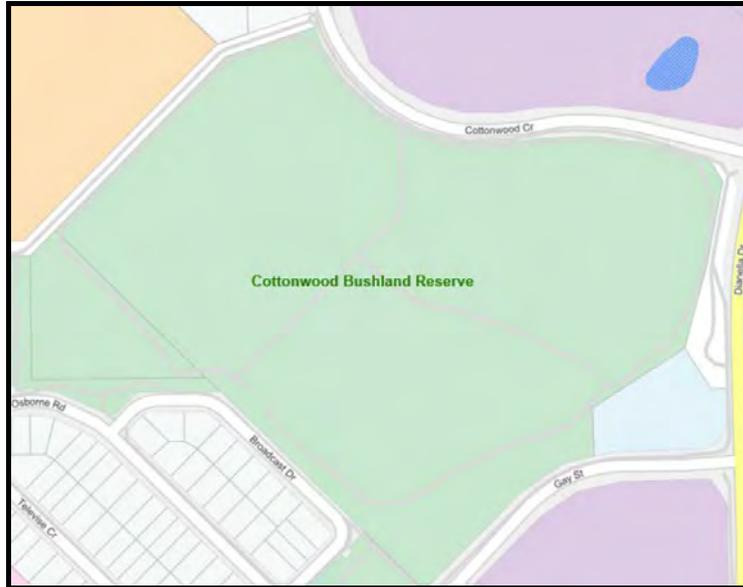
Map 7 - Dianella Regional Open Space

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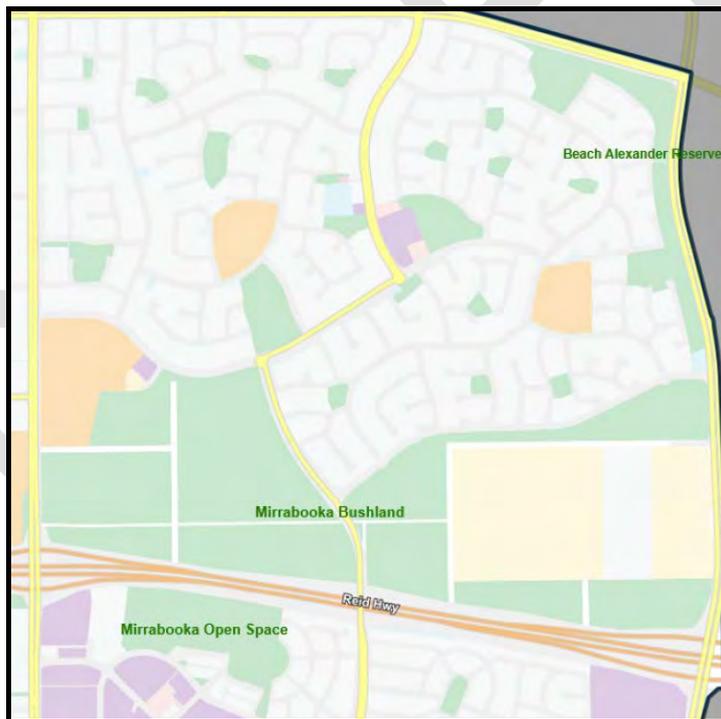


Map 8 - Hamersley Public Golf Course

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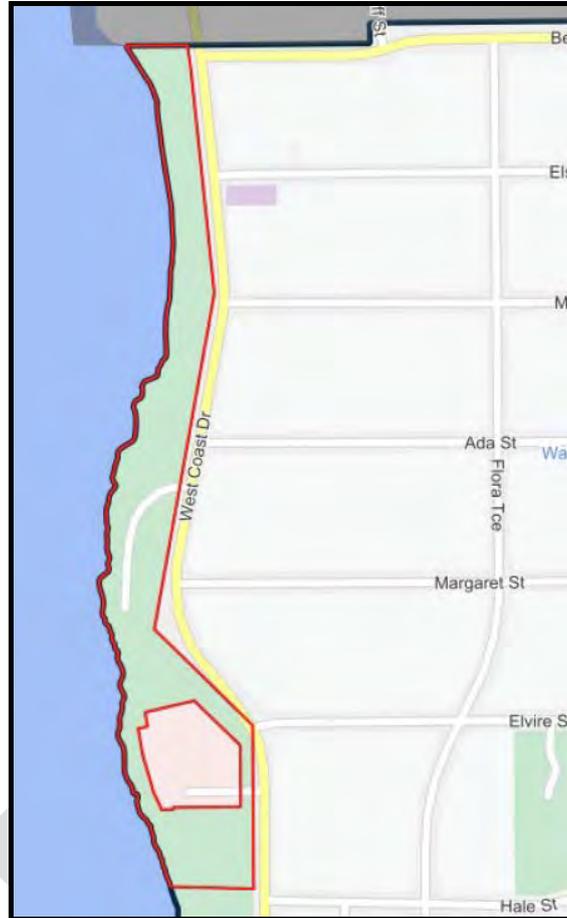


Map 9 - Cottonwood Bushland Reserve



Map 10 - Mirrabooka Open Space

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Map 11 - Coastal Reserves

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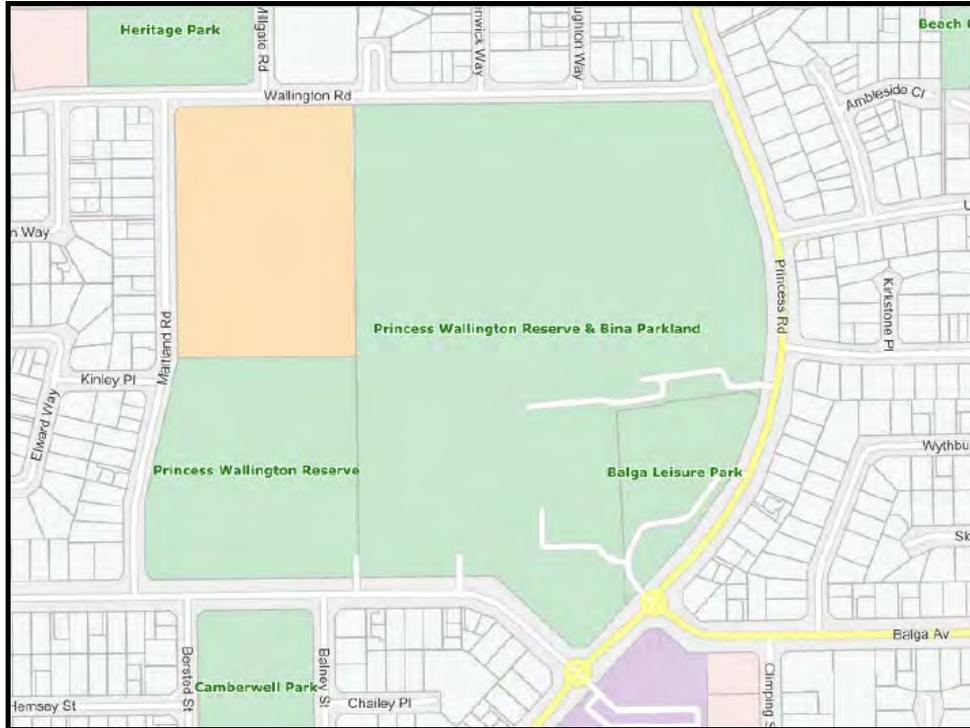


Map 12 – Inglewood Triangle Reserve



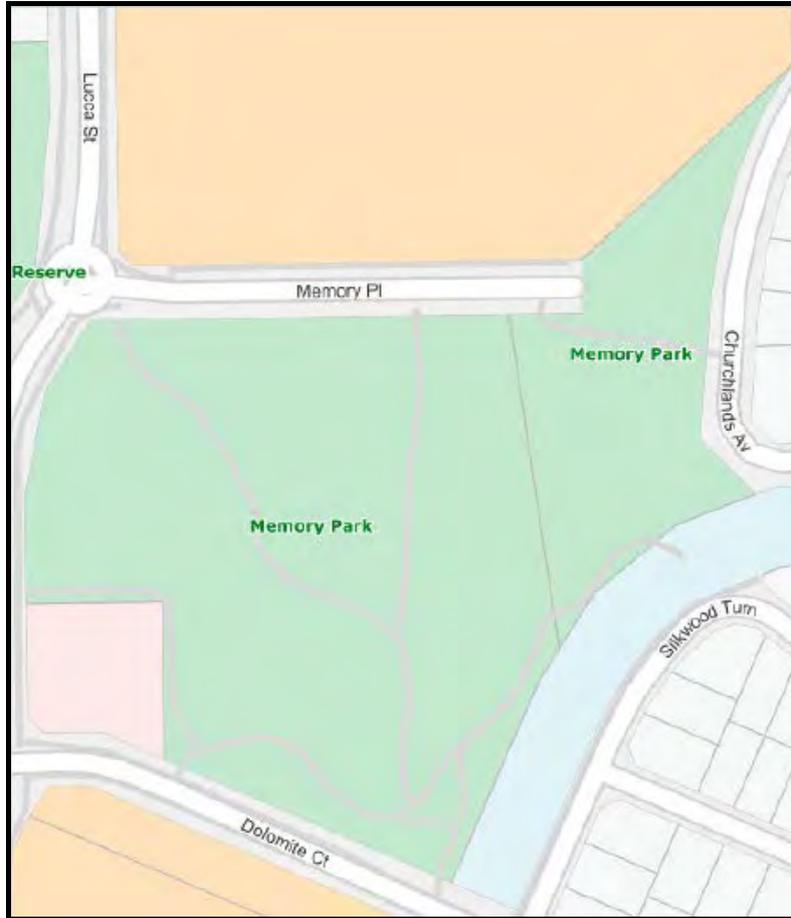
Map 13 - Breckler Park

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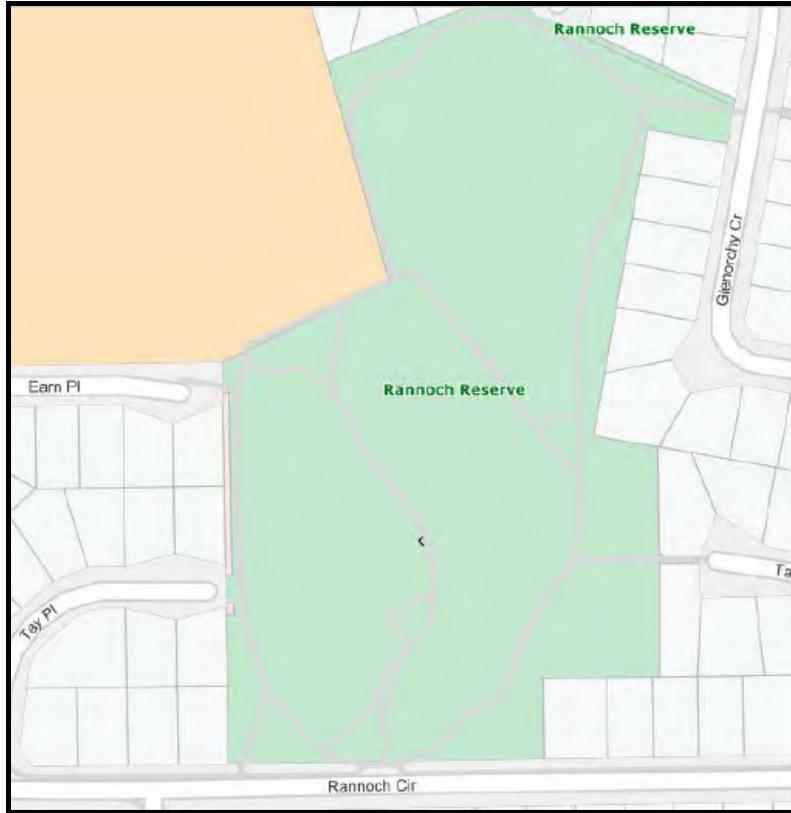
Map 14 – Princess Wallington Reserve

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Map 15 - Memory Place Natural Reserve

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Map 16 - Rannoch Reserve



Map 17 - Terry Tyzack Bushland

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Map 18 - Richard Guelfi Reserve

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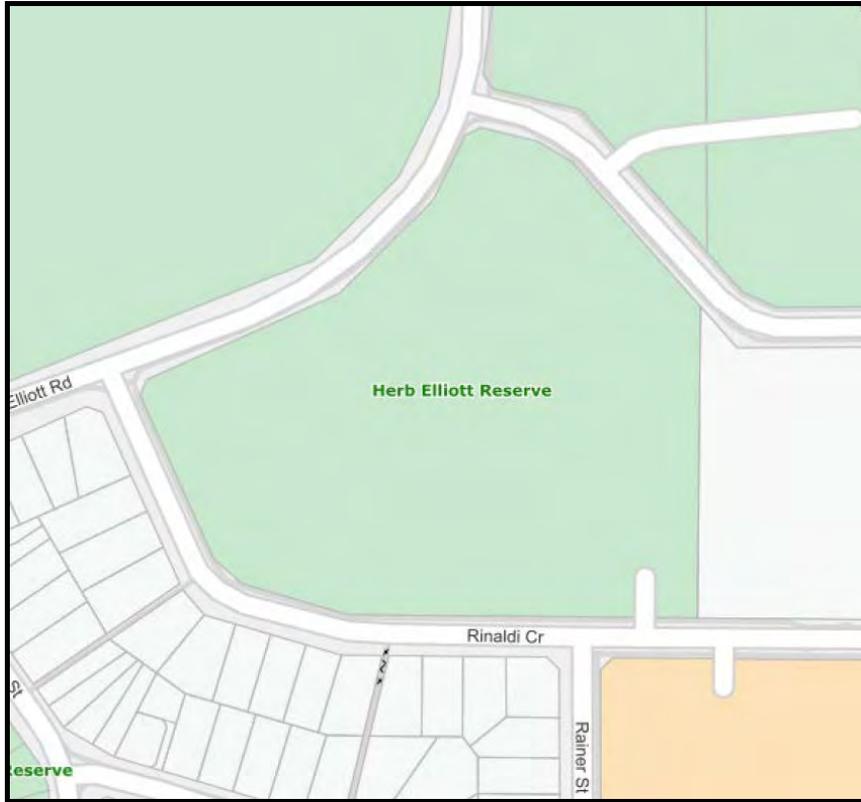


Map 19 - Aintree Eglinton Reserve

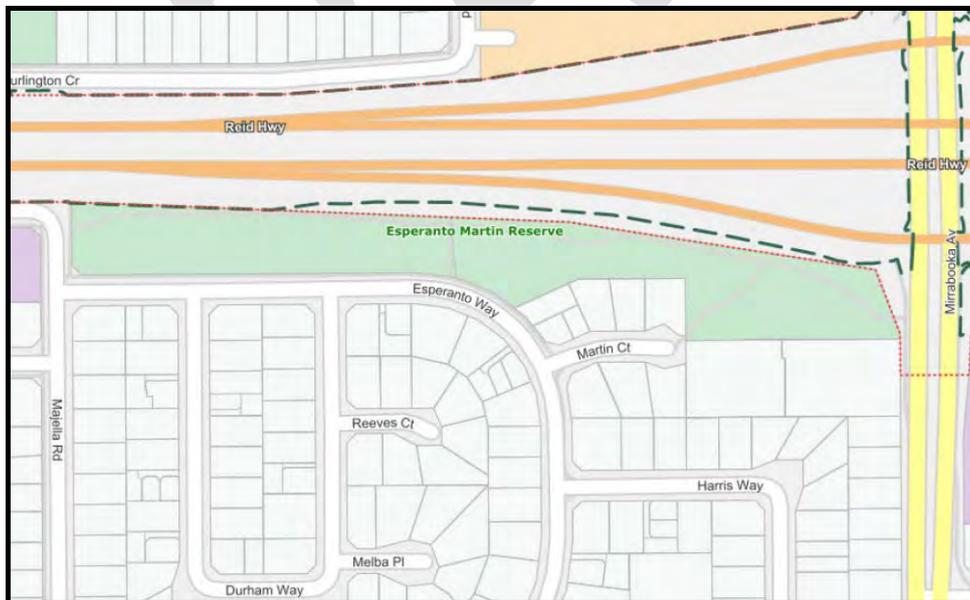


Map 20 - Wythburn Redcliffe Reserve

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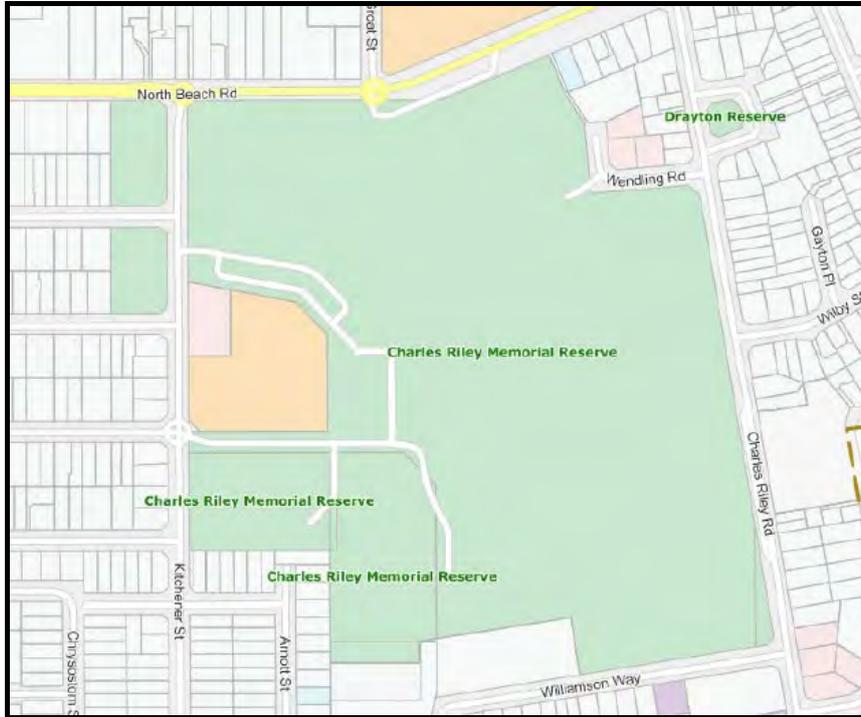


Map 21 - Herb Elliott Reserve

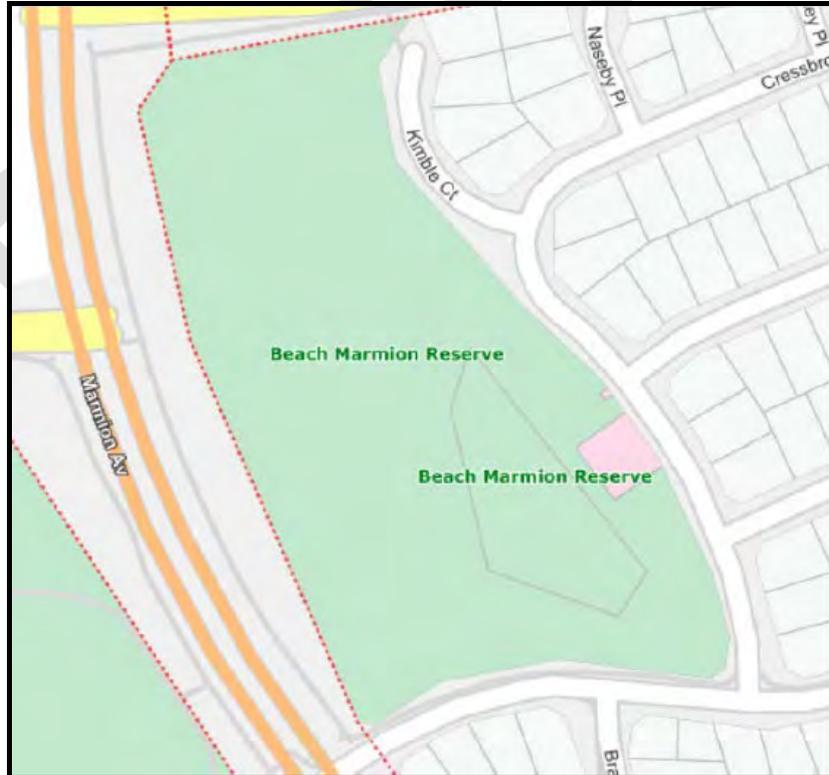


Map 22 - Esperanto Martin Reserve

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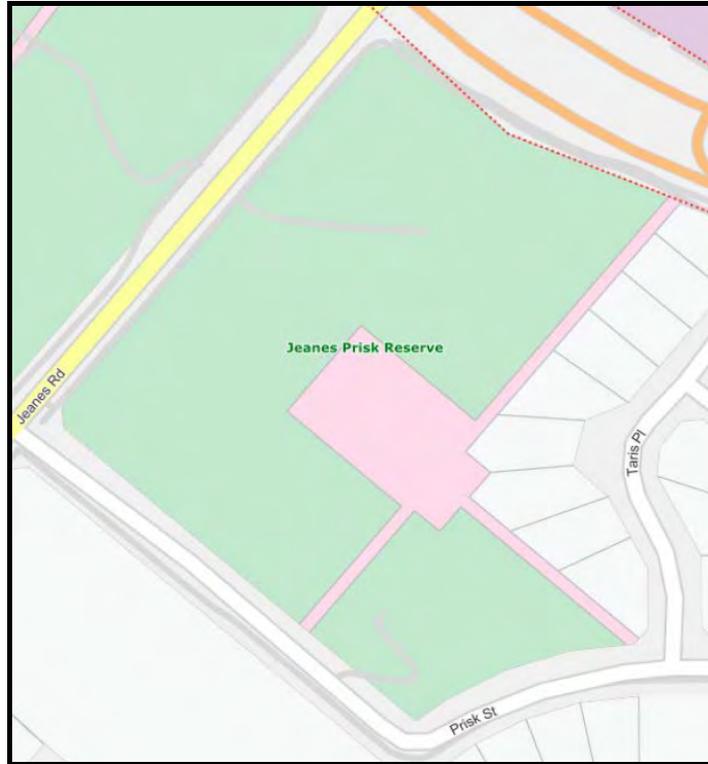


Map 23 - Charles Riley Memorial Reserve



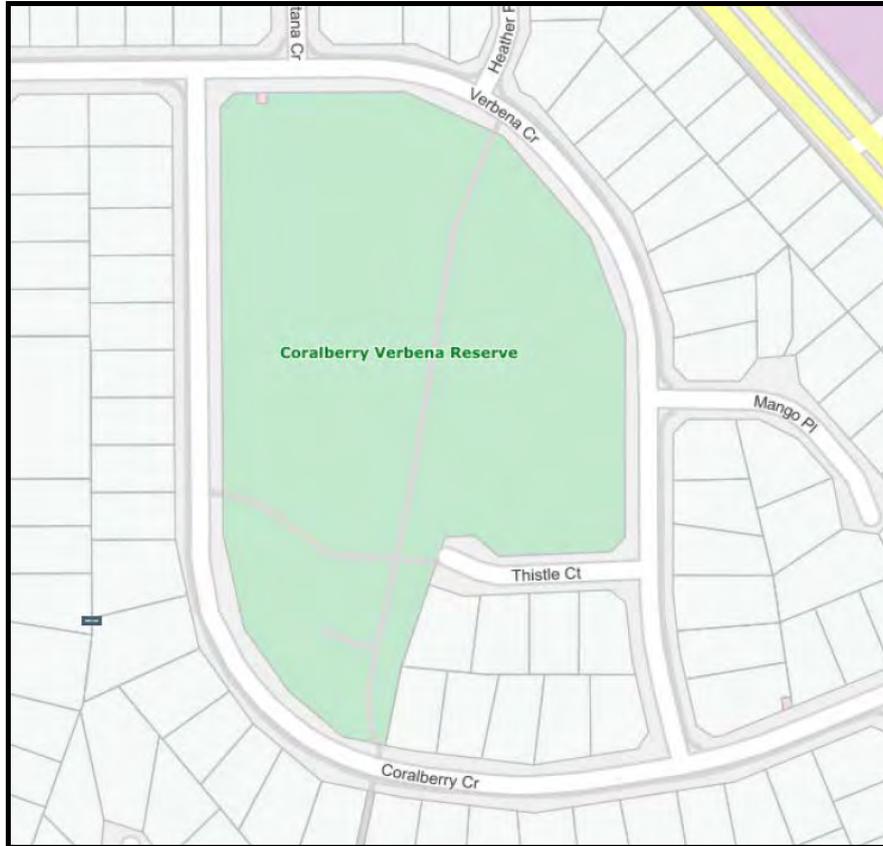
Map 24 - Beach Marmion Reserve

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Map 25 - Jeanes-Prisk Reserve

