



## Ordinary Meeting of the 41st Council

28 May 2024

# Minutes

To: The Mayor and Councillors

Here within the Minutes of the Ordinary Meeting of Council of the City of Stirling held Tuesday 28 May 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**

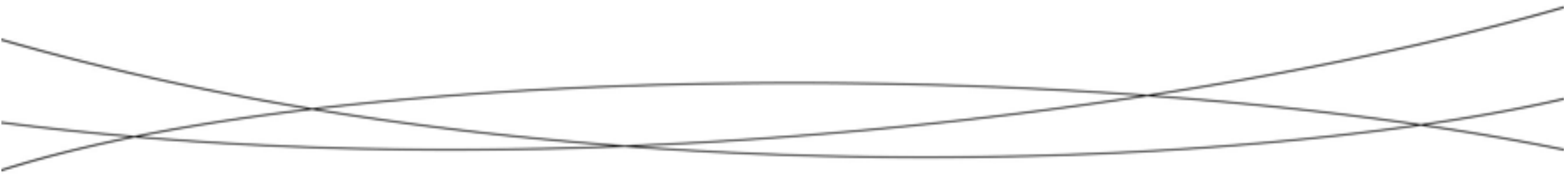
The City of Tirling's core values are:

- 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 28 MAY 2024 HELD IN CITY OF STIRLING COUNCIL  
CHAMBER, 25 CEDRIC STREET, STIRLING****1. OFFICIAL OPENING**

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

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

Mark Irwin

**Councillors**

Councillor Andrea Creado  
Councillor Michael Dudek  
Councillor 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

**Employees**

Chief Executive Officer - Stevan Rodic  
Director Community Development - Michael Quirk  
Director Corporate Services - Ingrid Hawkins  
Director Infrastructure - Andrew Murphy  
Acting Director Planning and Development - Giovanna Lumbaca  
Manager Engineering Services - Paul Giamov  
Manager Governance - Jamie Blanchard  
Manager Parks and Environment - Ian Hunter  
Manager Waste and Fleet - Yvette Plimbley  
Acting Internal Auditor - Andrew Burchfield  
Service Lead Marketing and Communications - Caitlin Tiller  
Community Engagement Coordinator - James Murphy  
Lead Governance Advisor - Jackson Mawby  
Senior Governance Officer - Daniel Govus  
Senior Governance Officer - Amorette Kerklaan

**Public**

42

**Press**

0

**APOLOGIES**

Councillor Joe Ferrante  
Councillor Lisa Thornton

**3. APPROVED LEAVE OF ABSENCE**

Nil.

#### **4. DISCLOSURES OF INTEREST**

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

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

##### **Audit Committee - 20 May 2024**

Senior Governance Officer Daniel Govus disclosed an Impartial Interest in Item 12.1/A1 as his brother is employed by KPMG in an unrelated area.

##### **Community and Resources Committee - 21 May 2024**

Councillor Joe Ferrante disclosed an Impartial Interest in Item 12.2/ES1 as a resident of the area is known to him and he is a former St Kieran Catholic Primary School Student.

Councillor Teresa Olow disclosed an Impartial Interest in Item 12.2/ES1 as some of the local residents are known to her.

Councillor Stephanie Proud JP disclosed an Impartial Interest in Item 12.2/ES1 as she has family members residing in Tyler Street, Tuart Hill.

Councillor Lisa Thornton disclosed an Impartial Interest in Item 12.2/ES1 as she has met with St Kieran Catholic Primary School and Servite College as well as affected residents.

Councillor Teresa Olow disclosed an Impartial Interest in Item 12.2/ES3 as some of the local residents are known to her.

Councillor Lisa Thornton disclosed an Impartial Interest in Item 12.2/ES3 as she has previously engaged with St Kieran Catholic Primary School and Servite College as well as affected residents.

##### **Council - 28 May 2024**

Councillor Andrea Creado disclosed an Impartial Interest in Item 14.1 as she lives in the surrounding area that could be affected.

**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.

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## 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](#)).

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**7.1 PUBLIC QUESTION TIME - C MONAGHAN**

**The following questions were submitted by C Monaghan, Dianella WA 6059, at the Council Meeting held Tuesday 28 May 2024.**

The below questions are in relation to Item 14.1 on the agenda.

- Q1. *“The documentation provided was inadequate and did not provide sufficient information about the activities and potential impacts to the environment or the neighbouring residents. It did not mention the school at all despite being so close. Previous reports and studies providing a significant amount of information which the proponent chose not to include.*

*With the upgrade to industry noxious material, what are the safeguards that we as a school have, for example, asbestos is not allowed to be airborne at a site depending on where you take it from between 200m and 670m away from our playgrounds?”*

- A1. The Acting Director of Planning and Development advised the applicant has sought to mitigate potential impacts from airborne dust by way of a Dust Management Plan (DMP) submitted with the application. In addition, the applicant has provided an Asbestos Management Plan (AMP) seeking to mitigate any risk of exposure to members of staff and the surrounding area. The AMP identifies measures required to be implemented for the identification of any Asbestos contaminated material prior to entry of the site, and also for identification of any Asbestos contaminated material following sorting of waste on the site. The AMP requires that any Asbestos contaminated material is to be safely removed from the site and disposed at the nearest suitably licensed landfill facility as soon as practically possible.

The City has reviewed the provided DMP and AMP documents and advised the Department of Planning, Lands and Heritage (DPLH) in the City's referral comments that it has identified that there are inconsistencies between these two documents and considers that due to the overlapping nature of the management measures required for both, that these documents should be amended so that a full and proper consideration of the measures and potential risk factors can be adequately assessed.

The City has also referred the application to the Department of Health (DoH) as part of the assessment of the application. The DoH has advised that Asbestos field sampling should be consistent with the Department of Water and Environmental Regulation Guideline for managing asbestos and the DoH Guidelines for the Assessment, Remediation and Management of Contaminated Site in Western Australia. This advice is consistent with comments from the City's Environmental Health Business Unit and has also been provided to the DPLH as part of the referral comments we submitted.

- Q2. *“Even though we support the idea of reducing waste and landfills through recycling and creating circular economy, the location clearly is not right so close to homes and especially the school. Reasons include impact on equality through dust pollution, heavy vehicle emissions, noise pollution, odour, potential fire hazards, traffic congestion, etc. In this built-up residential area, are the Councillors aware of what buffer zones will be expected and will be implemented by the Planning Commission?”*

- A2. The Acting Director of Planning and Development advised that the City has reviewed the submitted application in the context of the *Environmental Protection Act 1986* Guidelines No.3, Separation Distances between Industrial and Sensitive Land Uses. The City has identified that there is potential for ongoing noise and dust impacts with 117 noise sensitive premises located within a 200m buffer distance around the site.

The City has advised the DPLH in referral comments that the separation distances in the Guidelines should be seriously considered to avoid a conflict in these land uses.

- Q3. *"The site has been reserved as a future regional recreation and sporting facility since 1963. The community has been waiting for more than 60 years. I accept this primary responsibility is with the State Government to deliver this, but we can see the lack of vision for development of the site as a regional sporting facility is attracting these types of negative proposals.*

*What actions has the City taken to advocate for recreational facilities or elevate to the Western Australian Planning Commission, the importance of delivering this outcome to the community?"*

- A3. The Acting Director of Planning and Development advised that the site is reserved for parks and recreation under the Metropolitan Region Scheme (MRS). Any development on this site would need to be aligned with that use, and that is why it was mentioned that the land use is completely incompatible. The proposed land use is completely incompatible with the reserve.

As mentioned by Mr Monaghan, it is State Government owned land. The City isn't in control of that and can't compel any developer to do any type of development. What the City receives is what it has to assess. In saying that, the City has, through its Public Open Space Strategy, identified that there is a shortfall in the area, and that site is a great site for that use. Through the Public Open Space Strategy, the City has advocated that position.

*"I just want to finish with thanking members of the City for the individual conversations and the support we've had today. So, thank you."*



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**7.2 PUBLIC QUESTION TIME - N D'SOUZA**

**The following questions were submitted by N D'Souza, Dianella WA 6059, at the Council Meeting held Tuesday 28 May 2024.**

The below questions are in relation to Item 14.1 on the Agenda.

Q1. *"The site zoning up to September 2023 was 'Mixed Business Zoning', to provide a high-quality business park. What changed thereafter?"*

A1. The Acting Director Planning and Development advised the site is reserved under the MRS for the purpose of Parks and Recreation. The adjoining site to the east, 272 Victoria Road, Mirrabooka is zoned Development under the City's Local Planning Scheme 3 and is designated a zoning of Mixed Business under the applicable Local Structure Plan.

It is that adjoining site that is mixed business and initially was included in the application, and that was included in the consultation documents that the community saw. After consultation, the applicant removed that lot from the proposal, so that's not a part of the application as it stands. The site that the Department of Planning, Lands and Heritage will be considering is the Parks and Recreation lot.

Q2. *"We note the Council opposes this proposal. Going forward, what further action will the Council take to ensure the proposal is rejected in order to safeguard the health, safety, and wellbeing of residents? The community expect this."*

A2. The Acting Director Planning and Development advised that City Officers have provided detailed responses to DPLH outlining serious concerns that the City's Business Units and other state agencies have with the application.

When the City undertook consultation, it made the decision to extend beyond the standard 200m community consultation radius to 500m, because the City acknowledges that this has an impact on the broader community. Through the City's referral responses, it also advocated to get an extension of time that referrals were due to DPLH. This was so the City could actually provide all of those comments to the department, as well as the actual submissions with sensitive information redacted so that the department can consider all of that and understand the serious community opposition to the development.

Q3. *"How will the Council proactively engage with the residents to keep them apprised and work in collaboration to seek the intended outcome i.e. rejection of proposal?"*

- A3. The Mayor advised that whilst the City is not the landowner or the decision maker in this process, the Item is before Council this evening. The City has all of the communities' details and would like to thank the school as well for engaging early so the City is aware of community concerns.

The City will continue to stay in contact and let the community know the avenues that are available to advocate for their position and obviously the Ward Councillors have been heavily involved and are able to be approached as well.

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**7.3 PUBLIC QUESTION TIME - L JACK**

**The following questions were submitted by L Jack, Karrinyup WA 6018, at the Council Meeting held Tuesday 28 May 2024.**

- Q1. *"Firstly, I support Councillor Dudek's foreshadowed motion for a tree workshop before the policy is decided on, because it appears Elected Members have a lot of concerns about tree safety, tree health and survival outcomes even prior to the drought, and also the costs related to tree management, in the City. The information in the workshop needs to address these issues. The old adage is a healthy well-maintained tree is a safe tree.*

*Elected Members need to know if the City uses best practices in relation to tree management, and where the City stands in relation to other local governments here in WA and around Australia in this regard. The City is a very wealthy local government, there is no reason why the City should not be implementing best practices.*

*Mr Mayor, can you tell me if you believe the City manages City trees to best practices in Australia by Australian standards, and do you know where the City sits compared to other local governments in WA and Australia in this regard?"*

- A1. The Mayor thanked Ms Jack for the question and advised that he was endeavouring to find out as much as he could, spending five hours with the CEO and the City of Sydney to understand this. The Mayor confirmed that he was comfortable that the City's practices are really good, though it is not known if they are best practice and there is room for more improvement.

The Mayor advised Ms Jack that most of her comments were spot on and that there is room for improvement, which showed in the reasoning for Council foreshadowing a workshop to understand how the City can better look after and protect its trees.

- Q2. *"Mr Mayor, would you and Councillors request that an independent, arboricultural expert conduct a comprehensive analysis of where the City of Stirling's tree management processes are to identify or strengthen some weaknesses to see?"*

- A2. The Mayor advised that this was something Council could consider during the workshop process.

- Q3. *"The City of Stirling does not include City trees as assets in its financial statements. The City of Sydney includes street and park trees as finite assets, along with roads and street signs as finite assets.*

*The City of Stirling only lists roads as finite assets, doesn't mention City trees as assets at all. Can the WA local governments include trees as assets if they want to? And if not, is there a directive from the Department of Local Government or Treasury that states that it can't?"*

- A3. The Director Corporate Services advised that the Council can include trees as part of its financial statements, but it does work within the Australian Accounting Standards, which provide guidance to the Council on what assets should be included in its financial statements.

The City doesn't consider that the definition under the Australian Accounting standards fits as this refers to a living plant used in the production or supply of agricultural produce. For this reason, Council chooses not to include them in its financial statements. In addition, the trees are generally never sold, so in terms of the value in the statements or the replacement, it doesn't provide a value or add value.

The City has a register of its trees which is for operational purposes, but that doesn't have an asset value attached to it for that reason. There is no directive from the Department of Local Government, Sports and Cultural Industries or the Treasury that states the City can't do so. The City makes the determination, when the financial statements are prepared, the City is working within the accounting standards.

- Q4. *"The City doesn't sell clubhouses either, they're physical assets, building assets, but green infrastructure and trees are often referred to as City assets. Other Councils around Australia do put in as the City of Sydney does. Could the City please consider including trees as assets?"*
- A4. The Mayor advised this will be part of a further Council workshop. Some of the learnings brought back from Sydney around whether it be financial or not, treating trees with the same data, knowledge and understanding as an asset is certainly on the cards. The City is happy to take that on board.

**7.4 PUBLIC QUESTION TIME - S DI NUCCI**

**The following questions were submitted by S Di Nucci, Tuart Hill WA 6060, at the Council Meeting held Tuesday 28 May 2024.**

Q1. *“Firstly, I’d like to thank Council for rejecting that Safe Active Street for Hector Street in Tuart Hill. Secondly, I’d like to thank you for asking those really hard questions last night, the ones that the locals have been asking. Thirdly, thank you for last Tuesday night’s Committee meeting because it was so much fun, my neighbour and I went and said this is better than watching TV!*

*The \$750,000 available, is that money still available to be used for other road projects, bike paths, or cycle paths, or whatever, around the City?”*

A1. The Mayor advised that this particular amount would not be available. Effectively, if Council had passed to move ahead with that, noting it's still on the agenda this evening for Council to decide, it would be on this year's budget. If the Safe Active Street doesn't proceed tonight, then that money won't be available, but there are other funds that are used for other cycle ways and other structures in the City.

**At 6.48pm, in accordance with Clause 5.2(14) of the Meeting Procedures Local Law, Mayor Mark Irwin ruled to extend Public Question Time.**

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**7.5 PUBLIC QUESTION TIME - R HADLEY**

**The following questions were submitted by R Hadley, Woodlands WA 6018, at the Council Meeting held Tuesday 28 May 2024.**

Q1. *"In the April edition of messages from the Mayor, he states that the City has been working closely with Transperth to monitor the growing popularity of Scarborough Beach, primarily on Thursday Sunset Markets to increase the 990 bus service. Will the Mayor provide documentary evidence to this effect and details of this claim? Or is it yet more spin from a Mayor who suffers from incurable Scarborough-itis? As the Winter Markets now operate on Saturdays from 3.00pm to 800pm, does this warrant extra additional buses? Was this discussed?"*

A1. The Mayor advised the commentary around the bus service was not necessarily the City's data, it was done by Transperth. This was for the Summer Markets, the City has not yet determined for the Winter Markets.

The City will provide these details in writing.

Q2. *"On behalf of the Ewen Street Community Group and other rate payers, we question why a tender for \$350,000 for Christmas lights has been called for? In addition to the \$90,000 allocated to supply lighting to a clock tower, where else? A nice little earner for somebody. Has anyone estimated how much this extra electricity will cost rate payers if this Council proceeds with this stupid waste of monies?"*

*Please advise which bright spark had this brilliant light bulb moment. Our members expect a large reduction in the rates this coming year. And they wonder why the Council continues to squander public monies in this manner. An extra couple of bedrooms at the women's refuge, buy or cultivate more trees, repair cracked pavement might be something more positive in our opinion."*

A2. The Mayor noted Mr Hadley's comments.

Q3. *In April, I saw financial details of matters relating to the Trackless Tram fiasco. Is the operating budget the same as the minor works budget? Either way, please list details of expenditure.*

*Concerning the Symposium: cost of hire of premises, hire of ancillary equipment, refreshments, catering, cost of transport for attendees, accommodation fees, speaker's fees, printing of tickets, how many tickets sold, cost of Stirling Staff wages, overtime, welcome functions and gifts to Chinese delegations, cost of the TT video production, cost of a 6x4m banner attached to a Council property, cost of removal of trees, plants, bushes on the Council grounds and replacement.*

*The very limited information which has been supplied by the Manager Strategy and Performance that the cumulative and potential audience of \$1,222,950 and free media to the value of \$119,850 is both nonsensical and meaningless. Similarly, the positive feedback provided on the trial can hardly justify and support a business case. Asking a 10 year old kid if they enjoyed the free journey and presented with a specially printed bag of goodies, what else are they likely to say? If a free trip on a 4-seater golf cart or a golf cart would be due to the same results. Complete rubbish. We noted in your brief information that the \$23,725 was spent on a tram charger and a sustainable fuel cell. I believe the Mayor stated at a Council meeting that the Chinese company provided their own. Please explain and where is the tram charger now?"*

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

### **Additional Information**

A1. Officers met with representatives from the Public Transport Authority (PTA), Main Roads WA, Swan Transit and WA Police in April 2024 regarding Scarborough Beach access and parking issues. Amongst these discussions, the PTA advised that patronage for the 990 bus service during the peak summer market season has increased significantly with additional buses being deployed to meet this demand. This initiative was aimed at both meeting public transport demand and reducing the number of vehicles that enter the Scarborough Beach precinct which add to traffic congestion.

The Scarborough Summer Markets attract higher numbers of people and take place on Thursday evenings which coincides with peak commuter times. It is not expected that PTA will need to deploy additional buses during the Winter Markets season as they generally attract a lower attendance and take place on Saturday nights.

A3. *As provided in an email to Mr Hadley on 5 April and 30 April 2024, the Trackless Tram Trial has been funded by the Australian Government at a total cost of \$356,112, which includes the following:*

- \$205,000 road works
- \$37,500 traffic management and line marking
- \$10,314 fencing and safety
- \$47,586 electrical works and generator
- \$23,725 tram charger and sustainable fuel cell
- \$31,987 station and signage construction

*The \$23,725 for the tram charger and sustainable fuel cell was the cost for the City of Stirling to hire these items.*

*The City hosted two events to launch the Trackless Tram Trial at a total cost of \$52,997. This included all marketing, advertising and associated event costs.*

*In regards to the Net Zero Transit Symposium, the costs associated total \$51,261. These costs were recovered through income of \$61,717, which consisted of \$7,500 received via sponsorships and grants and \$54,217 via ticket sales. A total of 134 people attended the Symposium.*



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**7.6 PUBLIC QUESTION TIME - L MARTINAZZO**

**The following questions were submitted by L Martinazzo, Tuart Hill WA 6060, prior to the Council Meeting held Tuesday 28 May 2024.**

Q1. *“Regarding the Hodgson Street Reserve, the trucking in of water to new plantings has worn the grass to a wide, sandy path that stretches from Hodgson Street to McDonald Street on the eastern side. The path looks unsightly, and it is highly unlikely that anything will regrow in its hydrophobic sand. Will the Council move to reinstate the grass with quality soil, soil wetter added as there is no reticulation, or alternatively plant prostrate ground covers on the currently sandy, boggy path? In the recent minor upgrade to the Hodgson Street Reserve, according to the plan 60 shrubs were to have been planted but only 21 have survived. Will the 39 plants that have perished be replaced?”*

A1. Due to the weather conditions Perth has experienced over the past seven months, the City had been required to continue tanker watering for longer than anticipated. This is partially responsible for the poor appearance. The management approach to watering will be reviewed to attempt to reduce the impact the heavy vehicles are having on the reserve.

With the cooler weather approaching, the season is not ideal to regenerate the turf, a program will be developed with applications of wetting agents now and the introduction of grass stolons as the weather warms back up later in the year. This program will build the turf quality over the next year. It is worth noting that a Park of this type is not intended to have pristine turf quality, however the City will do its best to reduce the area of exposed soil.

Regarding the plantings, officers have identified that replacements are required and will replant this winter.

City officers would be happy to contact Ms Martinazzo once the program is developed.

Q2. *“There is a lot of traffic on Hodgson Street, especially after school, from 3.00pm to 5.00pm, Monday to Friday, with kids coming from their free parking spaces on Stoneham Street and Grenville Reserve carpark. The traffic is also increased with the cars parked at Tuart College. My concern is with the increase of drivers and speed during these times. Also the constant failure for drivers to stop at the stop sign at the corner of Hodgson Street and Banksia Street. Would it be possible that students from Servite College were made to park on Servite College Property or made to pay for parking as they congest on a regular basis the carpark at Grenville and Stoneham Streets? It is unfair to others that the students of Servite College think that it is their entitlement to park for hours on end for free to the detriment of others wanting to park at Grenville to use the oval.”*

- A2. The expansion of the car park at Grenville Reserve was undertaken in 2021 with the assistance of a funding contribution from Servite College. As a condition of that contribution, the City agreed to allow the car park to be utilised during the day for parking by Servite College students. This agreement was made with the understanding that the car park was largely underutilised throughout the day when sporting activities at the reserve were comparatively low.
- Q3. *“When will the Tuart Hill College site be returned to the public as a community college? At present it is used mainly for a range of administration for schools, sport and footy. The pool banner states, “Servite College Pool”. I was of the understanding that Servite was leasing the pool from the Department of Education. The fact that Servite only uses the pool for about four months of the year is a total waste of an excellent resource which could be used by the public, enabling swimming classes for the many ethnic groups that live in the area, and could provide swimming laps for the public.”*
- A3. 105 Banksia Street, Tuart Hill is owned by the State Government. The existing uses and agreements are private agreements between the State Government and the tenants or services it provides from this facility. Further enquiries would need to be directed to the Department of Education (link to online-contact-form below).

<https://www.education.gov.au/about-us/contact-us/online-contact-form>

## **8. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

## 9. CONFIRMATION OF MINUTES

### Council Resolution

**0524/014**

**Moved Councillor Krsticevic, seconded Councillor Perkov**

**That the Minutes of the Ordinary Meeting of Council of 14 May 2024 be confirmed as a true and correct record of proceedings.**

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

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

**Against:** Nil.

## 10. ANNOUNCEMENTS BY THE PRESIDING MEMBER

### 10.1 ANNOUNCEMENT - AUSTRALASIAN REPORTING AWARDS

Councillor David Lagan made the following announcement:

*"I am very pleased to advise that the City won its 10th gold award in a row including Best in Sector for the second year in a row at the Australasian Reporting Awards which were held in Sydney for reporting on accountability and transparency.*

*The City is the first and only local government in WA to win its 10th award in a row and be inducted into the Chair's Commendations Honour Roll. The Best in Industry Sector award also recognised the City of Stirling as having the best local government Annual Report in Australasia.*

*Annual reports are a key reporting mechanism of the State Government's Integrated Planning and Reporting Framework to ensure accountability and high performance across the local government sector.*

*A big thank you to everyone who contributed to the development of the Annual Report and a special thanks to the core working group members: Michelle Wolsoncroft, Sean Smith, Danielle Cavey, Margot Vearing, Nathan Conway, Clayton Chipper, Cressida Cullity, Jane Hogeveen and Liz Lowrey for producing another quality publication."*

## 11. UNRESOLVED BUSINESS FROM PREVIOUS MEETING

Nil.

In accordance with clause 4.2 of the Meeting Procedures Local Law 2021, the Presiding Member RULED to bring Item 14.1 forward in the order of business.

#### 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.

Councillor Andrea Creado disclosed an Impartial Interest in Item 14.1 as she lives in the surrounding area that could be affected.

#### 14.1 PROPOSED NOTICE OF MOTION - COUNCILLOR DAMIEN GIUDICI - PROPOSED INDUSTRY NOXIOUS (SOLID WASTE DEPOT) DEVELOPMENT, MIRRABOOKA

Business Unit:	Development Services	Service: Planning Services
Ward:	Balga	Location: <a href="#">Lot 821, House Number 501 Alexander Drive Mirrabooka</a>
Applicant:	Rowe Group	

#### Role

Advocacy - *Advocating to government or other organisations.*

## Council Resolution

**0524/015**

**Moved Councillor Giudici, seconded Councillor Lagan**

**That the Mayor WRITES to the Minister for Planning (cc Chairman of the Western Australian Planning Commission) highlighting the inappropriateness of the proposed Industry Noxious (Solid Waste Depot) Development at Lot 821, House Number 501, Alexander Drive, Mirrabooka.**

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

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

**Against:** Nil.

## Notice of Motion Recommendation

That the Mayor WRITES to the Minister for Planning (cc Chairman of the Western Australian Planning Commission) highlighting the inappropriateness of the proposed Industry Noxious (Solid Waste Depot) Development at Lot 821, House Number 501, Alexander Drive, Mirrabooka.

## Background provided by Elected Member

The subject land is reserved for Parks and Recreation and there ore the proposed solid waste depot's use is incompatible with this reservation. Further, the proposal poses risks to the amenity of the surrounding residents and poses unacceptable environmental and public health risks given the proximity of the proposal to residents and educational establishments.

## Details

As noted in the proposed Notice of Motion provided by Councillor Damien Giudici, concern is expressed that the proposed development of the land at Lot 821, 501 Alexander Drive for the development of the site for an Industry – Noxious (Solid Waste Depot) use, is incompatible with the reserve for Parks and recreation, within which the application site is located.