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Map 26 - Coralberry Verbena Reserve

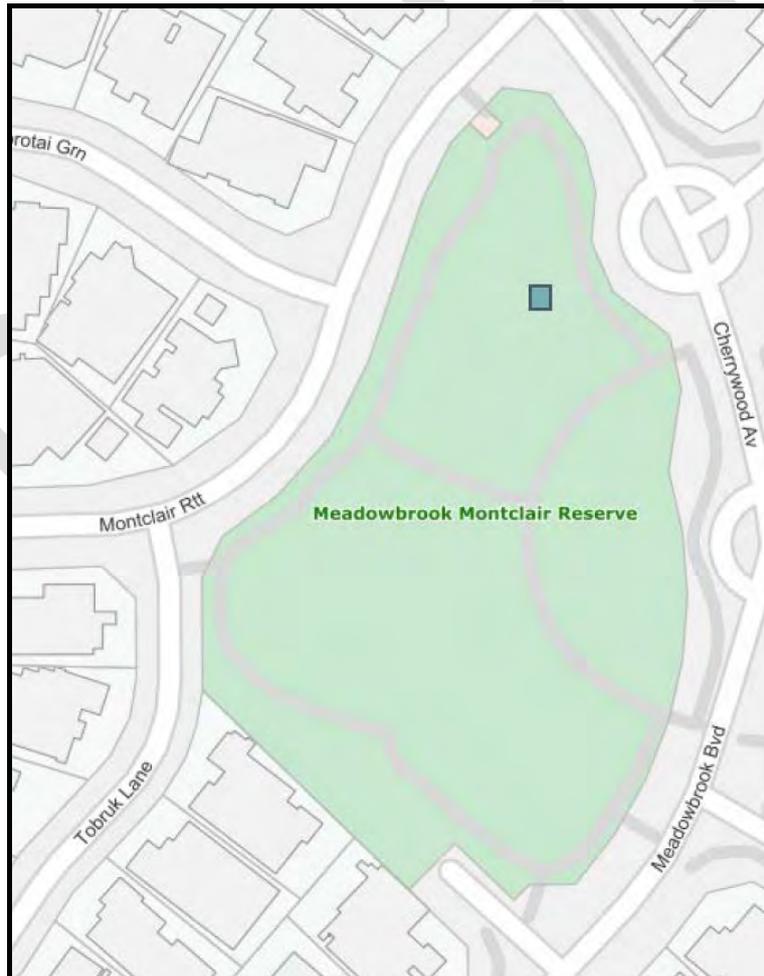


Map 27 - Esperanto Harris Gibb Reserve

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Map 28 – Belleview Hellenic Reserve



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Map 29 - Meadowbrook Montclair Reserve



Map 30 - Chellaston Edlaston Reserve



Map 31 - Redunca Coronata Reserve

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Map 32 – Wanneroo Derrington Reserve

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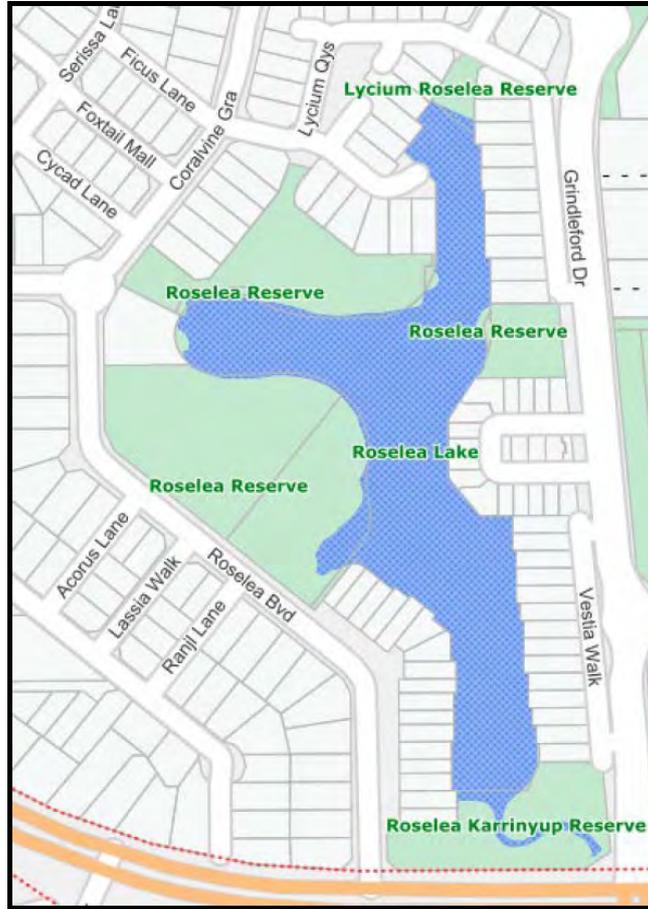
Map 33 - Emerald Marmion Reserve

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Map 34 - Careniup Wetlands Reserve

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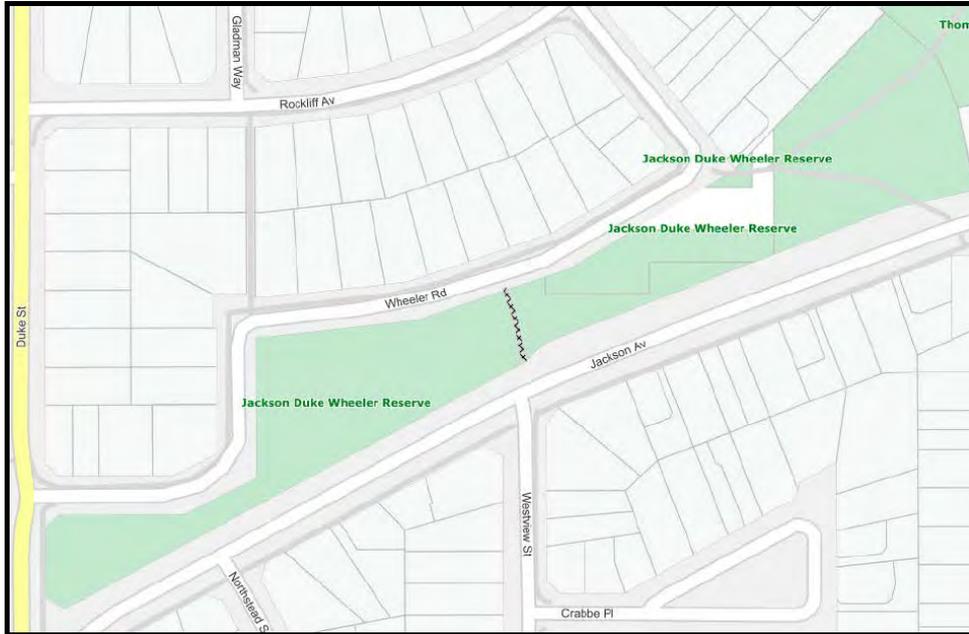


Map 35 - Roselea Reserve



Map 36 - Sattelberg Prevelly Reserve

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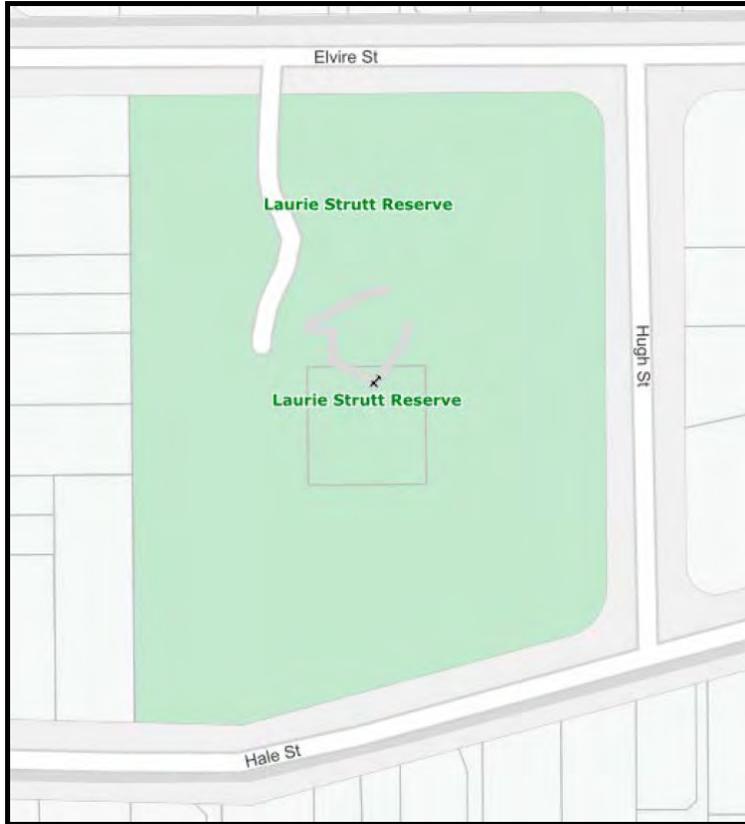


Map 37 - Jackson Duke Wheeler Reserve



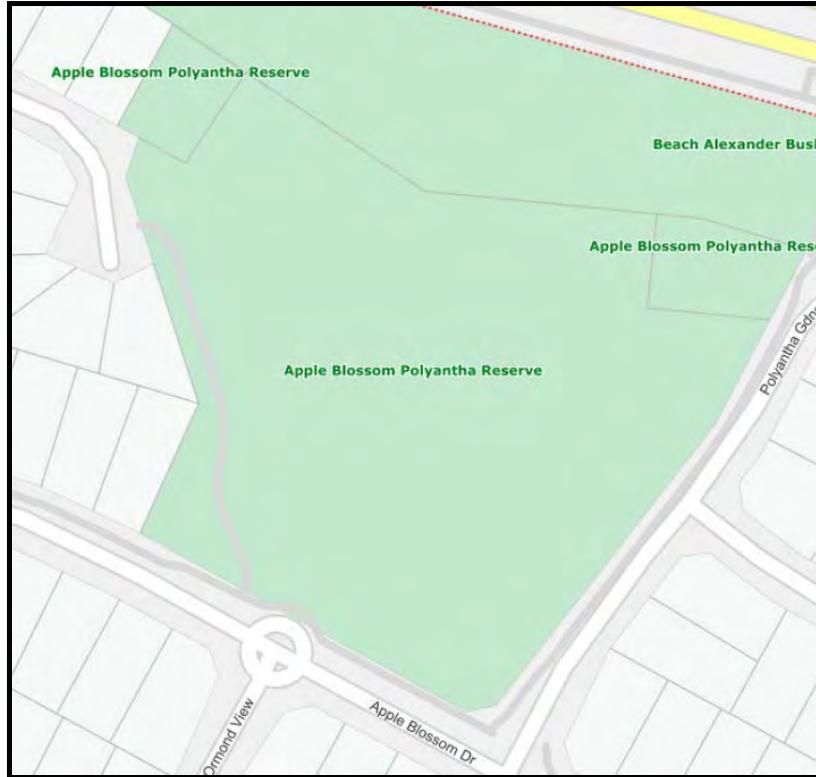
Map 38 - Heritage Park

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Map 39 - Laurie Strutt Reserve

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Map 40 - Apple Blossom Polyantha Reserve

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Map 41 - Clarko Reserve

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SCHEDULE 2
Modified Penalties

ITEM No	CLAUSE No	NATURE OF OFFENCE	MODIFIED PENALTY	MODIFIED PENALTY – within Cat Prohibited Area or Fauna Protection Buffer Zone
			\$	
1.	3.4(1)(a)	Failure of an owner to hold a permit when keeping more than the standard number of cats on premises not in a Fauna Protection Buffer Zone	250.00	500.00
2.	3.4(1)(b)	Use of premises as cattery or cat management facility without permit	250.00	500.00
9.	3.4(2)	Failure of an owner to hold a permit when keeping a cat on premises in a Fauna Protection Buffer Zone		500.00
3.	3.10	Breach of a condition of a permit	250.00	500.00
4.	3.11(2)	Breach of a cat control notice	250.00	500.00
5.	2.2	Cat in Cat Prohibited Area		500.00
7.	2.1(1)	Cat causing a nuisance	250.00	500.00
8.	2.1(4)	Failure to abate a nuisance	250.00	500.00



Community Safety

Responses to questions raised at the Keeping and Control of Cats Local Law Review Briefing Session – February 2024

On 27 February 2024, the Community Safety team conducted a briefing session to inform the community about the City’s existing local laws relating to cats, share the feedback the City received from earlier community engagements, and for attendees to participate in a Q&A session.

Question	Response
What will you do with trapped cats?	<p>Once a cat is caught in a trap (seized) it will be checked for a microchip, registration, and other identifiable information usually found on a collar. Dependant on what is found one of the following scenarios will occur:</p> <ul style="list-style-type: none"> A) If the cat is found to be compliant with the <i>Cat Act 2011</i> and the City’s local laws and/or if proof of ownership to a nearby resident can be confirmed, the cat will be returned and released at the owner’s listed property on the first occasion. If the cat is subject to trapping in any similar and subsequent circumstances, the cat may be seized and impounded at the City’s Cat Management Facility (CMF), and will be subject to payment of associated impoundment fees on release. B) If the seized cat is not registered and the cat’s owner is identifiable: <ul style="list-style-type: none"> o a caution notice may be issued for a first offence, and o an investigation will be conducted to ensure compliance with relevant legislation. C) If no identifiable information is found, the cat will be impounded at the CMF. The cat will be held at the CMF for a limited time in which the owner is able to attend and collect the cat, subject to payment of associated impoundment fees. If the cat is not collected within the designated timeframe it will be assessed for rehoming.


Fences Act to attach enclosures to?

The [Dividing Fences Act 1961](#) and the [City of Stirling Fencing Local Law 2008](#) guide what is permitted in regards to fences.

When considering the construction or installation of a cat enclosure (ie catio), if the structure requires attaching or affixing to a dividing fence, you should first seek consent from the neighbouring property owner.

Depending on the size, dimensions and nature of the cat enclosure, a building permit may be required. Once you have the consent of your neighbouring property owner and details about your cat enclosure, you may [lodge an enquiry](#) with the City.

How are the new laws to be enforced?

The enforcement of the new local laws will be guided by the City's [Compliance Enforcement Policy](#).

How will the 6,000 registered cat owners be consulted?

The local law consultation process for registered cat owners and other community members will be primarily communicated through the City's online project and engagement hub: [Shaping our City](#). The Community Safety business unit will also be advising the community through regular communication channels and engagement activities (website, social media and e-newsletters).

How will breeding be dealt with for community/unowned cats?

Under current legislation, all cats over the age of 6 months are required to be sterilised. Cat owners that wish to breed cats, may seek an exemption through an application process with their local government.

At the City of Stirling, applications may be made with a cat registration form and an [Application for Cattery Permit / Approved Breeder](#) form.

Unowned cat colonies will be actioned by City officers:

- Cat Prohibited Areas: Park & Sustainability
- Other reserves and public areas: Community Safety
- Private property: Community Safety



Will the COS seek advice from JSCDL on why they have been knocking other council on effective cat control and will they seek their own legal advice?

The Joint Standing Committee on Delegated Legislation reviews delegated legislation on behalf of the Parliament. The City has reviewed recent decision making which will directly inform the statutory review of the *Keeping and Control of Cats Local Law 1999*. It is not considered appropriate or necessary to seek legal independent legal advice on the legitimacy of the Joint Standing Committee on Delegated Legislation's decision making. The most effective method to effect change regarding the control of nuisance/wandering cats in public places is through the next statutory review of the *Cat Act 2011*. Based on previous advice from the Minister it is understood that a statutory review of the *Cat Act 2011* is due to commence as soon as practicable after 2024.

What can COS do to respond to instances of cat colonies causing social issues?

The City of Stirling will investigate all reported cat colonies.

Any unowned/non-compliant cats in the colony will be seized and checked for a microchip, registration, and other identifiable information usually found on a collar.

- A) If the seized cat is found to be compliant with the *Cat Act 2011* and the City's local laws and/or if proof of ownership to a nearby resident can be confirmed, the cat will be returned and released at the owner's listed property on the first occasion. If the cat is subject to trapping in any similar and subsequent circumstances, the cat may be seized and impounded at the City's CMF, and will be subject to payment of associated impoundment fees on release.
- B) If the seized cat is not registered and the cat's owner is identifiable:
 - o a caution notice may be issued for a first offence, and
 - o an investigation will be conducted to ensure compliance with relevant legislation.
- C) If no identifiable information is found, the cat will be impounded at the CMF. The cat will be held at the CMF for a limited time in which the owner is able to attend and



collect the cat, subject to payment of associated impoundment fees. If the cat is not collected within the designated timeframe it will be assessed for rehoming.

What should COS do for responsible cat ownership, and will the council agree in the face of all reasonable evidence that cat containment is a necessity?

Cats make great companion animals and the City advocates responsible cat ownership. Responsible cat ownership is ensuring owned cats have a healthy feline environment (aligned with the [Feline Environmental Needs Guidelines](#)), are compliant with all relevant legislation, and any undue impacts on neighbours, the community and environment are minimised. There are many benefits to cat containment and the City encourages people to keep their cats safely contained to their property, particularly at night. Secure outdoor cat enclosures allows pets to play safely outside while eliminating potential hazards such as traffic, other pets and wildlife.

Will the COS agree that in the face of all reasonable evidence that the continuance of free roaming cats is an untenable situation?

Free roaming cats are more likely to get hit by cars, injured in fights or through misadventure, catch fatal diseases, or become lost. Keeping cats confined to a property are more likely to be safer from these kinds of hazards and prolong their life and health. Cats kept indoors will also prevent nuisance behavioural issues and protect wildlife. The City promotes responsible cat ownership with information available on the City's [website](#).

How do COS enforce current buffer zones?

The City of Stirling enforces Fauna Protection Buffer Zones through the [Keeping and Control of Cats Local Law 1999](#) (KACOC). Enforcement activities are guided by the City's [Compliance Enforcement Policy](#). A fauna protection buffer zone means the land extending 200 metres from the boundary of a Cat Prohibited Area. Clause 3.7 of the KACOC local law identifies certain conditions that apply to cat owners of 2 or more cats in fauna protection buffer zones, including that:



- each cat kept on the premises is registered
- each cat may be required to be contained on the premises unless under the control of a person
- the premises shall be maintained in good order and in a clean and sanitary condition
- adequate space shall be provided on the premises for the exercise of the cats.

Will COS run a catio workshop for residents as many other councils have done?

The City is investigating options to conduct similar workshops and other activities that support responsible cat ownership.

Will the budget for cat control be expanded to enforce local law? NB The excuse the laws read to be 100% enforceable is irrelevant.

The current budget allocated to cat control includes legislative compliance activities. Community Safety will review the impacts of the amendments to the City's [Keeping and Control of Cats Local Law 1999](#) and if budgetary changes are required this submitted as part of the City's budget process.

Will the council lend out cat traps?

Yes. With the consent of the resident, Rangers will set trap/s on private property to ensure the security of the trap and the welfare of the cat. Traps will be available during set times in order to ensure no distress to a trapped animal and ensure compliance with welfare requirements.

Will the council establish their own cat management facility instead of relying on already overloaded Cat Haven?

Yes. The City will be implementing its own cat management facility to be located at the City's the Animal Care Facility during 2024/25.

Will the council expand cat prohibited areas and buffer zones?

Yes, it is anticipated that one of the amendments to the City's [Keeping and Control of Cats Local Law 1999](#) will be an increased number of cat prohibited areas and fauna protection buffer zones.

Will COS consider subsidy catios?

Yes. The opportunity to subsidise catios and other containment options for residents in the future will definitely be considered. As part of the City's 2023/24 projects, Community Safety recently conducted a Responsible Cat Ownership subsidy to encourage cat owners to



register their cats by reducing the costs associated with microchipping and sterilisation. The effectiveness of the subsidy will be assessed and options to continue or amend the project will be considered.

Would COS join COB to jointly put up a new submission with other LGA's to JSCDL? COB have to put forward a review shortly.

The Joint Standing Committee on Delegated Legislation reviews delegated legislation on behalf of the Parliament. The City has reviewed recent decision making which will directly inform the statutory review of the *Keeping and Control of Cats Local Law 1999*. It is not considered appropriate or necessary to seek legal independent legal advice on the legitimacy of the Joint Standing Committee on Delegated Legislation's decision making. The most effective method to effect change regarding the control of nuisance/wandering cats in public places is through the next statutory review of the *Cat Act 2011*. Based on previous advice from the Minister it is understood that a statutory review of the *Cat Act 2011* is due to commence as soon as practicable after 2024.

[The City of] Wanneroo feedback from their survey, are you across it?

Yes. Local government officers regularly share non-personal information about regulatory practices with other neighbouring local governments. City of Stirling officers discussed the outcomes of the City of Wanneroo survey. We understand that the survey was open for one month and 780 responses were provided. The main outcomes of the survey were:

- 92% of the respondents supported improved restrictions
- Respondents were concerned about wildlife

The survey supported the following changes to their local laws

- 42 cat prohibited areas were identified
- The modified penalty for the offence of a cat in prohibited area was set at \$1,000
- Establishment of a nuisance cat investigation, similar to how nuisance dog



noise complaints are managed (diaries and the issue of a cat control notice).

Keeping and Control of Cats Local Law - City responses July 2023

Question	Response
<p>What can the City do to restrict free roaming cats?</p>	<p>At this time, in most places in the City, there are no curfew or containment requirements for cats. Certain reserves in the City have been designated as cat prohibited areas. Cats in these locations may be impounded and their owners fined.</p> <p>The City also encourages cat owners to keep their cats indoors and provides information to residents that helps deter cats from entering their property.</p> <p>When a cat is impounded by the City, one of the following scenarios will take place:</p> <p>If the cat does not comply with certain provisions of the Cat Act 2011 or the Keeping and Control of Cats Local Law 1999, the City will hold the cat at our Cat Management Facility and contact the owner (where possible) to advise where collection can be made. Please note that fees and penalties will apply prior to the cat being released.</p> <p>If the cat does not comply with the Cat Act 2011 at all (including if it is not registered, microchipped, sterilised, or wearing a collar), it will be taken to the Cat Management Facility and may be rehomed if an owner is not identifiable.</p> <p>If the cat is registered, microchipped, sterilised, wearing a collar, and not within a cat prohibited area, the City will release the cat.</p> <p>To avoid the above scenarios, cat owners are encouraged to practice responsible cat ownership and take active measures to ensure their cat is registered and sufficiently contained on their own property wherever possible.</p>
<ol style="list-style-type: none"> 1. Is it legal for me to capture and euthanise a cat that has entered my home? 2. Who is responsible for damage caused to my property by a roaming cat? 	<p>You are only allowed to trap an unowned cat on your own private property. Cruelty to animals is illegal, so you can't set traps and leave them.</p> <p>Section 19 of the Animal Welfare Act 2022 makes animal cruelty an offence which carries a minimum penalty of \$2000 fine and a maximum penalty of a \$50,000 fine and imprisonment for 5 years.</p> <p>If an unowned cat (not wearing a collar or tag) wanders onto your property without permission more than once, it can be seized by the owner of the property or a Ranger and surrendered to a cat management facility.</p>
<p>Why doesn't the City capture a roaming cat and issue an infringement to the cat owner?</p>	<p>It is not illegal for cats to wander onto private property under current state legislation and City of Stirling local laws.</p> <p>If you are experiencing issues with cats coming onto your property, and you know the owner, let them know of your concerns. You can also apply deterrent measures to try to discourage the cat from entering your property.</p>



	Where these actions have been taken but haven't resolved the issue you can report the matter to the City via our online enquiries for by contacting us on (08) 9205 8555.
How restrictive is a blanket cat containment law?	Containment means ensuring a pet cat is restricted from roaming beyond your property. They can still have time outdoors in cat runs or in backyards that have appropriate fencing or netting that keep a cat from escaping.
What constitutes a cat enclosed area?	A cat enclosure is a suitably fenced or enclosed area and may include buildings or structures (other than fences) which effectively contain your cat. Confining your cat indoors will also meet this requirement.
When will the City trap cats?	Using trained and appropriately licensed professionals, the City traps cats in cat prohibited areas. In exceptional circumstances, the City will arrange trapping to be conducted in other public areas and on private properties to address unowned and abandoned cat issues.
Can we report cat nuisance outside of cat prohibited areas?	<p>Where residents regularly observe nuisance cat behaviour it is generally best to have a neighbourly chat with their owner (if known) and let them know what their cat is doing. It's often the case that the owner doesn't even know their cat is creating a problem and the matter can be resolved simply and amicably by talking about the issue.</p> <p>If this approach doesn't have the desired result, residents may wish to try natural deterrents. Scattering the following natural materials in your yard where the cat is entering, or roaming might deter the cat from returning. If you have pets of your own, it is important to consider whether this will impact them too and if these will be a suitable solution for your home:</p> <ul style="list-style-type: none"> • citrus peels (Lemon, Lime, Orange, Mandarin, etc) • coffee grounds • oil of lavender • garlic • cinnamon • lemongrass • eucalyptus • citronella • vinegar (sprayed on specific areas). <p>There is also a selection of humane commercial cat deterrent solutions available for purchase from online and in-store retailers which can be set up in your own yard.</p> <p>Where the above actions have been taken but haven't resolved the issue you can report the matter to the City via our online enquiries for by contacting us on (08) 9205 8555.</p>
If dogs aren't allowed to roam, why are cats allowed to roam?	<p>Cats are not managed by the same laws as dogs - they do not need to be confined to properties and they aren't required to be held by a leash.</p> <p>Dogs and cats are different creatures with distinct physiologies and behaviours. The risks associated with a larger, more aggressive animal (like a dog) are typically greater than those associated with a smaller,</p>



	more apprehensive animal (like a cat) - particularly for human interaction and with traffic.
Is there a limit on how many cats a person can own and why?	A limit on the number of cats aims to keep pets safe and healthy, and reduce the impact cats have on our neighbourhood and natural areas.
Why aren't cat owners required to be register their cats and follow relevant signs?	<p>The Cat Act 2011 (the Act) requires the identification, registration and sterilisation of domestic cats, and gives local governments the power to administer and enforce the legislation. The legislation enables better management of the unwanted impacts of cats on the community and the environment, as well as encourages responsible cat ownership.</p> <p>Microchipping and registration will also assist in the return of your cat if it becomes lost.</p> <p>All cats that have reached six months of age are required to be:</p> <ul style="list-style-type: none"> • microchipped • sterilised • registered with the relevant local government. <p>Your cat will be required to wear a registration tag to ensure they can be easily identified and returned to you if they become lost.</p>
Why aren't cat owners held accountable for their cat's behaviour?	<p>All cat owners have a responsibility to their cat, their community, and the environment.</p> <p>The Cat Act 2011 requires the identification, registration and sterilisation of domestic cats, and gives local governments the power to administer and enforce the legislation.</p>
Why don't all Councils have the same cat laws?	<p>The City of Stirling has a number of cat prohibited areas in which cats are not permitted.</p> <p>Local laws are representative of the unique needs and preferences of their residents and will vary between different local governments.</p> <p>The cat local law review will help ensure the laws are relevant, effective, and up to date with current legislative requirements.</p>

Council Resolution

1224/008

Moved Councillor Perkov, seconded Councillor Migdale

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

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

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

Against: Nil.

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

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

Role

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

Council Resolution
1224/009
Moved Councillor Perkov, seconded Councillor Migdale

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

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

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

Against: Nil.

Committee Recommendation

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

Officer's Recommendation

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

Purpose

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

Details

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

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

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

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

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

General Rates

The Rates Statements issued in July 2024 generated \$253.8 million in revenue (this figure includes the Rates, Domestic Waste Charge, the Community Safety Service charge and the Emergency Services Levy revenue). \$165.5 million (65%) of this debt had been collected by 31 October 2024.

1. Other Rates Revenue

This revenue item has a positive variance to budget and relates to Rates instalment interest and Late payment penalties. The variance is due to the phasing of the budget and is expected to be a timing variance only.

2. Grants & Subsidies

This variance is due to the advance payment of the 2024/2025 Financial Assistance Grant which was received by the City in June 2024 but budgeted for in 2024/2025. This will remain as a variance until adjusted during mid-year planning and budget review.

3. Contributions, Reimbursements & Donations

This positive variance relates to Care Finder Navigation revenue received in advance and is a timing variance only. The City also received unbudgeted contributions for Street tree planting and developments.

4. Registration Licences & Permits

This revenue item has a positive variance of 14% to YTD budget, mainly due to Development Applications revenue. This is due to budget phasing, which is difficult to predict, and the number of applications being above expectations.

5. Other

This revenue item has a positive variance due to unbudgeted contributions for Cash in lieu of Public Open Space relating to developments in Wembley Downs and Scarborough. This revenue will be transferred to Reserves.

Operating Expenditure

6. Employee Costs (including Agency Staff)

The total of direct employee costs (net of the cost of Agency Personnel) was higher than budget for the year to due to:

- Staffing for City IT projects where the budget was included as contractor costs but engaging employees on a short-term basis was a cheaper and more efficient option.
- The average hourly rate paid was above budget due to an over reliance on higher cost staffing options (casual staff and overtime hours).

Internal labour recoveries were also above budget which partly offset the adverse variance. Labour recoveries relate to the transfer of internal staff time to maintenance services and capital projects and the negative labour recovery variance is offset by reduced costs in these areas.

7. Materials & Contract Direct Maintenance of Non-Current Assets

This expenditure item has a positive variance of 20% of YTD Budget due to the timing of maintenance and renewal expenditure. The largest impact is in the Parks business unit for recreation reserves maintenance, but this expected to be a timing variance only.

8. Underground Power

This adverse variance relates to the City's project management costs associated with Underground Power projects.

9. Other

This adverse variance relates to the Community Grants program, along with turf curation subsidy and rates donations to various sporting clubs. This is a timing variance only due to the phasing of the budget.

Investment Activity

10. Proceeds from Disposal of Assets & Profit / (Loss) on Disposal

The Loss on Disposal mainly relates to the disposal of 26 Odin Drive, Balcatta and a Right of Way in Inglewood. This has been offset by the Profit on Disposal of vehicles where the sale prices of fleet vehicles have exceeded expectations.

11. Grants and Subsidies

This revenue item has a positive variance and relates the timing of capital grant revenue for the Terry Tyzack Aquatic Centre redevelopment which was budgeted in future periods.

12. Capital Expenditure

This variance mainly relates to the following:

- Capital renewals program
 - \$1.2 million variance for Hamersley Public Golf Course Redevelopment and \$0.5 million variance for Terry Tyzack Aquatic Centre redevelopment and \$0.2 million variance for Recycling Centre Balcatta Renovations – projects are on track to be completed in line with milestones.
- \$2.1 million timing variance due to road renewal expenditure and Building Renewals Program
- \$1.1 million variance due to delays in the delivery of vehicles due to supply constraints for the Fleet Replacement Program.
- \$0.7 million variance relating to IT projects which are budgeted as capital projects, but actual expenditure is included in operating expenses. The relevant project expenditure will be capitalised as an intangible asset on completion of the project.

Financial Assessment and Implications

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

Relevant Policies, Legislation and Council Resolutions

The monthly statement of financial activity is prepared in accordance with Regulation 34 of the [Local Government \(Financial Management\) Regulations 1996](#) and [Local Government Act 1995](#).

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

Sustainable Stirling 2022-2032

Key Result Area: Our leadership

Objective: A well-governed City

Priority: Comply with legislation, standards and obligations

Strategic Risk

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

Relevant Documents and Information

Attachments

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

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

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

Available for viewing at meeting

Nil

Linked Documents

Nil

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

Description	Notes	YTD Actual \$'000	YTD Budget \$'000	Variance \$'000	%	Adopted Budget \$'000
OPERATING ACTIVITIES						
Net surplus/(deficit) start of financial year		42,257	54,091			54,091
Revenue from operating activity (excluding rates)						
Other Rates Revenue	(1)	238	100	138	138	500
Underground Power Rates		0	0	0	100	1,353
Security Charge		4,897	4,770	127	3	4,770
Grants & Subsidies	(2)	3,643	4,376	(733)	(17)	13,790
Contributions, Reimbursements & Donations	(3)	1,154	762	392	51	2,287
Interest		3,522	3,513	9	0	9,500
Registration, Licences & Permits	(4)	2,022	1,768	254	14	4,151
Service Charges		43,916	43,002	914	2	45,754
Fees & Charges		6,661	6,251	409	7	21,054
Other	(5)	1,416	1,281	135	11	4,285
Total Operating Revenue		67,468	65,823	1,645	2	107,445
Expenditure from operating activities						
Employee Costs (including Agency Staff)	(6)	(40,633)	(38,355)	(2,278)	(6)	(112,210)
Materials & Contracts Direct MTC of NCA	(7)	(9,181)	(11,469)	2,288	20	(32,303)
Materials & Contracts Other Works		(25,126)	(25,016)	(110)	(0)	(74,938)
Underground Power Expenditure	(8)	(73)	0	(73)	(100)	0
Utilities		(2,801)	(2,853)	53	2	(8,833)
Depreciation		(17,790)	(17,444)	(345)	(2)	(51,093)
Insurance		(2,063)	(2,221)	159	7	(2,223)
Other	(9)	(1,605)	(1,301)	(304)	(23)	(4,060)
Total Operating Expenditure		(99,270)	(98,660)	(610)	(1)	(285,660)
Sub Total Operating Result		(31,802)	(32,837)	1,035	3	(178,216)
Operating activities excluded						
Profit on disposal of assets	(10)	(658)	0	(658)	(100)	(611)
(Loss) on disposal of assets	(10)	1,123	0	1,123	100	788
Non cash movements in non current assets and liabilities		6,179	0	6,179	0	0
Depreciation on Assets		17,790	17,444	345	2	51,093
Total Excluded from Operating Result		24,433	17,444	(6,989)	(40)	51,270
Amount attributed to operating activities		(7,369)	(15,393)	8,024	52	(126,945)
INVESTMENT ACTIVITIES						
Grants & Subsidies	(11)	2,010	1,831	180	10	11,104
Equity Share of Investment		1,156	1,520	(364)	(24)	6,080
Proceeds from Disposal of Assets	(10)	2,176	2,176	0	100	3,633
Profit / (Loss) on Disposals	(10)	(465)	0	(465)	100	(177)
Total Capital Expenditure	(12)	(21,768)	(29,629)	7,861	27	(109,139)
Amount attributed to investment activities		(16,890)	(26,278)	9,389	36	(88,499)
FINANCIAL ACTIVITIES						
Transfers to/from Trust		(658)	0	0	100	(30,999)
Transfers to Reserves		(5,054)	0	(5,054)	(100)	(30,999)
Transfers to Accum Funds		54	54	0	100	25,928
Amount attribute to financial activities		(5,658)	(5,658)	(5,658)	(100)	(5,071)
Surplus/(deficient) before general rates		(165,409)	(165,408)	(1)		(166,425)
Total amount raised from general rates		165,409	165,408	(1)		166,425
Net current assets at end of period - surplus/(deficit)		177,749	177,827	(78)		0

City of Stirling

Net Current Asset Position Statement

As At 31 October 2024

	\$'000
CURRENT ASSETS	
Cash and cash equivalents	235,885
Trade receivables	100,683
Other financial assets at amortised cost	3,687
Inventories	4,942
Contract assets	1,541
Total Current Assets	346,739
CURRENT LIABILITIES	
Trade and other payables	47,600
Contract liabilities	2,489
Lease liabilities	6
Employee related provisions	21,055
Other provisions	14,905
Total Current Liabilities	86,055
Closing Funds	260,683
Restricted Assets	
Restricted Investments	103,990
Total Restricted Assets	103,990
NET CURRENT ASSETS LESS RESTRICTED ASSETS	156,694
Add Cash Backed Leave	21,055
CLOSING FUNDS	177,749

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

	Short term Rating	Long-term Rating	Allocation %	AV RATE ¹ %	TOTAL FUNDS \$	MUNI FUNDS \$	REST FUNDS \$	TRUST FUNDS \$	RESERVE FUNDS \$
IN HOUSE INVESTMENTS									
Banks									
AMP Bank	BBB	BBB	0	0.00%	-	-	-	-	-
Bank of Queensland	A2	A-	21	5.02%	52,807,171	15,310,000	1,253,991	-	36,243,180
Bendigo / Adelaide Bank	A2	A-	2	5.19%	4,500,000	4,500,000	-	-	-
Judo Bank	A-3	BBB-	1	4.67%	3,500,000	3,500,000	-	-	-
NAB	A1+	AA-	34	5.10%	85,352,251	36,700,000	13,021,423	-	35,630,827
Sun Corp Metway	A-1	A+	13	5.29%	33,817,964	4,880,000	-	17,876,226	11,061,737
Westpac	A1+	AA-	29	5.12%	72,253,759	51,200,000	-	-	21,053,759
TOTAL INVESTMENTS			100	5.11%	\$ 252,231,144	\$ 116,090,000	\$ 14,275,415	\$ 17,876,226	\$ 103,989,504

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

	INTEREST RECEIVED TO DATE	%	FULL YEAR BUDGET
INTEREST EARNED			
Municipal Fund	3,521,731	37.07%	9,500,000
TOTAL	3,521,731	37.07%	9,500,000

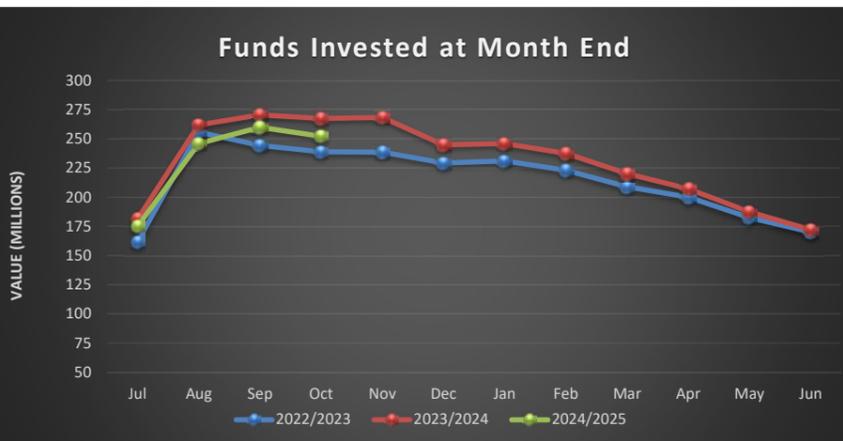
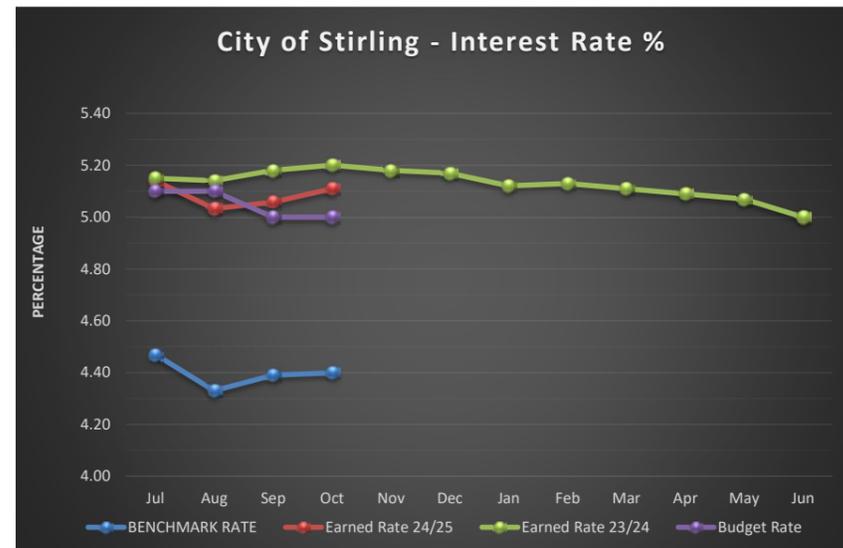
INTEREST RATES	JUL %	AUG %	SEP %	OCT %	NOV %	DEC %
AVGE EARNED RATE (ALL INVESTMENTS)	5.14	5.03	5.06	5.11		
BENCHMARK RATE	4.47	4.33	4.39	4.40		

	JAN	FEB	MAR	APR	MAY	JUN
AVGE EARNED RATE (ALL INVESTMENTS)						
BENCHMARK RATE						

MARKET AVERAGE INTEREST RATES FOR 2024-25 YEAR ONLY	At Call %	30 Day %	90 Days %	180 Days %	5 Yr Bond %	YTD Av %
	4.35	4.25	4.38	4.58	0.00	4.40

COMMENTARY

- The City of Stirling continues its cautious approach in managing and investing its funds and only invests funds as per the City's investment policy. To date the City only invests in approved and authorised institutions in line with the WA Local Government Act 1995
- For this financial year 2024/25, the City continued its cash investments strategy with local banking institutions administrated in house. The City may also consider recommendations from approved advisors should the need arise.
- This report is supported by detailed statements of borrowers of the City's funds with details thereto.



TRUST FUND DETAILS	BALANCE \$
Other Bonds	553,063
Right of Way Bonds	492,063
Payment in Lieu of Public Open Space	10,088,422
Town Planning Schemes	5,813,720
Other Trusts	270,983
FINANCE ONE INVESTMENT REGISTER	17,218,251
Funds to be Transferred	17,876,226
	657,975

RESERVE FUND DETAILS	BALANCE \$
Asset Acquisition Reserve	104,528
Cash in Lieu of Public Open Space	1,332,851
Churchlands Lighting Reserve	44,616
Corporate Project Fund	13,540,247
Capital Investment Reserve	32,517,892
Investment Income Reserve	4,166,909
Leave Liability Reserve	14,666,767
Long Service Leave Reserve	858,519
Payment in Lieu of Parking Reserve	3,209,992
Plant Replacement Reserve	2,875,223
Public Parking Strategy Reserve	6,873,335
Road Widening Compensation Reserve	153,167
Scarborough Development Contribution Plan	271,585
Security Service Reserve	492,492
Strategic Waste Development Reserve	18,804,644
Tree Fund Reserve	1,451,473
Workers Compensation Reserve	2,731,573
FINANCE ONE INVESTMENT REGISTER	104,095,813
Funds to be Transferred	103,989,504
	-106,310

RESTRICTED FUND DETAILS	BALANCE \$
Book Bond	135
Builders Registration Board Levy	90,708
BCITF Levy	40,645
Client Bonds	400
Development Trust	18,038
Hall Hire Bonds	6,400
Other Rest Funds	9,445
Pay in Lieu POS	5,076,410
Performance Bonds	4,628,608
Reserve Bond	600
Section 152 Land	1,722,744
Street Trees Bonds	257,301
Unclaimed Monies	127,161
Verge Bonds	2,926,821
FINANCE ONE INVESTMENT REGISTER	14,905,417
Funds to be Transferred	14,275,415
	630,002

12.1/F3 FUTURE BUDGET EFFICIENCIES

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

Role

Information - *Receiving information about the City or its community.*

Council Resolution
1224/010
Moved Councillor Perkov, seconded Councillor Migdale

That Council NOTES the information contained in this report which will be further considered during the 2025/2026 integrated planning and budget process.

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

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

Against: Nil.

Committee Recommendation

That Council NOTES the information contained in this report which will be further considered during the 2025/2026 integrated planning and budget process.

Officer's Recommendation

That Council NOTES the information contained in this report which will be further considered during the 2025/2026 integrated planning and budget process.

Purpose

At its meeting held 30 July 2024, Council considered a Notice of Motion and resolved (Council Resolution Number 0724/008) to identify future budget efficiencies.

Details

1. Efficiencies realised from our technology investments in the 2024/2025 budget

The efficiencies realised can be categorised as:

- Licensing: costs optimisation associated with managing software licenses and subscriptions.
- Operational: the ability to deliver products or services in the most cost-effective manner without compromising quality. It focuses on optimising processes, reducing complexity, and utilising resources effectively; and
- Workforce productivity: the amount of output produced by employees within a given time frame. It emphasises maximizing the quantity and quality of work done by the workforce.

a) Efficiencies in Operations

To date, the following efficiencies have been realised in CIS operations:

Digitisation of additional 18 staff forms: 308 hours in operational savings to date with processing time reduced to five minutes per form (3696 form submissions to date), paper saved in printing and audit trail for legal requirements

End to end automation of City's Community Small, Medium and Large grant agreements – reduction of seven days turn around per agreement.

Technical Infrastructure: Adoption of selective Azure cloud services has allowed the delivery of new infrastructure and back-office capabilities with minimum effort and cost. For example, by migrating the City's on-premises Windows-based servers Public DNS service to Azure Cloud DNS, the City has eliminated the need for Windows licenses for four virtual machines, with \$4,000 savings per year and reduced operational overhead associated with maintaining and patching these virtual machines.

Hardware decommissioning: The City has decommissioned a number of ESXi hosts at our Out Centres, resulting in \$58,000 future licensing savings. By reducing the number of hardware units hosting virtual machines at Out Centres and migrating services to a central location, the City has streamlined its operations and minimised maintenance requirements relating to management and patching of such hardware. The decommissioning has also resulted in lower energy consumption.

Application Patching and Endpoint Vulnerability: Automating application patching has realised significant reduction in vulnerabilities (from thousands to dozens), reducing downtime, and freeing up IT resources for value-add tasks (ServiceDesk and Cybersecurity teams save 22 hours per month). This centralised approach also ensures consistent policy enforcement and comprehensive reporting.

VMWare Consolidation: From January 2025 the City will save \$225,000 over the next three years in VMWare license following a 50% reduction of Virtual Machines.

Telstra Mobile Plan: by June 2025 approximately \$45,000 will be saved following the rationalisation of mobile plans and utilising the Growth and Motiv Tech Funds within the Telstra Mobile Plan to purchase mobile devices.