The City received the details of the development application (DA) in question on 7 March 2024. In the context of this DA, and given the subject site is wholly contained on land reserved under the Metropolitan Region Scheme, the City acts as a referral agency only to the decision-making authority in this case which is the Department of Planning, Lands and Heritage (DPLH).

The City has previously provided Elected Members with advice in the form of a memorandum dated 9 May 2024.

The City's referral comments have been provided by way of an interim response to the DPLH. This response confirms that the City does not support the approval of the development in question. A copy of the interim response is contained in Attachment 1. The final response of the City will be provided by 24 May 2024. This final response will update the DPLH on results of the consultation exercise undertaken by the City, which has resulted in the receipt of more than 250 submissions from within the local community. The final decision will be taken by the DPLH in due course.

### **Financial Assessment and Implications**

Nil.

### **Sustainable Stirling 2022-2032**

**Key Result Area:** Our built environment

**Objective:** A liveable City

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

### **Strategic Risk**

<b>Strategic Risk</b>	<b>Risk Appetite</b>
Community	The City will ensure that it engages with the community in accordance with its Community and Stakeholder Engagement Plan.
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 - Interim Response [↓](#)

### Available for viewing at meeting

Nil

### Linked Documents



**Administration Centre**  
25 Cedric Street Stirling WA 6021

**Telephone** (08) 9205 8555  
**Enquiries** [www.stirling.wa.gov.au/enquiries](http://www.stirling.wa.gov.au/enquiries)  
**Web** [www.stirling.wa.gov.au](http://www.stirling.wa.gov.au)

     /citystirlingwa

Enquiries: Adam Stillitano - **9205 8534**

Application No: DA24/0287

9 May 2024

The Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
PERTH WA 6001

Dear Sir/Madam

**DEVELOPMENT APPLICATION: CHANGE OF USE - TO INDUSTRY- NOXIOUS (SOLID WASTE DEPOT)**  
**ADDRESS: LOT 821 #501 ALEXANDER DRIVE MIRRABOOKA WA 6061**

I refer to the abovementioned development application referred by the City, to the Department on 28 March 2024.

The site is located within a Metropolitan Region Scheme (MRS) Reserve, and accordingly the application is referred to the Western Australian Planning Commission for determination. A copy of the application has previously been provided to the Commission for assessment and determination, however, is summarised below:

**Industry- Noxious (Solid Waste Depot):**

- Implementation and operation of a 'Solid Waste Depot' on the site as part of the site's landfill operations
- The site's current landfill operations include sand extraction and inert landfill (license includes clean fill, uncontaminated fill, neutralised acid sulphate soil and contaminated solid wastes meeting waste acceptance criteria);
- The proposed Solid Waste Depot will involve:
  - Sorting;
  - Segregating;
  - Temporary stockpiling of different waste materials brought to the site for the purposes of landfill;
  - Once sorted and stockpiled, any material suitable for re-use or recycling is removed from the site and the remaining material is deposited into landfill; and
  - The sorting, segregating and stockpiling activities will be undertaken at the base of the existing excavation pit and screened from public view by the difference in site levels.
- Vehicular access is proposed from Victoria Road to the north of the site
- The proposal includes a maximum of 96 truck movements per day (48 in and 48 out)



- The proposal includes a maximum of 12 members of staff on site at any one time

The City has reviewed the proposed Industry- Noxious (Solid Waste Depot) and provides comments in relation to the proposed development, addressing the following key matters:

- Insufficient Information
  - Bushfire Risk
  - Traffic Generation
- Incompatible Land Use
  - Land Use
  - Amenity
  - Environmental Health
  - Department of Health Commentary
- Community Consultation
  - Ongoing community consultation
  - External Agencies

Detailed commentary relating to the above matters is provided below.

### **Insufficient Information**

#### Bushfire Risk

The City recognises that the proposed development is located within a Bushfire Prone Area designated by the Department of Fire Emergency Services (DFES). The proposed land use is considered a 'high-risk' land use under section 5.6 of State Planning Policy 3.7 Guidelines for Planning in Bushfire Prone Areas (SPP3.7).

The information provided in the application provides inadequate consideration or supporting materials to address the potential bushfire risk to the site, staff, persons frequenting the site and to the surrounding area. The application does not include a Bushfire Attack Level (BAL) assessment, Bushfire Management Plan (BMP) or Bushfire Emergency Evacuation Plan (BEEP). The City has concerns that the proposed land use has not sufficiently contemplated bushfire protection measures and as such has taken the precautionary principle approach and does not support the proposal with the bushfire information provided.

#### Traffic Generation

The proposed land use has potential to generate significant traffic to the area, with the cover letter provided with the application identifying a maximum of 96 heavy vehicle movements per day. This has the potential to impact the local road network and has not been addressed by a Traffic Impact Statement or Traffic Management Plan. In the absence of this information the City is unable to accurately determine the extent of any potential impacts and possible mitigation measures, and as such does not support the proposal in relation to traffic generation.

#### Dust and Asbestos

The proposed development has been accompanied with a Dust Management Plans and an Asbestos Management Plan. The City's review has identified that there are inconsistencies between these two documents, and considers that due to the overlapping nature of the management measures required for both, that these documents be amended so that a full and proper consideration of the measures and potential risk factors can be adequately assessed. The provided Dust Management Plan does not provide a detailed air monitoring program to address potential dust and asbestos impacts on surrounding sites.

This is considered critical to ensure the proposal does not detrimentally impact the amenity of the surrounding residential properties by compromising air quality.

### **Incompatible Land Use**

#### Land Use

The City notes that there is a historical approval over the subject site or 'land fill', and that the applicant indicates that this activity is currently a continuing operation. Notwithstanding this, incorporating the proposed Solid Waste depot into existing activities on the site would represent an intensification of the existing activities and land use on the site, which is currently inconsistent with the *intent and purpose* of the reservation under the MRS, which is Parks and Recreation.

The site is reserved for Parks and Recreation under the MRS. Development Control Policy 5.3 Use of Land Reserved for Parks and Recreation and Regional Open Space (DCP5.3) outlines the circumstances in which the Commission may approve the use of land reserved for Parks and Recreation for different purposes. The proposed land use is not considered to meet a number of the implementation procedures under DCP5.3, but most importantly, the proposed land use is not considered to be ancillary and incidental to the primary purposes of the reservation.

It is noted that the subject site has historically been used for landfill, brick manufacturing, solid waste depot and other associated land uses, but the City notes that the brick manufacturing solid waste depot components have ceased, and demonstrates the land use reducing in intensity and gradually aligning more to the intent and purpose of the MRS reserve.

The City also notes that in the intervening years, the residential development to the north has expanded and is within close proximity (approximately 70m) to the subject site. The City is of the view that the reservation of the site under the MRS being for Parks and Recreation combined with the close proximity of residential land uses to the north and south of the site is clear demonstration of land use conflict, with the potential for detrimental adverse amenity impacts associated with the proposed further intensification of Industry- Noxious land use activities. For these reasons the City does not support the proposal.

#### Amenity

Existing operations on the site form a part of the characteristics of the site and to a degree, the immediate surrounding development context. What is also clear is the intended future characteristics of the site, being Parks and Recreation. Parks and Recreation reserve is considered to be a compatible and necessary use of land adjacent or within close proximity of residential zoned land, such as the existing development to the north of the site. The City considers that the intensification of existing land uses on the site via the inclusion of Solid Waste Depot activities will have a detrimental impact on the amenity of surrounding residential development as:

- It further ingrains an incompatible land use on the site, which is considered incompatible on the basis that intent and purpose of the subject land is to be ancillary and incidental to Parks and Recreational activities;
- The proposed land use poses concerns and potential risks to environmental and public health (commentary below); and
- The application has not been supported with sufficient information to accurately gauge the extent of impacts resulting from the land use.

#### Environmental Health

Residential development to the north of the site have, over the years, expanded to an 'at risk' proximity to the site. This matter is considered of significant importance as the proposed Solid Waste Depot will require a licence amendment from the Department of Water and Environmental Regulation (DWER). In this regard, the City raises the following concerns and matters relating to Environmental and Public Health:

- Considering the close proximity of residential premises, the proposed activity of stockpiling waste which includes separating hazardous material (e.g. asbestos) for later disposal raises concerns of fire risks.
- The asbestos management plan is inconsistent, particularly regarding routine field sampling of asbestos containing material (ACM). Field sampling should be consistent with the DWER's Guideline for managing asbestos and Department of Health (DoH) Guidelines for the Assessment, Remediation and Management of Contaminated Site in Western Australia.
- The application makes reference to the disposal of asbestos in a landfill cell, but the licence does not permit the burial of ACM.
- The application does not sufficiently justify that the proposed amount of waste material and activities will not impact public health and amenity of nearby residential premises. A more rigorous and detailed technical assessment of the expected/potential noise, dust, contamination impacts is needed.
- The City have to date received several complaints from nearby residents relating to dust impacts from the site and is likely to increase as a consequence of an increase in activity. A dust monitoring plan is noted however, specific details of air monitoring has not been provided and the monitoring measures are deemed inadequate.
- Separation distances should be considered as per the Environmental Protection Act Guidelines No.3, Separation Distances between industrial and Sensitive Land Uses. There is potential for ongoing noise impacts where 117 noise sensitive premises are located within a 200m buffer distance around the site. The noise assessment conducted by Lloyd George Acoustics did not include a detailed noise assessment but merely calculations of estimated noise levels. The noise assessment and measures are deemed inadequate and will not eliminate potential noise impacts to nearby residents.
- Concerns regarding toxic landfill gases being released and potentially causing explosion and toxicity risks are noted as per DoH comment provided to the City. The landfill operator is to install, operate and maintain a landfill gas interception system along the perimeter of Lot 821 as to ensure explosive and toxic gases from entering Lot 803.

The above are considered to amount to considerable accumulative impacts and potential health impacts from emissions on residential properties.

#### Department of Health Commentary

The City has independently sought comment from the Department of Health, who have provided the following comments:

- Since closure of the putrescible landfill site, residential development has been approved in very close proximity to the site. Under the local planning scheme the site is part of a development zone with the objectives to provide for subdivision and development and to avoid development of land likely to detract from the amenity or integrity of the area. Commercial and light industrial services, that are less likely to cause off boundary emissions and impacts, are considered suitable under planning the scheme.

- The Department of Health considers the amendment in the licence to create an unacceptable use of the land on the basis that it presents an ongoing conflict in land use with nearby sensitive receptors. Residential premises are within 100m of the site.
- The required separation distances in EPA Guideline No. 3, *Separation Distances between Industrial and Sensitive Land Uses* should be considered to avoid conflict in land uses. An appropriate separation distance allows for the mitigation of impacts from non-routine emissions or emergency incidents.
- Therefore, based on the extent of residential development that has occurred since closure of the putrescible landfill, it is not considered feasible to return the site to heavy industrial uses, such as screening waste. The application acknowledges that there is a high risk of asbestos being transported to the site within construction and demolition waste, or other hazardous wastes.
- Given the proximity of residents, proposed stockpiling of wastes (including of separated hazardous waste for later disposal), a fire at the site has the potential to result in unacceptable exposures.
- The amendment does not include sufficient justification or assessment that the proposed quantity of material and activities will not impact the public health and amenity of nearby receptors. This would require a more detailed technical assessment of the expected noise, dust and spills and emergency management impacts from transportation, (96 trucks expected daily), stockpiling and sorting of waste, removal of hazardous waste (e.g. asbestos) where required and screening activities. While there is reference to dust and asbestos monitoring, specific details of an acceptable air monitoring program have not been provided.
- It is noted that there are inconsistencies in the asbestos management plan regarding routine field sampling of asbestos containing material. Field sampling should be undertaken in accordance with the Guidelines for managing asbestos at construction and demolition waste recycling facilities (DWER April 2021) and Guidelines for the Assessment, Remediation and Management of Contaminated Sites in Western Australia (DoH, 2021).
- It is noted that the application refers to a procedure for the disposal of asbestos in a landfill cell but that the licence does not allow for the burial of asbestos waste. This may be an error.

In conclusion **the DoH does not support this application** based on the conflict in land use and insufficient separation distance from the proposed activities to nearby sensitive receptors.

## **Community Consultation**

### Ongoing Community Consultation

Considering the nature of the proposal and the vicinity in relation to nearby sensitive land uses, the City considers that formal advertising of the proposal to adjoining properties is appropriate. It is further noted that under DCP5.3, community support for a proposal is integral in consideration of a private business on land reserved for Parks and Recreation. Pursuant to this, the City has commenced community consultation with properties located within 500m of the subject site over a 28 day period. Consultation concludes on the 20<sup>th</sup> of May 2024. Following consultation, **the City will provide an addendum with the submissions and outcomes of the community consultation** for the consideration of the DPLH.

### External Agencies

The City has identified that the following external agencies will have a relevant interest and need for consideration on the proposal:

- Department of Fire and Emergency Services;
- Department of Water and Environmental Regulation;
- Department of Health; and
- Main Roads WA

The above external agencies will need to review the proposal for reasons relating to the above mentioned matters.

### **Summary**

In light of the above comments **the City does not support** the development application as submitted. The City retains serious concerns in relation to conflict of the proposed land use with surrounding sensitive land uses, as well as Bushfire, Public Health and Traffic concerns. The City recommends further information is sought from the applicant to address these concerns prior to a determination of the application. The City will also provide an addendum prior to the 24<sup>th</sup> of May 2024 to provide additional comments respective to additional information sought from the applicant and following the closure of formal consultation with the community.

Should you have any queries in relation to the above requirements, please contact Adam Stillitano on 9205 8534 or via email.

Yours faithfully



James Fletcher  
**Coordinator Planning Approvals**

**Council Resolution****0524/016****Moved Councillor Lagan, seconded Councillor Krsticevic**

**That the balance of the Audit 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 (13/0).**

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

**Against:** Nil.

## 12. REPORTS AND RECOMMENDATIONS OF COMMITTEES

### 12.1 AUDIT COMMITTEE - 20 MAY 2024

#### 12.1/A1 CITY LEAVE LIABILITY UPDATE

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

**0524/017**

**Moved Councillor Lagan, seconded Councillor Krsticevic**

**That Council NOTES the leave liability update as at 1 May 2024.**

**The motion was put and declared CARRIED (13/0) by exception resolution.**

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

**Against:** Nil.

#### Committee Recommendation

That Council NOTES the leave liability update as at 1 May 2024.

## Officer's Recommendation

That Council NOTES the leave liability update as at 1 May 2024.

## Purpose

To provide details on the City's current excessive leave liability as requested by the Audit Committee at its meeting held 8 August 2022.

## Details

The audit of the City's 2019/2020 financial statements undertaken by the Office of the Auditor General (OAG) identified one moderate and three minor findings with regards to internal control. The moderate finding related to 'annual leave accrual accumulation' noted that annual leave had been allowed to accumulate to a high level for a number of employees. This was noted as a moderate risk, with the audit report identifying employees not taking their annual leave entitlement each year as an increased risk or opportunity for fraud to occur.

This finding was reiterated by the OAG in the 2020/2021 audit, with the finding rated as a minor risk and the action being to continue to monitor balances and report to the Executive Team. The OAG also recommended that the City should establish a Policy on annual leave usage and that the City's people leaders should use the tools available e.g. management practice, workforce agreements, and Long Service Leave Regulations to encourage employees to take regular time off so as not to accumulate high leave entitlements.

The City's Excessive Leave Liability Management strategy was endorsed by the Executive Team on 18 October 2022 and noted by Council, via the Audit Committee, at its meeting held 15 November 2022.

The OAG removed the finding during the 2021/2022 audit, noting the work done by the City to reduce the balances.

## Quarterly Reporting

Information on leave entitlement and excessive leave liability will be reported to the Audit Committee quarterly, with the financial liability included in the monthly financial reports to the Community and Resources Committee and Council.

The City's target in relation to its excessive leave liability is to reduce the existing leave liability balance (as at 1 September 2022) to zero, over a period of three years. This provides a reasonable period given the potential impacts to services and additional costs in backfilling roles to support the clearing of this leave.



From July 2022, the Human Resources Business Partners have been supporting people leaders to negotiate agreements with employees to reduce leave, and where this cannot be negotiated, issuing employees with direction to clear leave balances. The City also issued a direction for a Christmas close down of all non-essential services, requesting leave be booked for the dates where there were no public holidays (three days).

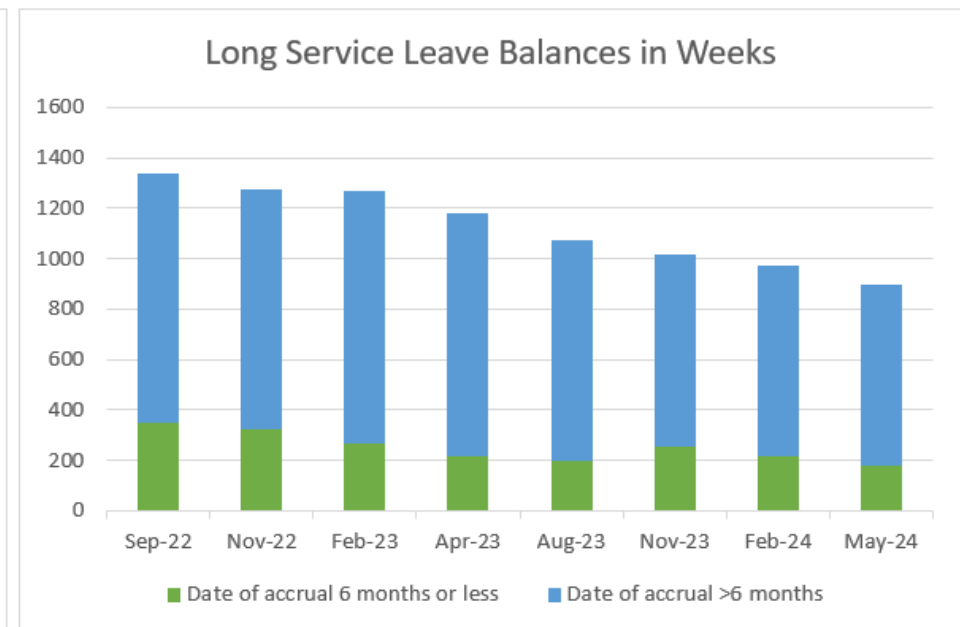
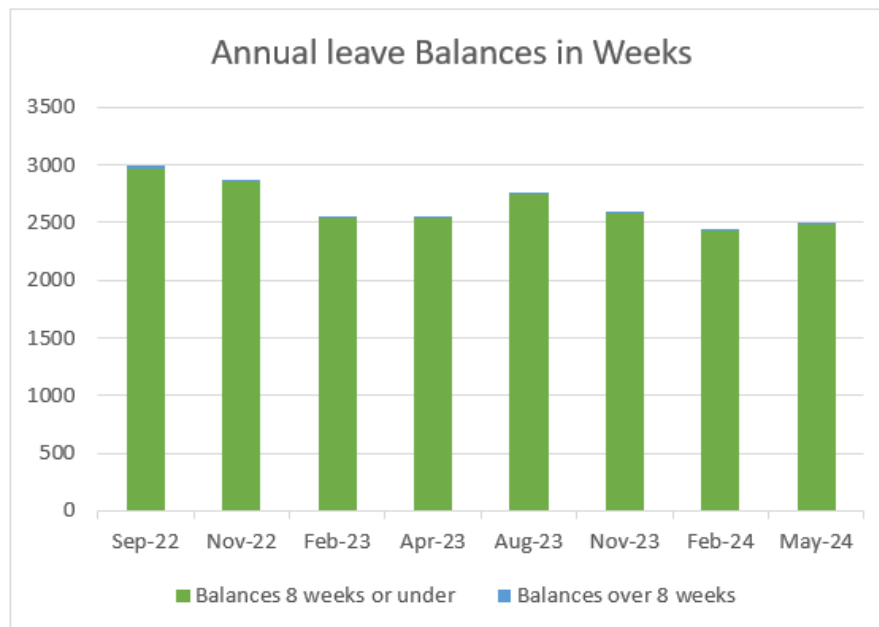
As at 1 September 2022, the City's overall leave liability for 1,030 employees was:

- Annual Leave – 2,990.53 weeks (average 2.9 weeks per employee), of this 25.84 weeks being considered excessive.
- Long Service Leave – 1,336.32 weeks (average 1.3 weeks per employee), of this 989.16 weeks being considered excessive.

As at 1 May 2024, the City's overall leave liability for 1,081 employees was:

- Annual Leave – 2,500.34 weeks (average 2.3 weeks per employee), of this 8.23 weeks being considered excessive.
- Long Service Leave – 895.69 weeks (average 0.83 week per employee), of this 714.87 weeks being considered excessive.

Tables showing leave balances from September 2022 to May 2024.



Attachment 1 and Attachment 2 provide a breakdown of the 1 May 2024 leave balances by Directorate and Service Area.

From the targeted approach, there has been a significant reduction from September 2022 to May 2024 of 17.61 weeks in excessive annual leave (balances over eight weeks) and 274.29 weeks in excessive long service leave (balances that have a date of accrual over six months).

Due to the ease in transferring long service leave across the Sector, the balance employees bring across when joining the City is outside of its control. As such, the City will never be able to guarantee the excessive long service leave liability balance can remain at zero should this target be achieved. It is also impractical to require new employees to clear leave soon upon their arrival, and in the existing market, it is not recommended that prospective employees are required to clear balances soon upon their commencement as this could deter them from joining the City.

The endorsed City Excessive Leave Liability Management Strategy 2022-2025 addresses the current excessive leave via two avenues, one that is focussed on the management of existing leave liability balances, and another that is focussed on the prevention of future balances occurring. By applying proactive, effective leave management strategies from both directions, the accumulation of excess leave can be minimised, employee wellbeing maximised, and productivity and service levels at the City maintained to a high community standard.

## **Financial Assessment and Implications**

Implementing elements of the City Excessive Leave Liability Management Strategy 2022-2025 is likely to result in additional costs for backfill of front-line services. However, the overall liability and cost to the City will reduce, along with the risk or increased opportunity for fraud to occur as identified by the OAG.

## **Stakeholder Engagement**

At the February 2024 Audit Committee meeting, Mayor Irwin requested information on any correlation between leave liability and job satisfaction / lower pay. Information on pay bandings, along with data gathered from the current Employee Culture and Feedback survey, will be available for the next Audit Committee and collated to provide this information.

## **Relevant Policies, Legislation and Council Resolutions**

On 22 April 2024 the Department of Local Government, Sport and Cultural Industries (DLGSC) announced that the regulations for Local Government long service leave had been modernised, with substantive parts of the Regulations to commence operation on 1 September 2024.

The new regulations seek to improve the operation of the long service leave portability scheme as well as introduce a raft of changes, including:

- Calculation of Long Service Leave Entitlements: The entitlement will now be based on the average number of hours an employee has worked for the accrual period (typically 10 years).
- Introduction of Reckonable Service: These provisions will assist employers with determining what periods count as service for the purpose of long service leave.
- Long Service Leave in Advance: The new regulations provide for an ability of an employee who has completed at least seven years of reckonable service to take long service leave in advance.
- Cashing Out of Long Service Leave: The regulations will allow employees to request to cash out their long service leave once they have accrued 10 years of reckonable service.

Further information on the impact of this modernisation will be provided to the Audit Committee meeting at its August meeting.

Inside Workforce Agreement 2023

Outside Workforce Agreement 2023

[Local Government \(Long Service Leave\) Regulations](#)

[Local Government Act 1995](#)

## Sustainable Stirling 2022-2032

**Key Result Area:** Our leadership

**Objective:** A capable and efficient City

**Priority:** Maintain a highly skilled and effective workforce

## 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 - Annual Leave balances in excess of 8 Weeks (previously circulated to Elected Members under confidential separate cover)

Attachment 2 - Long Service Leave not booked after 6 months of entitlement (previously circulated to Elected Members under confidential separate cover)

### Available for viewing at meeting

Nil

### Linked Documents

Nil.

Senior Governance Officer Daniel Govus disclosed an Impartial Interest in Item 12.1/IA1 as he brother is employed by KPMG in an unrelated area.

### 12.1/IA1      **PROCUREMENT AND CONTRACT MANAGEMENT INTERNAL AUDIT REPORT**

Business Unit:	Office of the CEO	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**

**0524/018**

**Moved Councillor Perkov, seconded Councillor Krsticevic**

**That Item 12.1/IA1 be REFERRED to the Audit Committee meeting to be held 5 August 2024 in order to receive further comment from the City's internal auditor on the disagreements outlined.**

**The motion was put and declared CARRIED (13/0) by exception resolution.**

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

**Against:** Nil.

#### **Committee Recommendation**

That Item IA1 be REFERRED to the Audit Committee meeting to be held 5 August 2024 in order to receive further comment from the City's internal auditor on the disagreements outlined.

### Officer's Recommendation

1. That Council RECEIVES the Procurement and Contract Management Internal Audit Report.
2. That the 'high' and 'medium' rated observations agreed by the City be EMBEDDED on the Management Action Plan or Audit Committee review until completed.

### Purpose

To inform Council of the outcome of the Procurement and Contract Management internal audit review.

### Details

This audit was undertaken as part of the 2022/2023 Internal Audit Plan endorsed by Council (Council Resolution Number 0822/024) at its meeting held 16 August 2022.

The review was performed by K. M. G. and was conducted in accordance with the Institute of Internal Auditors' international standards for Professional Practice of Internal Auditing.