Automation of employee offboarding process: from January 2025 the Digitisation of the employee offboarding form and the automation of the workflow will save 10 minutes per submission and increase the turn around on offboarding staff system and building access being revoked from one day to 10 minutes. Reducing risk, operational effort and addressing audit findings.

Mobile Device Management: from January 2025, by implementing Ms Intune leveraging our existing Microsoft Enterprise Agreement E3 license, the City will save \$40,000 per year in licensing costs. By transitioning to Intune, the City has significantly reduced the time required to set up new mobile phones by 50% average. With both Intune and Endpoint Central being cloud-based, CIS can maintain visibility of devices even when they are not connected to the corporate network. This enables the City to provide better and more efficient service to end users when they contact the service desk. Additionally, the ability to push applications and updates to remote users reduces potential downtime.

b) Efficiencies from Major Projects

While the City may observe incremental improvements during the project's lifecycle, the substantial efficiencies and benefits are typically realised post-completion. To date, the following efficiencies have been realised in major technology projects:

Technology One to CiA: Access records from anywhere, any device, any time without needing a VPN and a PC to connect to the T1 desktop application will save 20% time per interaction, per remote user; Modern applications in native cloud – three times faster performance i.e saving the IT Budget Pack reduced from 100 seconds to 35 seconds. Adoption of newer application integration techniques reducing the number and complexity of integrations required to synchronise core systems while improving the speed of data transfer (Down to < 10sec); Mobility - field workforce will be able to work in the field the same as they were in the office, through connected and real-time systems (one to two hours saved per field worker, per day).

Network Replacement, Optimisation and Consolidation (N-ROC): the Consolidation of Cisco web proxy with Fortigate Firewall saves the City \$20,000 per year in licensing cost and simplifying firewall rules has provided simplified network management therefore reduced complexity and more agile response to incidents, resulting in 20 hours saved per month, and after the completion of the firewall consolidation, further 15 hours a month.

c) Further efficiencies to be realised in 2024/2025:

Copilot for Microsoft 365 Adoption: One hour per day per user (based on Australian Federal Government figures after a pilot across major agencies and +7000 users). Copilot license is \$45 per user, per month. The ROI is absolutely demonstrated with the one hour back per day to each user.

Migration, Integration, Reporting and Streamlining (MIRAS): from March 2025, 45% reduction of SSRS and Power BI operational reports and migration to Power Bi Cloud will eliminate the need to maintain unused reports, the underlying data and no longer need to support and maintain SSRS technology and the on-premise physical servers, giving the central data team 15% time back. Additionally, Power BI Champions will be able to create and update their operational reports once the data is enabled for use to tailor dashboards to their specific needs, leading to more relevant and actionable insights and reducing the bottleneck of waiting for the central BI team to update the dashboards. The central CIS Data team can focus on more strategic tasks rather than routine dashboard updates, optimising their productivity by 15%.

Local2Cloud: the migration of files and documents stored in local network drives to cloud allows for the City's workforce to A) Access files from anywhere, any device, any time without needing a VPN. This will save time on connecting to network drives, especially for remote or mobile workers. B) Enhanced collaboration: real-time collaboration on documents. This reduces the time spent on emailing files back and forth and managing multiple versions of documents. C) Search Efficiency: Advanced search capabilities in SharePoint and OneDrive make it easier to find documents quickly, reducing the time spent searching for files on network drives. D) Reduced IT Support: With cloud storage, there's less need for IT support to manage and maintain physical servers, freeing up IT staff to focus on more strategic tasks.

Incrementally from January 2025, with staged adoption across the City, it is estimated to result in 20% increase in productivity per user. Additionally, 16 Virtual Machines will be decommissioned - resulting in \$75,000 savings in storage and data back-ups licensing by June 2026.

Network Replacement, Optimisation and Consolidation (N-ROC): in March 2025 the City will be upgraded to the latest NBN technology, with \$60,000 per year savings in licensing cost and business continuity ensured for out centres with the implementation of 4G back-up link.

2. Lower the impact of rate increases in the future, through:

a) Increased Commercial Revenue

Hamersley Driving Range

The City's investment in the new Hamersley driving range will generate increased commercial revenue with the business case forecasting a \$1.0m surplus from the driving range in the first full year of operation. Council approved funding of the redevelopment from the Corporate Project Fund Reserve on the basis that the annual surplus generated by the Golf Course and Driving range would be transferred to the reserve to repay the original investment which is forecast to take eight years. Council has made no decision on how the golf course surplus will be utilised after the payback period.

Property Investment

The City's policy is to transfer commercial property income to the Investment Income Reserve. The costs associated with managing commercial properties are not considered in calculating the reserve transfer. This is not currently an issue as the City's commercial property portfolio is small, and the reserve transfer is less than the surplus generated by the Property Surplus. The 2024/25 budget has a surplus for the service of \$787,204 of which \$232,379 is the commercial property income transferred to the Investment Income Reserve. The remaining \$554,825 is part of the general surplus which is transferred to the Corporate Project Fund and used for strategic projects.

The income opportunities identified in the Land Asset Action Plan could generate additional income of \$976,000 (0.6% of 2024/25 Rates Revenue) over the next two to three years. Funding property acquisitions from the property reserves will reduce the interest earned on the reserve and this reduction has been accounted for in the calculation.

The following should be considered if property income is to be used to offset rates increases:

- Transfers to the Investment Income Reserve – whether the cost of managing the property portfolio is considered in the calculation of the reserves transfer.
- General surplus – An increase in transfers to the Investment Income Reserve could result in a reduction in the general surplus available to transfer to the Corporate Project Fund. Transfers to these reserves will need to be carefully balanced to ensure the funding of future strategic projects.
- Use of the Investment Income Reserve – the purpose and use of the reserve would need to be redefined and the parameters around the use of the reserve to offset rates increases would need to be agreed.

Interest Income

The City's interest budget for 2024/25 is \$9.5 million of which around 40% will be transferred to reserves and the balance used to fund services and projects. When interest rates fall, it creates a funding gap for the City and service or project budgets have to be cut to balance the budget. If interest rates for 2025/26 were to fall 1% below the current year's levels, it would result in a \$1.3m funding gap to manage through the budget process.

A reliance on interest revenue as a funding source is a risk for the City. Firstly, there is always a margin of error in the budget as interest rates are very difficult to forecast. Falling interest rates result in funding gaps and when rates are high, the City risks funding projects and initiative based on available funding rather than a prioritisation process.

Transferring all interest to reserves would be a beneficial option for the City, as:

- It would provide a more consistent funding base for the annual budget.
- It would have minimal impact on transfers to the Corporate Project Fund over time - based on a comparison of the last five years.

b) The use of Reserves

When a reserve is established, the source of funding and the use of the reserve are defined by Council. The City's reserves have been grouped into three categories below that have similar sources of funding and uses:

- Investment Reserves – Reserves established for funding Property Investment, Major and Strategic Projects and Parking Projects;
- Service Delivery Reserves – Reserves established to hold surplus funds generated from service charges and can only be spent on the services the revenue was raised for; and
- Specific Purpose Reserves – Reserves established for a specific purpose.

The investment reserves are the only reserves that provide a degree of flexibility in how the funding can be utilised. They are however the City's only source of funding for strategic investment to support the growth of the City. Through the Long-Term Financial Plan, Elected Members will see the City's strategic approach to enhancing the Investment Income reserve, thereby decreasing dependence on rates. This initiative is not intended to address funding shortfalls, which is not recommended, but rather to ensure long-term financial sustainability and to develop a robust portfolio that will generate continuous funds.

i. Investment Reserves

Property Investment Reserves

Through the 2015/16 planning and budget process, Council endorsed the establishment of a Capital Investment Reserve and Investment Income Reserve. This was a result of the Council endorsed Property Strategy which recommended that in order to provide for a clear separation of the City's investment assets and the revenues earned thereon, revenues from property activities should be held in dedicated reserve accounts. The Property Investment reserves will be utilised to drive revenue diversification through investment in commercial property.

Capital Investment Reserve

The reserve holds funds allocated by Council for investment purposes, including for the acquisition of investment property; proceeds of any sale of investment property or other investment assets; surplus revenue from investment income; and any other funds as determined by Council from time to time. From the 2022/23 Financial Year, the reserve also receives the proceeds from the sale of land developed by Catalina Regional Council. The reserve is to be utilised for land purchases, property acquisitions and operational costs relating to implementing the Property Strategy as approved by Council.

Investment Income Reserve

This reserve holds rents received from investment properties and interest earned on the cash held in the Capital Investment reserve. The intent is to generate long-term, regular income in the Investment Income reserve to reduce the City's reliance on rates. This reserve will also pay for the operational costs related to implementing this strategy e.g., business unit salaries and other operating costs.

Strategic Investment Reserves

The Strategic Investment Reserves are utilised to fund major strategic investments such as the Hamersley Golf Course Redevelopment and Terry Tyzack Aquatic Centre Redevelopment. These reserves are the City's only source of funding for these types of projects and the City's annual surplus is transferred to these reserves for future investment.

Corporate Project Fund Reserve

Created in 2004/05 as the Development Reserve and renamed in 2014/15 as the Corporate Project Fund. Any annual surplus generated by the City will be transferred to the reserve and it will be utilised to fund the future development needs of the City.

Asset Acquisition Reserve

Created in 2004/05 to accommodate anticipated revenues from land sales which are an integral part of the City's overall asset rationalisation Program. The reserve is to be utilised for the refurbishment and replacement of City Assets. The Reserve currently has a balance of \$100,000 and will be closed on completion of current funded project.

Parking Reserves

This reserve was created to fund the Paid Parking Strategy and is currently being utilised to fund parking related initiatives.

Public Parking Strategy

The reserve aligns with the City's Public Parking Strategy and was funded from the excess generated from the City's Parking Service. This service no longer makes a surplus, so only interest on the reserve balance is currently transferred to the reserve.

ii. Service Delivery Reserves

Where the City raises a service charge, all revenue received must be spent on that particular service. If the service generates a surplus, it is transferred to the reserve and is used for future funding of the service or related projects. The Strategic Waste Development Reserve and Community Safety Service Charge Reserve are the City's two Service Delivery Reserves.

iii. Specific Purpose Reserves

There are three types of specific purpose reserves which are:

- Employee Provisions Reserves – set-up to cash-back the city's employee liabilities.
- Payment Contribution Reserves – set-up from contributions mainly from developers and to be used for a related purpose. The largest of these reserves are the Payment in Lieu of Parking Reserve and Cash in Lieu of Public Open Space.
- Plant Replacement Reserve – this reserve is funded annually from the utilisation of existing plant and is used to fund vehicle and plant replacements.

The table below shows a summary of the Reserves Budget for the 2024/25 financial year. \$31.0m is forecast to be transferred to reserves from dividends received, interest on reserve balances and operating surpluses. \$40.9m is forecast to be transferred from reserves to fund services and projects.

Reserve Type	Reserves Budget 2024/25			
	Opening Balance 1/07/24 \$'m	Transfer To Reserve \$'m	Transfer From Reserve \$'m	Closing Balance 30/06/25 \$'m
Investment Reserves				
Property Investment Reserves	31.3	15.4	(13.0)	33.7
Strategic Investment Reserves	14.0	4.2	(9.0)	9.2
Public Parking Strategy	6.7	0.3	(1.0)	6.1
	52.1	19.9	(23.0)	48.9
Service Delivery Reserves				
Strategic Waste Development	17.7	4.0	(3.0)	18.7
Community Safety Service Charge	0.5	0.8	(1.1)	0.2
	18.2	4.8	(4.1)	18.9
Specific Purpose Reserves				
Employee Provisions Reserves	17.8	0.7	0.0	18.6
Payment Contribution Reserves	6.2	0.2	(0.4)	6.1
Plant Replacement Reserve	9.8	5.4	(13.4)	1.8
	33.9	6.3	(13.8)	26.4
Total Reserves	104.2	31.0	(40.9)	94.2

Financial Assessment and Implications

As provided above.

Recommended Action

As resolved by Council, the report provides information on:

1. Efficiencies realised from our technology investments in the 2024/2025 budget; and
2. The City's reserve accounts and usage in order to lower the impact of rate increases in the future.

The information contained in this report will be further discussed with Elected Members through the 2025/26 integrated planning and budget process.

Relevant Policies, Legislation and Council Resolutions

[Local Government Act 1995](#)

Meeting Date	Council Resolution Number	Council Resolution
30/07/2024	0724/008	That a Report be PRESENTED to Council prior to the 2025/2026 budget planning cycle on the Long Term Financial Plan to identify: <ol style="list-style-type: none"> 1. Efficiencies realised from our technology investments in the 2024/2025 budget; and 2. Potential increased commercial revenue and the use of our reserve accounts, in order to lower the impact of rate increases in the future.

Sustainable Stirling 2022-2032

Key Result Area: Our leadership

Objective: A capable and efficient City

Priority: Plan for the future, manage resources and measure performance

Strategic Risk

Strategic Risk	Risk Appetite
Funding	The City will take sufficient financial risk to enable it to achieve its strategic objectives, providing it does not significantly impact on the long term financial sustainability of the City.

Relevant Documents and Information

Attachments

Nil.

Available for viewing at the meeting

Nil.

Linked Documents

Nil.

12.1/TE1 50067 MAIN STREET, HUTTON STREET, ROYAL STREET INTERSECTION SAFETY IMPROVEMENT

Business Unit:	Engineering Services	Service: Transport Services
Ward:	Osborne	Location: Not Applicable
Applicant:	Not Applicable	

Role

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

Council Resolution
1224/011
Moved Councillor Perkov, seconded Councillor Migdale

That the tender for the Main Street, Hutton Street, Royal Street Intersection Safety Improvement be ACCEPTED as detailed in Confidential Attachment 1.

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

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

Against: Nil.

Committee Recommendation

That the tender for the Main Street, Hutton Street, Royal Street Intersection Safety Improvement be ACCEPTED as detailed in Confidential Attachment 1.

Officer's Recommendation

That the tender for the Main Street, Hutton Street, Royal Street Intersection Safety Improvement be ACCEPTED as detailed in Confidential Attachment 1.

Purpose

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

Details

Tender Description

Main Street / Hutton Street / Royal Street Intersection Improvements project in Osborne Park. This project aims to improve pedestrian accessibility and road safety. It includes new pedestrian crossing upgrades at Main Street between Hutton Street and Eldorado Street in red asphalt. The project will be delivered in collaboration with Main Roads WA. The introduction of a 40kph speed zone along the approaches of Hutton Street and Royal Street and a raised intersection plateau at the intersection with Main Street are also features of this project.

The project incorporates; public utility relocations, minor earthworks, drainage works, kerbing, pavement construction and markings, traffic signals, on street parking, pedestrian paths, tree planting, landscaping, road furniture, street lighting, and other associated minor civil work.

Tender Details

IFT Number	50067
IFT Title	Main Street, Hutton Street, Royal Street Intersection Safety Improvement
Recommended Tenderer(s)	As per confidential Attachment 1

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

Contract Term Initial: Seven Months
 Extension Options: Not applicable
 Defects Liability Period: 12 months

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

Advertising: Saturday 31 August 2024 The West Australian

Tender Deadline: Wednesday 9 October 2024 2.00pm

Tender Opening: Wednesday 9 October 2024 2.00pm

Tender Submissions

One tender was received, including alternative and non-conforming Tenders:

Tenderer	Trading Name	Stirling or Local Business?
Civcon Civil & Project Management Pty Ltd	Civcon Civil & Project Management Pty Ltd	YES

Contract

Commencement Date of New Contract: December 2024
 Completion Date of New Contract: June 2025
 Price Basis of New Contract: Fixed Lump Sum

Tender Evaluation Panel

The tender evaluation panel comprised of five members, including a Business Unit Manager (Chairperson), Officer(s) and External Consultant. Process and probity advice during evaluation was provided by a City Procurement Officer.

Evaluation of Tenders

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

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

Evaluation Justification

Provided in Confidential Attachment 1 to this report.

Comment

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

It is confirmed that the following checks have been undertaken:

Has the recommended Tenderer(s) undergone Reference Checks successfully?	YES
Has the recommended Tenderer(s) undergone Probity assessment and been deemed compliant?	YES
Has the recommended Tenderer(s) undergone Financial Viability assessment and been deemed acceptable?	YES
Was a Conflict of Interest declared? If yes, please specify how it was managed	NO
Has the recommended Tenderer(s) undergone Occupational Safety and Health assessment and been deemed acceptable?	YES

Financial Assessment and Implications

Provided in Confidential Attachment 1 to this report. The project is fully funded from the State Government’s WA Recovery Plan.

Stakeholder Engagement

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

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

Relevant Policies, Legislation and Council Resolutions

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

[City of Stirling Procurement Policy](#)

[Delegated Authority Register](#)

[Local Government Act 1995](#)

Sustainable Stirling 2022-2032

Key Result Area: Our built environment

Objective: An accessible and connected City

Priority: Provide and maintain safe and accessible roads and parking

Strategic Risk

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

Relevant Documents and Information

Attachments

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

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

Available for viewing at meeting

Nil.

Linked Documents

Nil.

12.1/TE2 50303 LANDSCAPE SERVICES

Business Unit:	Parks and Environment	Service: Open Space & Parks Development
Ward:	City Wide	Location: Not Applicable
Applicant:	Not Applicable	

Role

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

Council Resolution
1224/012
Moved Councillor Perkov, seconded Councillor Migdale
That the tender be ACCEPTED as detailed in Confidential Attachment 1.
The motion was put and declared CARRIED (14/0) by exception resolution.
For: Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Krsticevic, Lagan, Migdale, Olow, Papparde, Perkov, Proud, Thornton and Mayor Irwin.

Against: Nil.

Committee Recommendation

That the tender be ACCEPTED as detailed in Confidential Attachment 1.

Officer's Recommendation

That the tender be ACCEPTED as detailed in Confidential Attachment 1.

Purpose

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

Details

Tender Description

The City of Stirling (the Principal) requires a panel of suitable qualified contractors to provide various services for landscaping projects and maintenance, which include but are not limited to minor reserve upgrades, major reserve re-developments and tree planting.

The Invitation for Tender (IFT) is being released to market in order to establish five categorised panels of experienced contractors who can deliver a wide range of landscaping and associated works.

Tender Details

IFT Number 50303

IFT Title Landscape Services

Recommended Tenderer(s) As per confidential Attachment 1

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

Contract Term	Initial:	Three years
	Extension Options:	Two extension options for one year each
	Defects Liability Period:	Twelve months
Tendered Rates/Cost	Provided in Attachment 1 to this report (confidential)	

Panel Allocation

The Contract consists of the following panels:

- Panel 1 - Site works
 - This Panel will assist in Landscape Construction projects and for coastal paths, works include earthmoving, demolition and crushed limestone path works.
- Panel 2 – Concrete paving
 - This Panel will support landscape construction projects and path replacement works within parks.
- Panel 3 - Tree Services Projects and Watering
 - This Panel will primarily support the City Trees team and through landscaping projects to implement street tree planting, median planting and supporting truck watering for the first few years of the juvenile tree's life.
- Panel 4 – Minor landscape works
 - This Panel will be accessed to support predominantly landscape construction and engineering projects, median planting, minor landscaping under \$50,000
- Panel 5 – Landscape Development Projects
 - This Panel will be accessed to support complex, high value and high-risk landscape construction projects city wide.

The Principal intends, and is not bound to distribute the Work by the following Work allocation methodology for panels 1-4:

- When the estimated Work price is less than or equal to \$25,000 ex-GST:
 - Work will be offered for acceptance to the best priced panel member (calculated as a lump-sum, based on agreed Contract Schedule of Rates) and, who can meet the Principal's proposed timeframe.

- When the estimated Work price is more than \$25,000 ex-GST:
 - All panel members will be given the opportunity to provide a lump sum quote for the Work on fair and equitable grounds. Whilst the panel member cannot exceed the agreed Contract Schedule of Rates, the Principal has an expectation that reduced rates will be offered if the Work is deemed to be of significant volume.
 - All quotes will be evaluated, and the Work will be offered for acceptance to the best priced panel member who can meet the Work requirements, including timeline.
 - Provision of quote does not become an obligation on the Principal to accept it for award of Work.
- When work is awarded to a panel member, the panel member must meet the requirements and the relevant awarded work specification.

The Principal intends, and is not bound to distribute the work by the following work allocation methodology for panel 5:

- Works under \$10,000 ex-GST will be awarded based on one written quote.
- Works over \$10,000 ex-GST will be a Request for Quote (RFQ) to all five panel members.

Quotations will be assessed based on value for money. This will include considerations such as programme of works, fixed lumps sum price, and recent performance. Quotations to be lump sum, with items broken down into rates. A programme (proportionate to the scale of the job) is to be submitted with lump sum quotations.

Nothing in this panel engagement represents an obligation on the Principal to assign Work to the panel member(s) on exclusive basis.

The Principal reserves the right to use additional contractor(s) outside of the panel members to undertake the Work in circumstances where all panel members are unavailable to perform the Work or where the Work requirement is unable to be met by all of the panel members. Depending on the nature or extent of a particular work assignment, the Principal reserves the right to call tenders or invitation for quotations for specific assignments independently from the Panel.

The Principal reserves the right to add and remove panel members from this panel in accordance with the Conditions of Contract throughout the term of the engagement.

The Principal reserves the right to suspend allocation of new Work to any panel member experiencing contract performance issue(s). The suspension will be lifted only upon complete resolution of the issue(s).

Advertising: Saturday 7 September 2024 The West Australian
Tender Deadline: Wednesday 23 October 2024 2:00pm
Tender Opening: Wednesday 23 October 2024 2:00pm

Tender Submissions

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

Tenderer	Trading Name	Stirling or Local Business?
Mikevie Pty Ltd	ABM Landscaping	Yes
Axiis Contracting Pty Ltd	Axiis Contracting Pty Ltd	Yes
D.C.L (WA) PTY LTD	Diamond Cut Landscaping	Yes
Donegan Enterprises Pty Ltd	Donegan Enterprises Pty Ltd	Yes
Dowsing Group Pty Ltd	Dowsing Group Pty Ltd	Yes
Environmental Industries Pty Ltd	Environmental Industries Pty Ltd	Yes
Sanpoint Pty Ltd trustee for the Fiore Family Trust	LD Total	Yes
Landscape Elements Pty Ltd	Landscape Elements Pty Ltd	Yes
Menchetti Consolidated Pty Ltd	MG Group WA	Yes
Miraplex Group Pty Ltd	Miraplex Group Pty Ltd	Yes
The Trustee For The Dzodzoz Family Trust	United Lawns And Landscaping	Yes
The Trustee For The MAMMO Trust-Kretar Holdings	TONCA Earthmoving	Yes
Total Landscape Redevelopment Service Pty Ltd	Total Landscape Redevelopment Service Pty Ltd	Yes
Baroness Holdings Pty Ltd	Tree Planting And Watering	Yes

Contract

Commencement Date of New Contract:	December 2024
Completion Date of New Contract:	December 2027
Price Basis of New Contract:	Schedule of Rates

Tender Evaluation Panel

The tender evaluation panel comprised eight members, including a Business Unit Manager (Chairperson), and Officers. Process and probity advice during evaluation was provided by a City Procurement Officer.

Evaluation of Tenders

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

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

Evaluation Justification

Provided in Confidential Attachment 1 to this report.

Comment

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

It is confirmed that the following checks have been undertaken:

Has the recommended Tenderer(s) undergone Reference Checks successfully?	YES
Has the recommended Tenderer(s) undergone Probity assessment and been deemed compliant?	YES
Has the recommended Tenderer(s) undergone Financial Viability assessment and been deemed acceptable?	YES
Was a Conflict of Interest declared? If yes, please specify how it was managed	NO
Has the recommended Tenderer(s) undergone Occupational Safety and Health assessment and been deemed acceptable?	YES

Financial Assessment and Implications

Provided in Confidential Attachment 1 to this report.

Stakeholder Engagement

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

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

Relevant Policies, Legislation and Council Resolutions

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

[City of Stirling Procurement Policy](#)

[Delegated Authority Register](#)

[Local Government Act 1995](#)

Sustainable Stirling 2022-2032

Key Result Area: Our built environment

Objective: An attractive and well-maintained City

Priority: Provide quality well-maintained sporting reserves, parks and open spaces for the community

Strategic Risk

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

Relevant Documents and Information

Attachments

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

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

Available for viewing at meeting

Nil.

Linked Documents

Nil.

12.1/TE3 50362 LANDSCAPE MAINTENANCE SERVICES

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

Role

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

Council Resolution
1224/013
Moved Councillor Perkov, seconded Councillor Migdale

That the Tender for the Landscape Maintenance Services be ACCEPTED as detailed in Confidential Attachment 1.

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

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

Against: Nil.

Committee Recommendation

That the Tender for the Landscape Maintenance Services be ACCEPTED as detailed in Confidential Attachment 1.

Officer's Recommendation

That the Tender for the Landscape Maintenance Services be ACCEPTED as detailed in Confidential Attachment 1.

Purpose

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

Details

Tender Description

The City of Stirling (the Principal) is seeking tenders from competent companies to provide Landscape Maintenance Services within the City of Stirling geographical area for the following categories:

- Category 1 – Scheduled Landscape Maintenance
 - This Panel will be used for supporting the City to maintain street landscapes.
- Category 2 – Additional Work / Unscheduled Services
 - This panel is used for associated horticultural services on an ad-hoc basis.
- Category 3 – Application of Mulch (Blowing)
 - This Panel supports the loading, transport and installation via blowing of mulch onto landscapes City wide in difficult to access locations.

Tender Details

IFT Number 50362
IFT Title Landscape Maintenance Services
Recommended Tenderer(s) As per confidential Attachment 1

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

Contract Term Initial: Three years
Extension Options: Two extension options for one year each

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

Panel Allocation Categories 1 and 2 are to be awarded as Panel Contracts to up to three Respondents and the Principal reserves the right to award to more or fewer Respondents if deemed appropriate.

The Principal intends, and is not bound to distribute work within Categories 1 and 2 by ranking, geographic areas, price, capacity, availability and performance.

Category 3 is to be awarded to one Respondent, and the Principal reserves the right to award to more Respondents if deemed appropriate.

Advertising: Saturday 14 September 2024 The West Australian

Tender Deadline: Wednesday 9 October 2024 2:00pm

Tender Opening: Wednesday 9 October 2024 2:00pm

Tender Submissions

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

Tenderer	Trading Name	Stirling or Local Business?
ABM Landscaping Pty Ltd	ABM Landscaping	YES
Environmental Industries Pty Ltd	Environmental Industries Pty Ltd	YES
Fiore Family Trust	LD Total	YES
Perth Materials Blowing Pty Ltd	Perth Materials Blowing Pty Ltd	YES
The Trustee for the Dzodzoz Family Trust	United Lawns and Landscaping	YES

Contract

Commencement Date of New Contract: December 2024
 Completion Date of New Contract: December 2027
 Price Basis of New Contract: Schedule of rates

Tender Evaluation Panel

The tender evaluation panel comprised five members, including a Business Unit Manager (Chairperson) and Officers. Process and probity advice during evaluation was provided by a City Procurement Officer.

Evaluation of Tenders

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

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

Evaluation Justification

Provided in Confidential Attachment 1 to this report.

Comment

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

It is confirmed that the following checks have been undertaken:

Has the recommended Tenderer(s) undergone Reference Checks successfully?	YES
Has the recommended Tenderer(s) undergone Probity assessment and been deemed compliant?	YES
Has the recommended Tenderer(s) undergone Financial Viability assessment and been deemed acceptable?	YES
Was a Conflict of Interest declared? If yes, please specify how it was managed	NO
Has the recommended Tenderer(s) undergone Occupational Safety and Health assessment and been deemed acceptable?	YES

Financial Assessment and Implications

Provided in Confidential Attachment 1 to this report.

Stakeholder Engagement

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

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

Relevant Policies, Legislation and Council Resolutions

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

[City of Stirling Procurement Policy](#)

[Delegated Authority Register](#)

[Local Government Act 1995](#)

Sustainable Stirling 2022-2032

Key Result Area: Our built environment

Objective: An attractive and well-maintained City

Priority: Provide quality well-maintained sporting reserves, parks and open spaces for the community

Strategic Risk

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

Relevant Documents and Information

Attachments

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

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

Available for viewing at meeting

Nil.

Linked Documents

Nil.

12.1/TE5 49589 TRAFFIC MANAGEMENT SERVICES

Business Unit:	Engineering Services	Service: Maintenance Services
Ward:	City Wide	Location: Not Applicable
Applicant:	Not applicable	

Role

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

Council Resolution
1224/014
Moved Councillor Perkov, seconded Councillor Migdale

That the tender for the Provision of Traffic Management Services be ACCEPTED as detailed in Confidential Attachment 1.

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

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

Against: Nil.

Committee Recommendation

That the tender for the Provision of Traffic Management Services be ACCEPTED as detailed in Confidential Attachment 1.

Officer's Recommendation

That the tender for the Provision of Traffic Management Services be ACCEPTED as detailed in Confidential Attachment 1.

Purpose

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

Details

Tender Description

The City of Stirling (Principal) invited tenders for the provision of Traffic Management Services on work sites within the City of Stirling boundaries, including the provision of Traffic Management Plans (TMPs) as required.

The Works to be performed under this tender consist of all work necessary to provide for the safe movement of traffic and the protection of persons and property through and/or around the work sites within the City of Stirling boundaries when requested by the Principal, including the provision of Traffic Management Plans (TMPs) as required.

The Principal intends to award Contracts to up to three Tenderers as part of a panel and reserves the right to award more or fewer suppliers if deemed appropriate.

The Principal intends, but is not bound to distribute services among panel members based on price, availability, quality of services as well as overall performance of panel members against nominated Key Performance Indicators (KPIs) throughout the duration of the panel.

Tender Details

IFT Number 49589
IFT Title Provision of Traffic Management Services
Recommended Tenderer(s) As per confidential Attachment 1

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

Contract Term Initial: Two years
Extension Options: Two extension options of one year each

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

Panel Allocation

The following process is to be used to allocate services as described in the Specification:

- The Principal intends, but is not bound to distribute services among panel members based on price, availability, quality of services as well as overall KPI performance of panel members throughout the duration of the panel.
- Notification for award of services will be through a Purchase Order. Once a Purchase Order is issued to the Contractor it will become an obligation on the Contractor to deliver the services as indicated in the Purchase Order and agreed between the parties. The Contractor must meet the requirements and the relevant awarded service specification.
- The Principal reserves the right to reduce or remove and reallocate immediate work to other panel members or go to the market to engage other contractors outside the panel, where
 - (a) the Contractor is not able to meet the required time frame, or
 - (b) the Contractor's performance is not meeting KPI's.
- In the case of performance issues, the Principal reserves the right at its discretion to suspend any new allocation of services to the Contractor until the performance issues are rectified. If issues are not rectified the Principal may remove the Contractor from the Panel.
- Nothing in this panel engagement represents an obligation on the Principal to assign services to the Contractor on an exclusive basis.

- The Principal reserves the right to use additional contractor(s) outside of the panel to undertake the services in circumstances of delay or where the requirement is unable to be provided by the panel members and/or where circumstances necessitate such action in accordance with clause 40.4 of Conditions of Contract.

Advertising: Saturday 10 August 2024 The West Australian
Tender Deadline: Wednesday 11 September 2024 2:00pm
Tender Opening: Wednesday 11 September 2024 2:00pm

Tender Submissions

Nine Tenders were received, including alternative and non-conforming Tenders:

Tenderer	Trading Name	Stirling or Local Business?
Contra-Flow Pty Ltd	Contra-Flow Pty Ltd	YES
Warp Pty Ltd	Warp Traffic Management	YES
Par Traffic Solutions Pty Ltd	Par Traffic Solutions Pty Ltd	YES
Luxworks Traffic Control and Management Pty Ltd	Luxworks Traffic Control and Management Pty Ltd	YES
TMSW Pty Ltd as The Trustee for TMSW Unit Trust Trading as Traffic Force	Traffic Management South West Pty Ltd	YES
Overwatch Traffic Services Pty Ltd	Overwatch Traffic Services Pty Ltd	YES
Workforce Road Services Pty Limited	C Q Traffic Control	YES
Evolution Traffic Management Pty Ltd	Evolution Traffic Management Pty Ltd	YES
Downer EDI Works Pty Ltd	Downer EDI Works Pty Ltd	YES

Contract

Commencement Date of New Contract: December 2024
 Completion Date of New Contract: December 2026
 Price Basis of New Contract: Schedule of rates

Tender Evaluation Panel

The tender evaluation panel comprised four members, including a Business Unit Manager (Chairperson) and Officer(s). Process and probity advice during evaluation was provided by a City Procurement Officer.

Evaluation of Tenders

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

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

Evaluation Justification

Provided in Confidential Attachment 1 to this report.

Comment

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

It is confirmed that the following checks have been undertaken:

Has the recommended Tenderer(s) undergone Reference Checks successfully?	YES
Has the recommended Tenderer(s) undergone Probity assessment and been deemed compliant?	YES
Has the recommended Tenderer(s) undergone Financial Viability assessment and been deemed acceptable?	YES
Was a Conflict of Interest declared? If yes, please specify how it was managed	NO
Has the recommended Tenderer(s) undergone Occupational Safety and Health assessment and been deemed acceptable?	YES

Financial Assessment and Implications

Provided in Confidential Attachment 1 to this report.

Stakeholder Engagement

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

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

Relevant Policies, Legislation and Council Resolutions

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

[City of Stirling Procurement Policy](#)

[Delegated Authority Register](#)

[Local Government Act 1995](#)

Sustainable Stirling 2022-2032

Key Result Area: Our built environment

Objective: An accessible and connected City

Priority: Provide and maintain safe and accessible roads and parking

Strategic Risk

Strategic Risk	Risk Appetite
People and Safety	The City will employ a capable workforce that is culturally aligned and is empowered to deliver strategic objectives without comprising safety.

Relevant Documents and Information

Attachments

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

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

Available for viewing at meeting

Nil

Linked Documents

Nil.

Councillor Michael Dudek disclosed an Impartial Interest in Item 12.1/TE6 as the Chair of the Resource Recovery Group, Councillor Karen Wheatland, is a fellow State Councillor on WALGA.

12.1/TE6 VP428451: KERBSIDE WASTE COLLECTION AND PROCESSING SERVICES

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

Role

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

Council Resolution**1224/015****Moved Councillor Perkov, seconded Councillor Migdale****That the Quotation for the Kerbside Waste Collection and Processing Services be ACCEPTED as detailed in Confidential Attachment 1.****The motion was put and declared CARRIED (14/0) by exception resolution.****For:** Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Krsticevic, Lagan, Migdale, Olow, Papparde, Perkov, Proud, Thornton and Mayor Irwin.**Against:** Nil.

Committee Recommendation

That the Quotation for the Kerbside Waste Collection and Processing Services be ACCEPTED as detailed in Confidential Attachment 1.

Officer's Recommendation

That the Quotation for the Kerbside Waste Collection and Processing Services be ACCEPTED as detailed in Confidential Attachment 1.

Purpose

To report on the results from tender exempt Invitation for Quotation (IFQ) and the evaluation of submissions, in accordance with Regulation 18 of the Local Government (Functions and General) Regulations 1996.

Details**Quotation Description**

The City is seeking Responses from suitably qualified and experienced contractors to provide collection and processing services for kerbside commingled recyclables and garden organics (GO) waste (inclusive of appropriate disposal/processing of unrecoverable items.)

Quotation Details

IFQ Number VP428451
IFQ Title Kerbside Waste Collection And Processing Services
Recommended Respondent(s) As per confidential Attachment 1

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

Contract Term Initial: Kerbside Waste Collection of Recycling and Garden Organics Bins: seven years plus three options to extend for one year
 Processing of Comingled Recyclables: five years plus one option to extend for one year
 Processing of Garden Organics: one year plus four options to extend for one year

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

Quotation Deadline: Monday 28 October 2024 5.00pm

Quotation Opening: Tuesday 29 October 2024 8.30am

Quotation Submissions

Seven quotations were received, including alternative and non-conforming quotations:

Respondent	Trading Name	Stirling or Local Business?
Cleanaway Operations Pty Ltd	Cleanaway Operations Pty Ltd	Yes
JD Organics Pty Ltd	Garden Organics	Yes
J.J. Richards & Sons Pty Ltd	JJ's Waste & Recycling	Yes
The Trustee for WRS Trust	MASTEC Smart Waste Solutions	Yes
Resource Recovery Group	Resource Recovery Group	No
The Trustee For Rico Family Trust	Solo Resource Recovery	Yes
Veolia Recycling & Recovery Pty Ltd	Veolia Recycling & Recovery Pty Ltd	Yes

Contract

Commencement Date of New Contract:	June 2025
Completion Date of New Contract:	Various, see above contract terms
Price Basis of New Contract:	Schedule of rates

Quotation Evaluation Panel

The evaluation panel comprised of three members, including a Business Unit Manager (Chairperson) and Officers. Process and probity advice during evaluation was provided by a City Procurement Officer.

Evaluation of Quotations

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

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

Evaluation Justification

Provided in Confidential Attachment 1 to this report.

Comment

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

It is confirmed that the following checks have been undertaken:

Has the recommended Respondent(s) undergone Reference Checks successfully?	YES
Has the recommended Respondent(s) undergone Probity assessment and been deemed compliant?	YES
Has the recommended Respondent(s) undergone Financial Viability assessment and been deemed acceptable?	YES
Was a Conflict of Interest declared? If yes, please specify how it was managed	NO
Has the recommended Respondent(s) undergone Occupational Safety and Health assessment and been deemed acceptable?	YES

Financial Assessment and Implications

Provided in Confidential Attachment 1 to this report.

Stakeholder Engagement

Nil.

Relevant Policies, Legislation and Council Resolutions

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

[City of Stirling Procurement Policy](#)

[Delegated Authority Register](#)

[Local Government Act 1995](#)

Sustainable Stirling 2022-2032

Key Result Area: Our natural environment

Objective: A waste-wise City

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

Strategic Risk

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

Relevant Documents and Information

Attachments

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

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

Attachment 3 - Probity Plan (previously circulated to Elected Members under confidential separate cover)

Available for viewing at meeting

Nil

Linked Documents

Nil

Councillor Stephanie Proud JP disclosed an Impartial Interest in Item 12.1/TE7 as a family member is a contractor for one of the companies which tendered.

12.1/TE7 49790 - CONTROL OF WEEDS AND PESTS WITHIN TURFED RESERVES AND CONSERVATION AREAS

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

Role

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

Council Resolution

1224/016

Moved Councillor Perkov, seconded Councillor Migdale

That the tender for the Control of Weeds and Pests within Turfed Reserves and Conservation Areas be ACCEPTED as detailed in Confidential Attachment 1.

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

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

Against: Nil.

Committee Recommendation

That the tender for the Control of Weeds and Pests within Turfed Reserves and Conservation Areas be ACCEPTED as detailed in Confidential Attachment 1.

Officer's Recommendation

That the tender for the Control of Weeds and Pests within Turfed Reserves and Conservation Areas be ACCEPTED as detailed in Confidential Attachment 1.

Purpose

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

Details

Tender Description

The City of Stirling (Principal), invites tenders to seek professional Contractors for the control of weeds and pests within the City of Stirling, spraying Pesticides/Herbicides across the various Active and Passive Reserves and Conservation Areas.

The Principal currently manages pests and weeds in over 500 parks and reserves, including conservation areas, via a program known as Integrated Pest Management (IPM).

This program is a core function of the Principal's Infrastructure Directorate. It encompasses all facets of pest management and the safe use of pesticides as a last resort.

The required services will cover both turfed reserves and conservation areas. While the services have common aspects, each also has unique requirements. Therefore, two separate panels will be established, each managed by a different Principal's representatives.

The Principal intends to form the following two Panels and Categories:

- **Panel 1 - Turfed Reserves**
- **Panel 2 – Conservation Areas**
 - Category 1 – Chemical
 - Category 2 – Non Chemical, Cambium [bark] and, Mechanical Hot Water and Steam
 - Category 3 – Specialised Services

Tender Details

IFT Number 49790

IFT Title Control of Weeds and Pests within Turfed Reserves and Conservation Areas

Recommended Tenderer(s) As per confidential Attachment 1

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

Contract Term Initial: Three years
Extension Options: Two extension options of one year each

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

Panel Allocation

This section elaborates the work distribution governance and management principle which will be used to administer the panel arrangement. The Principal intends, and is not bound to distribute work by the following work panel allocation.

The Principal reserves the right to allocate works to Panel Contractors at any time and as and when required.

- (a) Nothing in this Panel engagement represents an obligation on the Principal to assign work to the Panel Contractor(s) on exclusive basis. The Principal reserves the right to use additional Contractor(s) outside of the Panel Contract to undertake the work in circumstances where Panel Contractors are unavailable to perform the work or where the work requirement is unable to be met by the Panel Contractor, whilst being compliant to the Procurement Policy. Depending on the nature or extent of a particular work assignment, the Principal reserves the right to call tenders or invitation for quotations for specific assignments independently from the Panel.
- (b) Provision of quote does not become an obligation on the Principal to accept it for award of work. However, if a letter of acceptance/award, or purchase order is issued for a particular work assignment, a contract shall be in force for that work assignment and shall be in accordance with the assignment specification, the response, and the Conditions of Contract.
- (c) The Principal reserves the right to add and remove Panel Contractors from this Panel at its sole discretion in accordance with the Conditions of Contract throughout the term of the engagement.
- (d) The Principal reserves the right to suspend allocation of new works to any panel contractor experiencing contract performance issue(s). The suspension will be lifted only upon complete resolution of the issue(s).

Panel 1 – Turfed Reserves:

Direct Engagement of a Panel Contractor:

For works that are:

- Ad-hoc reactive weed and pest works
- Any other works to be completed within a short notice or in case of urgency.

When estimated work price is less than (or, equal to) \$20,000 ex-GST:

The Principal may directly engage a Panel Contractor based on contract rates, Capability, and Availability.

Work will be offered to the Contractor that represents best value for money for acceptance.

The Principal reserves the right to request for a quote/s at its discretion.

When estimated work price is more than \$20,000 ex-GST:

All panel members will be given the opportunity to provide a quote for the Work on fair and equitable grounds. Whilst the panel member cannot exceed the rates within the agreed contract rates, the Principal has an expectation that reduced rates will be offered if the Work is deemed to be of significant volume.

All quotes will be evaluated, and the work will be offered for acceptance to the panel contractor who provides the best value for money submission and also can meet the Work requirements, including timeline.

Provision of a quote does not become an obligation on the Principal to accept it for award of Work.

Scheduled Works for Panel Contractor:

Upon the commencement of the Weed-spraying programme, the Principal shall allocate lists of works to all contractors on the panel based on the factors Capability, Availability, Experience and Price whilst meeting the Principals weed and pest control target timelines.

The schedules for allocated works will be reviewed and allocated yearly by the Principal and a notification of the work allocations shall be sent to Contractors. As the Principal aims to achieve best value for money, it therefore reserves the right to amend the distribution of work schedules at any time should a Contractor be unable to meet any of the four criteria below.

Criteria:

(i) Quality:

Panel Contractors to be considered must meet the agreed KPIs and requirements of the Specification to the Principal's satisfaction.

(ii) Capability:

The Contractor must have the appropriate resources and ability to complete the volume of work allocated to them within the required timeframe. The volume of work may be adjusted at the Principal's discretion based on the Contractor's capability to fulfil the allocated volume of work.

The Principal reserves the right to select a suitable work volume allocation for all the Panel Contractors to allow the Principal to meet its weed and pest Control targets, deadlines and goals.

(iii) Availability:

The Contractor is obliged to ensure their resources are available to perform the works required by the Principal within the required timeframe by the Principal. The Conditions of Contract **clause 40.4** applies where the Contractor fails to fulfill this obligation.

(iv) Safety:

The Contractor must demonstrate a clear understanding of the Work Health and Safety legislation and ability to ensure they are capable of working safely throughout the duration of the contract.

Panel 2 – Conservation Areas:

Direct Engagement of a Panel Contractor:

The Principal may directly engage a Panel Contractor based on contracted rates, Capability, and Availability in the following cases:

- (i) Ad-hoc reactive weed and pest works; and
- (ii) Any other works to be completed within a short notice or in case of urgency.

Work will be offered to the Contractor that represents best value for money for acceptance.

The Principal reserves the right to request for a quote/s at its discretion.

Scheduled Works for Panel Contractor:

Upon the commencement of the Weed-spraying programme, the Principal shall allocate lists of works to all Contractors on the panel based on the factors Capability, Availability, Experience and Price whilst meeting the Principals weed and pest control target timelines.

The schedules for allocated works will be reviewed and allocated yearly by the Principal and a notification of the work allocations shall be sent to Contractors. As the Principal aims to achieve best value for money, it therefore reserves the right to amend the distribution of work schedules at any time should a Contractor be unable to meet any of the four criteria below.

Criteria:

(i) Quality:

Panel Contractors to be considered must meet the agreed KPIs and requirements of the Specification to the Principal's satisfaction.

(ii) Capability:

The Contractor must have the appropriate resources and ability to complete the volume of work allocated to them within the required timeframe. The volume of work may be adjusted at the Principal's discretion based on the Contractor's capability to fulfil the allocated volume of work. The Principal reserves the right to select a suitable work volume allocation for all the Panel Contractors to allow the Principal to meet its weed and pest Control targets, deadlines and goals.

(iii) Availability:

The Contractor is obliged to ensure their resources are available to perform the works required by the Principal within the required timeframe by the Principal. The Conditions of Contract **clause 40.4** applies where the Contractor fails to fulfill this obligation.

(iv) Safety:

The Contractor must demonstrate a clear understanding of the Work Health and Safety legislation and ability to ensure they are capable of working safely throughout the duration of the contract.

Advertising: Wednesday 17 July 2024 The West Australian

Tender Deadline: Wednesday 14 August 2024 2.00pm

Tender Opening: Wednesday 14 August 2024 2.00pm

Tender Submissions

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

Tenderer	Trading Name	Stirling or Local Business?
Environmental Industries Pty Ltd	Environmental Industries Pty Ltd	YES
Green Skills Inc	Green Skills Inc	YES
GreenSteam Australia Pty Ltd	Greensteam Australia	YES
Natural Area Holdings Pty Ltd	Natural Area Holdings Pty Ltd	YES
Turf Care WA Pty Ltd	Turf Care WA Pty Ltd	YES

Contract

Commencement Date of New Contract: 1 January 2025
 Completion Date of New Contract: 31 December 2027
 Price Basis of New Contract: Schedule of Rates

Tender Evaluation Panel

The tender evaluation panel comprised five members, including a Business Unit Manager (Chairperson) and Officer(s). Process and probity advice during evaluation was provided by a City Procurement Officer.