The objectives of this review were to assess if:

- Procurement processes are compliant with applicable legislation and that internal guidance is aligned with these requirements;
- Procurement processes and controls are designed and operating effectively;
- Contracts are monitored for compliance and are effectively managed (performance managed); and
- Appropriate oversight of procurement activities and contracts exists.

Specifically, the scope of the review was as follows:

1. Assess that the City's procurement policy, guidance and procedures are compliant with legislative requirements, focussing on:
  - The *Local Government Act 1995*; and
  - Part 4 of the Local Government (Functions and General) Regulations 1996.
2. Assess the City's internal governance to manage and evaluate compliance with key legislative requirements and consistency with other applicable City management practices and requirements (i.e., Delegated Authority Register, Code of Conduct etc).

3. Assess that the City's procurement activities and controls (on a sample basis) are in line with the City's procurement policy, guidance and procedures and are designed and operating effectively, considering if:
  - Procurement activity follows the relevant purchasing threshold requirements, specifically:
    - Applicable quotation/tendering process followed (unless valid exemption/wavier sought);
    - Purchasing approvals align to the City's Delegations of Authority;
    - Validation/approvals of goods and services received align to the City's Delegations of Authority.
  - Procurement decisions are made following appropriate evaluation (per value of the purchase) and decision processes, with any actual or perceived conflicts of interest, disclosed and appropriately managed to ensure a fair and transparent process;
  - Risks are considered and determined in the evaluation of tenders;
  - City's procurement principles are observed (i.e., Value for Money, Buy local, sustainable procurement etc.);
  - Key steps in the City's procurement process are effectively segregated; and
  - Processes are in place to monitor for possible duplicate or inappropriate payments.
4. For procurement conducted through a formal contract, assess (on a sample basis) that the City's contract management activities are effective, consistent, and transparent, considering if:
  - The contract (if at or above \$250,000) is recorded and managed on the City's contract management system open Windows or equivalent and POs applicable to the contract are connected;
  - Contract approvals align with the City's delegation of authority;
  - Contracts are in place for vendors with total annual spend at or above \$250,000;
  - Performance management of vendors against service delivery and established key performance indicators, including:
    - Roles and responsibilities for contract management; and
    - Use of contract management plans action plans, service level agreements, business cases etc. are in place as required.
  - Contract extensions or variations (if applicable) are appropriately approved;
  - Shared services are utilised to maintain cooperative working relationships between business units;
  - Appropriate monitoring and reporting on contract management activities are in place and operating, such as:
    - Spend per vendor; and
    - Contract performance (i.e., KPIs).

The review identified two high rated and three medium rated opportunities for improvements. The City does not agree with all of the recommendations provided under the high and medium rated opportunities for improvements, and has provided reasoning as to why, and in some cases, alternative recommended actions to be taken.

A disagreement with findings is not common, but does happen from time to time. The decision on actions to be taken rests with management who have provided detailed information on why it does not agree, and the reasons for the alternative recommendations. These were checked and verified by the City's internal auditor (Ms Kerry Flynn) before being provided to the KMG audit team.

Further details are documented in the Procurement and Contract Management Internal Audit Report (refer to Attachment 1).

## **Financial Assessment and Implications**

Nil.

## **Stakeholder Engagement**

Director Corporate Services  
Manager Finance  
Senior Corporate Accountant  
Corporate Accountant  
Coordinator Strategic Sourcing and Contracts  
Strategic Sourcing and Contracting Specialist  
Procurement Officer  
Service Lead Facility Management  
Coordinator Facility Maintenance  
Systems Accountant  
Internal Auditor

## **Relevant Policies, Legislation and Council Resolutions**

[Local Government Act 1995](#)

[Local Government \(Functions and General\) Regulations 1996](#)



**Sustainable Stirling 2022-2032**

**Key Result Area:** Our leadership

**Objective:** A well-governed City

**Priority:** Comply with legislation, standards and obligations

**Priority:** Conscious and effective management of risk

**Objective:** A capable and efficient City

**Priority:** Provide responsible financial and asset management

**Strategic Risk**

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

**Previous Council Resolutions**

Meeting Date	Council Resolution Number	Council Resolution
16 August 2022	0822/024	That Council ENDORSES the Strategic Internal Audit Plan 2022/2023–2024/2025 and the Annual Internal Audit Plan 2022/2023, as contained in Attachment 1.

## Relevant Documents and Information

### Attachments

Attachment 1 - Procurement and Contract Management - Internal Audit Report (previously circulated to Elected Members under confidential separate cover)

### Available for viewing at meeting

Nil

### Linked Documents

[Office of the Auditor General \*Local Government Procurement October 2018\*](#)

**12.1/IA2 RECORDS MANAGEMENT INTERNAL AUDIT REPORT**

Business Unit:	Office of the CEO	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****0524/019****Moved Councillor Lagan, seconded Councillor Krsticevic**

1. That Council **RECEIVES** the Records Management Internal Audit Report.
2. That the 'medium' rated observations be **LISTED** on the Management Action Plan for Audit Committee Review until completed.

The motion was put and declared **CARRIED (13/0)** by exception resolution.

**For:** Councillors Creado, Dudek, Giudici, Hatton, Krsticevic, Lagan, Migdale, Olow, Papparde, Perkovic, Proud, Re and Mayor Irwin.

**Against:** Nil.

**Committee Recommendation**

1. That Council **RECEIVES** the Records Management Internal Audit Report.
2. That the 'medium' rated observations be **LISTED** on the Management Action Plan for Audit Committee Review until completed.

### Officer's Recommendation

1. That Council RECEIVES the Records Management Internal Audit Report.
2. That the 'medium' rated observations be added on the Management Action Plan or Audit Committee Review until completed.

### Purpose

To inform Council of the outcome of the Records Management Internal Audit.

### Details

This audit was undertaken as part of the 2023/2024 Internal Audit Plan endorsed by Council (Council Resolution Number 0822/024) at its meeting held 16 August 2022.

The objective of this audit was to assess if:

- records are managed in accordance with legislative and regulatory requirements and that the City has a framework in place to respond to the new WA Privacy and Information Sharing legislation enacted in late 2023; and
- the City's processes for data remediation and data governance are appropriate.

The audit identified the following seven areas where opportunities exist to enhance current practices:

Audit Issue	Audit Risk Rating
Super User/Administrator Access to the ECM System	Medium
Unapproved amendments to the City's Record Keeping Plan	Low
ECM Access Holders	Low
Key Performance Indicators	Low
Policy and Procedures	Low
Risk Management	Low
Disaster Recovery Plan and Incident	Low

Further details are documented in the Records Management Internal Audit Report (refer to Attachment 1). This audit was performed by the Acting Internal Auditor. It was conducted in accordance with the Institute of Internal Auditors (IIA) Standards for the Professional Practice of Internal Auditing.

## **Financial Assessment and Implications**

Suggested business improvement opportunities in the Records Management Internal Audit Report may have financial implications for Council.

## **Stakeholder Engagement**

- Chief Executive Officer;
- Acting Manager Governance;
- Director Corporate Services;
- Manager Strategy and Performance;
- Service Lead Compliance, Risk and Info Management (Governance);
- Coordinator Information Management (Governance);
- Information Management Analyst (Governance);
- Two Information Management Officers (Governance);
- Senior Payroll Systems Specialist (Human Resources);
- Coordinator Strategic Sourcing and Contracts (Finance Services);
- Service Lead Technology (Corporate Information Services);
- Arts Officer - Art Collection (Customer and Communications); and
- Arts Coordinator (Customer and Communications).

## **Relevant Policies, Legislation and Council Resolutions**

[Local Government Act 1995](#)

[WA State Records Act 2000](#)

[Information Management Policy](#)

Data Backup and Retention Management Practice

Data Custodianship Management Practice

Capturing Elected Members' Records Management Practice

**Sustainable Stirling 2022-2032**

**Key Result Area:** Our leadership

**Objective:** A well-governed City

**Priority:** Comply with legislation, standards and obligations

**Priority:** Conscious and effective management of risk

**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 - Information (Records) Management - Internal Audit Report (previously circulated to Elected Members under confidential separate cover)

Available for viewing at meeting

Nil

Linked Documents

Nil

**12.1/IA3 INTERNAL AUDITOR'S ACTIVITY REPORT**

Business Unit:	Office of the CEO	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****0524/020****Moved Councillor Lagan, seconded Councillor Krsticevic**

- 1. That Council RECEIVES and ENDORSES the updated Internal Auditor's Report.**
- 2. That Council NOTES the current status of the Management Action Plans for past audits and reviews.**
- 3. That the Management Action Plan tasks currently under review REMAIN on this report until complete, so they can be monitored by the Audit Committee.**

**The motion was put and declared CARRIED (13/0) by exception resolution.**

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

**Against:** Nil.

**Committee Recommendation**

1. That Council RECEIVE and ENDORSE the updated Internal Auditor's Report.
2. That Council NOTES the current status of the Management Action Plans for past audits and reviews.
3. That the Management Action Plan tasks currently under review REMAIN on this report until complete, so they can be monitored by the Audit Committee.

**Officer's Recommendation**

1. That Council RECEIVE and ENDORSE the updated Internal Auditor's Report.
2. That Council NOTES the current status of the Management Action Plans for past audits and reviews.
3. That the Management Action Plan tasks currently under review REMAIN on this report until complete, so they can be monitored by the Audit Committee.

**Purpose**

To provide Council with updates on a range of internal audit activity.

**Details**

Under its Terms of Reference, the Audit Committee assists Council in overseeing the City's internal audit function. The Internal Audit Activity Report (refer to Attachment 1) summarises the current status of the Annual Internal Audit Plan. Additional Internal Audit activity is noted below.

**Consultation and Other Activity**

Regular meetings are held with the Service Lead Compliance, Risk and Information Management and the Risk and Compliance Coordinator. This assists with the coordination between the internal audit, compliance and risk management functions.

**Tender Conflict Checks**

The Internal Auditor has reviewed the results of the tender conflict checks 771 - 786 performed since the Audit Committee meeting held on 19 February 2024. No issues were noted.



### Misconduct, Corruption and Fraud Reporting

No calls or emails have been received through the Misconduct and Fraud Hotline and Email since the Audit Committee meeting held on 19 February 2024.

Attachment 2 contains a summary of the suspected serious misconduct incidents that required the integrity panel to convene since the Audit Committee meeting held 19 February 2024.

At its meeting held 27 February 2024, Council endorsed for the inclusion of the Public Sector Commission - Integrity and Conduct Annual Collection and Freedom of Information Annual Statistical Return as a Confidential Attachment to the Audit Committee and Council each financial year (Council Resolution Number 0224/031). This information will be provided to the November Audit Committee meeting.

### Management Action Plan Updates

There are currently 23 open audit recommendations with five overdue and 18 not yet due as follows:

Audit Name	Actions	Not Yet Due	Overdue
Risk Management	4	4	0
See Attachment 3	1	0	1
Environmental Health	4	1	3
CIS Project Management	4	4	0
Drainage Program	4	4	0
Community Engagement	6	5	1
<b>Total</b>	<b>23</b>	<b>18</b>	<b>5</b>

The five overdue audit recommendations have the following criticality and age:

Overdue Management Actions					
Criticality	1 - 30 Days	31 – 60 Days	61 – 90 Days	>91 Days	Total
High	0	0	0	3 (2) Environmental Health (1) See Attachment 3	3
Medium	0	0	1 Community Engagement	1 (1) Environmental Health	2
Total	0	0	1	4	5

Overdue management action plans have trended as follows over the past 24 months:

	May-23	Aug-23	Nov-23	Feb-24	May-24
Number of overdue actions	4	4	5	6	5

Full details are in Attachment 4.

### Financial Assessment and Implications

Nil.

### Stakeholder Engagement

Affected Business Unit Managers and Executive Team were consulted regarding the status of open management action plans.

### Relevant Policies, Legislation and Council Resolutions

[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

**Priority:** Conscious and effective management of risk

### 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 - Internal Audit Activity Report (previously circulated to Elected Members under confidential separate cover)

Attachment 2 - Integrity Panel Audit Report (previously circulated to Elected Members under confidential separate cover)

Attachment 3 - Cybersecurity Management Action Plan Update (as at 13 May 2024) (previously circulated to Elected Members under confidential separate cover)

Attachment 4 - Management Action Plan Update (previously circulated to Elected Members under confidential separate cover)

#### Available for viewing at meeting

Nil

#### Linked Documents

Nil

**12.1/CG1 ACCOUNTABLE STIRLING QUARTER 4 2023/2024 REPORT**

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

**Role**

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

**Council Resolution****0524/021****Moved Councillor Lagan, seconded Councillor Krsticevic**

- 1. That Council RECEIVES the Accountable Stirling Quarter 4 2023/2024 Report.**
- 2. That Council ADOPTS the major review of the City's Strategic Risk Register as shown in Attachment 2.**
- 3. That Council ADOPTS the 2023/2024 Compliance Self-Assessment as shown in Attachment 3.**

**The motion was put and declared CARRIED (13/0) by exception resolution.**

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

**Against:** Nil.

**Committee Recommendation**

1. That Council RECEIVES the Accountable Stirling Quarter 4 2023/2024 Report.
2. That Council ADVISES the Mayor review of the City's Strategic Risk Register as shown in Attachment 2.
3. That Council ADOPTS the 2023/2024 Compliance Self-Assessment as shown in Attachment 3.

**Officer's Recommendation**

1. That Council RECEIVES the Accountable Stirling Quarter 4 2023/2024 Report.
2. That Council ADVISES the Mayor review of the City's Strategic Risk Register as shown in Attachment 2.
3. That Council ADOPTS the 2023/2024 Compliance Self-Assessment as shown in Attachment 3.

**Purpose**

To provide Council with an update on the following items:

- The progress of the Accountable Stirling Action Plan 2023-2025.
- Quarterly status update on the City's risk, compliance, and integrity functions.
- Outcomes of the 2023/2024 Compliance Self-Assessments (CSAs).

**Details****Accountable Stirling Action Plan (ASAP) 2023-2025 Update**

The implementation of the actions in the ASAP is progressing and on track. Key highlights are as follows:

- **Key Documentation Review**
  - Key documentation reviews are progressing for the Employee Code of Conduct, Integrity Strategy, Integrity and Misconduct Management Practice and Social Media Management Practice. Internal consultations on proposed changes for the Employee Code of Conduct have commenced with Governance, Community Development and Human Resources Business Units.

- Development of a new Employee Conflict of Interests Management Practice. The draft Management Practice is being finalised prior to internal consultation.
- The Elected Member Code of Conduct to be reviewed as resolved by Council at its meeting held 30 April 2024 (Council Resolution Number 0424/017).

The key documents to be reviewed next include the Gifts, Benefits and Hospitality Policy, the Risk Management Policy, the Risk Management Framework and the Elected Member Code of Conduct.

- **Risk Management System**

- The City's Risk Management System – Corporater is now live, with the City's Strategic Risks and Service Risks reviewed and monitored within the system.
- Risk Management Briefing and Risk System Training sessions to all Business Unit Managers and Service Reporting Officers across all Directorates are now complete.

Figure 1 below provides a high-level overview of the five themes and a progress snapshot of the ASAP against each theme as at Quarter 4. A detailed overview of the actions assigned against each of the themes is provided in Attachment 1.

ASAP Themes	Overview of ASAP Theme	Q4 Actions Snapshot Status	Q3 Actions Snapshot Status
Key Documentation Review	Review or develop key organisational documents and policies identified within the ASAP (including Employee Code of Conduct, Social Media Management Practice, Integrity and Misconduct Management Practice).	<ul style="list-style-type: none"> <li>• 1/3 Completed</li> <li>• 1/3 In Progress</li> <li>• 1/3 Not Yet Commenced</li> </ul>	<ul style="list-style-type: none"> <li>• 1/3 Completed</li> <li>• 1/3 In Progress</li> <li>• 1/3 Not Yet Commenced</li> </ul>
Refinement of Existing Processes and Procedures	Develop and implement key organisational processes and procedures identified within the ASAP (including control assurance process to ensure controls are monitored, reviewed, and improved continuously).	<ul style="list-style-type: none"> <li>• 0/1 Completed</li> <li>• 1/1 In Progress</li> </ul>	<ul style="list-style-type: none"> <li>• 0/1 Completed</li> <li>• 1/1 In Progress</li> </ul>
Establishment of New Reporting Protocols	Review or establish new organisational reporting protocols identified within the ASAP (including reporting of service risk, non-compliance, integrity and misconduct matters).	<ul style="list-style-type: none"> <li>• 0/3 Completed</li> <li>• 3/3 In Progress</li> </ul>	<ul style="list-style-type: none"> <li>• 0/3 Completed</li> <li>• 2/3 In Progress</li> <li>• 1/3 Not Yet Commenced</li> </ul>
Training And Awareness	Review and implement targeted training and awareness programs for People Leaders and employees identified within the ASAP (including risk management, integrity and compliance).	<ul style="list-style-type: none"> <li>• 0/2 Completed</li> <li>• 2/2 In Progress</li> </ul>	<ul style="list-style-type: none"> <li>• 0/2 Completed</li> <li>• 2/2 In Progress</li> </ul>
Assessment, Analysis and Reporting	Review, assessment, analysis and reporting of organisational risks (including strategic and service risks, compliance self-assessments, integrity/fraud risks).	<ul style="list-style-type: none"> <li>• 1/7 Completed</li> <li>• 6/7 In Progress</li> </ul>	<ul style="list-style-type: none"> <li>• 1/7 Completed</li> <li>• 6/7 In Progress</li> </ul>

**Figure 1: Quarter 4 - Snapshot status of Accountable Stirling Action Plan for 2023-2025**

## **Risk Management Update**

### **Strategic Risks Review**

The City's Strategic Risk Register (SR) is reviewed every six months, comprising of a major and a minor review each year.

A major review of the SR has been conducted and included an evaluation of the strategic risks' details, control effectiveness, risk assessments and action treatment plans.

The proposed changes are as follows:

**1. Minor Administrative Changes**

Abbreviations used in the SRR have been updated to their full form. The changes are administrative in nature and do not change the intent of the SRR.

**2. Risk Treatment Plans Updates**

Updated progress and supporting comments recorded against Risk Treatment Action Plans.

The proposed changes to the SRR are contained in Attachment 2.

**Strategic Risk SR10: Artificial Intelligence (AI)**

The Accountable Stirling Quarter 3 2023/2024 report considered by the Audit Committee at its meeting held 19 February 2024, highlighted the need to review the appropriateness of SR10 as a strategic risk at the next Strategic Risk Review.

Following consultations with the Executive Team and the Accountable Stirling Management Group it was determined that AI should continue to be classified as a Strategic Risk. Given the evolving landscape of AI, capturing this risk at a strategic level rather than as a service risk is deemed appropriate.

Key Risk Indicators to measure the performance of this new strategic risk will be developed and presented to the next Audit Committee for adoption.

**Service Risks**

The Service Risk Review process is progressing in line with the Accountable Stirling Action Plan 2023-2025, with the below milestones achieved in the past quarter.

1. Risk Management Briefings and Risk System Trainings have been delivered to all Business Unit Managers, Service Leads and other key officers across all 51 of the City's services.

The sessions focused on the below key outcomes:

- Providing leaders and key officers with an overview of the Accountable Stirling Action Plan 2023-2025 and City's Risk Management Framework.
- Refresher on the identification, assessment and prioritisation of service risks.
- Alignment of service risks to strategic risk appetite.
- Accessing, navigating and reviewing service risks in the risk management system.
- Monitoring, reviewing and reporting of service risks.



2. Commencement of the service risk review workshops, with the below services completed at the time of this report. The remaining service risk reviews are expected to be completed in August 2024.

1. Arts and Events	2. Community Partnerships	3. Community Services
4. Emergency Management	5. Executive Services	6. Libraries and Community History
7. Marketing and Communications	8. Project Management Office and Business Systems	9. Property Services
10. Ranger Services	11. Safer Stirling	12. Strategy and Performance
13. Technology Services		

3. The service risk review process focuses on the inclusion of the recommendations within the ASAP including:
- Reviewing existing service risks including the Business Unit integrity risk.
  - Identifying new service risks (where applicable).
  - Alignment of service risks to strategic risk appetite.
  - Identification of risk treatment plans for those service risks that have been assessed to be above the strategic risk appetite.

An additional risk relating to the delivery of services, projects and programs in line with the City's Integrated Planning and Reporting Framework has been included in this review.

A high-level Service Risk Profile will be presented at the Audit Committee once the service risks' review has been completed.

### **Compliance Update**

#### **Compliance Self-Assessments**

The Compliance Self-Assessments (CSAs) completed for 2023/2024 are for Recreation and Leisure, Strategy and Performance and Waste and Fleet Services (Attachment 3).

A targeted and risk-based approach was utilised in the CSAs. The risk-based approach focussed on the most significant compliance obligations or each area that would likely have the greatest impact on the City's ability to achieve its objectives.

The assessments focus on Financial, Legislative/Regulatory and Reputational inherent risk consequences of non-compliance with no-controls in place using an extract of the City's risk matrix (Attachment 4).

The basis for the inherent assessment is to enable a determination on the impact on the City for non-compliance on a worst-case scenario.

The approach involved:

- Identifying key compliance obligations of each service within the Business Unit (Statutory, regulatory, contractual, funding arrangements or self-imposed).
- Identifying how information and training is provided for employees on the key compliance obligations.
- Identifying how the Business Unit keeps up to date with changes to key compliance obligations.
- Reviewing policies and processes to ensure they reflect changes to the key compliance obligations.
- Assessing and rating the nature of the City's relationship with key regulator/s or each compliance obligation.

The 2023/2024 CSAs also included the below recommendations from the Regulation 17 Risk, Compliance and Internal Controls Review completed in 2024:

1. Additional information/details on training delivered/provided (at induction, ongoing).
2. Details of qualifications/certifications/licenses (if applicable).
3. Details of actions and action due dates for Fair/Poor rated for key regulator relationships.

The 2023/2024 CSAs outcomes are summarised below:

- All key compliance obligations have been identified for each Business Unit.
- The majority of the compliance processes are up to date and aligned to relevant legislation.
- Potential risk consequences of non-compliance have been determined.
- Majority of regulator relationships have been rated as Good. For those that are Fair/Poor, plans are in place to address these with a target completion date.
- All relevant legislative compliance requirements were met.

### **Integrity Update**

The Integrity and Misconduct Management Practice, the Social Media Management Practice and the Public Interest Disclosure Management Practice are being reviewed, in accordance with the recommendations in the ASAP. Internal consultation on proposed changes will be conducted with all Business Units.

The Employee Code of Conduct is in the final stages of review. The key proposed changes to the Employee Code of Conduct are as follows:

- the City's new values and expectations of behaviour.
- Clarity around roles and responsibilities.
- Alignment with the deliverables in the Accountable Stirling Action Plan.

Further, a new Employee Conflict of Interests Management Practice is being developed. The draft Management Practice is currently being finalised prior to internal consultation. This new Management Practice sets out practices to be observed and provides guidance on appropriate conduct where employees have a conflict of interest. It provides clarity on the different types of conflicts of interest and how to appropriately manage and disclose these.

The City has engaged a consultant to develop a Fraud Control Management Plan and to roll out Fraud and Misconduct Training to People Leaders and employees at the City. This is a key deliverable of the ASAP. Key deliverables from the training will be aligned to the OAG's Fraud Risk Management Better Practice Guide. This is expected to be completed by 30 June 2024.

### **Crisis Management and Business Continuity**

In December 2023, the City conducted a tabletop exercise simulating a cyber-security incident over the Christmas holiday period. The exercise was facilitated by Gartner, an external consultant.

The intent of the session was to provide a baseline for the City's current state of readiness, clarity on areas of responsibility and identify areas of improvement in the event of a crisis.

The exercise highlighted the below business improvement opportunities:

- Review and/or development of incident management procedures in Corporate Information Services (CIS).
- Establish an organisational Crisis Notification and Escalation Protocol to provide:
  - clear accountability and escalation in the event of any crisis or disruptive events.
  - high-level guidelines to the organisation on the different levels of emergency, associated triggers and required actions.

In January 2024, the City encountered two incidents which prompted the activation of the City's response and business continuity plans. The incidents were a flooding incident in the archives room in the Administration Centre and a notification from the Office of Digital Government relating to a vulnerability report. This report identified vulnerabilities within web services hosted by the City. Both incidents have been rectified with minimal impact to the City and its community.

To enhance the City's preparedness and ability to respond and recover from future major incidents, the Executive team has endorsed the following additional actions:

- Development and implementation of a Crisis Management Plan with the Director Community Development to be appointed as the City's Crisis Manager.
- Review of the City's Crisis Communications Plan to ensure alignment with the Local Emergency Management Arrangement (LEMA) and the new Crisis Management Plan.
- Development of a Crisis Notification and Escalation Protocol that supports and aligns with LEMA and the Crisis Management Plan.
- Review of the City's Service Business Continuity Plans to provide further detail including alignment to the above.
- The scoping and implementation of regular scenario-based exercises in the new financial year. Outcomes of these exercises will be reported to the Audit Committee.

### **Accountable Stirling Management Group Annual Self- Assessment**

The Accountable Stirling Management Group (ASMG), which provides operational oversight of risk, compliance and integrity, completed its annual self-assessment in January 2024 to evaluate its performance and effectiveness from a lens of:

- Structure and scope
- Roles and responsibilities
- Operating rhythm

Self-Assessment Surveys are good governance practice and provide a means to identify opportunities to improve quality and performance. They also assess the alignment of the Terms of Reference of an oversight committee (like ASMG) with organisational requirements and expectations.