Evaluation of Tenders

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

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

Evaluation Justification

Provided in Confidential Attachment 1 to this report.

Comment

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

It is confirmed that the following checks have been undertaken:

Has the recommended Tenderer(s) undergone Reference Checks successfully?	YES
Has the recommended Tenderer(s) undergone Probity assessment and been deemed compliant?	YES
Has the recommended Tenderer(s) undergone Financial Viability assessment and been deemed acceptable?	YES
Was a Conflict of Interest declared? If yes, please specify how it was managed	NO
Has the recommended Tenderer(s) undergone Occupational Safety and Health assessment and been deemed acceptable?	YES

Financial Assessment and Implications

Provided in Confidential Attachment 1 to this report.

Stakeholder Engagement

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

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

Relevant Policies, Legislation and Council Resolutions

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

[City of Stirling Procurement Policy](#)

[Delegated Authority Register](#)

[Local Government Act 1995](#)

Sustainable Stirling 2022-2032

Key Result Area: Our built environment

Objective: An attractive and well-maintained City

Priority: Provide quality well-maintained sporting reserves, parks and open spaces for the community

Objective: A liveable City

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

Key Result Area: Our natural environment

Objective: A biodiverse City

Priority: Undertake conservation, protection and enhancement of natural ecosystems and biodiversity

Strategic Risk

Strategic Risk	Risk Appetite
People and Safety	The City will employ a capable workforce that is culturally aligned and is empowered to deliver strategic objectives without comprising safety.
Environment	The City will prioritise protection, enhancement and sustainability of the natural environment unless this cannot be achieved without significantly compromising the City's economic or social sustainability.

Relevant Documents and Information

Attachments

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

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

Available for viewing at meeting

Nil

Linked Documents

Nil.

12.1/GOV2 PROPOSED SHOPPING TROLLEYS LOCAL LAW 2025

Business Unit:	Governance	Service: Compliance, Risk & Information Management
Ward:	Not Applicable	Location: Not Applicable
Applicant:	Not Applicable	

Role

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

Council Resolution
1224/017
Moved Councillor Perkov, seconded Councillor Migdale

1. That the City gives NOTICE of the proposed City of Stirling Shopping Trolleys Local Law 2025, as shown in Attachment 1, in accordance with *the Local Government Act 1995*.
2. That the Minister for Local Government be PROVIDED with a copy of the proposed Shopping Trolleys Local Law 2025.
3. Following advertising, that public submissions be PRESENTED to a future Council meeting for consideration.

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

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

Against: Nil.

Committee Recommendation

1. That the City gives NOTICE of the proposed City of Stirling Shopping Trolleys Local Law 2025, as shown in Attachment 1, in accordance with *the Local Government Act 1995*.
2. That the Minister for Local Government be PROVIDED with a copy of the proposed Shopping Trolleys Local Law 2025.
3. Following advertising, that public submissions be PRESENTED to a future Council meeting for consideration.

Officer's Recommendation

1. That the City gives NOTICE of the proposed City of Stirling Shopping Trolleys Local Law 2025, as shown in Attachment 1, in accordance with *the Local Government Act 1995*.
2. That the Minister for Local Government be PROVIDED with a copy of the proposed Shopping Trolleys Local Law 2025.
3. Following advertising, that public submissions be PRESENTED to a future Council meeting for consideration.

Purpose

To seek the approval of Council to advertise the proposed *City of Stirling Shopping Trolleys Local Law 2025* for public comment. The purpose and effect of the proposed Local Law is included in section 1.4 of the proposed Local Law as follows:

Purpose:

This Local Law intends to:

- (a) regulate the removal of shopping trolleys from shopping precincts;
- (b) require retailers providing shopping trolleys to ensure their prompt collection and return;
- (c) provide the local government with powers to impound shopping trolleys that are left in contravention of this local law; and
- (d) create offences and penalties for breaches of this Local Law.

Effect:

This Local Law applies to all land in the local government.

Details

A new proposed City of Stirling Shopping Trolleys Local Law 2025 has been drafted. This local law will strengthen provisions to ensure trolleys are not removed from shopping centres, reduce the timeframe allowed for the removal of abandoned shopping trolleys and increase penalties for not complying with these requirements. This local law will regulate shopping trolleys that are left in public places, streets, parks and reserves in one local law whilst providing more options to enforce compliance in a timely manner. The City of Stirling Thoroughfares and Public Places Local Law 2009 currently includes provisions relating to shopping trolleys. The proposed local law amends the City of Stirling Thoroughfares and Public Places Local Law 2009, by revoking the provisions related to shopping trolleys.

Community sentiment around the management of abandoned shopping trolleys is increasing and having a separate local law to regulate shopping trolleys would be more appropriate. It demonstrates the City's commitment to managing shopping trolleys and encouraging compliance by retailers to address community expectations.

The drafting of the proposed City of Stirling Shopping Trolleys Local Law 2025 has been completed, guided by the following themes:

- Consideration to regulate the removal of shopping trolleys from shopping centres.
- Provisions to allow the City to efficiently action abandoned shopping trolleys, that are in the incorrect location.
- Provide appropriate measures for the containment of shopping trolleys within shopping centres.
- Consideration of appropriate range of penalties for non-compliance.

Proposed Local laws are made in accordance with section 3.12 of the *Local Government Act 1995*. To progress the proposed local law, the City is required to:

- Give local public notice stating:
 - a) It proposes to make the City of Stirling Shopping Trolleys Local Law 2025;
 - b) A summary of its purpose and effect; and
 - c) Where and when a copy of the proposed local law can be inspected.
- As soon as the notice is given, provide the Minister for Local Government with a copy of the proposed local law.
- Provide a copy of the proposed local law to any person requesting it. Local public notice is given in accordance with section 1.7 of the *Local Government Act 1995*, and clause 3A of the Local Government (Administration) Regulations 1996.

Financial Assessment and Implications

The City will incur costs in advertising the review and engaging with the community. These costs are provided for within the 2024/2025 Annual Budget.

Stakeholder Engagement

If Council proceeds with the recommendation contained in this report, local public notice will be given summarising the draft Local Law, and submissions from members of the public may be made. Advertising will occur following the Christmas and New Year's holiday period. Consultation will continue for a minimum of six weeks. A copy of the draft Local Law will be provided to any person who requests it and will be made available on the City's Shaping Your City page. The comments will be presented to Council for consideration at a future meeting.

Recommended Action

It is recommended that Council endorses the proposed City of Stirling Shopping Trolleys Local Law 2025 for advertising and public comment. The results of the advertising will be presented to Council for further consideration before final adoption.

Relevant Policies, Legislation and Council Resolutions

[Local Government Act 1995](#)

Meeting Date	Council Resolution Number	Council Resolution
30 May 2023	0523/046	<ol style="list-style-type: none"> 1. That Council CONSIDERS amending the current local laws regulating shopping trolleys, during the local law making process for the proposed City of Stirling Streets and Public Places Local Law, when they are presented to Council following implementation of the relevant Local Government Act reforms. 2. That Council NOTES the City's Community Safety Team will undertake targeted enforcement of retail shopping areas and public spaces where the abandonment of shopping trolleys is problematic.
25 June 2024	0624/018	<ol style="list-style-type: none"> 1. That Council RECEIVES the outcomes of public consultation on the below local laws: <ul style="list-style-type: none"> • City of Stirling Beekeeping Local Law 2008; • City of Stirling Dogs Local Law 2008; • City of Stirling Fencing Local Law 2008; • City of Stirling Health Local Law 2009; and • City of Stirling Keeping and Control of Cats Local Law 1999. 2. That Council SUPPORTS the amendment of the below local laws: <ul style="list-style-type: none"> • City of Stirling Beekeeping Local Law 2008; • City of Stirling Dogs Local Law 2008; • City of Stirling Fencing Local Law 2008; and • City of Stirling Keeping and Control of Cats Local Law 1999. 3. That Council PROGRESSES the legislative local law-making process for the City of Stirling Parking Amendment Local Law and the proposed City of Stirling Streets and Public Places Local Law. 4. That Council APPROVES for the City to commence the legislative local law-making process for a new City of Stirling Shopping Trolleys Local Law. 5. That Council NOTES the progress in drafting the proposed Protection of Large Trees Local Law.

Sustainable Stirling 2022-2032

Key Result Area: Our leadership

Objective: A well-governed City

Priority: Comply with legislation, standards and obligations

Strategic Risk

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

Relevant Documents and Information

Attachments

Attachment 1 - Proposed Shopping Trolleys Local Law 2025 [↓](#)

Available for viewing at meeting

Nil

Linked Documents

Nil.

City of Stirling

SHOPPING TROLLEYS LOCAL LAW 2025

DRAFT

Local Government Act 1995

City of Stirling

Shopping Trolleys Local Law 2025

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Local Government Act 1995

City of Stirling

Shopping Trolleys Local Law 2024

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Stirling resolved on [insert date] to make the following local law.

Part 1 - Preliminary**1.1 Citation**

- (1) This local law is the *City of Stirling Shopping Trolleys Local Law 2025*.
- (2) This local law is referred to as “the” or “this” “Local Law.”

1.2 Commencement

This local law commences on the 14th day after the day on which it is published in the *Government Gazette*.

1.3 Amendments

This local law amends the following local law:

- (1) The *City of Stirling Throughfares and Public Places Local Law 2009* published in the *Government Gazette* on 9 April 2009 and as amended and published in the *Government Gazette* on 15 April 2011 and 23 August 2013. The amendments are as follows:
 - (a) Part 4 - Division 2 – Shopping Trolleys is deleted.
 - (b) The words ‘or shopping trolleys’ are deleted from the heading of Part 4.
 - (c) Clauses 4.6 and 4.7(2) are deleted from Schedule 1.

1.4 Application and intent

- (1) This Local Law applies to all land in the local government.
- (2) This Local Law intends to:
 - (a) regulate the removal of shopping trolleys from shopping precincts;
 - (b) require retailers providing shopping trolleys to ensure their prompt collection and return;

- (c) provide the local government with powers to impound shopping trolleys that are left in contravention of this local law; and
- (d) create offences and penalties for breaches of this Local Law.

1.5 Interpretation

(1) In this Local Law, unless the context requires otherwise, all words and phrases have the same meaning as defined in the *Local Government Act 1995* or any regulations adopted under the *Local Government Act 1995*.

(2) In this Local Law, unless the context requires otherwise –

“Area Set Aside for the Storage of Shopping Trolleys” means any area that is clearly marked and used for the storage of shopping trolleys with the prior consent of the owner and occupier of the land on which it is located.

“City Property” means any land that is:

- (a) under the exclusive possession of the local government;
- (b) owned by the local government; or
- (c) is under the care, control or management of the local government.

“Contravention That May Lead to Impounding” has the meaning given in clause 1.13.

“Local Government” means the City of Stirling;

“private property” means any land that is not a public place;

“retailer” means a proprietor of a shop in respect of which shopping trolleys are provided for the use of customers of the shop;

“shopping precinct”:

- (a) means the entire area of land comprising one or more contiguous parcels of land on which one or more retailers who use shopping trolleys are located; and
- (b) includes any common property within the meaning of the *Strata Titles Act*; but
- (c) does not include any City property, unless the City has granted prior written approval for the City property to form part of the shopping precinct.

“trolley” or **“shopping trolley”** means a wheeled container or receptacle supplied by a retailer to enable a person to transport goods.

Part 2 – Local Law

1.6 Shopping trolley to be marked

A retailer must clearly mark its name or trading name on any shopping trolley made available for the use of customers.

1.7 Shopping trolleys must be kept in shopping precincts

- (1) A retailer must implement reasonable practices to keep shopping trolleys within the shopping precinct within which the retailer is located.
- (2) A retailer must not permit a shopping trolley to leave the shopping precinct within which the retailer is located.

1.8 Person not to leave trolley in public place

A person must not leave a shopping trolley in a public place or on City property other than in an area set aside for the storage of shopping trolleys.

1.9 Person not to leave trolley on private property

A person must not leave a shopping trolley on:

- (1) private property, without the prior consent of the owner or occupier of the private property; or
- (2) common property within the meaning of the *Strata Titles Act*, without the prior written consent of the strata company.

1.10 Retailer to remove abandoned trolley

- (1) If a shopping trolley is found on private property, in a public place or on City property, in contravention of clause 1.7(2), clause 1.8 or clause 1.9, the City may advise a retailer, verbally or in writing, whose name is marked on the trolley of the location of the shopping trolley.
- (2) A retailer must remove a shopping trolley within 3 hours of being so advised under subclause (1).

1.11 Retailer taken to own trolley

In the absence of any proof to the contrary, a shopping trolley is to be taken to belong to a retailer whose name is marked on the trolley.

1.12 Impounding shopping trolleys

An authorised person may impound a shopping trolley that is involved in a Contravention That May Lead To Impounding.

1.13 Contravention That May Lead To Impounding

A shopping trolley is involved in a Contravention That May Lead To Impounding if it is left:

- (1) in a public place or on City property and is not marked in accordance with clause 1.6;
- (2) in a public place, or on City property, and is causing an obstruction or hazard;
- (3) outside the shopping precinct within which the retailer is located;
- (4) on City property, without the prior written consent of the City;
- (5) on private property, in a public place or on City property after advice has been given under clause 1.10 and the period of time given under clause 1.10 has expired;
- (6) on private property, without the prior written consent of the owner or occupier of that private property;
- (7) on common property as defined in the *Strata Titles Act*, without the prior written consent of the strata company; or
- (8) in or on:
 - (a) a waterway, lake, river or pond;
 - (b) a natural area;
 - (c) a beach or ocean;
 - (d) a vehicle or boat; or
 - (e) a structure, other than an area set aside for the storage of shopping trolleys.

Part 3 – Enforcement

1.14 Offences

A person who breaches a provision of this Local Law commits an offence.

1.15 Penalties

- (1) A person who commits an offence is liable to a modified penalty that is the maximum modified penalty allowed under the *Local Government Act 1995*.
- (2) A person who commits an offence is liable to a penalty that is the maximum penalty allowed under the *Local Government Act 1995*.
- (3) A person who commits an offence is liable to a daily penalty that is the maximum daily penalty allowed under the *Local Government Act 1995*.

Dated [insert]

The Common Seal of the City of Stirling)
was affixed by authority of a resolution)
of the Council in the presence of:)

.....
MARK IRWIN
MAYOR

.....
STEVAN RODIC
CHIEF EXECUTIVE OFFICER

DRAFT

Councillor Elizabeth Re disclosed an Impartial Interest in Item 12.1/8.1 as she resides within the southside of the Stirling City Centre project.

12.1/8.1 HERTHA RESERVE LANDFILL SITE - DETAILED SITE INVESTIGATION BRIEF

Confidentiality

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

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

Council Resolution

1224/018

Moved Councillor Perkov, seconded Councillor Migdale

That Council APPROVES the brief (as shown in Attachment 1) to engage a consultant to undertake a Detailed Site Investigation for the Hertha Reserve Landfill Site.

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

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

Against: Nil.

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

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

Manager Governance, Mr Jamie Blanchard, disclosed an Impartial Interest in Item 13.1 as he is a member of the Risk, Audit and Governance Committee of the National Heart Foundation, which advocates on smoking and vaping regulation.

13.1 LOCAL LAW REVIEWS 2024/2025 - RESULTS OF THE PUBLIC CONSULTATION PERIOD

Business Unit:	Governance	Service: Compliance, Risk & Information Management
Ward:	Not Applicable	Location: Not Applicable
Applicant:	Not Applicable	

Role

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

Council Resolution**1224/019****Moved Councillor Migdale, seconded Councillor Giudici**

- 1. That Council RECEIVES the outcomes of public consultation on the below local laws:**
 - a. City of Stirling Prevention and Abatement of Dust & Liquid Waste Local Law 2002.**
 - b. City of Stirling Local Government Property Local Law 2009.**
 - c. City of Stirling Pest Plant Local Law 2012.**
 - d. City of Stirling Waste Management Local Law 2010.**
- 2. That Council SUPPORTS the amendment of the below local law:**
 - a. City of Stirling Local Government Property Local Law 2009.**
- 3. That Council SUPPORTS for the below local laws to be retained, with no amendments:**
 - a. City of Stirling Prevention and Abatement of Dust & Liquid Waste Local Law 2002.**
 - b. City of Stirling Pest Plant Local Law 2012.**
 - c. City of Stirling Waste Management Local Law 2010.**

The motion was put and declared CARRIED (14/0) by an Absolute Majority.**For:** Councillors Creado, Dudek, Ferrante, Giudici, Hatton, Krsticevic, Lagan, Migdale, Olow, Papparde, Perkov, Proud, Thornton and Mayor Irwin.**Against:** Nil.

Recommendation

1. That Council RECEIVES the outcomes of public consultation on the below local laws:
 - a. City of Stirling Prevention and Abatement of Dust & Liquid Waste Local Law 2002.
 - b. City of Stirling Local Government Property Local Law 2009.
 - c. City of Stirling Pest Plant Local Law 2012.
 - d. City of Stirling Waste Management Local Law 2010.
2. That Council SUPPORTS the amendment of the below local law:
 - a. City of Stirling Local Government Property Local Law 2009.
3. That Council SUPPORTS for the below local laws to be retained, with no amendments:
 - a. City of Stirling Prevention and Abatement of Dust & Liquid Waste Local Law 2002.
 - b. City of Stirling Pest Plant Local Law 2012.
 - c. City of Stirling Waste Management Local Law 2010.

Purpose

1. For Council to consider the results of the public consultation period on the review of the below local laws:
 - City of Stirling Prevention and Abatement of Dust & Liquid Waste Local Law 2002.
 - City of Stirling Local Government Property Local Law 2009.
 - City of Stirling Pest Plant Local Law 2012.
 - City of Stirling Waste Management Local Law 2010.
2. For Council to progress the legislative local law-making process for the amendment of the below local law:
 - City of Stirling Local Government Property Local Law 2009.

Details

On 29 August 2024, the City gave local public notice of its intention to review the below local laws, inviting public comments:

- City of Stirling Prevention and Abatement of Dust & Liquid Waste Local Law 2002.
- City of Stirling Local Government Property Local Law 2009.
- City of Stirling Pest Plant Local Law 2012.
- City of Stirling Waste Management Local Law 2010.

The City sought feedback on the following two statements, for each local law:

1. Please provide any comments you may have on the local law; and
2. Is there anything you would like to change about the local law?

Internal consultation was also undertaken across the relevant City Business Units.

The local law review process enables Council to determine whether a local law is retained, amended or repealed.

Outcome of the Public Consultation Period

No comments were received regarding the below local laws:

- City of Stirling Prevention and Abatement of Dust & Liquid Waste Local Law 2002.
- City of Stirling Pest Plant Local Law 2012.
- City of Stirling Waste Management Local Law 2010.

As such, it is recommended that these four local laws are retained, with no amendments made.

The City received one comprehensive submission from the Cancer Council of WA recommending that the City of Stirling Local Government Property Local Law 2009 be amended. The submission is directed at expanding the ability of the City of Stirling to make determinations regarding smoke-free (and vape-free) areas. This submission is contained in Attachment 1. The submission was considered by City officers, who are supportive of the recommended changes and provide the below comments:

In August and September 2024, the City ran a series of three Alcohol and other Drugs (AOD) workshops with community stakeholders from the City of Stirling. These workshops engaged with a total of 147 stakeholders and community members to determine the top three biggest challenges and issues related to AOD in the City of Stirling which will be incorporated into a Stirling AOD Action Plan. One of the top three challenges identified was *Vaping and young people*. The objectives linked to this priority area include:

- Increase knowledge of the harms and laws associated with vape (e-cigarette) products.
- Reduce community exposure to vaping aerosols and other tobacco related products in public spaces.

Laws and regulations were seen as essential protective factors against youth vaping. Participants explored the effectiveness of enforcing laws and policies, and balancing education with enforcement. Participants also emphasised the importance of new federal regulations filtering down to the local level and the role of signage in both enforcement and education efforts.

The Stirling AOD Plan will be finalised in early 2025 and feed into the Stirling Public Health Plan which must be consistent with the State Public Health Plan and will be in place by June 2026. The high-level objective of *Prevent* in the draft State Public Health Plan for WA 2024 – 2029 seeks to reduce the burden of chronic disease, communicable disease, and injury. One of the key priorities for this objective is to make smoking history – both tobacco and vapes.

The recommended amendments to the City of Stirling Local Government Property Local Law 2009 will provide the City with scope to create smoke and vape free areas which would align with the City's promotion of active and healthy lifestyle choices through the City's Strategic Plans. Namely, the Sustainable Stirling 2022-32 Strategic Community Plan and the Corporate Business Plan 2024 – 2028. The proposed changes to the Local Government Property Local Law 2009 will also support the objectives of the draft City of Stirling AOD Plan 2025 – 2028, with one of the key priorities identified as vaping and young people.

The Cancer Council of WA's submission will be taken into consideration, in the drafting of any new or amendment Local Government Property Local Law.

Local-Law Making Process

To create a new local law or to amend a local law, the City must commence the process detailed in Section 3.12 of the *Local Government Act 1995*.

It is recommended that the legislative local law-making process under Section 3.12 of the *Local Government Act 1995* proceed for any amendment or new local laws.

If it is resolved that any new or amendment local laws be created, further reports will be presented to Council with copies of the proposed local laws. These reports will seek for Council to approve for a Local Public Notice of Intention to Make a Local Law to be published.

Financial Assessment and Implications

Nil.

Stakeholder Engagement

In accordance with Section 3.16(2) of the *Local Government Act 1995* an advertisement was placed on 29 August 2024 on LinkedIn, the City's website and on all notice boards in the City's Administration Centre, Recreation Centres and Libraries and in the following local community newspapers: Perth Now – Stirling; Perth Now – Eastern; Perth Now – Central and Perth Now – Western Suburbs. The advertisement was also published in the Post newspaper on 30 August 2024.

Recommended Action

As outlined above.

Relevant Policies, Legislation and Council Resolutions

[Local Government Act 1995](#)

Meeting Date	Council Resolution Number	Council Resolution
13 August 2024	0824/020	That Council GIVES NOTICE of its review of the following local laws: <ul style="list-style-type: none"> • City of Stirling Prevention and Abatement of Dust & Liquid Waste Local Law 2002; • City of Stirling Local Government Property Local Law 2009; • City of Stirling Pest Plant Local Law 2012; and • City of Stirling Waste Management Local Law 2010.

Sustainable Stirling 2022-2032

Key Result Area: Our leadership

Objective: A well-governed City

Priority: Comply with legislation, standards and obligations

Strategic Risk

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

Relevant Documents and Information

Attachments

Attachment 1 - Submission - Cancer Council of WA - Local Government Property Local Law 2009 [↓](#)

Available for viewing at meeting

Nil

Linked Documents

Nil.



14 October 2024

City of Stirling
25 Cedric Street
Stirling WA 6021

By email: corporatecompliance@stirling.wa.gov.au;
Cc: environmentalhealth@stirling.wa.gov.au

Dear Corporate Compliance Team

**Submission – Review of City of Stirling Local Government Property Local Law 2009 –
Smoke-free Areas**

We refer to the above matter.

As the peak non-government cancer control organisation in WA, Cancer Council WA advises the State Government and other bodies on practices and policies to help prevent, detect and treat cancer. We develop, promote and contribute to policy and initiatives to reduce the impact of cancer on the Western Australian and Australian community.