The 2024 self-assessment results demonstrated positive improvements compared to the previous year.

The outcome of the assessment is used to inform and improve the effectiveness of ASMG and ensure alignment to the Terms of Reference.

### **Financial Assessment and Implications**

Nil.

### **Stakeholder Engagement**

Consultations were conducted with the Accountable Stirling Management Group and the Executive Team, including key internal stakeholders and Business Unit Managers.

Individual CSA workshops were conducted with Business Unit Managers and key stakeholders from the relevant areas.

## Relevant Policies, Legislation and Council Resolutions

The Risk Management Policy and the Risk Management Framework will be reviewed every two years to further embed risk management into decision making, business planning and the City's operations.

### [Local Government Act 1995](#)

Meeting Date	Council Resolution Number	Council Resolution
17 November 2020	1120/009	<p>That Council APPROVES the changes to the City's approach to the Compliance Self-Assessment, including:</p> <ol style="list-style-type: none"> <li>The attached five-year Compliance Assessment Plan covering the whole of the City's Business Units is prioritised based on their level of compliance risk;</li> <li>An in-depth compliance assessment of prioritised business units, assessing their most significant compliance risks as outlined in the report;</li> <li>The outcomes of the self-assessment are to be reported to the Audit Committee as per the current approach; and</li> <li>In light of the above, discontinuing the current compliance self-assessment.</li> </ol>
29 August 2023	0823/060	That Council RECEIVES the Accountable Stirling Quarter 1 2023/2024 Report.
21 November 2023	1123/008	<ol style="list-style-type: none"> <li>That Council RECEIVES the Accountable Stirling Quarter 2 2023/2024 Report.</li> <li>That Council ADOPTS the minor review of the City of Stirling Strategic Risk Register as shown in Attachment 2.</li> <li>The Council RECEIVES the Interim Key Risk Indicators Report and ADOPTS the proposed changes to the Key Risk Indicators as shown in Attachment 3.</li> <li>That Council APPROVES the development of a new strategic risk relating to Artificial Intelligence to be presented to the Audit Committee.</li> </ol>
19 February 2024	0224/031	<ol style="list-style-type: none"> <li>That Council RECEIVES the Accountable Stirling Quarter 3 2023/2024 Report.</li> <li>That Council RECEIVES the Final Key Risk Indicators Report and ADOPTS the proposed changes to the Key Risk Indicators as shown in Attachment 2.</li> </ol>

		<p>3. That Council AD the City's new proposed strategic risk relating to Generative Artificial Intelligence as shown in Attachment 3.</p> <p>4. That Council ENDORSES the inclusion of the Public Sector Commission - Integrity and Conduct Annual Collection and Freedom of Information Annual Statistical Return as a Confidential Attachment to the Audit Committee and Council each financial year.</p>
30 April 2024	0424/017	<p>That Council E Elector Motion 9.12/5 and that a review of the City's Code of Conduct for Elected Members be UNDERTAKEN, having regards to Elector Motion 9.12/5, by the end of the calendar year.</p>

## Sustainable Stirling 2022-2032

**Key Result Area:** Our leadership

**Objective:** A well-governed City

**Priority:** Conscious and effective management of risk

## 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 - Accountable Stirling Action Plan 2023-25 (previously circulated to Elected Members under confidential separate cover)

Attachment 2 - City of Stirling Strategic Risk Register (previously circulated to Elected Members under confidential separate cover)

Attachment 3 - City of Stirling Compliance Self-Assessment 2023/24 (previously circulated to Elected Members under confidential separate cover)

Attachment 4 - City of Stirling Risk Matrix (previously circulated to Elected Members under confidential separate cover)

### Available for viewing at meeting

Nil

### Linked Documents

Nil.

## 12.2 COMMUNITY AND RESOURCES COMMITTEE - 21 MAY 2024

### 12.2/ES2 LOCAL CONNECTOR ROAD BETWEEN PEARSON STREET AND EMPIRE AVENUE, CHURCHLANDS

Business Unit:	Engineering Services	Service: Transport Services
Ward:	Doubleview	Location: <a href="#">Stephenson Highway Road Reserve between Pearson Street and Empire Avenue</a>
Applicant:	Not Applicable	

#### Role

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

#### Council Resolution

**0524/022**

**Moved Councillor Perkov, seconded Councillor Giudici**

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.

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

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

**Against:** Nil.



**Committee Recommendation**

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.

**Officer's Recommendation**

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 City WRITES to the Member for Churchlands 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.

**Purpose**

To respond to a Notice of Motion approved by Council seeking a report on the feasibility of preparing a design for a local connector road through the Stephenson Highway road reserve between Pearson Street and Empire Avenue, Churchlands.

**Details**Background

Residents of Churchlands have expressed their concerns for some time about the volume of non-local traffic through the Churchlands Green residential estate.

These concerns were monitored for many years by the City, and by 2019, the traffic volume on two local roads through the estate (University Avenue and Alumni Terrace) had exceeded the desirable maximum of 3,000 vehicles per day. Origin-destination surveys also demonstrated that around 71% of vehicles through the estate were non-local through traffic. Some form of remedial treatment was therefore considered to be justified.

### Works Undertaken To Date

The City initially identified that Cromarty Road (on the boundary between the City of Stirling and the Town of Cambridge) was operating below its capacity as a Local Distributor road and could accommodate this non-local traffic by re-opening the prohibited right turn from Empire Avenue into Cromarty Road. Consultation was undertaken in 2019 with residents of Churchlands (in the City of Stirling) and Floreat North (in the Town of Cambridge), and most respondents supported the proposal to re-open this right turn. However, the proposal was not supported by the Town of Cambridge Council due to potential impacts on residents of Cromarty Road.

During the consultation, suggestions were made to construct a local connector road between Empire Avenue and Pearson Street that would allow vehicles to bypass the estate entirely. While this proposal would relieve pressure from local roads within the estate (and from Cromarty Road to the south of the estate), it was considered an excessive solution to address the issue due to the very high construction costs.

To address the concerns of non-local traffic through the estate, Council implemented a range of trials between July 2020 and December 2021 which involved full or partial closures of various turning movements in/out of the estate. At the conclusion of those surveys, Council resolved to approve the implementation of the permanent closure of the right turn from Pearson Street into Alumni Terrace (Council Resolution Number 1221/006). The works were carried out and completed in May 2022.

The City continues to monitor the traffic volumes through the estate, particularly on University Avenue and Alumni Terrace. As a result of the recent right turn restriction at Pearson Street, the average weekday traffic volume on University Avenue has decreased from 3,100 vehicles per day to 2,100 vehicles per day. While residents within the estate are seeking a much greater reduction in traffic, the City considers the issue of non-local traffic through the estate has largely been addressed, as the roads are operating within their practical design capacity.

### Traffic Congestion and Road Safety Working Group

In July 2022, the City of Stirling and Town of Cambridge were invited to attend a meeting of the Traffic Congestion and Road Safety (TCRS) Working Group, which was established by the State Member for Churchlands and comprised of residents from Churchlands and Floreat. At the meeting, discussion was held about the potential for a connector road between Pearson Street and Empire Avenue to address traffic issues experienced in the local areas across both Local Governments.

The City advised that it had just recently implemented permanent changes at the intersection of Pearson Street and Alumni Terrace. As such, further monitoring of the impacts would need to be undertaken before any commitment could be made to pursue or progress a design for a local connector road.

The subsequent traffic count surveys have indicated that the changes to the intersection of Pearson Street and Alumni Terrace have been successful in reducing the volume of traffic within the capacity for a local access road. Given the success of these changes and the need to focus on other higher priority projects, the City had not made any further progress or consideration of a proposal for a local connector road between Pearson Street and Empire Avenue.

At the Council Meeting held 12 March 2024, Council requested a feasibility report for preparing a design for a local connector road through the Stephenson Highway road reserve between Pearson Street and Empire Avenue (Council Resolution Number 0321/014).

### Benefit vs Cost Ratio

The construction of a local connector road between Empire Avenue and Pearson Street would provide several key benefits to the local community. These benefits include:

- A local connector road would result in a reduction in non-local traffic through the Churchlands Green residential estate (primarily University Avenue and Alumni Terrace), and further away within the residential area of Floreat North (in the Town of Cambridge). Despite the works already undertaken by the City, the issue of non-local traffic continues to be raised as an issue of concern.
- A local connector road would result in a reduction in traffic on Cromarty Road, which has frontage to Churchlands Primary School. The School has previously raised concerns that increased traffic flows increase the risk to students crossing the road and to drivers travelling through the area.
- A local connector road would provide a direct access for non-local traffic (particularly heavy vehicles) travelling between Empire Avenue and Pearson Street. Residents of Churchlands Green have continued to express concerns regarding the volume of heavy vehicles that are using local roads to travel through the estate. While these are As-Of-Right vehicles that are legally permitted to use these public roads, observations indicate these larger vehicles tend to mount median islands and kerbs to negotiate intersections within the estate.
- A local connector road would provide a potential reduction in congestion around Newman College, Churchlands Senior High School and Churchlands Primary School during school start and finish times. All three schools have written to the City to request the construction a local connector road to accommodate future expansion of the schools. Newman College is expected to consolidate their operations to their main site on Empire Avenue, which will increase traffic travelling to and from the College around school start and finish times.

These benefits are balanced against the following key considerations:

- Following the implementation of turning restrictions at the intersection of Pearson Street and Alumni Terrace, the traffic volumes along University Avenue and Alumni Terrace have reduced significantly. The resulting traffic volumes on these roads is within the practical design capacity for a Local Access road (i.e. up to 3,000 vehicles per day).
- Cromarty Road is a Local Distributor road with an average weekday traffic volume ranging between 2,500 and 5,000 vehicles per day. These volumes are well within the practical design capacity for a Local Distributor road (i.e. up to 7,000 vehicles per day).

- Traffic and congestion issues exist to some degree around all schools, and it would be impractical to design the road network to accommodate this brief period. These issues generally last for 30-45 minutes in each of the morning and afternoon peak periods. For the remaining 95% of the week, vehicles can travel with minimal congestion and delays on the roads around the schools.
- The construction costs associated with Stage 1 of the Stephenson Avenue Extension Project were justified based on large areas of commercial land that would be made available for redevelopment, which would activate the Stirling City Centre. The construction of a local connector road between Empire Avenue and Pearson Street would not yield any additional land for redevelopment and would not provide the same economic benefits.

### Estimate of Construction Costs

The City has developed a preliminary cost estimate to construct a local connector road between Empire Avenue and Pearson Street. The estimate is based on the costs associated with Stage 1 of the Stephenson Avenue Extension Project, between Scarborough Beach Road and Howe Street in 2021. The cost estimate has considered the following key elements:

- The total project cost for Stephenson Avenue Stage 1 was in the order of \$21million. The road extended for approximately 590m and comprised of four traffic lanes (two lanes in each direction), a wide central median and footpaths on both sides of the road.
- The proposed local connector road between Empire Avenue and Pearson Street would extend approximately 560m and would only need a single traffic lane in each direction. Given that it would be intended to carry arterial traffic, it would be desirable to construct the road the same standard as many Local and District Distributor roads. This would include a wide central median (for vehicle safety, pedestrian crossings, street lighting and landscaping) and sufficiently wide verges (for landscaping, utility services, and the provision of footpaths on both sides of the road).

Based on an equivalent construction rate per square metre for Stephenson Avenue Stage 1, and the rise in construction costs between 2021 and 2023, as prescribed by the *WA Road and Bridge Construction Index* (Source: Australian Bureau of Statistics), the local connector road is estimated to cost in the order of \$13million.

### Environmental Impacts

The City has received correspondence from the Wetlands and Bush Habitats (WBH) Working Group to raise concerns about the potential environmental impacts of a local connector road. The WBH group was established by the Member for Churchlands and comprises of hydrologists, zoologists, ecologists, and conservation-minded residents from within the electorate. The WBH working group have expressed the following concerns regarding the project:

- The reserve currently provides an important ecological linkage and nature conservation corridor between Herdsman Lake and Wembley Golf Course / Bold Park.
- An independent study of the vegetation, flora, and conservation values (commissioned by the WBH Working Group) indicates the site contains 100-year-old plus jarrah and marri trees. These trees provide nesting sites for many native terrestrial birds, as well as ducks from the nearby Herdsman Lake. Dead trees also have conservation values as nesting sites.
- Ratepayers are being encouraged to plant and retain trees so that canopy cover is not lost. If the local government were to clear existing trees this would send the wrong message about their importance of canopy cover and nature corridors.
- Having high speed traffic close to native bush increases the risk of animals being injured or killed, including endangered Carnaby's Cockatoos that are known to habitat in this area.
- If Stephenson Highway was removed from the Metropolitan Regional Scheme (MRS) by the State Government, it could be vested in another purpose, as was done for the Beeliar wetlands when the land set aside for Roe Highway Stage 8 in the MRS was removed.

Members of the TCRS Working Group consider that the width of clearing required for a local connector road could be minimised by preparing a road design that meandered through the reserve to avoid significant trees, with little to no requirement for any verge area behind the kerb. They have acknowledged that removal of some significant trees is required (around 5-6 trees by their estimate) but believe that nearly all significant trees are likely to be retained. Based on previous experience and the practicalities of constructing a new road, the City considers that retention of trees and vegetation within the road reserve would be extremely difficult to achieve.

The City considers that a local connector road would need to be constructed with a minimum 20m road reserve width for the following reasons:

- The WA Planning Commission's *Liveable Neighbourhood Guidelines* indicate that 'Neighbourhood Connector' roads (which are the same as local Distributor roads under the City's Road Hierarchy) should have an indicative street road reserve of 21.6m-27.6m. This width accommodates on-street parking and bicycle lanes, which may not be required.
- Main Roads WA's *Utility Providers Code of Practice in Western Australia* indicate that a minimum verge width of 5.0m is required to accommodate the various underground service corridors for power, communications, gas, water, power poles and trunk water mains.

A schematic plan showing the approximate road alignment for a local connector road (as proposed by the TCRS Working Group) and the associated 20m road reserve is provided in Figure 1. The aerial image in the background of this plan shows the area of trees and vegetation that would need to be cleared to accommodate an appropriate design for a local connector road.



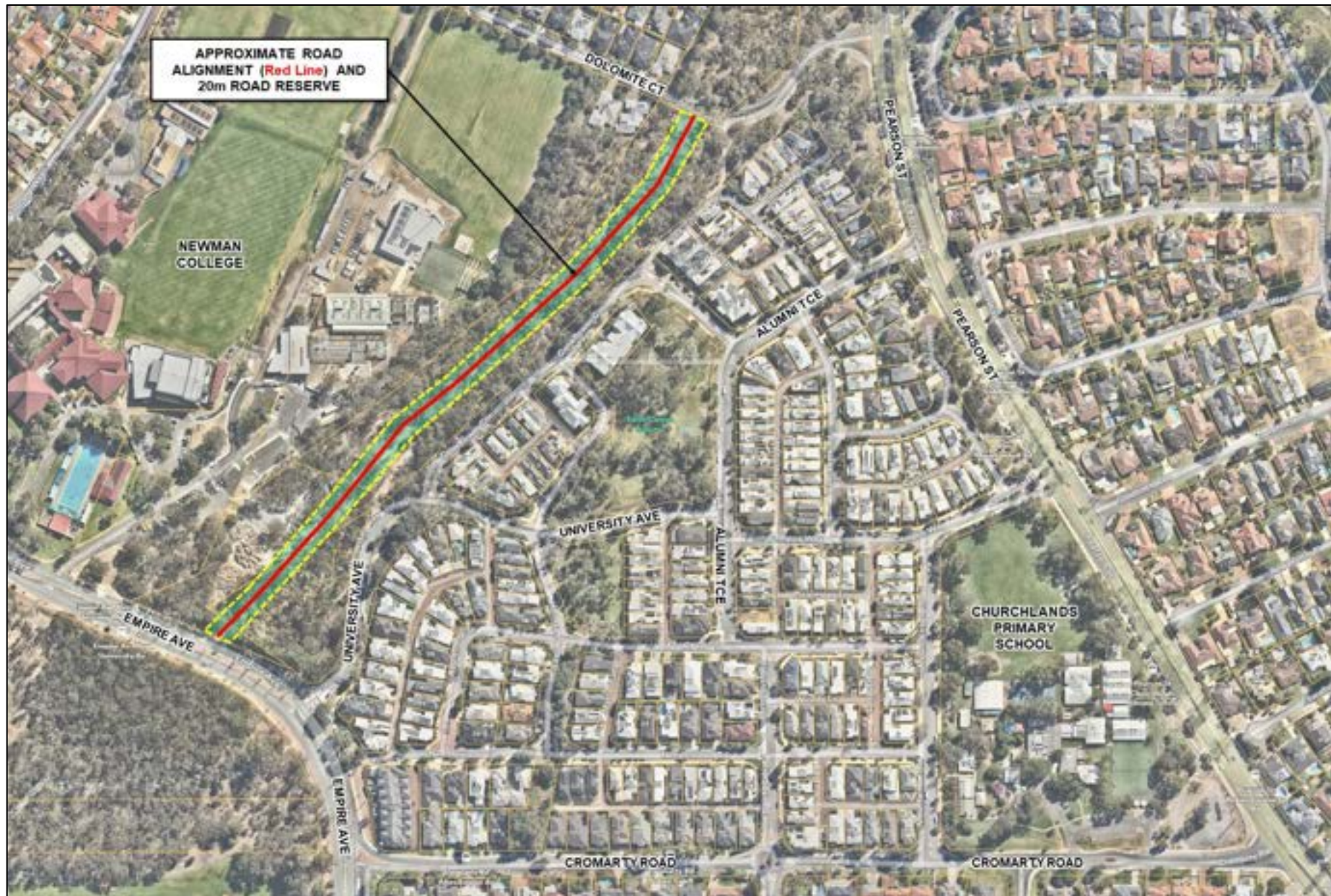


Figure 1. Approximate road alignment and extent of 20m road reserve for a Local Connector Road.

### Control of Stephenson Highway Road Reserve

The land between Empire Avenue and Pearson Street that would contain the proposed road extension is currently reserved as a Primary Regional Road under the Metropolitan Region Scheme (MRS) and is under Main Roads WA control. Should the project progress, an amendment to the MRS to remove this reserve should be progressed through the Western Australian Planning Commission. This would result in the land becoming a local road reserve under the care and control of the City of Stirling.

The City has sought preliminary comments from Main Roads WA regarding the potential for a local connector road between Empire Avenue and Pearson Street. While they did not indicate any objections at this early stage, they did not have any plans to undertake works in this road reserve in the short term, as the surrounding road network is operating within capacity.

If Council wished to proceed with the design process, it is recommended that the City seeks the support and collaboration with Main Roads WA in the preparation of the design.

### **Financial Assessment and Implications**

The construction costs for a local connector road between Pearson Street and Empire Avenue has been estimated at \$13million. This value is based on a construction rate per square metre for the recently completed Stage 1 of Stephenson Avenue extension project.

The cost of completing the design for a local connector road would be in the order of \$250,000 to \$300,000, depending on the complexity of connections to Empire Avenue and Pearson Street. The City does not have any funding or resources allocated in the 2023/2024 Annual Budget or Draft 2024/2025 Annual Budget. If Council wished to proceed with the design, it is recommended that the City writes to the State Member for Churchlands seeking a commitment to fully fund the preparation of a concept design for a local connector road through the Stephenson Highway road reserve between Pearson Street and Empire Avenue.

The Engineering Services Unit would not have capacity to prepare the design in-house, as resources are already allocated to various drainage and capital works projects. The preparation of a design that would enable consultation with residents and stakeholders would therefore need to be outsourced to suitably qualified engineering consultants.

The Town of Cambridge had previously allocated funding within their budget as a contribution towards the design of a local connector road. However, they have recently advised that this funding has been withdrawn.

### **Stakeholder Engagement**

There has not been any formal consultation with the wider community regarding the proposal for a local connector road. Formal engagement with the community would form part of any future design process.



## Options Summary

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

OPTIONS	
1.	<ol style="list-style-type: none"><li>1. That the City WRITES to Main Roads WA to seek their 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.</li><li>2. That the City WRITES to the Member for Churchlands seeking a commitment to fully fund the preparation of a concept design for a local connector road through the Stephenson Highway road reserve between Pearson Street and Empire Avenue.</li></ol>
2.	That Council DOES NOT PROCEED with the design for a local connector road through the Stephenson Highway road reserve between Pearson Street and Empire Avenue due to the very high construction costs, low benefit-vs-cost ratio, and significant environmental impacts.

## Recommended Action

Based on the information presented in this report, the recommended option is to seek the support and collaboration with Main Roads WA for the preparation of a design for a local connector road through the Stephenson Highway road reserve between Pearson Street and Empire Avenue. This option would require external funding to be sought from the State Government through the Member for Churchlands. This option does not commit Council to funding any future construction works, only to seek the preparation of a design that would enable informed consultation with the community. If the project did progress, it would likely only do so if funding for construction was made available through the State Government.



## Relevant Policies, Legislation and Council Resolutions

[Local Government Act 1995](#)

Meeting Date	Council Resolution Number	Council Resolution
7 December 2021	1221/006	<ol style="list-style-type: none"> <li>1. That Council APPROVES the implementation of the permanent closure of the right turn pocket from Pearson Street into Alumni Terrace, Churchlands, as per Option 1.</li> <li>2. That closure of the right turn pocket from Pearson Street into Alumni Terrace be UNDERTAKEN during the current financial year with funds listed and approved in the 2021/2022 Annual Budget.</li> </ol>
12 March 2024	0321/014	That a report be PRESENTED to Council in April 2024 to advise of the feasibility of preparing a design for a local connector road, that minimises tree loss through the Stephenson Highway road reserve between Pearson Street and Empire Avenue, Churchlands to enable consultation with residents and stakeholders.

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

Councillor Teresa Olow disclosed an Impartial Interest in Item 12.2/ES3 as some of the local residents are known to her.

Councillor Lisa Thornton disclosed an Impartial Interest in Item 12.2/ES3 as she has previously engaged with St Kieran Catholic Primary School and Servite College as well as affected residents.

At 7.20pm, Councillor Dudek left the meeting during consideration of Item 12.2/ES3, and returned at 7.21pm.

### 12.2/ES3 HECTOR STREET SAFE ACTIVE STREET

Business Unit:	Engineering Services	Service: Transport Services
Ward:	Osborne & Lawley	Location: <a href="#">Hector Street, Mitchell Freeway (Osborne Park) to Banksia Street (Tuart Hill)</a>
Applicant:	Not Applicable	

#### Role

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

#### Council Resolution

**0524/023**

**Moved Councillor Perkov, seconded Councillor Olow**

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

**The motion was put and declared CARRIED (9/4).**

**For:** Councillors Creado, Dudek, Giudici, Hatton, Krsticevic, Olow, Papparde, Re and Mayor Irwin.

**Against:** Councillors Lagan, Migdale, Perkov and Proud.

**Committee Recommendation**

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

**Officer's Recommendation**

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

**Referred**

This item was REFERRED to the Community and Resources Committee meeting to be held 21 May 2024 at the Council meeting held 30 April 2024 to allow further information to be provided to Elected Members.

**Additional Information – 21 May 2024**

Elected members have requested additional information to assist with a decision regarding this project. Information has been prepared in response to the issues and concerns raised during the previous Community and Resources Committee Meeting, and is provided in detail in Attachment 4, covering the following key issues and concerns:

1. Closure of Movements at Hector Street / Main Street Intersection.
2. Change of Priority at Intersection of Hector Street / Stoneham Street.
3. Implementation of speed reduction elements including red asphalt entry statements, reduced road width, raised intersections and meandering of the carriageway.
4. Implementation of a Safe Active Street instead of a Principal Shared Path.
5. Provision of formalised parallel on-street parking bays at Grenville Reserve.
6. Choice of route along Hector Street.
7. Restricted bus access via Hector Street.
8. Additional trees in buildouts and pocket parks / Verges of Hector Initiative.

## Purpose

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

## Details

### Project Origins

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

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

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

### Project Description

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

- **Traffic volumes:** A review of average weekday traffic volumes for roads in the general area identified that Hector Street is a quieter street than other east-west routes (McDonald, Roberts, Cape, Lawley), carrying less than 1,500 vehicles per day.
- **Travel speeds:** A review of 85th percentile speeds showed that vehicles on Hector Street were travelling at or below 50km/h, and with relatively short sections between intersections, the introduction of a 30km/h limit will have negligible effect on travel times.

- **Crashes:** A review of 5-year crash data showed a relatively small number of midblock crashes along the Hector Street route. The proposed SAS measures should lead to a reduction in all crashes along the route.
- **Bus route:** Hector Street is not a bus route and only has one intersection (Stoneham) where buses travel across the route. Other local roads such as McDonald Street form part of designated routes.
- **Key connectors:** Stage 1 of the route will provide connection to several key community locations, including five schools, three reserves and a community centre.

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

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

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

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

### Project Design

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

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

- Landscaped buildouts and pocket parks, providing space for 100+ additional trees;
- Formalised on-street parking;
- Various traffic calming measures, including:

- A reduced road width of 4.8m and raised plateaus at the intersections of Hector Street with Albert Street and Stoneham Street, which are aimed at reducing the traffic speed to 30km/h.
- The implementation of filtered movements (closure for motorised vehicles while supporting active transport options) at the intersections of Hector Street with Main Street and French Street with Hodgson Street, which are aimed at reducing traffic volumes.
- Change of priority at the Hector Street intersections with Tyler Street and Stoneham Street, which are aimed at supporting the SAS users.

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

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

### Project Benefits

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

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

- Creating a quieter street to aid health and wellbeing. The 30km/h speed limit is supported by traffic calming measures such as raised intersections and a reduced road width through additional planting and formalised on-street parking to create the necessary 'edge friction'.
- Improved safety and path connections will assist the most vulnerable road users. This project includes the creation of user-friendly pedestrian crossings, improved path connections to local destinations and the introduction of formalised on-street parking. The parking bays will ensure clear sightlines and reduce potential conflicts between people riding or walking and vehicles parked on paths and verges.
- Greening the street to support increased urban canopy cover and the reduction of CO<sub>2</sub> as well as the urban heat island effect. The proposed additional tree plantings and landscaping will create shaded thoroughfares along the route between destinations including local parks and schools. The project will also create an opportunity to work together with the local residents and schools to co-create attractive and waterwise verges and pocket parks.
- Creating a safe and welcoming environment will foster a sense of belonging. Pocket parks and green verge spaces will activate the street by creating more places for neighbours to meet and to nurture and build connections to grow a sense of belonging and enhance the local identity.

### Additional Project Benefits

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

### **Financial Assessment and Implications**

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

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

### **Stakeholder Engagement**

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

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

#### Engagement Phase 1 – Project Inception (2022-2023)

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

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



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

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

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

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

### Consultation with Schools

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

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

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

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

Responses received during Phase 1 of the consultation provided valuable feedback for the development of the Detailed Design Plan.

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

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

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

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

#### Further Consultation with Schools

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

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

#### Consultation with Advisory Groups and City of Stirling Internal Stakeholders

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

- Cycling
- Environment
- Road Safety
- Access and Inclusion

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

#### Future Phase 3 – Construction (subject to approval)

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

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

#### Future Phase 4 – Activation (subject to approval)

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

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

#### Summary of Major Concerns and Mitigation Strategies

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

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

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

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





Figure 1: Alternative Access Routes and Existing Traffic Counts



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



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

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

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

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

## Options Summary

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

## Recommended Action

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

## Relevant Policies, Legislation and Council Resolutions

[Local Government Act 1995](#)

## Sustainable Stirling 2022-2032

**Key Result Area:** Our built environment

**Objective:** An accessible and connected City

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



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

- **Our Community**

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

- **Our Built Environment**

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

- **Our Natural Environment**

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

## Strategic Risk

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

## Relevant Documents and Information

### Attachments

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

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

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

Attachment 4 - Additional Information for Elected Members [↓](#)

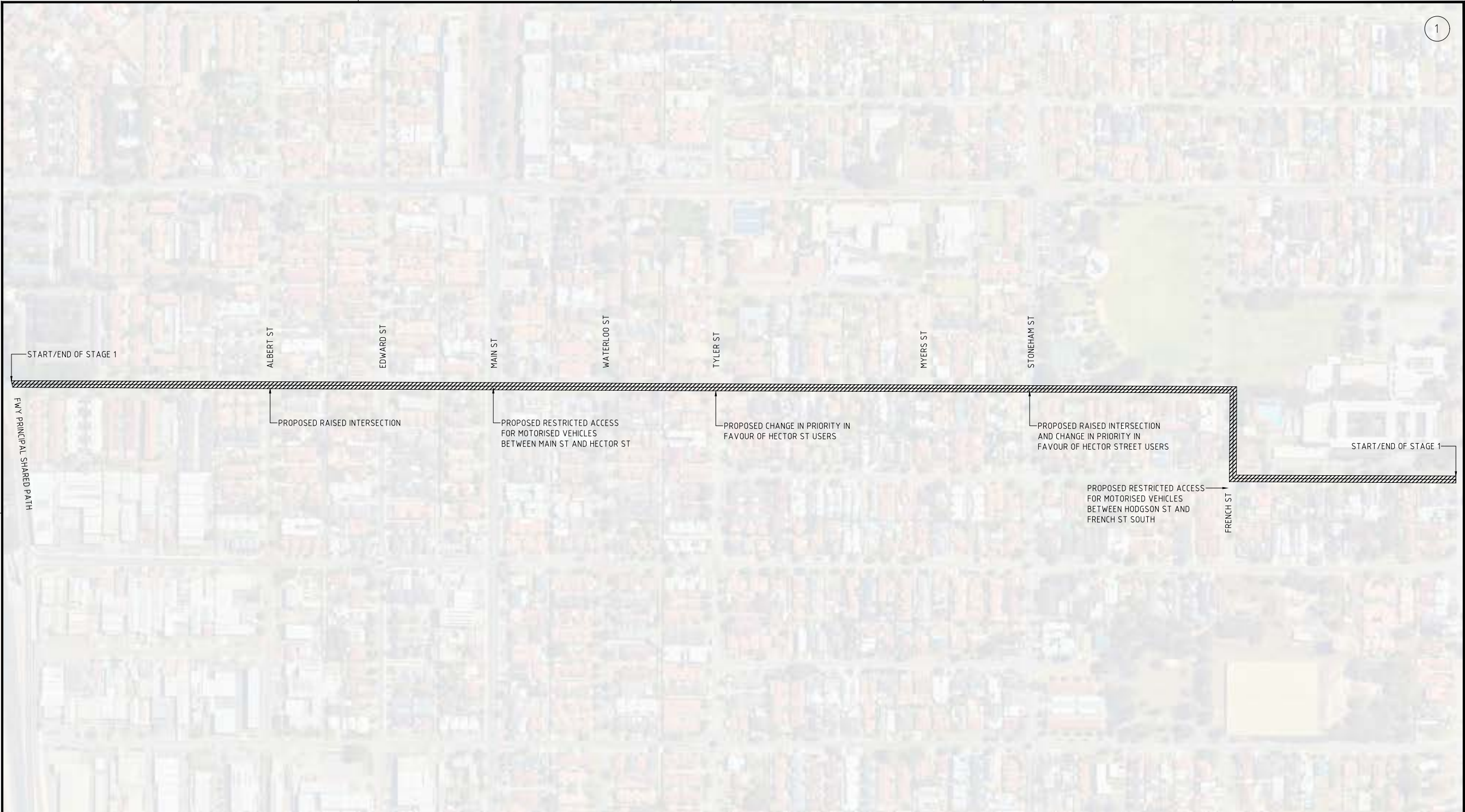
### Available for viewing at meeting

Nil

### Linked Documents

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

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



TRAFFIC CALMING

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

LANDSCAPING

- NEW TREE WITH ROOT BARRIER
- AREA OF PROPOSED LANDSCAPING

SIGNS AND LINES

- ROUTE DIRECTIONAL STENCIL

SIGNS

- SAFE ACTIVE STREET ROAD STENCIL

PEDESTRIAN ACCESS

- AREA OF PROPOSED FOOTPATH

REVISIONS			
No.	DATE	REVISION	BY

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

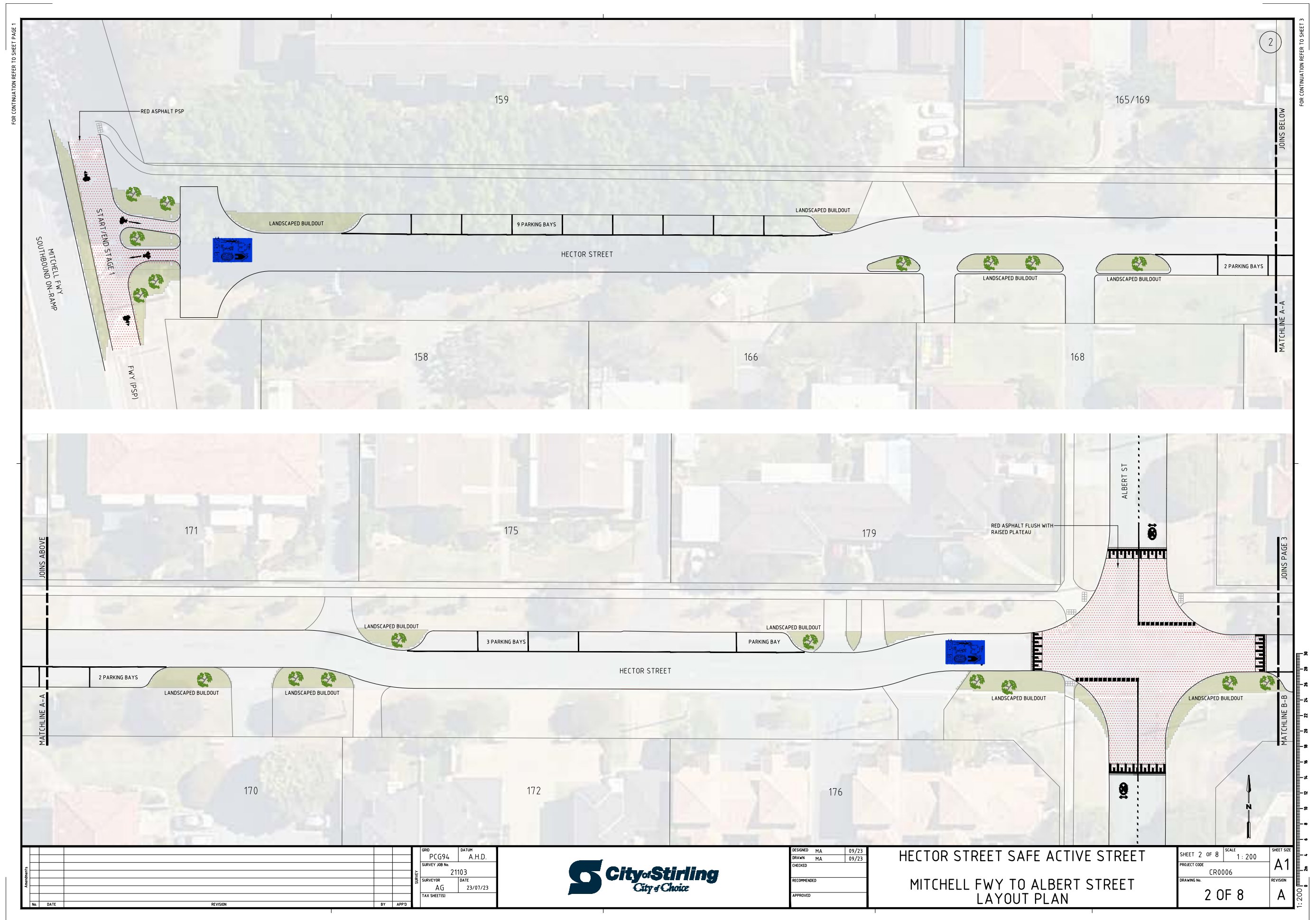


DESIGNED	MA	09/23
DRAWN	MA	01/24
CHECKED		
RECOMMENDED		
APPROVED		

OVERVIEW - HECTOR STREET  
SAFE ACTIVE STREET - STAGE 1

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



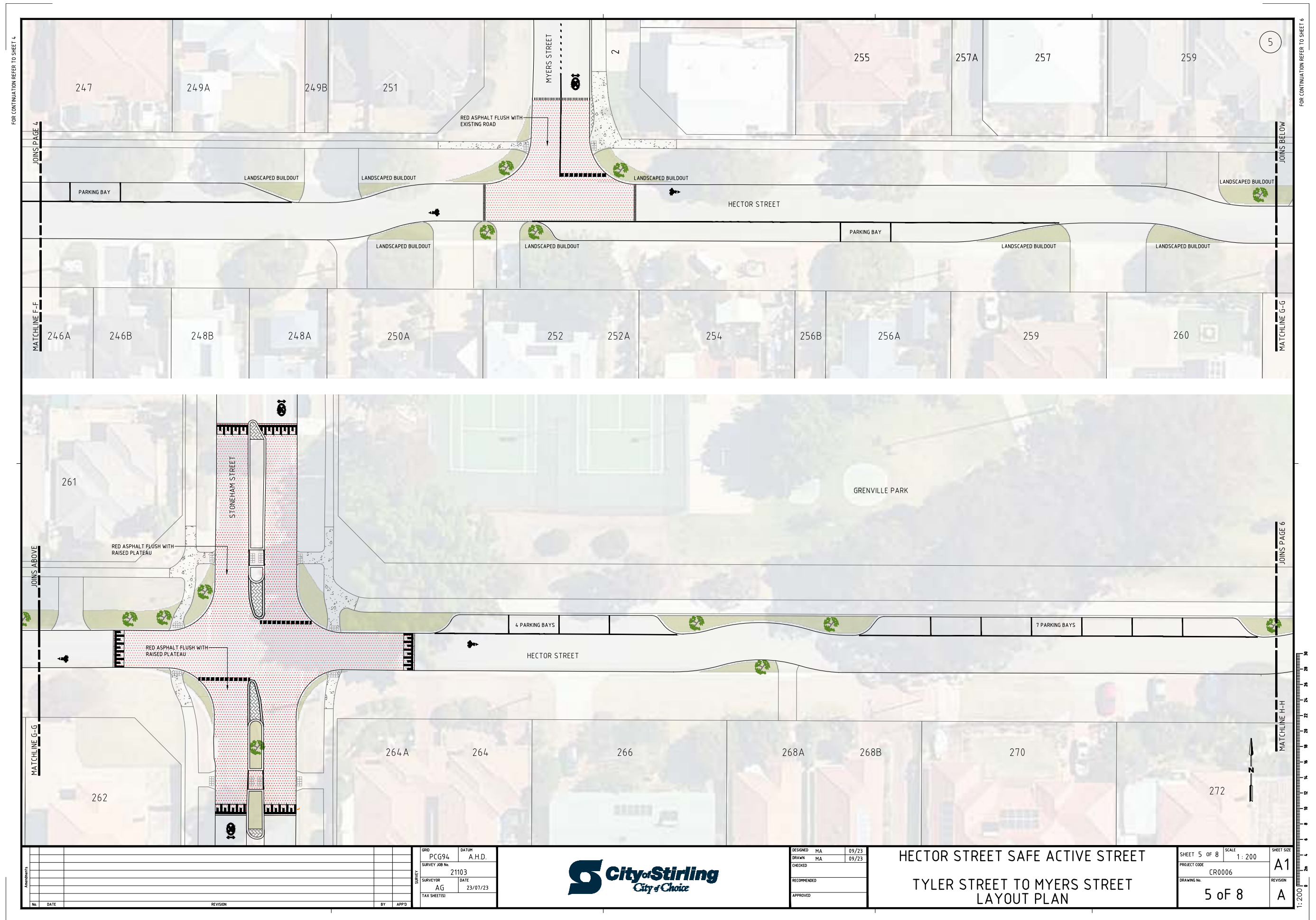






















Department of  
EducationYour ref: -  
Our ref: D22/0265470  
Enquiries: Sharnie StuartChief Executive Officer  
City of StirlingEmail: [development@stirling.wa.gov.au](mailto:development@stirling.wa.gov.au)

Attention: Special Projects

Dear Sir / Madam

**Proposed Safe Active Streets – Hector Street**

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

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

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

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

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

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

Yours sincerely

**Manager Land and Property**

6 April 2022

151 Royal Street, East Perth WA 6004 | 9264 4111

[education.wa.edu.au](http://education.wa.edu.au)



Community

## TUART HILL

Kindergarten

### Parents and Carers

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

NAME	CONTACT (optional)	SIGNATURE/COMMENT
Alexis Ryan		
Aimee Marbeck		
Anna Matacz		
Rachan Gunning		
Kylie Duthie		
Christal Houghton		
Laurine Cawo		
Steven Lukon		
Meagan Mayhills		
Amanda Sornas		
Andre Siebers		
Rodrigo Lima	1	
Chi Mei So		
Sabine Bouquill		
James Treweek		



## 1. Closure of Movements at Hector Street / Main Street Intersection

---

### Importance:

This issue relates to the closure of the Hector Street approaches to remove all movements to and from Main Street. This is a critical design element to achieve the project objectives.

### Benefits:

- Reduction of traffic volumes on Hector Street.
- Reduction of conflict between all road users.
- Improvement of safety for vulnerable road users.
- Additional green space (pocket parks) to increase amenity and provide shaded resting places.

### Challenges:

- Displacement of east-west traffic from Hector Street potentially to Lawley Street, Cape Street and Roberts Street.
- Change of driver habits currently using the intersection.
- Concerns regarding reduced safety and access to St Kieran Catholic Primary School and Servite College.

### Risk:

Low

### Justification for Risk Rating:

- Displaced traffic is expected to have negligible impact on performance or capacity of the receiving roads for the following reasons:
  - Due to the grid like road system, there are many alternative routes within the precinct (refer to Figure 1 of the main report).
  - Most current traffic counts show very low peak hour traffic (refer to Figure 1 of the main report).
  - Displaced traffic numbers will be further reduced once distributed amongst alternative access routes.
  - School access and safety concerns along Cape Street are not related to the Hector Street Safe Active Street project. The City will support the schools in finding solutions independently of this project.
- Safe Active Streets including filtered movements have been implemented successfully at multiple other locations within the Perth metropolitan area including streets surrounding existing schools.
- Additional Risk Management will include the following:
  - Project presentation and provision of additional information including alternative access routes to businesses, schools and P&Cs.
  - Advanced warning and information about alternative routes will be provided to the wider public via Variable Message Boards, letters and social media.

### Alternative Measures:

- Temporary implementation of closure (at least 6 months) and re-assessment – Supported by Department of Transport (DOT).
- Implementation of closure for left-in only and retaining left-out movement into Main Street – Not supported by DOT.

## 2. Change of Priority at Intersection of Hector Street / Stoneham Street

---

### Importance:

This issue relates to the change of priority at the intersection to provide priority to Hector Street over Stoneham Street. This is a critical design element to achieve the project objectives.

### Benefits:

- Allows for continuous movement for cyclists, considering that stopping and starting is a major effort for a person riding a bike.
- Improvement of safety for vulnerable road users.

### Challenges:

- Potential increase in delay for traffic on Stoneham Street.

### Risk:

Low

### Justification for Risk Rating:

- Traffic surveys show peak hour traffic to be relatively low (below 130 vehicles per direction).
- Slowing of traffic at this location is an additional benefit to students and pedestrians crossing Stoneham Street to access the schools, bus stops, parking and Grenville Reserve.
- Safe Active Streets including changes in priority have been implemented successfully at multiple other locations within the Perth metropolitan area and signage and line marking for this intersection was approved by Main Roads WA.
- Additional Risk Management will include the provision of advance warning and information to the wider public about intersection priority changes via Variable Message Boards, letters and social media.

### Alternative Measures:

- Retain priority for vehicle on Stoneham Street – Not supported by DOT.

### 3. Implementation of speed reduction elements including red asphalt entry statements, reduced road width, raised intersections and meandering of the carriageway

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#### Importance:

This issue relates to the inclusion of various traffic calming elements along the route as part of the project. These design elements are essential criteria for securing DOT funding.

#### Benefits:

- Slowing of traffic to the 30km/h speed limit.
- Improvement of safety for vulnerable road users.
- Visual warning for drivers entering or crossing the Safe Active Street to be aware of other road users.

#### Challenges:

- Harder to navigate for unfamiliar drivers.
- Meandering of road can be misinterpreted as one-lane slow points.
- Concerns of reduced parking availability for parents dropping-off and picking up children at St Kieran Catholic Primary School and Servite College.
- Concerns about congested roads and grid-locks due to reduced road width and speed limit.
- Concerns that red asphalt at raised intersections and entry statements is insufficient to raise awareness.
- Perceived insufficient space for waste, fire or emergency vehicles or for residents to back a trailer into a driveway.

#### Risk:

Low

#### Justification for Risk Rating:

- Safe Active Streets have been implemented successfully at multiple other locations within the Perth metropolitan area, including streets surrounding existing schools and the design is consistent with the design principles imposed by the DOT as part of the funding agreement. Information about how to navigate Safe Active Streets can be found at <https://transport.wa.gov.au/activetransport/safe-active-streets.asp>
- The current Detailed Design Plans do not include one-lane slow points or chicanes, and the proposed width of 4.8m for the carriage way will be consistent along the whole route.
- The proposed carriageway width has been proven to provide sufficient space for the following:
  - ambulances, waste and fire trucks to manoeuvre the street and access properties.
  - passenger cars to pass or overtake other cars.
  - passenger cars to pass or overtake people walking or riding.
  - residents backing up trailers or caravans into private property driveways.
- The 30km/h speed limit is expected to have negligible effect on travel times and congestion along the corridor due to the current already relatively low traffic speed (refer to Item 7 of this attachment) and the expected reduction in traffic volume (refer to Item 1 of this attachment).
- The implementation of the Safe Active Street is expected to have negligible effect on school pick-up operations, as waiting vehicles will still be able to park within the formalised bays provided along Hector Street.



- Red asphalt at raised intersections and entry statements has been proven to be sufficient and its application along the whole of route will add significant cost to the project with no major safety benefits.
- Additional Risk Management will include the following:
  - Project presentation and provision of additional information, including changes to on-street parking, to businesses, schools and P&Cs.
  - Advance warning and information about changes in on-street parking will be provided to the wider public via letters and social media.
  - The City of Stirling offers to restrict parking within the bays along Hector Street closest to St Kieran Catholic Primary School and Servite College to 15 minutes during school zone hours (currently on-street parking on Hector Street is unrestricted).

**Alternative Measures:**

- Retain the current streetscape – Not supported by DOT

#### 4. Implementation of a Safe Active Street instead of a Principal Shared Path

---

##### Importance:

This issue relates to the provision of a Safe Active Street in preference to a typical shared path. DOT funding has been secured for the current design of the proposed Safe Active Street.

##### Benefits:

- Provision of a safe, shared road space is more inclusive, as it can be used by a diverse range of users of all ages and abilities, including parents with children and older residents. In contrast, a Principal Shared Path would primarily cater for fast bike and e-scooter riders.
- Improvement of safety for vulnerable road users.
- A Safe Active Street supports the urban neighbourhood environment.
- Additional project benefits include the following:
  - Increase in urban green canopy cover.
  - Improvement in the quality and liveability of the local area by reducing noise and air pollution due to the reduced number and speed of vehicles.
  - Improvement in stormwater management due to the increase in green spaces.
  - Opportunity to support, engage and guide the community to conserve and protect water resources through the Verges of Hector initiative.

##### Challenges:

- Harder to navigate for unfamiliar drivers.

##### Risk:

Low

##### Justification for Risk Rating:

- Safe Active Streets have been implemented successfully at multiple other locations within the Perth metropolitan area (including locations adjacent to schools) and information about how to navigate Safe Active Streets can be found at <https://transport.wa.gov.au/activetransport/safe-active-streets.asp>
- Additional Risk Management will include the provision of information to the wider public about the changes via Variable Message Boards, letters and social media.

##### Alternative Measures:

- Provision of a Principal Shared Path instead of a Safe Active Street – Not supported by DOT.

## 5. Provision of formalised parallel on-street parking bays at Grenville Reserve

---

### Importance:

This issue relates to the provision of parking adjacent to Grenville Reserve. This design element is one of the essential criteria for securing DOT funding and to achieving the project objectives.

### Benefits:

- The provision of formalised parallel parking will reduce the current informal parking availability and in turn will attract a reduced number of vehicles.
- Parallel on-street parking is safer than the current informal parking on Grenville Reserve or the proposed alternative of angled parking.
- Reduction of the informal parking on Grenville Reserve will reduce the negative impact on the footpath and tree roots.

### Challenges:

- Change of driver habits searching for parking.

### Risk:

Low

### Justification for Risk Rating:

- Ample on-street and off-street parking is provided along other streets in the area as well as at the Stirling Community Centre and Tuart College.
- Additional Risk Management will include the following:
  - Drivers parking at Grenville Reserve will be informed about the changes and alternative parking availability through signage, leaflets and social media.
  - The City will contact Grenville Reserve users to provide information regarding available parking on sporting event days.
  - To avoid cars parking on the verges of private properties, residents can request for 'no parking on verge' signs to be installed by the City.

### Alternative Measures:

- Provision of formal angled parking to increase the number of parking bays – Not supported by DOT

## 6. Choice of Route along Hector Street

---

### Importance:

This issue relates to the selection of Hector Street as a suitable route for a Safe Active Street project. The criteria based on which the route was chosen are critical to achieve the project objectives.

### Benefits:

- Hector Street was selected by the City as the next primary route to be developed under the Long-Term Cycle Network to provide active transport connections in an east-west direction based on the following criteria:
  - Low traffic volumes as compared to other east-west routes (McDonald, Roberts, Cape, Lawley).
  - Most vehicles travelling at or below 50km/h (85th percentile speed) equating to the introduction of a 30km/h speed limit having a negligible effect on travel times.
  - Low number of midblock crashes.
  - Hector Street is not along a TransPerth bus route and only has one intersection (Stoneham Street) where buses travel across the route. In contrast, other local roads such as McDonald Street, form part of the designated bus routes.
  - Additional information can be found in the project's [Feasibility Report](#).
- Stage 1 of the route will provide a direct connection to schools, business, recreational facilities and public transport, including bus stops, Stirling Station and Glendalough Station.
- Stage 2 and 3 can be seen as independent projects and the approval for Stage 1 will not necessarily result in the implementation of future stages.