In the spirit of deepening relationships, Cancer Council WA acknowledge all the Traditional Custodians and owners of Country throughout Western Australia and recognise their continuing connection to land, waters and community. We also pay our respect to their Elders and extend that respect to all Aboriginal peoples living and working in this area.

Cancer Council WA is pleased to be given the opportunity to contribute to the above consultation regarding the City of Stirling's Local Government Property Local Law 2009 (**the Local Law**). Cancer Council WA strongly advocates for and supports smoke-free (and vape-free) public places. Our submission is directed at expanding the ability of the City of Stirling to make determinations regarding smoke-free (and vape-free) areas, similar to that provided for in the City of Vincent's Local Government Property Local Law 2021.

Background – health impacts of tobacco products

The use of tobacco products, such as tobacco cigarettes, are universally known to cause and contribute to significant risks of disease and death. Tobacco use is the leading cause of preventable death and disease in Australia. In 2018, nearly 20,500 deaths (13% of all deaths) were attributed to tobacco useⁱ. These risks are magnified when tobacco is smoked socially because of the serious harms associated with second-hand smokeⁱⁱ.

Background – health impacts of e-cigarettes

The use of an e-cigarette device mimics the use of conventional cigarettes, and is increasing in the community, and is most common among young peopleⁱⁱⁱ. E-cigarette use involves breathing in an aerosol, usually containing nicotine (amongst other ingredients)^{iv}.

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Western Australia**
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 @CancerCouncilWA
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The most up-to-date comprehensive systematic review of the global evidence, undertaken by The Australian National University (ANU), found^v:

- identified risks of e-cigarettes include addiction, intentional and unintentional poisoning; acute nicotine toxicity, including seizures; burns and injuries; lung injury;
- less direct evidence indicates adverse effects of e-cigarettes on cardiovascular health markers, including blood pressure and heart rate, lung function and adolescent brain development and function; and
- there is strong evidence that non-smokers who use e-cigarettes are three times as likely to go on to smoke combustible tobacco cigarettes as non-users, supportive of a gateway effect.

Recent research from September 2024 has shown that teenagers aged 12-17 who had vaped are five times more likely to start smoking in the future than those who had not^{vi}.

E-cigarettes do have the potential to produce environmental pollutants in sufficient quantities to potentially harm health^{vii}.

There is substantial evidence that exposure to nicotine during adolescence may have long-term consequences for brain development, impacting learning, memory and attention, and increasing the risk for rapid and lasting addiction and future use of other drugs^{viii}.

Background - Smoke-free environments

Evidence shows that increasing smoke-free environments results in many benefits including protecting non-smokers from exposure to second-hand smoke, supporting current smokers to quit and reduce relapse, and reducing the perception that smoking is 'normal' that reduces uptake among young people^{ix}. There is also strong community support for smoke-free environments. An overwhelming majority of WA adults (87 per cent) support creating more smoke-free places in WA^x. The WA community supports extending the prohibition of smoking in public places to vaping, with 81 per cent of WA adults of the view that vaping should not be permitted in public places where smoking is banned^{xi}. We **attach** an infographic on smoke-free (and vape-free) areas explaining what local governments can do to reduce smoking and e-cigarette use in their communities.

Policy context

Reducing tobacco use is a key strategic priority of the State and Federal Governments^{xii}. An important strategy for reducing tobacco use is increasing smoke-free environments where tobacco smoking and e-cigarette use are prohibited.

Cancer Council WA understands the City of Stirling is currently working to create a public health plan. We note the draft objectives and priorities for the upcoming State Public Health Plan (upon which local governments use as a framework to create their plans) includes reducing tobacco and vape use^{xiii}. Strategic plans of the City of Stirling such as the Sustainable Stirling 2022-2032 Strategic Community Plan (Reviewed June 2024) and the Corporate Business Plan 2024-2028 have the objective of promoting active and healthy lifestyle choices within the community^{xiv}.

Giving the City of Stirling greater flexibility and ability to create smoke-free (and vape-free) areas would support City of Stirling objectives as reflected in its strategic plans, as well as further State and Federal Government priorities in relation to reducing tobacco and e-cigarette use.

Example of the City of Vincent

The City of Vincent has introduced a Smoke-Free Town Centres Initiative which began as an action in its public health plan and is underpinned by the City of Vincent's Local Government Property Local Law 2021. The City of Vincent's Local Government Property Local Law 2021 has enabled the creation of smoke-free town centres in five different locations. Smoking and e-cigarette use is not permitted in those locations. The City of Vincent's comprehensive approach, which is outlined on their website, includes extensive consultation and strong focus on communication and community education.

Cancer Council WA understands the Shire of Collie is also progressing local law amendment (see the Shire of Collie's draft Activities in Thoroughfares and Public Places and Trading Local Law 2024) to facilitate a greater ability to create smoke-free and vape-free areas based on the approach of the City of Vincent.

Current situation in relation to smoking in the Local Law

Currently the City of Stirling's Local Law provides that a determination may be made prohibiting smoking on specified local government property (clause 2.8). The shortcomings in the current Local Law in relation to smoking are as follows:

- smoking is not defined to include e-cigarette use;
- the areas for which a smoke-free determination may be made do not include thoroughfares.

Changes proposed to the Local Law

We request that the Local Law be updated to closely align with the relatively recent local law changes by the City of Vincent in respect of smoke-free areas. The changes by the City of Vincent provide a flexible and modern framework to enable the local government to create smoke-free areas. In brief, the City of Vincent Local Government Property Local Law 2021 provides (amongst other matters):

- an extended definition of "smoke and/or smoking" which includes using an e-cigarette (clause 1.6);
- a determination may be made prohibiting smoking on specified local government property (clause 2.8);
- a new division (Division 6) on smoke-free areas that allows Council to prohibit smoking by way of determination (prescribing a local government property or thoroughfare, or any part thereof, as a smoke-free area). Areas for which a smoke-free area may be prescribed under the new division are limited to an activity centre; public open space and thoroughfares with limitations (see clause 5.16). The procedure for making determinations and the considerations to take into account are provided for in clauses 5.19 and 5.20 respectively. There is also provision for smoke-free signage (see clause 5.21).

In particular, we recommend that City of Vincent's Local Government Property Local Law 2021 form the basis of a review of the Local Law in relation to smoke-free areas in the City of Stirling. This is because the City of Vincent's Local Government Property Local Law 2021:

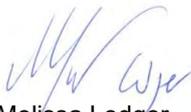
- addresses both smoking and e-cigarette use;
- has appropriate areas that could be designated a smoke-free (including activity centres, public open space and thoroughfares); and
- the framework provides for local government to make determinations of smoke-free areas, rather than having smoke-free areas prescribed by the Local Law itself. This enables greater flexibility into the future, minimising the need for future amendment to

the Local Law. Cancer Council WA supports the City of Stirling using community engagement to assist in defining where the smoke-free areas should apply.

Cancer Council WA would be pleased to support the City of Stirling's smoke-free (including vape-free) initiatives and has a range of resources such as posters, stickers, brochures and cessation resources that may be useful in this regard. Further Cancer Council WA is also well placed to support the City of Stirling to meet other priorities and objectives that may be included in a local government public health plan such as creating healthy food and drink environments. Please let us know if we can assist.

Thank you for your consideration of the matters raised. Please contact Rebekah Light, Legal Policy Advisor on Rebekah.Light@cancerwa.asn.au or 0411 784 084 should you wish to discuss or if you would like further information.

Yours faithfully



Melissa Ledger
Cancer Prevention and Research Director, Cancer Council WA

ⁱ Australian Institute of Health and Welfare. Australian Burden of Disease Study: Impact and causes of illness and death in Australia 2018. Canberra: AIHW, Australian Government 2021. Available from: <https://www.aihw.gov.au/reports/burden-of-disease/abds-impact-and-causes-of-illness-and-death-in-aus/summary>.

ⁱⁱ Campbell MA, Ford C & Winstanley MH. The health effects of secondhand smoke, 4.0 Background. In Scollo, MM and Winstanley, MH [editors]. Tobacco in Australia: Facts and issues. Melbourne: Cancer Council Victoria; 2017. Available from <http://www.tobaccoinaustralia.org.au/chapter-4-secondhand/4-0-background>.

ⁱⁱⁱ Australian Institute of Health and Welfare. Data tables: National Drug Strategy Household Survey 2019 - 2. Tobacco smoking chapter, Supplementary data tables. Canberra: AIHW, 2020. Available from: <https://www.aihw.gov.au/reports/illicit-use-of-drugs/national-drug-strategy-household-survey-2019/data>

NSW Government, HealthStats NSW. Electronic Cigarette Use. Accessed 7 August 2024. Available from: https://www.healthstats.nsw.gov.au/#/indicator?name=-beh-smo-ecig-mps&location=NSW&view=Trend&measure=prevalence&groups=Electronic%20cigarette%20use&compare=Electronic%20cigarette%20use&filter=Electronic%20cigarette%20use_Current%20user_Ever%20used.

^{iv} Department of Health (WA). Electronic cigarettes in Western Australia. Western Australia: Department of Health; last reviewed 2 July 2024. Available from: [https://ww2.health.wa.gov.au/Articles/A_E/Electronic-cigarettes-in-Western-Australia#:~:text=In%20Western%20Australia%2C%20products%20that,Act%202006%20\(external%20site\)](https://ww2.health.wa.gov.au/Articles/A_E/Electronic-cigarettes-in-Western-Australia#:~:text=In%20Western%20Australia%2C%20products%20that,Act%202006%20(external%20site)).

^v Banks E, Yazidjoglou A, Brown S, Nguyen M, Martin M, Beckwith K, Daluwatta A, Campbell S, Joshy G. Summary Brief: Review of Global Evidence on the Health Effects of Electronic Cigarettes. Report for the Australian Department of Health. National Centre for Epidemiology and Population Health, Canberra: April 2022. Available from: <https://nceph.anu.edu.au/files/E-cigarettes%20health%20outcomes%20review%20summary%20brief%202022.pdf>.

^{vi} Egger S, David M, Watts C, Dessaix A, Brooks A, Jenkinson E, Grogan P, Weber M, Luo Q, Freeman B. The association between vaping and subsequent initiation of cigarette smoking in young Australians from age 12 to 17 years: a retrospective cohort analysis using cross-sectional recall data from 5114 adolescents. Australian and New Zealand Journal of Public Health, 2024. Available from <https://doi.org/10.1016/j.anzjph.2024.100173>.

^{vii} Soule EK, Maloney SF, Spindle TR, Rudy AK, Hiler MM, et al. Electronic cigarette use and indoor air quality in a natural setting. Tobacco Control, 2017; 26(1):109–12. Available from: <http://www.ncbi.nlm.nih.gov/pubmed/26880745>.

Hess I, Lachireddy K, and Capon A. A systematic review of the health risks from passive exposure to electronic cigarette vapour. Public Health Research & Practice, 2016; 26(2):e2621617. Available from: <http://www.phrp.com.au/issues/april-2016-volume-26-issue-2/a-systematic-review-of-the-health-risks-from-passive-exposure-to-electronic-cigarette-vapour/>.

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^{viii} US Department of Health and Human Services. E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General. Atlanta, GA: US Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016. Available from: https://www.cdc.gov/tobacco/sgr/e-cigarettes/pdfs/2016_sgr_entire_report_508.pdf.

^{ix} See Brooks A, Buchanan T, Oakes W. Smoke-free environments: current status and remaining challenges in Australia. PHRP 2020;30(3):e3032022 Available from: <https://www.phrp.com.au/issues/september-2020-volume-30-issue-3/smoke-free-environments-in-australia/>.

^x Lizama N & McDonald A. 2021. Attitudes towards smoking and tobacco control among Western Australian adults: A community survey, 2020. Perth, WA: Cancer Council Western Australia.

^{xi} Lizama N, Kameron C & Light R. 2023. Attitudes towards smoking and tobacco control among Western Australian adults: A community survey, 2022. Perth, WA: Cancer Council Western Australia.

^{xii} The Sustainable Health Review: Final report to the Western Australian Government; the Western Australian Health Promotion Strategic Framework 2022-2026, the State Public Health Plan for Western Australia: Objectives and Policy Priorities for 2019-2024 and the WA Cancer Plan 2020-2025 all identify the priority to reduce tobacco use and provide high-level strategic direction to achieve this end.

Further, reducing tobacco use and expanding smoke-free environments are key priorities at the Commonwealth level as demonstrated by the National Tobacco Strategy 2022-2030 and Australia's commitment to the World Health Organization Framework Convention on Tobacco Control (FCTC). Legislative change at the Commonwealth level in the *Public Health (Tobacco and Other Products) Act 2023*; together with vaping regulatory reform at the Commonwealth level show the Commonwealth leading the way in tobacco and vaping control. It is noted that the WA Government is in the process of implementing complementary legislative reform regarding e-cigarettes.

^{xiii} See https://www.health.wa.gov.au/articles/n_r/public-health-planning.

^{xiv} See <https://www.stirling.wa.gov.au/your-city/about-council/governance-and-transparency/strategic-plans>.



Local Government smoke free and vape free areas.

 <p>E-cigarette use in Australian teenagers (14-17 years) has increased rapidly from 0.8% in 2018 to 14.5% in 2023.</p>	 <p>Non-smokers who vape are 3x as likely to go on to smoke tobacco.</p>	 <p>The teen smoking rate tripled between 2018 and 2023. This is the first increase in teen smoking since mid 1990's.</p>
 <p>87% of West Australians support creating more smoke free areas.</p>	 <p>83% of West Australians support making all outdoor public areas completely smoke free.</p>	 <p>81% of West Australians think e-cigarettes should not be permitted in existing smoke free areas.</p>

Local Governments can:

- Use positive smoke and vape free area signage in key locations.
- Extend smoke and vape free areas to town centres, outdoor malls and foreshores.
- Amend planning policies to restrict the availability of tobacco and e-cigarettes.
- Share Cancer Council WA campaigns and resources including how to quit resources in the community.
- Join the voice advocating on e-cigarettes.

Scan the QR code to find out more.



13.2 BERKELEY EXECUTIVE LEADERSHIP PROGRAM ATTENDANCE

Business Unit:	Office of the Chief Executive Officer	Service: Executive Services
Ward:	Not Applicable	Location: Not Applicable
Applicant:	Not Applicable	

Role

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

Council Resolution

1224/020

Moved Councillor Lagan, seconded Councillor Paparde

- 1. That Council APPROVES the attendance of Mayor Mark Irwin at the Berkeley Executive Leadership Program from 10 - 14 March 2025 in California, USA.**
- 2. That Council APPROVES the attendance of the Chief Executive Officer, Stevan Rodic, at the Berkeley Executive Leadership Program from 10 - 14 March 2025 in California, USA.**

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

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

Against: Nil.

Recommendation

1. That Council APPROVES the attendance of Mayor Mark Irwin at the Berkeley Executive Leadership Program from 10 - 14 March 2025 in California, USA.
2. That Council APPROVES the attendance of the Chief Executive Officer, Stevan Rodic, at the Berkeley Executive Leadership Program from 10 - 14 March 2025 in California, USA.

Purpose

To seek Council's approval for the Mayor and Chief Executive Officer (CEO) to attend the Berkeley Executive Leadership Program from 10 March to 14 March 2025 in California, USA.

Details

The Berkeley Executive Leadership Program is a globally recognised training program for leaders and executives to acquire and master leadership tools, skills and frameworks to lead innovation and growth.

Key takeaways from the program include increasing influence and persuasion, developing a competitive leadership advantage and creating and nurturing a high-performance culture.

The Berkeley Executive Leadership Program requires significant prework prior to the event. The course is in-person and runs for five days at the Berkeley Haas School of Business, University of California. The program guide has been attached (refer Attachment 1).

Upon successful completion of the program, certification will be provided.

The position of Mayor has significant leadership responsibilities. Under clause 2.8 of the *Local Government Act 1995*, as a leader of the City, the Mayor is relevantly required to:

- Preside at meetings;
- Provide leadership and guidance to the community;
- Carry out civic and ceremonial duties;
- Speak on behalf of the City; and
- Liaise with the CEO on the City's affairs and functions.

The position of CEO also has significant leadership responsibilities. Under clause 5.41 of the Local Government Act, as a leader of the City. The CEO is required to:

- Advise the Council;
- Cause council decisions to be implemented;
- Manage the day-to-day operations of the City;
- Liaise with the Mayor on the City's affairs and functions;
- Speak on behalf of the City, if the Mayor agrees;
- Be responsible for the employment, management and supervision of all employees of the City.

The Berkeley Executive Leadership Program can improve both the Mayor and the CEO's insight of the leadership aspects of their roles, and further develop their leadership skills for the betterment of the City and its community. The Mayor and the CEO's joint commitment to the same leadership program demonstrates their willingness to work together to build better leadership and relations between the Council, City staff and the community.

Financial Assessment and Implications

The Mayor is entitled to attend training and development under the Elected Member Training Policy; costs associated with this training will be met with the Elected Members' Biennial Conference Allowance. Other than the Council Members Essentials Training course, the Mayor has not yet utilised any of the Elected Members' Biennial Conference Allowance during his seven years as Mayor. Council has already approved sufficient funds for this purpose in the 2024/2025 Annual Budget.

The CEO is entitled to attend training under the Professional Development clause of his employment contract, and Council has already approved sufficient funds for this purpose in the 2024/2025 Annual Budget.

Below is the estimated cost to attend the Berkeley Executive Leadership Program.

Currency is shown in AUD, per person.

Inclusions	Amount
Registration Fee	\$9,900.00
Airfare (Economy)	\$1,509.00
Accommodation (10 nights) Double Tree by Hilton Berkeley Marina	\$2,236.00
Estimated Total	\$13,645.00

Stakeholder Engagement

Nil.

Recommended Action

That Council approves the attendance of the Mayor and the Chief Executive Officer at the Berkeley Executive Leadership Program from 10 - 14 March 2025 in California, USA.

Relevant Policies, Legislation and Council Resolutions

[Elected Member Training Policy](#)
[Local Government Act 1995](#)

Sustainable Stirling 2022-2032

Key Result Area: Our leadership

Objective: A well-governed City

Priority: Provide local government sector leadership

Strategic Risk

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

Relevant Documents and Information

Attachments

Attachment 1 - The Berkeley Executive Leadership Program Guide [↓](#)

Available for viewing at meeting

Nil

Linked Documents

[The Berkeley Executive Leadership Program | Berkeley Exec Ed](#)

Berkeley ExecEd

Empowering Forward-thinking Leaders to Break New Ground and Drive Change



Program Guide

The Berkeley Executive Leadership Program

Realize your Full Potential as an Executive Leader

Imagine how much more you could do by transforming your leadership to a higher level that will fundamentally change you, your company, and the world in profound ways. Focusing on executive development to drive change and cultivate professional growth is essential for influential leaders who are seeking to make a notable impact in a short period of time.

This program is delivered:



IN-PERSON

executive.berkeley.edu/programs/berkeley-executive-leadership-program

“The key to successful leadership today is influence, not authority.” ~ Ken Blanchard

About the Program

Berkeley Executive Leadership is our flagship program exclusively tailored for global executives seeking to advance their leadership qualities, develop a deeper connection to their talents, and build skills that strategically address business challenges head-on. This inspiring and unique senior executive leadership program equips you with cutting-edge leadership styles to apply strategic decision-making and improve employee retention, all while empowering you to become the most prominent team leader you can be.

What You'll Learn

Recognize Essential Attributes of a Successful Leader

Understand and develop the often undervalued and under-recognized essential characteristics necessary for successful leadership. These include emotional intelligence, social intelligence, trust, and tri-sector leadership.

Lead Change and Drive Innovation within Your Company

Surpass operational barriers to quickly respond to market demands and unlock innovation while fortifying your c level leadership role.

Increase your Influence and Persuasion

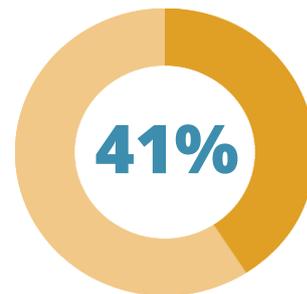
Capture your vision, communicate it throughout the organization, and stay on point during business challenges by identifying your blind spots, building trust, and finding common ground at every level.

Create and Nurture a High-Performance Culture

Become a force multiplier by building and motivating cross-functional, diverse, and global teams. Prioritize mindfulness in leadership to attract and retain ambitious employees, including project-based and virtual talent.

Develop a Competitive Leadership Advantage

Focus on leadership development that incorporates tri-sector leadership (business, government, and social sectors) to excel at solving today's most pressing challenges.



805 respondents rated leadership as a high priority, but only 41% believe their companies are ready to fulfill their leadership requirements. (2019 Global Human Capital Trends)

What's Being Said

“It's a must. Not only do you learn from faculty, but you get to learn from participants that are in senior positions and you can also see from them how they see leadership in their industries. It was learning both from participants, guest speakers and faculty members.” - Director, Comunicación, Presencia Ejecutiva y Liderazgo

“The environment was conducive to honest self-reflection and inspiration, and the structure of the program emphasized practical planning to implement best practices.” - Assistant General Manager, Midpeninsula Regional Open Space District

Faculty

Our courses are taught by preeminent professors from UC Berkeley and the Haas School of Business.



MAURA O'NEILL
Faculty Director
Lecturer | Distinguished Teaching Fellow, Haas School of Business



JENNIFER CHATMAN
Associate Dean for Academic Affairs | Paul J. Cortese Distinguished Professor of Management | Co-Director of Berkeley Culture Center, Haas School of Business



DAVID RIEMER
Lecturer | Executive-in-Residence, Haas School of Business



SAHAR YOUSEF
Lecturer, Haas School of Business



JULIANA SCHROEDER
Associate Professor | Harold Furst Chair in Management Philosophy & Values | Barbara and Gerson Bakar Faculty Fellow, Haas School of Business

"It'll be the best one week of school you've had, ever."

~ Senior Director, Micron Technology

Who It's For

Executive and senior leadership including:

- CEOs
- C-level Executives
- Vice Presidents
- Any accomplished leader seeking to drive growth in every corner of their organization

Program Options

5-DAY | IN-PERSON | \$9,900

In-person programs are held at the UC Berkeley Campus in Berkeley, CA

For upcoming dates, visit:
executive.berkeley.edu/programs/berkeley-executive-leadership-program

Certificate of Completion

Completion of this program results in a verified digital certificate of completion.

A certificate of completion from Berkeley Executive Education signifies your commitment to advancing your knowledge, skills, and career.

VISIT OUR [CERTIFICATE OF COMPLETION](#) PAGE TO LEARN MORE

C.O.B.E. Certificate of Business Excellence

Earn a mark of distinction from a world-class university, gain access to a powerful global network, and enjoy the flexibility of completing the program in up to three years. A UC Berkeley Certificate of Business Excellence allows individuals to create a personal learning journey structured by our four academic pillars: Leadership, Entrepreneurship, Strategy, and Finance.

VISIT OUR [COBE](#) PAGE TO LEARN MORE





Berkeley ExecEd

Join our world-renowned faculty and business school at the heart of Silicon Valley for transformative programs in leadership, strategy, entrepreneurship, and finance—delivered in the industry's most innovative learning environment.