### Challenges:

- Current low number of people walking and riding along the route.
- The gradients along some sections of the route may be difficult for some people riding bikes.

### Risk:

Low

### Justification for Risk Rating:

- With an improvement in amenity and safety it is expected that the number of people walking and riding will increase in a similar manner as observed along other Safe Active Streets.
- Further increases in the number of people walking and riding are expected over time with an increase in connections to other routes as outlined within the City's Long-Term Cycle Network Plan.
- With the uptake of e-bikes and other e-rideables, the gradients loose on importance.
- The routing and design of the proposed Safe Active Street had to undergo and be approved by an independent peer review process.

### Alternative Measures:

- Implementation of a Safe Active Street along other road corridors – Not supported by DOT.

## 7. Restricted bus access via Hector Street

---

### Importance:

This issue relates to the provision of bus services for the schools. The currently proposed design elements are an essential criterion for securing DOT funding.

### Benefits:

- Reduction of conflict between people walking / riding and buses.
- Improvement of safety for vulnerable road users.

### Challenges:

- Potential bus access between via Hector Street as an alternative to Cape Street is restricted to smaller buses only.

### Risk:

Low

### Justification for Risk Rating:

- Bus bays, implemented for buses servicing Servite College and St Kieran Catholic Primary School are located in front of these schools on Cape Street
- In case an alternative bus access is required, smaller buses can be used.
- Additional bus bays to service Servite College from Stoneham Street could be considered as part of their current expansion plans.

### Alternative Measures:

- Provision of full bus access to schools via Hector Street – Not supported by DOT.

## 8. Additional trees in buildouts and pocket parks / Verges of Hector Initiative

---

### Importance:

This issue relates to the provision of complementary landscaping to support the amenity and outcomes of the project. This is a critical design element to achieve the project objectives.

### Benefits:

- Activation of the corridor via pocket park design and Verges of Hector initiative.
- Supporting the City's urban greening targets.
- Provision of amenity for people walking and riding.

### Challenges:

- Additional cost and maintenance for the City of Stirling.
- Pocket Park design and Verges of Hector initiative may not be widely undertaken by residents.

### Risk:

Low

### Justification for Risk Rating:

- Trees and initial watering are covered within the existing urban greening program.
- The Verges of Hector initiative is covered within the existing Waterwise Verge program.
- DOT funding is tied to the activation measures of the Safe Active Street as proposed within the engagement plan.

### Alternative Measure:

- No additional trees or plants to be provided for the buildouts and Pocket Park design or Verges of Hector Initiative will not take place – Not supported by DOT.

## Report Clarifications

The following clarifications are provided in relation to comments and information in the initial report:

Section of Report	Comment in Initial Report	Clarification
Further Consultation With Schools	<i>4 emails to Servite College</i>	1 email conversation with Servite College
	<i>5 emails to St Kieran Primary School</i>	1 email conversation with St Kieran Primary School
	<i>6 combined emails to both schools</i>	3 combined email conversations with both schools
	<i>St Kieran Primary School is generally supportive of the project (survey response from April 2022)</i>	St Kieran Primary School was generally supportive of the project (survey response from April 2022). However, concerns were raised around this project and the current traffic situation in dropping off and collecting students at the school.
Engagement Phase	<i>To date, there have more than 350 visits of the project website and three resident enquiries</i>	<p>Since the project website was established, there were 1,334 visits. Of these, 281 visits were recorded after the distribution of the leaflet (from 11 March to 9 April 2024) and a further 174 visits were recorded after the distribution of the core flute signs (since 9 April 2024) along the Hector Street corridor and within Grenville Reserve.</p> <p>Since the project website was updated on 10 January 2024, there were 624 visits. The City only received three resident enquiries during this time, including:</p> <ul style="list-style-type: none"> <li>one anonymous resident voicing concerns about the Hector Street / Main Street closure;</li> <li>one resident requesting clarification about the design, which was provided by the City; and</li> <li>one resident voicing strong opposition to the project and raising several concerns regarding items 1 to 6 of this attachment, which have been clarified as per the above additional information provided.</li> </ul>

At 7.30pm, Councillor Rob Paparde left the meeting during consideration of Item 12.2/CC1 and returned at 7.31pm.

## 12.2/CC1 REVIEW OF EMERGENCY CALLS PROCEDURE AND PROTOCOL

Business Unit:	Customer and Communications	Service: Customer Experience
Ward:	City Wide	Location: Not Applicable
Applicant:	Nil	

### Role

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

Moved Councillor Perkov, seconded Councillor Re

1. That Council RECEIVES this report identifying the emergency calls procedure and protocol for City of Stirling community lessees and licensees.

The seconder suggested that a further recommendation be added as follows:

2. *That the drainage emergency management procedure be INCORPORATED as part of the emergency procedures.*

With the agreement of the mover, the recommendation was reworded as follows:



## Council Resolution

**0524/024**

**Moved Councillor Perkov, seconded Councillor Re**

1. That Council **RECEIVES** this report identifying the emergency calls procedure and protocol for City of Stirling community lessees and licensees.
2. That the drainage emergency management procedure be **INCORPORATED** as part of the emergency procedures.

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

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

**Against:** Nil.

## Committee Recommendation

That Council **RECEIVES** this report identifying the emergency calls procedure and protocol for City of Stirling community lessees and licensees.

## Officer's Recommendation

That Council **RECEIVES** this report identifying the emergency calls procedure and protocol for City of Stirling community lessees and licensees.

## Purpose

To provide information to Council based on a review of the emergency calls procedure and protocol for community organisations that hold a lease or licence for a City of Stirling building.

## Details

Following a Notice of Motion from Councillor Elizabeth Re, it was resolved (Council Resolution Number 0823/081) at the Council Meeting on 29 August 2023:

*“That a review of the emergency calls procedures and protocol be PRESENTED at the Community and “Resources Committee meeting to be held 14 November 2023, outlining the current protocol and procedures for members of the community who lease or licence a City of Stirling building and if the hazard/issue has derived from a City of Stirling owned or managed facility/infrastructure.”*

For the purpose of the review all City owned facilities were included, being those that are managed under a lease or licence arrangement and those that are hired to various community groups on a casual or ongoing basis. The following procedure/protocol is followed where a tenant reports a maintenance or other issue through to the City:

- Where an issue involves a routine maintenance matter and is not an emergency, tenants can either log a maintenance request through the City’s website or call the Contact Centre who will forward the request to the relevant business unit to complete the repairs. During office hours these calls are answered by City staff in the Contact Centre. These matters are referred to the relevant business unit for assessment, and where a Landlord responsibility, will be actioned by the responsible Business Unit during normal business hours. The timing of repairs can be influenced by the type of request, contractor availability and other urgent repair and maintenance priorities.
- If there is an urgent issue and it is outside the operating hours of the City’s Contact Centre (8.30am to 5.00pm, Monday to Friday - excluding public holidays), tenants are advised to call the City (9205 8555) and the call will be answered by the City’s 24-hour service provider or a Senior Community Patrol Officer (1300 365 356). All public toilets and a number of community facilities are signposted with the Community Safety 1300 number. If required, the caller will be advised to call 000 if it is a situation or risk to persons that may require the attendance of Police, Fire or Ambulance services.
- Following notification of a maintenance issue and attendance to site, a Community Patrol Officer on duty will determine whether the report warrants an immediate response by specialist City staff or a third-party contractor to organise repairs. Instances such as a burst pipe or overflowing drain (by example only) will be categorised as a Priority One and would warrant immediate action. Priority One responses are classed as being a critical threat to health, safety, infrastructure or business continuity.
- The Community Patrol Officer will firstly ensure the building/facility is safe and then arrange for a contractor to be called. Should the contractor not respond in the first instance, they will be contacted twice again, usually leaving 10 or so minutes between each attempt. Should they fail to respond on the third attempt, the next contractor on the list will be contacted until a repair contractor has been confirmed.

A simplified copy of this process is included as Attachment 1.

It is important that an assessment of the validity of the maintenance request has been completed prior to engaging a contractor as each call out for out of hours service comes at a minimum cost of \$375 to the City. Facilities, Projects & Assets (FPA) Priority One states that the contractor must be onsite within two hours. This is an auditable process monitored by City Officers. Should clarification be sought at any stage of the process, an escalation procedure is in place where FPA staff may be contacted by the Community Patrols team or a relevant contractor to ensure timely completion of essential works.

The City responded to 31 after hours callouts for buildings for the period July 2023 to Jan 2024. Based on the information available, 19 of these jobs were responded to within the two-hour requirement, eight provided insufficient information and four did not meet the two-hour requirement. The jobs that provided insufficient information or did not meet the two-hour requirement have been followed up with relevant contractors for improvement.

Where a job is deemed to be more complex (in the opinion of the Community Safety Patrol Officer) then City staff will be requested to attend in addition to contractors to rectify the situation. On-call arrangements are currently being reviewed with a view to having formal on-call arrangements in place for all key activities requiring an out of hours response. Following urgent out of hours repairs, the Contractor will forward relevant paperwork to City staff and undertake any further non urgent remediation that may be required.

Following a review of the Emergency Calls Procedure the following changes are in the process of being completed to improve the City's response to out of hours emergency building maintenance requests:

1. Installation of decals (stickers) in key City buildings with basic instruction on how to report urgent maintenance items in a consistent manner. This instruction will refer callers to the City's main contact number irrespective of the time of day so that there is a consistent reporting approach to all maintenance items. Matters that are not related to building maintenance (such as floodlighting requests) can then be diverted to the relevant business unit for actioning in a timely manner.
2. Updating of instruction to after-hours call centre staff to ensure correct process for responding to requests for maintenance.
3. Improvements to the on-call arrangements for areas of the business that must provide outside of hours availability to ensure staff availability and contractor attendance in a timely manner.
4. Monthly review of all maintenance issues reported out of hours to improve education to building users and ensure contractors are meeting required performance targets.

These changes will improve awareness amongst building users of how to report maintenance issues as well as ensuring that there is a consistent approach to respond to maintenance enquiries in a timely manner. By regular internal reporting of contractor performance, issues will be quickly identified and corrective actions can be put in place as appropriate.

### **Financial Assessment and Implications**

There are no financial implications as a result of the four improvements proposed above. The cost of installing signage in the buildings can be undertaken within normal approved operating budgets.

## Stakeholder Engagement

As there is no change to the way in which maintenance items are reported by building users, no stakeholder engagement has been undertaken at this time. Regular monitoring of contractor performance (as well as reviewing issues that are reported) will ensure any further changes can be quickly communicated to building users.

## Relevant Policies, Legislation and Council Resolutions

### [Local Government Act 1995](#)

Meeting Date	Council Resolution Number	Council Resolution
29 August 2023	0823/081	That a review of the emergency calls procedures and protocol be PRESENTED at the Community and Resources Committee meeting to be held 14 November 2023, outlining the current protocol and procedures for members of the community who lease or licence a City of Stirling building and if the hazard/issue has derived from a City of Stirling owned or managed facility/infrastructure.

## Sustainable Stirling 2022-2032

**Key Result Area:** Our built environment

**Objective:** An attractive and well-maintained City

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

**Key Result Area:** Our leadership

**Objective:** A customer-focused City

**Priority:** Provide consistent, responsive and efficient customer service

## Strategic Risk

Strategic Risk	Risk Appetite
Partnerships	The City will be proactive in improving existing relationships and working with new partners to grow its reputation as an organisation that the community, business, government and other organisations choose to engage with.

## Relevant Documents and Information

### Attachments

Attachment 1 - After Hours Request for Emergency Maintenance Process [↓](#)

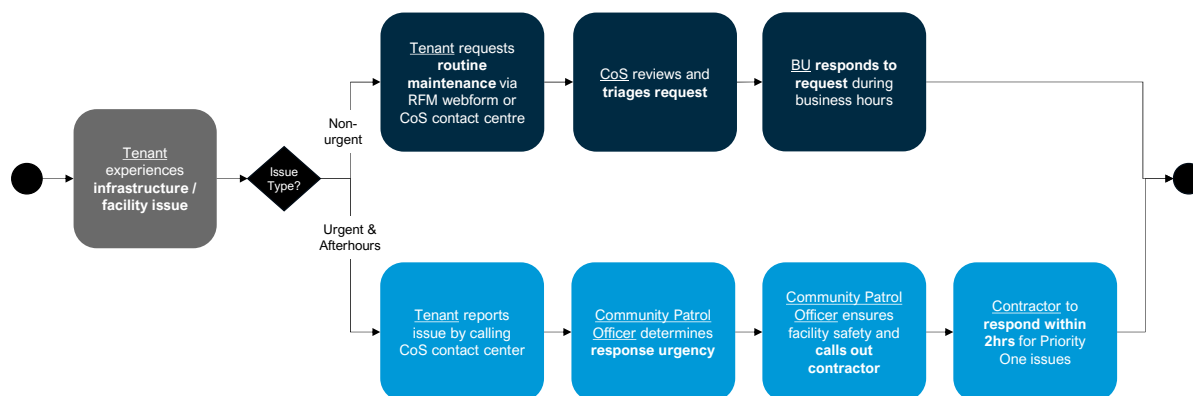
### Available for viewing at meeting

Nil

### Linked Documents

Nil.

## Emergency Request For Maintenance Process



**12.2/F1 SCHEDULE OF ACCOUNTS FOR PERIOD 10 ENDING 30 APRIL 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****0524/025****Moved Councillor Perkov, seconded Councillor Re****That the schedules for Period 10 – 1 April to 30 April 2024 comprising of –**

- a. Cheques drawn and payments made amounting to \$22,370,516.42 and**
- b. Fuel Card payments made amounting to \$34,354.47**

**be RECEIVED.****The motion was put and declared CARRIED (13/0).****For:** Councillors Creado, Dudek, Giudici, Hatton, Krsticevic, Lagan, Migdale, Olow, Paparde, Perkov, Proud, Re and Mayor Irwin.**Against:** Nil.

**Committee Recommendation**

That the schedules for Period 10 – 1 April to 30 April 2024 comprising of –

- a. Cheques drawn and payments made amounting to \$22,370,516.42 and
- b. Fuel Card payments made amounting to \$34,354.47

be RECEIVED.

**Officer's Recommendation**

That the schedules for Period 10 – 1 April to 30 April 2024 comprising of –

- a. Cheques drawn and payments made amounting to \$22,370,516.42 and
- b. Fuel Card payments made amounting to \$34,354.47

be RECEIVED.

**Purpose**

To inform Council of funds disbursed for the period 1 April to 30 April 2024.

**Details**

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

Fuel cards are considered purchasing cards and so a separate attachment has been prepared for these transactions. Fuel cards are used for the purchase of fuel for the City's petrol vehicles and plant. The use of fuel cards is controlled with the card assigned to an individual vehicle



and transactions limited to the purchase of fuel. Vehicle odometer readings are recorded for each fuel purchase. It should be noted that the full payment to Ampol is shown in the Payments Listing and the amount on the fuel card report may differ due to the timing of invoices.

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

#### Expenditure on Agency Staffing

The table below shows the spend on agency staffing to April 2024. The actual spend of \$1,291,630 equates to 1.3% of the total spent on direct staffing by the City for the period.

Agency Costs by Business Unit	Year to Date Apr 2024 Actual \$	% of Total Staffing Cost
Finance Services	163,111	4.3%
Human Resources	16,449	0.6%
Facilities, Projects & Assets	77,515	2.4%
City Future	48,318	3.6%
Parks & Environment	424,536	3.2%
Waste & Fleet	335,589	4.3%
Recreation & Leisure Services	20,310	0.2%
Community Development	57,350	0.4%
Governance	23,729	0.9%
Customer & Communications	31,586	0.6%
Property & Commercial Services	48,254	6.8%
Development Services	44,882	0.5%
<b>Total</b>	<b>1,291,630</b>	<b>1.3%</b>

### 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](#)

[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 - April 2024 (ECM No. 11020765) (previously circulated to Elected Members under separate cover)

Attachment 2 - Ampol Purchase Fuel Card Report - April 2024 (ECM No. 11020769) (previously circulated to Elected Members under separate cover)

#### Available for viewing at meeting

Nil

#### Linked Documents

Nil.

**Council Resolution****0524/026****Moved Councillor Perkov, seconded Councillor Proud**

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

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

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

**Against:** Nil.

Councillor Joe Ferrante disclosed an Impartial Interest in Item 12.2/ES1 as a resident of the area is known to him and he is a former St Kieran Catholic Primary School Student.

Councillor Teresa Olow disclosed an Impartial Interest in Item 12.2/ES1 as some of the local residents are known to her.

Councillor Stephanie Proud JP disclosed an Impartial Interest in Item 12.2/ES1 as she has family members residing in Tyler Street, Tuart Hill.

Councillor Lisa Thornton disclosed an Impartial Interest in Item 12.2/ES1 as she has met with St Kieran Catholic Primary School and Servite College as well as affected residents.

### 12.2/ES1 TRIAL CLOSURE OF LEFT TURN LANE FROM TYLER STREET INTO CAPE STREET, TUART HILL

Business Unit:	Engineering Services	Service: Transport Services
Ward:	Osborne	Location: <a href="#">Intersection of Tyler Street and Cape Street, Tuart Hill</a>
Applicant:	Not Applicable	

#### Role

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

#### Council Resolution

**0524/027**

**Moved Councillor Perkov, seconded Councillor Proud**

- 1. That the Planning and Development Directorate MEET with both St. Kieran Catholic Primary School and Servite College to formalise discussions around a future masterplan to understand the impact of the road network.**
- 2. That the results of this meeting with an options analysis is PRESENTED to Council within six months.**

**The motion was put and declared CARRIED (13/0) by exception resolution.**

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

**Against:** Nil.

### **Committee Recommendation**

1. That the Planning and Development Directorate MEET with both St. Kieran Catholic Primary School and Servite College to formalise discussions around a future masterplan to understand the impact of the road network.
2. That the results of this meeting with an options analysis is PRESENTED to Council within six months.

### **Officer's Recommendation**

That the City DOES NOT PROCEED with the implementation of a trial closure of the left turn lane from Tyler Street into Cape Street due to the potential adverse impacts on traffic patterns on the surrounding road network.

### **Purpose**

To respond to a Council Resolution seeking a report on the proposed implementation of a trial closure of the left turn lane from Tyler Street into Cape Street in Tuart Hill.

### **Details**

#### Background

Tyler Street in Tuart Hill is classified as a Local Access road and Cape Street is classified as a Local Distributor road. The intersection of Tyler Street and Cape Street was originally configured as a four way intersection that permitted all turning movements in and out each of the four approaches. In 2003, as part of a wider traffic management project for Cape Street, the southern approach of Tyler Street was restricted to allow left turns only out onto Cape Street (i.e. no movements permitted from Cape Street into Tyler Street south).

The St Kieran Catholic Primary School is located on the south-east corner of the intersection of Tyler Street and Cape Street. The school regularly conducts activities at satellite properties within close proximity to the school site. This requires the movement of children to and from these properties, including the need to cross various roads.

Previous discussions with the School have indicated their desire to close the left turn lane from Tyler Street into Cape Street, which would effectively convert Tyler Street into a cul-de-sac road for the section south of Cape Street, as shown in Figure 1. This proposal has previously been considered by City officers and was not supported due to the potential adverse impacts and traffic redistribution to the adjacent roads, such as Waterloo Street and Hector Street.

At the Council Meeting of 12 March 2024, Council requested a Notice of Motion on implementing a trial closure of the left turn lane from Tyler Street into Cape Street, and resolved as follows (Council Resolution 0324/015):

*“That a report be PRESENTED to Council on implementing a trial closure of the left turn lane from Tyler Street into Cape Street, and that the report considers:*

- a. The upgrade of ROW 22105 – Boom Lane, Hector Street to Cape Street (Note: The correct number is ROW 22015)*
- b. An overall Traffic Management Plan that has regard to a Servite College Master Plan; and*
- c. The Hector Street Safe Active Street project.”*





Figure 1. Proposed Closure of Left Turn Lane from Tyler Street south into Cape Street



### Assessment of Traffic Implications

The primary reason for not supporting previous requests to close the left turn lane from Tyler Street to Cape Street is the volume of traffic performing this movement. Traffic count surveys for Tyler Street showed around 700 vehicles per weekday travelling north between Morgans Street and Cape Street, of which 530 vehicles used the left turn out onto Cape Street and the remaining 170 vehicles performed a u-turn at the cul-de-sac to then travel south on Tyler Street.

The St Kieran Catholic Primary School considered that most vehicles using the left turn out are related to school activities, so the closure of the left turn lane would impact on school parents only. However, analysis of the traffic data showed that around 390 of the 530 vehicles using this left turn (or 73%) occur outside of school pick up and drop off times, and around 400 vehicles per day use this left turn on weekends. This suggests that the left turn out is primarily used by local residents, and the closure of this left turn would result in a redistribution of this traffic from Tyler Street to adjacent roads.

The closest and most likely road sections that would carry the redistributed traffic (approximately 530 vehicles per day) is Hector Street and Waterloo Street. An increase in traffic (approximately 500 vehicles per day) on Waterloo Street could occur if the proposed closure of the intersection of Main Street and Hector Street (proposed as part of the Hector Street Safe Active Street project) is approved by Council. The potential impact of these road closures on the most affected road sections is provided in the table below.

Road Section	Current Weekday Traffic Volume [vehicles per day]	Redistributed Traffic [vehicles per day]	Forecast Weekday Traffic Volume [vehicles per day]	% Change
Waterloo Street (between Hector Street and Cape Street)	2,230	+1,030	3,260	+46%
Hector Street (between Waterloo Street and Tyler Street)	1,120	+530	1,650	+47%

The forecast weekday traffic volume on Waterloo Street would exceed the maximum desirable capacity for a Local Access road, which is 3,000 vehicles per day.

### Upgrade of ROW 22015 Boom Lane

At the Council Meeting of 7 March 2023, Council considered a report on the proposal to reclassify ROW 22015 (Boom Lane) from Category 4 to Category 2 and include the Right of Way (ROW) in the *ROW Development Contribution Plan*. This proposal would allow the ROW to be listed on the ROW Upgrade Program for future construction and lighting upgrades.

The proposal to upgrade ROW 22015 was not widely supported by the adjoining lot owners and is not consistent with the City's ROW Management Strategy. Consultation with adjoining owners did not demonstrate sufficient support for closing the ROW to enable closure proceedings to be initiated. As such, the officer's recommendation was to retain the ROW as an unmade laneway for the City to manage as a Crown reserve for ROW purposes.

In considering the information within the report, Council Resolved as follows (Council Resolution 0323/016):

*"That Council APPROVES an upgrade to Right of Way 22015, reclassifies the Right of Way to a Category 2, includes the Right of Way in the ROW Development Contribution Plan, and that this be implemented through the Rights of Way Strategy Review."*

To progress the reclassification and inclusion within the ROW Development Contribution Plan, the City Future business unit undertook advertising in March 2024 for *Scheme Amendment 128 – Addition of ROW 22015 (Boom Lane) to the City's ROW Development Contribution Plan*. During the advertising period, the City received more than 150 submissions to the scheme amendment, of which more than 78% objected to the proposal, primarily based on traffic and road safety issues. Many of these objections were pro-forma responses from parents of St Kieran Catholic Primary School students.

#### Hector Street Safe Active Street

At the time of preparing this report, a decision has not been made by Council to proceed or not with the Hector Street Safe Active Street (SAS) project.

The closure of the left turn from Tyler Street into Cape Street will increase traffic on both Hector Street and Waterloo Street, as described in the sections above. The increase in traffic on these two roads would be contrary to one of the design principles of the Hector Street SAS project, which is to reduce traffic volumes along the route and provide a safer walking and cycling environment for all road users.

It is also important to note that Waterloo Street has been identified as a potential north-south route for a future Safe Active Street project between North Beach Road (Tuart Hill) and Green Street (Joondanna). Increasing traffic on this route is already expected due to the proposed closure of Main Street and Hector Street, and further increases in traffic on this road is not desirable.

#### Servite College Master Plan

The City understands that Servite College are currently developing a Masterplan for their site to accommodate future extension plans. A copy of their plans has not been received by the Engineering Services Unit at this stage. As such, it is uncertain if the plans are intended to construct new facilities and/or upgrade existing facilities to cater for an increased student population, or whether the current student population will be maintained. As such, it is difficult to comment on the impact of the proposed (trial) closure of the left turn from Tyler Street into Cape Street on any future plans for the College.

During the consultation period for the Hector Street SAS project, the City understands that Servite College held concerns about proposed closure of Main Street and Hector Street, due to the impact on accessibility for the College. The closure of the left turn from Tyler Street into Cape Street would impact on accessibility to the college and may raise similar concerns.

### **Financial Assessment and Implications**

There are no funds allocated within the 2023/2024 Annual Budget or draft 2024/2025 Annual Budget for the trial closure of the left turn from Tyler Street into Cape Street. Should Council wish to proceed with a trial, the provision of funding would need to be made in future Annual Budgets.

It is estimated that the costs for the installation of temporary traffic management, monitoring and advertising over three months to be in the order of \$25,000. Permanent closure of the left turn and reinstatement of the road to tie-in with the existing verge is estimated to cost in the order of \$50,000 to \$75,000.

### **Stakeholder Engagement**

No engagement has been undertaken with the community regarding the proposal to trial a closure of the left turn out from Tyler Street into Cape Street. Should Council wish to proceed with the trial closure, consultation will be undertaken to determine the level of support from the surrounding community prior to any works being implemented.

Notwithstanding the above, the City Future business unit undertook consultation with the surrounding community in relation to the proposed Local Planning Scheme Amendment to include R W 22015 (Boom lane) into the City's R W Development Contribution Plan. A large percentage of responses indicated an objection to this amendment based on potential traffic and road safety issues. Further engagement with the community regarding a trial closure may raise similar traffic concerns, however this could only be determined following consultation.

## Options Summary

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

OPTIONS	
1.	That the City DOES NOT PROCEED with the implementation of a trial closure of the left turn lane from Tyler Street into Cape Street due to the potential adverse impacts on existing traffic patterns on the surrounding road network.
2.	<ol style="list-style-type: none"><li>1. That the City UNDERTAKES consultation with the surrounding community to determine the level of support for the implementation of a trial closure of the left turn lane from Tyler Street into Cape Street.</li><li>2. That a further report be PRESENTED to Council at the end of the consultation period to advise of the results of the consultation and to seek direction for further actions, as required.</li></ol>

## Recommended Action

Council has requested an investigation of the proposal to implement a trial closure of the left turn lane from Tyler Street into Cape Street.

The City has previously considered the same request from St Kieran Catholic Primary School and has not supported closure on the basis that this left turn lane is used regularly by local residents and non-school related traffic. Closure of this left turn would result in a redistribution of traffic to adjacent roads, which has been indicated as an issue of concern to local residents in recent community engagement.

Based on the information presented in this report, the City maintains its previous position to not support the implementation of a (trial) closure of the left turn lane from Tyler Street into Cape Street.

## Relevant Policies, Legislation and Council Resolutions

### Local Government Act 1995

Meeting Date	Council Resolution Number	Council Resolution
7 March 2023	0323/016	That Council APPROVES an upgrade to Right of Way 22015, reclassifies the Right of Way to a Category 2, includes the Right of Way in the ROW Development Contribution Plan, and that this be implemented through the Rights of Way Strategy Review.
12 March 2024	0324/015	That a report be PRESENTED to Council on implementing a trial closure of the left turn lane from Tyler Street into Cape Street, and that the report considers: <ul style="list-style-type: none"> <li>a. The upgrade of ROW 22105 – Boom Lane, Hector Street to Cape Street;</li> <li>b. An overall Traffic Management Plan that has regard to a Servite College Master Plan; and</li> <li>c. The Hector Street Safe Active Street project.</li> </ul>

## 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.
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.
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

**12.2/P1 REVIEW OF THE STREET AND RESERVE TREE POLICY**

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

**Role**

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

**Council Resolution****0524/028****Moved Councillor Perkov, seconded Councillor Proud****That Council considers the amended City Trees Policy after an Elected Member Workshop.****The motion was put and declared CARRIED (13/0) by exception resolution.****For:** Councillors Creado, Dudek, Giudici, Hatton, Krsticevic, Lagan, Migdale, Olow, Paparde, Perkov, Proud, Re and Mayor Irwin.**Against:** Nil.**Committee Recommendation**

That Council considers the amended City Trees Policy after an Elected Member Workshop.

**Officer's Recommendation**

That Council ADOPTS the amended City Trees Policy as shown in Attachment 1.

## Purpose

to review the Street and Reserve Trees Policy and respond to Councillor Suzanne Migdale's notice of Motion which was resolved (Council Resolution Number 0423/016) at the Council meeting held 4 April 2023.

## Details

The Street and Reserve Tree Policy (now referred to as the City Trees Policy) was developed to direct the management of the City's tree assets to do the following:

- Preserve the City's urban forest through tree protection and maintenance programs.
- Increase the number of City trees through proactive planting programs.
- Boost canopy coverage on verges and reserves within the City.

The review of the City Trees Policy ensures that the management of the City's tree assets aligns with the direction of key strategic elements such as the City's vision and the Urban Forest Plan. This policy was last reviewed on the 26 May 2020; since then, the City has introduced the Strategic Community Plan and reviewed the last 10 years of the City's canopy cover data. The Strategic Community Plan identified that the City would plant and manage a diverse canopy of trees to provide key environmental services including cool spaces, habitat for wildlife and neighbourhood amenity. This Plan outlined a pathway to achieve this through increased tree planting and retention of trees across the City.

Furthermore the 10-year review of the City's tree canopy cover data found that canopy cover across the City was declining due to substantial losses across residential land as a result of development. These findings do not support the City's goals of reaching 18% canopy cover by 2040, and as such, the City Trees Policy needs to provide enhanced protection for the existing urban canopy, while also working to maximise the number of trees being planted in the space available for future canopy growth on City-managed land.

The review of the City Trees Policy has been completed in line with the Community Strategic Plan and the Urban Forest Plan with the key goal to increase the canopy of the City to benefit the whole community. It is essential to achieving the goals of the City as set out in the Strategic Community Plan and the Urban Forest Plan that the City Trees Policy provides a framework to plant, protect and enhance the City's urban canopy.

The recommended key changes to the City Trees policy are:

- Additional clarity around the number of City trees planted per frontage with the need to increase canopy cover across the City.
- Permitted verge treatments will need to incorporate City tree planting where City trees are currently not present.
- Where a number of frontages are created due to subdivision, then a minimum of one tree shall be planted on each frontage, space permitting.



- Additional requirements to setback for crossovers and for property boundaries.
- Requirements expanded on for City trees that are prominent due to size / significance.
- Development must show the location and soil space for new / replacement City tree plantings.
- Provisions around the installation of play equipment and low-voltage solar powered lights on City trees.

The Policy also includes the addition of the Tree Appeal Panel (the Panel) and will comprise of the Manager of Parks and Environment (as the Delegated Authority), an independent arborist, and an additional senior officer from the City (Director/Manager). The Panel has been formed to evaluate complaints regarding trees on City land taking into account the City Trees Policy and other relevant management practices and documents, Australian Standards and good arboricultural practices, as well as legislation and local law requirements. The Panel may also provide advice or make determinations regarding other matters in relation to trees across the City of Stirling.

### **Financial Assessment and Implications**

Better protection of City trees will ensure those trees continue to contribute to the City's urban forest and thrive in future decades and across generations. Improved tree canopy cover creates better urban environments for residents, businesses and future investment.

### **Stakeholder Engagement**

Nil.

### **Relevant Policies, Legislation and Council Resolutions**

[Bushfire Act 1954](#)

[City of Stirling Local Government Property Local Law 2009](#)

[City of Stirling Thoroughfares and Public Places Local Law 2009](#)

[Crossover Policy](#)

[Local Biodiversity Strategy](#)

[Local Government Act 1995](#)

[Local Government \(Uniform Local Provisions\) Regulations 1996](#)

[Local Planning Policy 6.11 – Trees and Development](#)

[Local Planning Policy 6.6 – Landscaping](#)

[Local Planning Scheme No. 3 – City of Stirling](#)

[Permits to Use Verge Areas and Protection of City Property During Building Works Policy](#)

[Planning and Development Act 2005](#)

[State Planning Policy 3.7 Planning in Bushfire Prone Areas](#)

[Street and Reserve Trees Policy](#)

[Street Tree Placement Guidelines](#)

[Thoroughfares and Public Places Local Law 2009](#)

[Urban Forest Plan](#)

[Verge Treatment Policy](#)

Meeting Date	Council Resolution Number	Council Resolution
4 April 2023	0423/016	hat a RE EW be undertaken o the City's treet ree and Reser es ree olicy.

## Sustainable Stirling 2022-2032

**Key Result Area:** Our natural environment

**Objective:** A biodiverse City

**Priority:** Increase tree planting and retention of trees across the City

## 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 - City Trees Policy [↓](#)

Attachment 2 - City Trees Policy - Tracked Changes [↓](#)

### Available for viewing at meeting

Nil

### Linked Documents

[Crossover Policy](#)

[Local Planning Policy 6.6](#)

[Verge Treatment Policy](#)

[Verge Treatment Guidelines](#)



# City Tree Policy

<b>Responsible Directorate</b>	Infrastructure
<b>Responsible Business Unit/s</b>	Parks and Environment
<b>Responsible Officer</b>	Manager Parks and Environment
<b>Affected Business Unit/s</b>	Development Services City Future Engineering Services Facilities, Projects, and Assets

## Objective

The objectives of this policy are:

- To provide guidance in relation to the management of the City's tree assets to increase the City's tree canopy cover
- To protect and increase the long term viability of City trees on verges adjacent to development sites
- To provide safe amenity to pedestrians, road traffic and property
- To preserve the existing City trees within the City
- To enhance the amenity of the City through the planting of new trees
- To define the circumstances under which the City's trees may be removed or pruned.

## Scope

This policy applies to all trees that are owned or managed by the City of Stirling – such trees shall be referred to as City trees. In line with this Policy, Grass Trees will be considered to have the same provisions assigned to them as City Trees for the requirements of their protection.

Residents/owners, builders, developers, contractors, service providers, representatives, and event organisers are all expected to comply with this policy.

## Policy

### 1. Overall

The City of Stirling manages approximately 400,000 City trees, to ensure its residents receive all the economic, environmental, social, and health benefits trees bring to our City and suburbs. These include:

- Providing cooler, greener, more comfortable access ways for walking and cycling
- Improving air, soil, water and noise quality
- Improving property values
- Providing ecological corridors, habitat, and food for native fauna
- Reducing urban heat islands
- Enhancing the character of our suburbs.

The City recognises the importance of trees in creating functional and attractive streets and reserves within the urban environment. As such, the City is committed to the planting, establishment and maintenance of all City trees with the goal of:

- Preserving the City's urban forest through tree protection and maintenance programs
- Increasing the number of City trees through proactive planting programs
- Boosting canopy coverage on verges and reserves within the City.

To effectively promote the City's goals, all City trees, unless determined hazardous by the City, will be:

- Protected from any activity, including development, that threatens their health and/or longevity with priority given to the relocation of infrastructure away from trees to reduce the potential for immediate or future damage
- Protected from infrastructure conflict, where possible, with priority given to the relocation of infrastructure away from trees to reduce the potential for immediate or future damage
- Prioritised when considering applications for new developments so that potential conflicts with City trees will be addressed before an application is approved for planning, construction/building, demolition and/or verge related permits.

The Manager Parks and Environment has the authorisation as the Delegated Officer for the planting, pruning, removal and management of City Trees, under this policy. Decisions regarding the planting, pruning, removal and management of City trees may be referred to the Tree Appeal Panel for review at a cost to the applicant as specified in the City's [Fees and Charges](#).

## **2. City Tree Planting**

The City is responsible for the planting of all trees on City land as identified under its annual programs which include themed avenue tree planting programs and City tree requests from residents/property owners. However, residents may be permitted to plant a City tree adjacent to their residence on application to the City. Tree planting is generally carried out in the winter months to aid in the establishment of trees. The selection of tree species for all plantings is determined by the City.

In line with the City's Urban Forest Plan, the City's goal is to increase tree canopy for the benefit of the whole community. As such, all available tree planting locations will be planted. Only the City's Delegated Officer may approve a planting deviation due to extraordinary circumstances.

As determined by the City, all verges within the City will be subject to City tree planting with a minimum of one tree per frontage except where sufficient space is not available. Additional trees will also be planted per frontage when there is available space.

The City will endeavour to maximise deep soil planting space where required to increase tree health and canopy growth.

### **2.1 City Tree Planting**

City tree plantings will adhere to the following conditions:

- Be positioned within the verge according to the Utility Services Code of Practice for tree alignment or at the City discretion based on verge widths and other infrastructure that may be present.
- A minimum of one tree shall be planted per property frontage; larger verge spaces that can accommodate additional trees as determined by the City will be subject to additional trees being planted
- Plantings near road intersections and driveway crossovers may be subject to pedestrian and road safety assessments by the City

- All new developments that do not have a City tree on the verge will have a tree planted in the next available planting season, as deemed appropriate by the City, and included as a condition/requirement of development along with a contribution which will require payment by the applicant/property owner for the cost of the tree/s planted as per Council's [Fees and Charges](#). See Section 5 of this Policy for more information related to City tree planting and development
- The tree planting locations must be free from other conflicts such as lighting, service pits, other services, and infrastructure etc.
- Tree locations once determined are planted, and should new trees fail to establish they will be replaced until their establishment is successful.

## **2.2 Unauthorised City Tree Planting**

City trees planted without the City's approval are considered unauthorised plantings – an unauthorised City tree planting may constitute any one of the following:

- A tree planted of an inappropriate species for verge planting
- A tree planted out of alignment in relation to the City's identified verge planting locations
- A tree of an undesirable species that has self-germinated in situ.

Where an unauthorised City tree planting is identified, the City will determine whether the planting can be retained or should be removed, dependent upon its conformity to the City's planting requirements. Mature trees will also be assessed in the same manner.

Trees are not to be privately planted on the verge without prior written approval from the City.

verge gardens are to be maintained by the adjacent property owner in line with the City's Verge Treatment Guidelines and should not include tree plantings. Whilst the City will undertake due care when carrying out maintenance on City trees, the City is not responsible for damage to verge gardens/treatments when carrying out maintenance on City trees.

## **2.3 City Tree Watering and Establishment**

The City is responsible for the post planting care, maintenance and watering of all newly planted City trees until the trees are considered established, as determined by the City. Residents/owners are encouraged to assist in watering City trees during the establishment period.

## **3. Tree Pruning and Removal**

The City is solely responsible for the pruning and/or removal of City trees and/or the written authorisation granted for the removal of City trees. Unauthorised tree pruning and/or removal of any City tree is not permitted.

### **3.1 City Tree Scheduled Pruning**

The City undertakes pruning on City trees as required on an annual program. The scheduled City tree pruning may fulfil any of the following requirements, as determined by the City:

- To clear the canopy from interference with overhead power lines, electrical feeder lines to individual properties and other essential services
- To remove overhanging branches determined as hazardous by the City to adjacent property
- To underprune annual growth considered hazardous to traffic or pedestrians
- To ensure the form, structure and framework of trees is retained
- To remove dead, dying, diseased or pest infested material or abnormal growth
- To prune low growing vegetation that impedes parking control signage/ or regulatory streets signs.

### **3.2 Tree Pruning**

Trees will be pruned, where practicable, in line with the Australian Standard for Pruning of Amenity Trees (AS4373). Where pruning is required for clearance to power lines, the trees will be pruned as necessary to comply with the 'Electrical Service Providers' current clearance requirements set by the State regulator.

The City will investigate requests from residents/owners for tree pruning. If the City determines that pruning is required but is not urgent, then the pruning will be incorporated into the next programmed pruning schedule for that suburb/locality.

If the City determines that the pruning requires a more immediate response, then this will be attended to on an as-needs basis. Generally, such pruning is undertaken on a monthly schedule. More immediate pruning will only be undertaken in emergency situations. The resident/occupant will be informed of the outcome of any pruning request by an appropriate means.

### **3.3 Tree Removal**

Unauthorised tree removal of any City tree is not permitted. The authorised officer/ City contractor will undertake any tree removals that are determined by the City to be necessary.

It is recognised that in some cases tree retention is not feasible owing to the condition, location or species of the tree, its implications for development on an abutting site and/or the achievement of other Council objectives. Trees may be considered for removal, as determined by the City, under the following circumstances:

- The young tree has failed to establish
- The tree has died from natural causes
- The tree is diseased or in decline with little chance of recovery
- The tree has been assessed by the City as structurally unsound
- The tree has been irreparably damaged by a storm or other unintentional event
- The tree is determined by the City to be an unauthorised City tree that is not desired
- The tree has been unintentionally affected by infrastructure works and cannot be retained
- The tree interferes with vehicle safety sightlines, as determined by the City, with remediation by pruning not possible
- The tree is in contact with power lines and selective pruning is not practical.

If a City tree prevents the impending development of an abutting property, and all possible design solutions have been deemed exhausted by the determining officer, permission for the removal of a City tree may be granted by the authorised officer under this policy as per below (see Section 5 City Tree Requirements Adjacent Development Sites).

Where a tree is authorised for removal by the City or removed without authorisation by another party, the City will replace the tree on the same verge or reserve in the next available planting season, at its discretion. The City may seek to recover all related costs, as outlined in Section 6 Bonds and Payments.

### **3.4 Tree Pruning and Removal Requests**

The City will investigate and respond to all tree pruning and removal requests. However, the following are not considered to be sufficient or justifiable reasons for the pruning or removal of City trees:

- The tree species is disliked
- The tree considered is too large in size, is slow in establishing, the tree shape/structure is not liked

- The tree species causes nuisance by natural debris production, which includes the dropping of leaf, flower, fruit, bark, twigs etc.
- The tree attracts birdlife or other fauna
- The tree causes allergy and/or health problems
- The tree is slow in establishing
- The tree has been or suspected to have been vandalised
- The tree is an inconvenience during development/ works/ other activities
- The tree has been damaged or is in decline due to adjacent development activities
- The tree is in the way of a non-essential crossover or verge paving/treatment option
- The tree obscures or potentially obscures views (other than traffic/pedestrian sight lines) or shades private gardens, verge gardens, lawns, solar panels, solar hot water installations etc.
- The tree extends over the crossover/property line or the tree conflicts with occasional use of the surrounding areas, such as for parking, placement of skip bins, removalist vehicles, access to property, etc.

Once the City has determined the outcome of the request, any further requests for inspections when there is no natural change to the tree may incur an inspection fee as per Section 6 Bonds and Payments and/ or be referred to the Tree Appeal Panel for consideration.

#### **4. Additional City Tree Categories**

All trees located on City land are considered to be protected under this Policy, the Local Government Act, the City's thoroughfares and public places local law, as well as other regulations and Planning Policies.

Many trees however have additional provisions under this Policy due to their age, size, value, species, cultural or environmental attributes. These trees can include Habitat trees, Prominent trees, Remnant trees and Veteran trees. These trees may be subject to additional requirements in their management such as a Tree Management Plan or when working in proximity to them. Individual or stands of trees may be recognised as prominent, veteran, habitat and/or remnant.

#### **5. City Tree Requirements Adjacent to Development Sites**

City trees need to be protected adjacent to all development and development sites in order to preserve the amenity of streetscapes and neighbourhoods. Development must show the location on the verge where the City tree(s) is(are) to be planted and the soil space being provided on the plan. All developments, where trees may be affected, will include a suitable advice note and/or condition of approval.

Industry recommendations would require that any party utilising the verge or carrying out works on the verge should obtain a Dial Before You Dig verification before starting works. This is to ensure that services, including trees, are not impacted. Documentation regarding requirements when working in proximity to City tree assets will be forwarded as part of the Dial Before You Dig enquiry.

Should works have direct or indirect impacts on the tree(s) that requires assessment/inspection/reports/remediation/rectification/ongoing works as determined by the City, or if a tree is removed without City authorisation, the developer/ property owner may be liable for the associated costs as outlined in Section 6 Bonds and Payments.

##### **5.1 Tree Protection Zone (TPZ) Requirements Adjacent to Development Sites**

For all demolition and construction works the property owner is responsible for the protection of all City trees that are to be retained on City managed land adjacent to the property. Where the development is being undertaken the following guidelines must be adhered to:

- A fence must be installed to create a TPZ at the cost of the applicant



- The type of fencing must be in line with the Australian Standard for Protection of Trees on Development Sites (AS4970) and the City's tree protection one Guidelines
- The size of the TPZ will be determined by the City, dependent on the size of the tree and verge/ reserve space available
- At minimum, the TPZ will cover two metres by two metres around the tree trunk, one metre off the trunk on all sides – any lesser exceptions must first be approved by the City
- The TPZ should not obstruct roads or footpaths unless approved alternatives are in place
- Alternative protections may be approved by the City when space/location restricts the ability to place fencing.

In line with AS 4970, it is highly recommended to follow all the requirements outlined in that document which includes watering of the tree(s) that are being retained and protected. The tree should not present in a lesser condition at the end of the development than at the start of the development.

Specific developments / situations may need to engage a suitably qualified Arborist to provide advice required/requested by the City.

## **5.2 City Trees and Crossovers/Driveways**

A minimum setback of a crossover/driveway (including the splays) from any City tree on the verge is required. The setback distance will be in direct relation to the Diameter at Breast Height (DBH) of the City tree:

- DBH of up to 200mm requires a minimum setback of one metre
- DBH of 201mm to 400mm requires a minimum setback of two metres
- DBH of 401mm to 600mm requires a minimum setback of three metres
- DBH of 601mm or greater is considered to be a prominent tree and will require determination on a case-by-case basis, with a minimum setback of four metres.

The above setbacks are measured from the base of the tree at ground level, closest to the location of the crossover. These setbacks are to ensure tree canopy and roots are not impacted and that the tree has the maximum deep soil space available to allow for continued healthy growth and stability.

Crossover applications should look to meet the above clearances required for setbacks before reductions are considered. In order to achieve a compliant setback, crossover designs for primary access may need to meet the three metre minimum width.

Only when the distances required need to be less than the above specifications due to site constraints, and all viable design options have been exhausted, a site inspection will need to be conducted to determine if the distance can be reduced on a tree-by-tree basis. To keep retained trees in a sound condition and to reduce the impact on their root system, no setback requests less than one metre will be considered. Council inspection fees and charges will apply as per Section 6 Bonds and Payments.

For further information, refer to the City's [Crossover Policy](#).

To keep retained trees in a sound condition and to reduce the impact on its root system, no setback requests less than one metre will be accepted. For further information, refer to the Crossover Policy.

## **5.3 City Trees and Structures**

Development within private property should consider the existing City trees and design to have the least impact on them. Tree friendly design should be undertaken to have minimal

impact of the structure of trees above and below ground. The City will not generally prune existing trees to accommodate new infrastructure or for required private tree plantings. In this regard, setbacks outlined in Section 5.2 of this Policy should be adhered to where possible.

When City trees are retained as part of any development, they will not then be pruned at the completion of development or in perpetuity due to encroachment over private property. As per Section 3.1 of this Policy, the City will consider pruning back one metre from dwellings. All structures on private property should consider future maintenance requirements and impacts from City trees and private trees in their design and construction methodology. Engaging a suitably qualified Arboricultural Consultant during the design phase to provide advice is highly recommended.

#### **5.4 City Trees and Verge Treatments**

Permitted verge treatments will need to incorporate City tree planting when City trees are not currently present. Where existing City trees are present then areas of open soil will be required around the trees with determined setbacks to the verge treatment.

Please refer to the [City's verge treatment policy](#) and [Guidelines](#) for further information.

#### **5.5 City Tree Information Provided with Applications**

The onus is on the applicant to provide accurate information in applications. If any discrepancies in City tree information are identified after an approval is granted for any private development or verge works, the applicant will need to resubmit applications for approval with the correct information. All costs and fees associated are to be met by the applicant. Discrepancies can include any of the following:

- Incorrect DBH measurement
- Failure to mark City trees in the submitted plan
- Failure to mark City tree locations correctly in the submitted plan
- Providing any other inaccurate site information.

Discrepancies identified after the start of any development may not result in tree pruning/removal and may result in impacts to the private property.

#### **5.6 City Tree Retention Adjacent to Development Sites**

A City tree is a City asset forming part of green infrastructure. As such, the City actively seeks to retain and protect City trees adjacent to development sites using the following guidelines:

- If inaccurate information presented to the City, as part of any development application, results in a tree needing to be pruned or removed, the required setback being impeded, or any unauthorised removal or pruning of a tree is carried out, the City will recover the full costs associated with the works and any loss of amenity tree value from the applicant
- If City tree damage, decline or death occurs during development then costs may be recovered from the owner/ developer for rectification pruning, or removal and replacement of the tree including the loss of amenity tree value. Dead trees may be retained in situ at the City's discretion if they are determined to provide habitat or other value
- If a tree needs to be removed or, is removed without authorisation, the applicant will be required to reimburse the City the full costs associated with the tree removal / pruning including the loss of amenity tree value.

All costs owed to the City due to any of the above circumstances will be in line with Section 6 Bonds and Payments of this policy.

#### **5.7 City Tree Removal and Replacement In Relation to Applications**

The City prioritises tree retention on City managed land adjacent to development sites, and will only consider removal when no other reasonable design alternative exists. In the event that an approval to commence development is granted by the City's Development Services business unit on the advice of the City's tree delegate, which has permitted the removal/pruning of one or more City trees, the applicant will be required to inform the City two weeks prior to the start of works to arrange the City to carry out the approved tree works.

Where a tree is approved by the City's Delegated Officer to be removed/ pruned, the landowner/applicant will be required to meet the full costs associated with the removal and replacement of the tree and will be required to compensate the City for the costs associated with the loss of the tree asset, as outlined in Section 6 Bonds and Payments.

Replacement City trees that are required as a result of tree(s) being removed through the development process will be in line with the following:

- A minimum of one replacement tree will be planted on the verge adjacent to the development for each tree removed
- Where there is room for more than one tree on each frontage/lot, then multiple trees may be planted in relation to the available space, as determined by the City
- Any replacement trees that are not able to be planted on the verge adjacent to the development, due to reduced verge space post development will be planted elsewhere in the City and at the City's discretion at the cost of the applicant/property owner
- All replacement trees will be of a species and size that is acceptable to the City
- The replacement cost will be met by the developer/ applicant/ owner as outlined in Section 6 Bonds and Payments.