Berkeley by the Numbers



#1 Public University
Ranked by Forbes & U.S. News and World Report



At the Heart of Silicon Valley
Part of the world's most innovative and forward-thinking business ecosystem



54 Nobel Laureates
Nobel Laureates include faculty, researchers and alumni
(Cal Facts)



"One of the 10 Biggest Business School Innovations Of The Decade."
Poets & Quants celebrates Berkeley Exec Ed's new virtual classrooms



World's #1 Executive MBA Program
Berkeley Haas' Executive MBA as ranked by The Economist

Expand Your Network

As a program participant, you gain access to—and become a member of—the exclusive Berkeley learning community which consists of 21K + past participants across 40+ countries. Our participants span a wide variety of industries and roles that include:

COMMON INDUSTRIES

- Technology & web
- Software
- Transportation and Utilities
- Healthcare and Pharma
- IT
- Science and Engineering
- Retail and Consumer Goods
- Financial Services

COMMON JOB TITLES

- Manager
- Senior Manager
- Product Manager
- Engineer
- C-Suite Roles
- Director
- Vice President
- Entrepreneur

VISIT OUR [PARTICIPANT'S PAGE](#) TO LEARN MORE

Group Discounts

Accelerate Your Organizational Impact. Sending a team of executives to a program accelerates organizational impact via shared concepts, language, tools, and mindsets that can enable broader change and cultural shifts.

We offer group discounts to companies that send 5 or more participants to their program of choice.

VISIT OUR [GROUP ENROLLMENT PAGE](#) TO LEARN MORE

Call Us: 1-510-642-1304

Email: executive@berkeley.edu

Haas School of Business
2220 Piedmont Avenue Berkeley, CA 94720 USA

executive.berkeley.edu

The Berkeley Executive Leadership Program

Sample Schedule

 In-Person



Maura O'Neill
Faculty Director

Day 1	Day 2	Day 3	Day 4	Day 5
Understanding Your Own Leadership Skills & Personal Aspirations	Motivating and Energizing Your Organization	Becoming a Force Multiplier	Enhancing Your Leadership Advantage	Strategic Communications & Action Planning
Breakfast at 8:00 am	Breakfast at 8:00 am	Breakfast at 8:00 am	Breakfast at 8:00 am	Breakfast at 8:00 am
Introduction & Orientation 8:30-9:00 am Attributes of a Great Leader 9:00-9:45am	Mindfulness 8:30-8:45 am Organizational Culture as a Powerful Leadership Tool 8:45-10:30 am	Mindfulness 8:30-8:45 am Storytelling as Powerful Communication to Become a Force Multiplier 8:45-10:30am	Mindfulness 8:30-9:00 am Influence & Persuasion 8:45-10:30am	Mindfulness 8:30-8:45 am The Emotional Roots of Intra-Company Conflict 8:45-9:45am
Break at 9:45 am	Break at 10:30 am	Break at 10:30 am	Break at 10:30 am	Break at 9:45 am
Understanding Your Survey Results 10:00-11:00am Getting the Most Out of the Week 11:00-12:00pm	Organizational Culture as a Powerful Leadership Tool 10:45 -12:00 pm	Storytelling as Powerful Communication to Become a Force Multiplier 10:45-12:00pm	Influence & Persuasion 10:45-12:00 pm	Building Resilience 10:00-11:00am Review & Apply the Week's Leadership Tools & Become a Force Multiplier 11:00-12:00pm
Lunch 12:00-1:00 pm	Working Lunch with Peer Groups 12:00-1:30 pm	Lunch 12:00-12:30 pm Campus Tour & Photo 12:30-1:30 pm	Working Lunch with Peer Groups 12:00-1:30 pm	Evaluations 12:00-12:15 pm Working Lunch with Peer Groups 12:15-1:30 pm

Please note: The sample schedule is subject to change. All times are in Pacific Time (PT).

The Berkeley Executive Leadership Program

Sample Schedule

 In-Person



Maura O'Neill
Faculty Director

Day 1	Day 2	Day 3	Day 4	Day 5
Understanding Your Own Leadership Skills & Personal Aspirations	Motivating and Energizing Your Organization	Becoming a Force Multiplier	Enhancing Your Leadership Advantage	Strategic Communications & Action Planning
Leader as Communicator 1:00-3:00 pm	Deconstructing Innovation & Creating Systems for Repeatable Success 1:30-3:30 pm	Becoming Superhuman: Science of Focus Multiplier 1:30-3:00 pm On Leadership Journey 3:00-3:30 pm	Neuroscience of Trust 1:30-3:00 pm	Taking Action and Getting Traction 1:30-2:30 pm Take Away Exercises 2:30-3:00 pm
Break at 3:00 pm	Break at 3:30 pm	Break at 3:30 pm	Break at 3:00 pm	Break at 3:00 pm
Leader as Communicator 3:10-4:00 pm Leadership Case Study 4:05-5:00 pm	Deconstructing Innovation & Creating Systems for Repeatable Success 3:45-4:30 pm Reflections & Absorbing the Day's Learnings 4:30-5:00 pm	Tri-Sector Leadership 3:45-4:45 pm Reflection & Absorbing the Day's Learnings 4:45-5:00 pm	Driving High Performance: Retaining the Best People 3:15-4:45 pm Reflection & Absorbing the Day's Learnings 4:45-5:00 pm	Summary of Week & Awarding of Certificates 3:15-3:45 pm
Welcome Reception 5:00-6:30 pm	Adjourn 5:00 pm	Adjourn 5:00 pm	Reception & Dinner 5:00-7:00 pm	Adjourn 3:45 pm

Please note: The sample schedule is subject to change. All times are in Pacific Time (PT).



Program Topics

The Berkeley Executive Leadership Program

The curriculum covers the following topics:

Topic 1 | Understanding Your Leadership Skills and Personal Aspirations

- *The attributes of a great leader*
- *Getting the most out of your week*
- *Leader as communicator*
- *The Emotional & Social Competency Inventory*

Topic 2 | Becoming a Force Multiplier

- *Leadership insights from the latest neuroscience*
- *Leading people & building great teams*
- *Deconstructing innovation & creating systems for repeatable success*

Topic 3 | Motivating and Energizing Your Organization

- *Freedom: an integral aspect of effective leadership*
- *Driving high performance and retaining the best people*
- *Tri-sector leadership*
- *Leveraging culture for strategic success*

Topic 4 | Enhancing Your Leadership Advantage

- *Effective influence and persuasion*
- *Capturing today's profits and driving tomorrow's growth*
- *Organizational culture as a powerful leadership tool*

Topic 5 | Strategic Communications and Action Planning

- *Being a successful disrupter in your industry & bringing your team along*
- *Strategic leadership communications for becoming a force multiplier*
- *Peer coaching*

14. NOTICES OF MOTION FOR CONSIDERATION

'Notices of Motion for Consideration' include a brief report to assist Council in deciding to approve or not approve the Motion.

A further and more detailed report will be submitted at a future Ordinary Council meeting for Motions that are approved, in accordance with Clause 4.5(2)(c) of the City of Stirling Meeting Procedures Local Law 2021.

14.1 PROPOSED NOTICE OF MOTION - COUNCILLOR TERESA OLOW - INTERSECTION MAIN STREET AND CAPE STREET, OSBORNE PARK

Business Unit:	Engineering Services	Service: Transport Services
Ward:	Osborne	Location: Intersection Cape Street and Main Street
Applicant:	Enter text	

Role

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

Council Resolution

1224/021

Moved Councillor Olow, seconded Councillor Thornton

That a report be PRESENTED to the next Community and Resources Committee Meeting regarding a review of safety and crash statistics at the intersection of Main Street and Cape Street in Osborne Park.

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

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

Against: Nil.

Notice of Motion Recommendation

That a report be PRESENTED to the next Community and Resources Committee Meeting regarding a review of safety and crash statistics at the intersection of Main Street and Cape Street in Osborne Park.

Background provided by Elected Member

“Complaints have been received from the community regarding safety at that intersection.”

Details

The intersection of Main Street and Cape Street in Osborne Park is surrounded by commercial properties on all four corners. Main Street is a four-lane District Distributor (A) road that carries approximately 17,000 vehicles per day in the vicinity of Cape Street, and Cape Street is a two-lane Local Distributor road that carries between 4,500 and 6,300 vehicles per day on the two approaches to Main Street.

The intersection contains two lanes on all four approaches. On each approach, the kerbside lane allows for left turns and through movements, and the median lane allows for through movements and right turns.

Officers can prepare a report for the first Community and Resources Committee meeting in 2025 (28 January 2025) which provides information on crash statistics at the intersection, including a review of crash patterns, crash types and crash severity.

Financial Assessment and Implications

There are no financial implications associated with this report at this stage. Any modifications that may be required would be considered as part of a future budgeting process.

Sustainable Stirling 2022-2032

Key Result Area: Our built environment

Objective: An accessible and connected City

Priority: Provide and maintain safe and accessible roads and parking

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

Nil.

Available for viewing at the meeting

Nil.

Linked Documents

Nil.

15. NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING**15.1 PROPOSED NOTICE OF MOTION - COUNCILLOR DAVID LAGAN - INSTALLATION OF CUL-DE-SAC AND ANGLED PARKING AT EIGHTH AVENUE, INGLEWOOD**

Councillor David Lagan submitted the following Notice of Motion at the Council meeting held 3 December 2024:

Notice of Motion Recommendation

That a report be PRESENTED to a future Council meeting investigating a possible cul-de-sac at Eighth Avenue, Inglewood (at the Walter Road Reserve end after the entrance to the reserve parking and clubrooms) to facilitate – subject to community consultation – the installation of additional angled parking on the closed section of Eighth Avenue, and the potential cost of angled parking on the north side after closure.

15.2 PROPOSED NOTICE OF MOTION - COUNCILLOR SUZANNE MIGDALE - CULTURAL ART EXCHANGE PROGRAM

Councillor Suzanne Migdale submitted the following Notice of Motion at the Council meeting held 3 December 2024:

Notice of Motion Recommendation

That a report be PRESENTED to a Council meeting in February 2025 outlining the details of a possible cultural art exchange program between the City of Stirling and Vasto Commune, Italy.

Reason for Motion

“Discussions are progressing with the Italian Consulate to enable an artistic cultural exchange. This would provide the opportunity for an artist from Perth to paint a mural in Vasto Italy, and an Italian artist to paint a mural in the City of Stirling.”

15.3 PROPOSED NOTICE OF MOTION - COUNCILLOR LISA THORNTON - THIRD PARTY MERITS APPEAL RIGHTS

Councillor Lisa Thornton submitted the following Notice of Motion at the Council meeting held 3 December 2024:

Notice of Motion Recommendation

- 1. That the City of Stirling supports the introduction of Third Party Merits Appeal Rights (TPMARs) in the Western Australian State Administrative Tribunal (SAT) against development approvals, the conditions or absence of conditions of an approval.**
- 2. That the City of Stirling administration forwards this resolution and the supporting rationale to the Minister for Planning, accompanied by a letter signed by the Mayor, at the next suitable Council meeting.**
- 3. That the City of Stirling administration prepares a compliant petition to the WA Legislative Assembly and Legislative Council supporting the adoption of TPMARs, to be tabled at the next suitable Council meeting.**
- 4. That the City of Stirling administration drafts a proposed in new Local Planning Scheme 4 that includes TPMAR provisions.**

Reason for Motion

1. Accountability and Public Confidence: The absence of TPMARs denies affected neighbours, community groups, and local governments the ability to challenge decisions that may undermine local planning policies and community amenity. Establishing TPMARs ensures decisions are transparent, accountable, and align with established planning frameworks.
2. Addressing Conflicts of Interest: Statutory planners often transition between roles in private industry, state, and local government, increasing the risk of bias. TPMARs would provide an independent mechanism to test the merits of decisions and mitigate potential conflicts of interest.
3. Equity in Appeal Rights: Currently, only applicants (first parties) have the right to appeal decisions at the SAT. Introducing TPMARs would provide equal access to justice for third parties, fostering a fairer planning system.

4. Alignment with Legislative Intent: Local governments are obligated under the Local Government Act 1995 to consider environmental, economic, and social outcomes for current and future generations. TPMARs are consistent with these principles, ensuring planning decisions are sustainable and equitable.
5. Learning from Other Jurisdictions: WA remains the only state in Australia without TPMARs. Evidence from other jurisdictions demonstrates that TPMARs improve decision-making, increase public trust, and enhance development outcomes by encouraging compliance with planning policies.
6. Improved Decision-Making: The introduction of TPMARs would lead to more rigorous assessments of development applications, reduced potential for corruption, and better alignment with community expectations and planning frameworks.
7. Community Engagement and Trust: TPMARs empower the community by providing a pathway to challenge decisions that fail to meet local or state planning objectives, fostering trust in the planning process.

16. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

16.1 QUESTIONS ON NOTICE - COUNCILLOR ELIZABETH RE - BUS SHELTER UPGRADES

Councillor Elizabeth Re submitted the following questions prior to the Council meeting held 19 November 2024.

Q1. *“Provide an update on the number of bus stops in the City of Stirling that still do not have roof shelters attached and the proposed date of the program when all bus stops will have roof shelters within the City of Stirling.”*

A1. According to the Public Transport Authority (PTA) information from March 2024, the City of Stirling has 1,194 bus stops. Of these, 49 bus stops have shelters with third party advertising. There are 446 other bus stops which have City-owned shelters. The PTA also owns six shelters along Primary Roads. This leaves 693 bus stops without shelters. According to PTA guidelines, only bus stops that have a minimum boarding patronage of above 15 on an average weekday will have a bus shelter installed. Some PTA bus stops are also constrained by limited verge space to accommodate a bus shelter for a disability compliant bus stop.

Q2. *“Previous Council motions were passed, stating that all events and bus stops within the City of Stirling were to display ‘no smoking signs’. Could you please provide a list of these events and location of the bus stops with the appropriate non - smoking sign displayed and detail the programs when all will be compliant.”*

A2. At its meeting held 30 October 2012, Council resolved (Council Resolution Number 1012/073) that City officers write to the Western Australian Local Government Authority, the PTA and the WA Department of Health on the possibility of developing an initiative to encourage patrons not to smoke at bus stops. Responses received by the City are outlined in Attachment 1.

At its meeting held 18 March 2014, Council resolved (Council Resolution Number 0314/041) that anti-smoking messages be included in marketing campaigns when promoting large scale events run by the City. Actions taken in response to this resolution were as follows:

“Responses to Action Item – added in June 2014 by Marketing and Communications.

“We will promote non-smoking events and include anti-smoking messages where possible for/at large scale events run by the City of Stirling. Each event will be assessed independently to ascertain a suitable method of promoting the anti-smoking message. Consideration will be given to each event’s location, target demographic and style of event to determine how to best promote the anti-smoking message, and if the anti-smoking advertising is required. Some events run by the City do not require an anti-smoking message, such as events held indoors. For this reason, if anti-smoking messages are mandatory in advertising the event, it will seem out of place and potentially inappropriate. Communication of the anti-smoking message would be done through print and website advertising prior to the event, and through the use of signage (banners, LED screens, flyers), and event staff during the event. It is recommended that the implementation of anti-smoking messages for events run by the City of Stirling commence as a 12-month trial from 1 July 2014, with this trial being reviewed 1 July 2015.

DETAILS OF ACTIONS COMPLETED:

Customer & Communications Business Unit continue to encourage and promote smoke-free events and anti-smoking message to all event organisers and provide ‘no smoking’ signage when requested. All events run by the Customer & Communication Business Unit display ‘no smoking’ signage and this message is promoted on event websites and other promotional material. Events run by other Business Units are encouraged to promote this message and display appropriate signage. A database of events that promote anti-smoking message or display signage is not kept hence no list of events can be provided.”

To the City’s knowledge, there are currently no signs at bus stops displaying ‘no smoking’.

The latest PTA advice on this matter, dated 22 November 2024, is as follows:

“Currently, the PTA Regulations prohibit smoking (including the use of e-cigarettes) on all public transport buses, ferries and trains (reg 11(1) PTA Regulations). PTA enforces these provisions to ensure that the public has smoke-free journeys on our public transport. Further, a person who smokes (including the use of e-cigarettes) in or on a facility where notice is displayed that smoking is prohibited also commits an offence (reg 11(2) PTA Regulations). PTA uses reg 11(2) and displays notices prohibiting smoking in our bus depots and train stations.

There is a vast network of bus stops and bus shelters, with approximately 13,000 active metro bus stops and 3550 active regional town stops (excluding TransWA and school bus services section stops) and approximately 4,000 bus shelters. The ownership of and responsibility for bus stops and shelters is not straightforward. Generally, roadside bus stops are typically located on the 'Road Reserve' which is either under the care, control and management of Main Roads WA (for main roads) or the relevant Local Government (for other roads). PTA is generally only responsible for the core bus stop infrastructure (which is basically the bus stop signage and information and the concrete passenger boarding area). The bus shelters themselves and ancillary bus stop infrastructure (such as shelters, seats and bins) are generally provided by and owned by Local Government. In those circumstances, the bus shelter would not be a "facility" within the PTA Regulations as it is not provided by PTA, rather they are provided by Local Government. For this reason, reg 11(2) could not be used by PTA to place notices prohibiting smoking on bus shelters. PTA would be supportive of such notices discouraging smoking as it is consistent with our approach on buses, trains and ferries and in our bus depots and train stations. However, PTA would not be able to police and enforce this requirement at bus shelters.

As you can appreciate, the space available on the bus stop sign (the infrastructure for which PTA is generally responsible) is very limited and PTA needs to prioritise customer messaging most relevant to public transport users. Placing signage discouraging smoking would be very difficult on the small space available on many bus stop signs."

Relevant Documents and Information

Attachments

Attachment 1 - Engineering Services Memo - 27 May 2013 [↓](#)



ENGINEERING DESIGN

INTERNAL MEMORANDUM

MEMO TO

His Worship the Mayor - Councillor D Boothman
Councillors
Chief Executive Officer - Mr Stuart Jardine
Executive Team

COPY TO **Manager Governance and Council Support - Mr Aaron Bowman**

FROM **Manager Engineering Design - Mr Paul Giamov**

DATE **27 May 2013**

SUBJECT **Notice of Motion – Councillor Re – No Smoking Signs to be Displayed
in all Sheltered Bus Stops**

Dear Mr Mayor, Councillors, Mr Jardine and Executive Team

This memo is following the Notice of Motion submitted by Councillor Re at the Council meeting held 16 October 2012 for 'No Smoking' signs to be displayed at all sheltered bus stops within the City of Stirling.

- At the Council meeting of 30 October 2012, Council resolved the following; *City Officers write to Western Australian Local Government Authority (WALGA), the Public Transport Authority (PTA) and the WA Department of Health (DoH) on the possibility of developing an initiative to encourage bus patrons not to smoke at bus stops be provided to Councillors.*
- Responses have been received from the DoH on 15 March 2013, WALGA on 2 April 2013 and PTA on 10 May 2013.
- The DoH has no plans to develop an initiative as suggested, however the WA Tobacco Products Control Act 2006 (s.107E) states that local government authorities (LGA's) retain the power to make its own laws about public smoking. In some instances, several local government authorities in the Perth area had already introduced or considered introducing by-laws to restrict smoking in alfresco dining areas, playgrounds, on beaches and possibly shopping malls.
- WALGA supports the initiative to encourage bus patrons from not smoking at bus stops as it provides a range of health benefits to the community. However, it is acknowledged that this measure would be difficult to regulate by local government and an educational approach is encouraged to be taken. To be successful, a metropolitan approach to no smoking at bus stops needs to be considered. This would require a partnership and agreement between agencies such as the PTA and the DoH. Whilst WALGA indicates support for this initiative, the current negotiation between the PTA and WALGA regarding bus stop infrastructure responsibility needs to be considered. Should LGA consider 'no smoking' signage on bus stop infrastructure, this may weaken the case that the PTA is responsible for bus stop infrastructure.
- The PTA supports the general concept of encouraging passengers not to smoke at bus stops. However, the legal mechanisms by which that could be achieved are unclear given that suburban bus stops are predominately located in the 'road reserve' which either LGA's or Main Roads WA have jurisdiction. Further consideration would need to be given to the required legislative framework to address the legal issues that may arise. In general measures, this is often difficult to manage from a practical perspective without having strong legal foundation to support the proposal.

I trust this information is satisfactory, however, should you wish to discuss the matter further, please do not hesitate to contact me.

Regards

Paul Giamov
MANAGER ENGINEERING DESIGN

Contact - (08) 9205 8711 or paul.giamov@stirling.wa.gov.au

17. NEW BUSINESS OF AN URGENT NATURE

17.1 APPOINTMENT OF ALTERNATE MEMBER TO THE 12 DECEMBER 2024 MINDARIE REGIONAL COUNCIL MEETING

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

Role

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

Council Resolution

1224/022

Moved Councillor Dudek, seconded Councillor Proud

1. **That Council APPOINTS Councillor Lisa Thornton as the alternate member for Mindarie Regional Council until 18 October 2025.**
2. **That Council APPOINTS Councillor Lisa Thornton as the alternate member to attend the Mindarie Regional Council meeting to be held Thursday 12 December 2024.**

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

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

Against: Nil.

Recommendation

1. That Council APPOINTS Councillor _____ as the alternate member for Mindarie Regional Council until 18 October 2025.
2. That Council APPOINTS Councillor _____ as the alternate member to attend the Mindarie Regional Council meeting to be held Thursday 12 December 2024.

Purpose

To allow Council to appoint an alternate representative of the City of Stirling Council to the Mindarie Regional Council (MRC) until 18 October 2025, and to resolve for that alternate member to attend the MRC meeting in December 2024.

Details

An MRC meeting is scheduled to be held 12 December 2024. Councillor Joe Ferrante, one of the City's four appointed MRC members, is unable to attend this meeting.

MRC's constitution mandates that a formal resolution is required to appoint an alternate each time an appointed member is unable to attend.

At its Special Council Meeting held 7 November 2023, Council resolved (Special Council Resolution 1123/009) to appoint Councillor Michael Dudek as the MRC alternate member.

In October 2024, Councillor Michael Dudek resigned as the MRC alternate member. An article was included in the Elected Members' Friday Update of 18 October 2024, advising Elected Members that *"if there is an MRC meeting between now and October 2025 that one of the City's four members cannot attend, a report will need to be put before Council to obtain a resolution for an alternate. Any other Councillor can fill in as an alternate member, so long as it is resolved by Council."*

Financial Assessment and Implications

Alternate members of MRC do not receive a meeting attendance fee.

Stakeholder Engagement

Nil.

Relevant Policies, Legislation and Council Resolutions

[Mindarie Regional Council Constitution](#)

[Local Government Act 1995](#)

Meeting Date	Council Resolution Number	Council Resolution
7 November 2023	1123/009	<p>“1. That Council APPOINTS the following members to the Mindarie Regional Council for the period 7 November 2023 to 18 October 2025:</p> <p><i>Members</i></p> <ol style="list-style-type: none"> 1. Councillor Andrea Creado 2. Councillor Joe Ferrante 3. Councillor Chris Hatton 4. Councillor Stephanie Proud <p>2. That Council APPOINTS Councillor Michael Dudek for the period 7 November 2023 to 18 October 2025, to act as the City of Stirling alternate member at Mindarie Regional Council.”</p>

Sustainable Stirling 2022-2032

Key Result Area: Our leadership

Objective: A well-governed City

Priority: Comply with legislation, standards and obligations

Strategic Risk

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

Relevant Documents and Information

Attachments

Nil.

Available for viewing at meeting

Nil.

Linked Documents

Nil.

18. MATTERS BEHIND CLOSED DOORS

19. CLOSURE

The Presiding Member declared the meeting closed at 8.39pm.

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

...../...../ 2024

SIGNED:

Presiding Member Name:

PRESIDING MEMBER