### **5.8 City Tree Planting Adjacent to development Sites**

The City strives to create a balance between promoting development and providing cooler, greener and more sustainable urban environment. As such, the City applies the following City planting guidelines:

- The City at all times holds the right to reserve verge space for future tree planting and crossovers will be assessed to accommodate future City tree planting on verges
- Where there is no existing City tree, the City will plant at least one City tree in the next available planting season, space permitting
- Where there is room for more than one tree, then multiple trees may be planted in relation to the available space, as determined by the City
- Verges which have been treated with hardscape, paving or synthetic turf are required to have at least one City tree in accordance with the [Verge Treatment Policy](#)
- When considering development of car parks and/or parking bays in the road or other reserve, the plan must accommodate new tree plantings in line with [Local Planning Policy 6.6](#)
- Where a number of frontages are created due to subdivision, then a minimum of one tree shall be planted on each frontage, space permitting. More trees may be required where space permits.

## **6. Bonds and Payments**

Where development or other activities have the potential to impact on City trees, a bond for the protection of the tree will be held by the City prior to the commencement of development. A bond will be held for the duration of the works. Minimum bond amounts will be determined by Council's [Fees and Charges](#).

Where a City tree removal/pruning is approved by the City in relation to a development or works, the full associated costs of the tree (including loss of the Helliwell value) and its removal (or pruning) shall be paid by the property owner or representative prior to the removal/pruning works and commencement of development.

Alternatively, in the instance of civic works by government departments the City may request a five for one tree canopy cover offset contribution.

Where impacts to trees is identified within a Bond or outside of a Bond process, holding of/recovery of costs for associated damage, removal, Loss of Helliwell value, reports, ongoing works, inspections, remediation works, rectification works, assessments, immediate/ongoing works as determined by the City may be held/recovered.

The costs associated with removal, pruning and/or damage of a City tree include the following three elements:

- Removal/pruning costs – amounting to the costs incurred by the City for undertaking the actual removing/ pruning of the tree/ or part thereof
- Amenity Value – calculated in accordance with the City's amenity tree calculation (currently the Helliwell method or other City approved valuation system)
- Reinstatement/Replacement Tree Costs – calculated in accordance with the greening required to replace the loss incurred by the tree removal. The level of reinstatement/replacement required will be determined by the City (in line with the Council's [Fees and Charges](#)). Reinstatement tree costs will include costs of watering for two subsequent seasons as well as other formative pruning and establishment costs.

Additional costs may be recovered for Arboricultural reports, tree watering, erecting of tree recovery fencing, any other ongoing maintenance requirements as determined by the City.

## **7. Vandalism to City Trees**

Members of the community who witness vandalism of City trees are encouraged to report this information. All reported incidents of vandalism will be investigated and responded to by the City.

Where vandalism has been committed, the City will take steps to gather information relating to the incident which may include:

- Sending letters seeking information to residents in the vicinity of the vandalism
- Talking to residents in the local area
- Posting notices in local newspapers, notice boards, social media platforms, and on the City's website seeking information
- Installing signage requesting any information pertaining to the vandalism
- Reporting damage to the Western Australian Police.

Once information is acquired an appropriate resolution will be carried out, which may involve:

- The installation of signage at the site advising on the damage/seeking further information
- Installation of a Tree Recovery Zone (TRZ) around the tree or other protective measures on/around the tree to prevent further vandalism
- Retaining any dead tree in sound condition indefinitely
- Placement and planting of additional trees at the location of the vandalism to compensate for the damage and loss of tree canopy
- Reclaiming immediate/ongoing costs associated with any works required to rectify the damage
- Recouping the full cost of the Helliwell valuations of the asset prior to the vandalism and tree replacement/establishment costs
- Media

- Further legal action.

## **8. Attachments to City Trees**

The City understands that the activation of the verge space is becoming more popular as private garden space diminishes. As such the City is open to the installation of play equipment within City trees adjacent to the property owner's residence. This must be done in such a way that it does not:

- Impact the health or structural integrity of the tree or any part of the tree
- Present as a hazard to users of the play equipment
- Present as a hazard to other users of the verge, surrounding footpaths, or roadways.

Other requirements that must be adhered to regarding play equipment or other attachments/installations:

- The installation of bolts, screws or other attachments into the tree is prohibited
- Any play equipment is to be retained in safe condition by the adjacent property owner /resident/ tenant
- Nothing should be installed in a tree where overhead power lines are present
- Lights must be low-voltage and solar powered
- Items such as boats/trailers/basketball rings etc. are not to be tethered to trees
- Signage is not to be installed in trees
- No installations will be permitted in reserve trees.

Any play equipment installed is in the public space and as such others may use the equipment. The installer cannot restrict this or claim exclusive rights to the usage. Therefore, it is recommended that the equipment is removed when not in use.

The City will not accept any responsibility for the loss/theft of equipment, or for any injury to persons or damage to property caused by the private installation of any attachment to a City Tree.

Any damage that may happen to the equipment as part of tree maintenance requirements will not be covered by the City or its contractors. The City reserves the right to remove any equipment at any time. Should the City determine that any equipment, attachment or installation presents as an immediate hazard, it will be removed without notice.

## **9. Community Consultation and Involvement**

The City values its community's opinion, and encourages consultation and communication in the improvement of its urban forest. As such, the City will endeavour to apply the following practices:

- Increase resident activity in the ongoing care of its urban forest by encouraging tree planting involvement and citizen science programs
- Inform adjacent residents of City tree plantings and removals through various mediums
- Encourage community consultation in themed City tree plantings by providing opportunities for comment
- Prioritise community safety when conducting City tree maintenance works
- Raise community knowledge about the benefits of trees and the urban forest through various forms of marketing, education, events, and media.

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### **Definitions**

**Applications** are considered to be any formal written request made to the City.

**City Tree** is considered to include any tree which has a majority (> 50%) of its trunk growing from City managed land and includes Grass Trees.

**Diameter at breast height (DBH)** is the recognised method for measuring the diameter of the trunk of a tree. The measurement is taken at 1.4 metres from the ground level. Refer to Australian Standard 4970- 2009 Protection of Trees on Development Sites for more detailed information.

**Development** is considered to be any demolition or construction work on private land, any City infrastructure upgrades on the verge or reserve, crossover installation or upgrade, any private works on the verge such as landscaping, reticulation installation/works, verge treatments and or any use of the verge space that requires a permit or any works carried out by Service providers on the verge or reserve.

**Helliwell method** is a recognised system that allows for a monetary value to be placed on the visual amenity provided by an individual tree asset.

**Structures** are considered to be any construction or other element that may impact on a City Tree. These may include but are not limited to boundary walls/fences, dwellings and/or private trees.

**Tree** is defined in the City's Thoroughfares and Public Places Local Law 2009 as a woody perennial plant generally having a single stem or trunk which will grow to a height of approximately four metres or more.

- **Habitat Tree** is any tree, alive or dead, that presents habitat opportunities for wildlife
- **Private Tree** is any tree which has a majority (> 50%) of its trunk growing from private property
- **Prominent Tree** is any tree that has identified features such as large canopy height/spread, wide trunk, large structural roots that would require additional considerations/protections when working in proximity to the tree
- **Reserve Tree** is a tree that is located within a park, reserve or natural area
- **Remnant Tree** is any tree that has naturally grown in an area, usually prior to development
- **Veteran Tree** is a tree, generally in a post mature state, with unique qualities that requires specific management.

**Tree Protection Zone (TPZ)** is an area above and below ground that is set aside for protection of trees roots, trunk and crown in order to provide for the viability and stability of a tree that is to be retained at a development site.

**Tree Recovery Zone (TRZ)** is an area above and below ground that is established to assist in the recovery of trees when they have been impacted by vandalism, poisoning environmental factors or other contributors or interferences.

**Urban Forest** is a population of trees and other plants growing within an urban setting for the purpose of improving the liveability of that urban setting whilst providing social, economic and environmental benefits to the community as a whole.

**Vandalism** means the unlawful destruction, damage or injury to City owned tree assets which can include, but not limited to, poisoning, pruning, causing malicious damage to, removal and/or ringbarking, negligence during demolition/development/construction activities.

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### Relevant management practices/documents

[Crossover Policy](#)

[Permits to Use Verge Areas](#)

[Street Tree Placement Guidelines](#)

[Urban Forest Plan](#)

[Verge Treatment Policy](#)

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## Legislation/local law requirements

[Bushfire Act 1954](#)

[City of Stirling Local Government Property Local Law 2009](#)

[City of Stirling Thoroughfares and Public Places Local Law 2009](#)

[Local Government \(Uniform Local Provisions\) Regulations 1996](#)

[Local Government Act 1995](#)

[Local Planning Scheme No. 3 – City of Stirling](#)

[Planning and Development Act 2005](#)

[State Planning Policy 3.7 Planning in Bushfire Prone Areas](#)

### Office use only

#### Relevant delegations

Not applicable

#### Initial Council adoption

**Date** 8 December 2015

**Resolution #**

1215/010

#### Last reviewed

**Date**

**Resolution #**

#### Next review due

**Date**





# City Tree Policy ~~Street~~ and ~~Reserve~~ Trees

Responsible Directorate	Infrastructure
Responsible Business Unit/s	<del>Parks and Sustainability</del> <u>Parks and Environment</u>
Responsible Officer	<del>Manager Parks and Sustainability</del> <u>Manager Parks and Environment</u>
Affected Business Unit/s	Development Services <del>City Planning</del> <u>City</u> <del>Future Engineering</del> <del>Design Engineering</del> <del>Services</del> <del>Engineering Operations Facilities, Projects, and Assets</del>

## Objective

The objectives of this policy are –

- To provide guidance in relation to the management of the City's tree assets ~~To~~ increase the City's tree canopy cover
- To protect and increase the long term viability of City trees on verges adjacent to development sites
- To provide safe amenity to pedestrians, road traffic and property
- To preserve the existing ~~City street and reserve~~ trees within the City
- To enhance the amenity of ~~the City streets and reserves~~ through the planting of new trees
- To define the circumstances under which the City's trees may be removed or pruned

## Scope

This policy applies to all trees that are owned or managed by the City of Stirling – such trees shall be referred to as City trees. ~~A City tree includes any tree which has a majority (> 50%) of its trunk growing from Council managed land. In line with this Policy, mature Grass Trees will be considered to have the same provisions assigned to them as City Trees for the requirements of their protection.~~

Residents/owners, builders, developers, contractors, service providers, representatives, and event organisers are all expected to comply with this policy.

## Policy

### 1. Overall

The City of Stirling manages ~~over~~approximately 400,000 City trees, to ensure its residents receive all the economic, environmental, social, and health benefits trees bring to our ~~City~~ and suburbs. These include:

- Providing cooler, greener, more comfortable access ways for walking and cycling
- Improving air, soil, water and noise quality

- Improving property values
- Providing ecological corridors, habitat, and food for native fauna
- Reducing urban heat islands effect
- Enhancing the character of our suburbs.

The City recognises the importance of trees in creating functional and attractive streets and reserves within the urban environment. As such, the City is committed to the planning, planting, establishment and maintenance of all City trees with the goal of:

- Preserving the City's urban forest through tree protection and maintenance programs
- Increasing the number of City trees through proactive planting programs
- Boosting canopy coverage on verges and reserves within the City.

To effectively promote the City's goals, all City trees, unless ~~proven~~ determined hazardous by the City, will be:

- Protected from any activity, including development, that threatens their health and/or longevity with priority given to the relocation of infrastructure away from trees to reduce the potential for immediate or future damage
- Protected from infrastructure conflict, where possible, with priority given to the relocation of infrastructure away from trees to reduce the potential for immediate or future damage
- Prioritised when considering applications for new developments so that potential conflicts with City trees will be addressed before an application is approved for planning, construction/building, demolition and/or verge related permits.

~~The Manager Parks and Sustainability has the authorisation for the planting, pruning, removal and management of City Trees, under this policy. The Manager Parks and Environment has the authorisation as the Delegated Officer for the planting, pruning, removal and management of City Trees, under this policy. Decisions regarding the planting, pruning, removal and management of City trees may be referred to the Tree Appeal Panel for review at a cost to the applicant as specified in the City's Fees and Charges.~~

## 2. City Tree Planting

The City is responsible for the planting of all ~~trees on City land~~ City trees as identified under its annual programs which include ~~themed avenue~~ community tree planting programs and City street tree requests from residents/~~property owners~~ occupants. However, residents may be permitted ~~are able~~ to plant a City verge tree adjacent to ~~in front of~~ their residence on application to the City. Tree planting is generally carried out in the winter months to aid in the establishment of trees. The selection of tree species for all plantings is determined by the City.

~~In line with the City's Urban Forest Plan, the City's goal is to increase tree canopy or the benefit of the whole community. As such, all available tree planting locations will be planted. Only the City's Delegated Officer may approve a planting deferral due to extraordinary circumstances.~~

~~As determined by the City, all verges within the City will be subject to streetCity tree planting with a minimum of one tree per frontage except where sufficient space is not available. Additional trees will also be planted per frontage when there is available space.~~

~~The City will endeavour to maximise deep soil planting space where required to increase tree health and canopy growth.~~

~~Remnant trees will be retained within the streetscape or reserve at the discretion of the City.~~

### 2.1 City Street Tree Planting

City Street tree plantings will ~~must~~ adhere to the following conditions:

- Be positioned within the verge according to the City's Street Tree Planting Guidelines Utility Services Code of Practice for tree alignment or at the City discretion based on verge widths and other infrastructure that may be present.
- A Generally, a minimum of one tree shall be planted per property frontage; larger verge spaces that can accommodate additional trees as determined by the City will be ~~can be~~ subject to additional trees being planted~~more than one tree~~
- Plantings near road intersections and driveway crossovers may~~will~~ be subject to pedestrian and road safety assessments by the City
- All new developments that do not have a City street tree on the verge will have a tree planted in the next available planting season, as deemed appropriate by the City, and included as a condition/requirement of development along with a contribution which will require payment by the applicant/property owner for towards the cost of the tree/s planted as per Council's Fees and Charges. See Section 5 of this Policy for more information related to City tree planting and development.
- Development must show the location on the verge where the City tree(s) is(are) to be planted and the soil space being provided on the plan. The tree planting locations must be free from other conflicts such as lighting, service pits, other services and infrastructure, etc.
- Tree locations once determined are planted, and should new trees fail to establish they will be replaced until their establishment is successful.

## **2.2 Unauthorised City Street Tree Planting**

City Street trees planted without the City's approval are considered unauthorised plantings – an unauthorised City street tree planting may ~~shall~~ constitute any one of the following:

- A tree planted of an inappropriate species for verge planting
- A tree planted out of alignment in relation to the City's identified verge planting locations~~specifications~~
- A tree of an undesirable species that has self-germinated in situ.

Where an unauthorised City street tree planting is identified, the City will ~~shall~~ determine whether the planting can be retained or should be removed, dependent upon its conformity to the City's planting requirements~~specifications~~. Mature trees will also be assessed in the same manner.

Trees are not to be privately planted on the verge without prior written approval from the City.

verge gardens are to be maintained by the adjacent property owner in line with the City's Verge Treatment Guidelines and should not include tree plantings. Whilst the City will undertake due care when carrying out maintenance on City trees, the City is not responsible for damage to verge gardens/treatments when carrying out maintenance on City trees.

## **2.3 City Tree Watering and Establishment Street Tree Watering**

The City is responsible for the post planting care, maintenance and watering of all newly planted City street trees until the trees are considered established, as determined by the City. Residents/owners are encouraged to assist in watering City street trees during the establishment period, as per instructions provided at the time of planting

## **3. Tree Pruning and Removal**

The City is solely responsible for the pruning and/or removal of City trees and/or the written authorization granted for the removal of City trees. Unauthorised tree pruning and/or removal of any City tree is not permitted.

### **3.1 City Street Tree Scheduled Pruning**

The City undertakes pruning on City street trees as required on an annual -

~~programmed schedule~~. The scheduled ~~City street~~ tree pruning may fulfil any of the following requirements, as determined by the City:

- To clear the canopy from interference with overhead power lines, electrical feeder lines to individual properties and other essential services
- To remove overhanging branches ~~determined as considered~~ hazardous ~~by the City to adjacent property road traffic, buildings or structures~~
- To underprune ~~annual growth low growing branches~~ considered hazardous to traffic or pedestrians
- To ~~ensure define~~ the form, structure and framework of trees ~~is retained~~
- To remove dead, dying, diseased or pest infested ~~material limbs and branches~~ or abnormal growth
- To ~~underprune~~ low growing ~~vegetation branches~~ that impedes parking control signage/ ~~or regulatory and or~~ streets signs.

### 3.2 Tree Requests for Pruning

~~Trees will be pruned, where practicable, in line with the Australian Standard for Pruning of Amenity Trees (AS4373). Where pruning is required for clearance of power lines, the trees will be pruned as necessary to comply with the 'Electrical riders' current clearance requirements set by the State regulator.~~

The City will investigate requests from residents/owners for tree pruning. If the City determines that pruning is required but is not urgent, then the pruning will be incorporated into the next ~~programmed scheduled~~ pruning ~~schedule~~ for that suburb/locality.

If the City determines that the pruning requires a ~~more~~ immediate response, then this will be attended to on an as-needs basis. ~~Generally, such pruning is undertaken on a monthly schedule. More immediate pruning will only be undertaken in emergency situations.~~ The resident/occupant will be informed of the outcome of any pruning request by an appropriate means.

### 3.3 Tree Removal

~~The City is solely responsible for the removal of City trees.~~ Unauthorised tree removal of any City tree is not permitted. The authorised officer/ ~~City contractor of Council~~ will undertake any tree removals that are ~~determined by the City to be necessary~~ required.

It is recognised that in some cases tree retention is not feasible owing to the condition, location or species of the tree, its implications for development on an abutting site and/or the achievement of other Council objectives. Trees may be considered for removal, as determined by the City, under the following circumstances:

- ~~The young tree has failed to establish~~
- The tree ~~has died from natural causes~~ is dead
- The tree is diseased or in decline ~~with little chance of recovery~~
- The tree has been assessed by the City as structurally unsound
- The tree has been irreparably damaged by a storm or other ~~unintentional~~ event
- The tree is ~~determined by the City to be~~ an unauthorised ~~City tree that is not desired street or reserve tree~~
- The tree has been ~~unintentionally~~ affected by infrastructure works and ~~the tree~~ cannot be retained
- The tree interferes with vehicle safety sightlines, as ~~determined assessed~~ by the City, ~~with remediation by pruning not possible~~
- The tree is in contact with power lines and selective pruning is not practical.

If a City tree prevents the impending development of an abutting property, and all possible design solutions have been deemed exhausted by the ~~determining authorised~~ officer, permission for the removal of a City tree may be granted by the authorised officer under this policy ~~as per below (see Section 5 Street and Reserve City Tree Requirements Protection)~~.

### Adjacent Development Sites.

Where a tree is ~~authorised for removal~~ by the City or removed without authorisation by another party, the City will replace the tree on the same verge or reserve in the next available planting season, at its discretion. The City may seek to recover all related costs, as outlined in ~~Section 6~~ Bonds and Payments.

### **3.4 Tree Pruning and Removal Requests**

The City will investigate and respond to all tree pruning and removal requests. However, the following are not considered to be sufficient or justifiable reasons for the pruning or removal of City trees:

- The tree species is disliked
- ~~The tree considered~~ is too large in size, ~~is slow in establishing.~~ ~~The tree~~ shape/structure is not liked ~~I~~
- ~~The tree species causes nuisance by natural debris production, which includes the dropping of leaf, flower, fruit, bark, twigs etc.~~
- The tree attracts birdlife or other fauna
- ~~The tree causes allergy and/or health problems~~
- ~~The tree is slow in establishing~~
- ~~The tree has been or suspected to have been vandalised~~
- ~~The tree is an inconvenience during development/ works/ other activities etc~~
- ~~The tree has been damaged or is in decline due to adjacent development activities~~
- The tree is in the way of a non-essential crossover or verge paving/treatment option
- ~~The tree obscures or potentially obscures views (other than traffic/pedestrian sight lines) or shades private gardens, verge gardens, lawns, solar panels, solar hot water installations etc.~~
- ~~The tree extends over the crossover/property line or the tree conflicts with occasional use of the surrounding areas, such as for parking, placement of skip bins, removalist vehicles, access to property, etc.~~

Once the City has determined the outcome of the request, any further requests for inspections when there is no natural change to the tree may incur an inspection fee as per Section 6 Bonds and Payments and/ or be referred to the Tree Appeal Panel for consideration.

### **4. Additional City Tree Categories**

All trees located on City land are considered to be protected under this Policy, the Local Government Act, the City's thoroughfares and public places local law, as well as other regulations and Planning Policies.

Many trees however have additional provisions under this Policy due to their age, size, value, species, cultural or environmental attributes. These trees can include Habitat trees, Prominent trees, Remnant trees and Veteran trees. These trees may be subject to additional requirements in their management such as a Tree Management Plan or when working in proximity to them. Individual or stands of trees may be recognised as prominent, veteran, habitat and/or remnant.

### **5. City Street and Reserve Tree Requirements Protection at Adjacent to Development Sites**

~~City Street and reserve~~ trees need to be protected adjacent to all ~~at~~ development and development sites in order to preserve the amenity of streetscapes and neighbourhoods. Development must show the location on the verge where the City tree(s) is(are) to be planted and the soil space being provided on the plan. All developments, where trees may be ~~are~~ affected, will include a suitable advice note and/or condition of approval.

Industry recommendations would require that any party utilising the verge or carrying out works on the verge should obtain a Dial Before You Dig verification before starting works. This is to ensure that services, including trees, are not impacted. Documentation regarding requirements when working in proximity to City tree assets will be forwarded as part of the Dial Before You Dig enquiry.

Should works have direct or indirect impacts on the tree(s) that requires assessment / inspection / reports / remediation / rectification / ongoing works as determined by the City, or if a tree is removed without City authorisation, developer/ property owner may be liable for the associated costs as outlined in Section 6 Bonds and Payments.:

### 5.1 Tree Protection Zone (TPZ) Requirements ~~Adjacent to at~~ Development Sites

For all demolition and construction works the ~~property developer/~~ owner is responsible for the protection of all City trees that are to be retained on City managed land adjacent to the property. Where the development is being undertaken the following guidelines must be adhered to:

- A fence must be installed to create a TPZ at the cost of the applicant
- The type of fencing must be in line with the Australian Standard for Protection of Trees on Development Sites (AS4970) and the City's tree protection one Guidelines
- The size of the TPZ will be determined by the City, dependent on the size of the tree and verge/ ~~reserve~~ space available
- At minimum, the TPZ will cover two metres by two metres around the tree trunk, one metre off the trunk on all sides – any lesser exceptions must first be approved by the City
- The TPZ should not obstruct roads or footpaths unless approved alternatives are in place
- Alternative protections may be approved by the City when space/location restricts the ability to place fencing.

In line with AS 4970, it is highly recommended to follow all the requirements outlined in that document which includes watering of the tree(s) that are being retained and protected. The tree should not present in a lesser condition at the end of the development than at the start of the development.

Specific developments / situations may need to engage a suitably qualified Arborist to provide advice required/requested by the City.

### 5.2 City ~~Street~~ Trees and Crossovers/Driveways

A minimum setback of a crossover/driveway (including the splays) from any ~~City street~~ tree on the verge is required. The setback distance will be in direct relation to the Diameter at Breast Height (DBH) of the ~~City street~~ tree:

- DBH of up to 200mm requires a minimum setback of one metre
- DBH of 201mm to 400mm requires a minimum setback of two metres
- DBH of 401mm to 600mm or greater requires a minimum setback of three metres
- DBH of 601mm or greater is considered to be a prominent tree and will require determination on a case-by-case basis, with a minimum setback of four metres.

The above setbacks are measured from the base of the tree at ground level, closest to the location of the crossover. These setbacks are to ensure tree canopy and roots are not impacted and that the tree has the maximum deep soil space available to allow for continued healthy growth and stability.

Crossover applications should look to meet the above clearances required for setbacks



before reductions are considered. In order to achieve a compliant setback, crossover designs for primary access may need to meet the ~~3.0~~three metre minimum width.

Only when the distances required need to be less than the above specifications due to site constraints, and all viable design options have been exhausted, a site inspection will need to be conducted to determine if the distance can be reduced on a tree-by-tree basis. To keep retained trees in a sound condition and to reduce the impact on their root system, no setback requests less than ~~4.0~~one metre will be considered. Council inspection fees and charges will ~~may~~ apply as per Section 6 Bonds and Payments.

For further information, refer to the City's Crossover Policy.

To keep retained trees in a sound condition and to reduce the impact on its root system, no setback requests less than ~~4.0~~one metre will be accepted. For further information, refer to the Crossover Policy.

### **5.3 City Trees and Structures**

Development within private property should consider the existing City trees and design to have the least impact on them. Tree friendly design should be undertaken to have minimal impact of the structure of trees above and below ground. The City will not generally prune existing trees to accommodate new infrastructure or for required private tree plantings. In this regard, setbacks outlined in Section 5.2 of this Policy should be adhered to where possible.

When City trees are retained as part of any development, they will not then be pruned at the completion of development or in perpetuity due to encroachment over private property. As per Section 3.1 of this Policy, the City will consider pruning back ~~4.0~~one metre from dwellings. All structures on private property should consider future maintenance requirements and impacts from City trees and private trees in their design and construction methodology. Engaging a suitably qualified Arboricultural Consultant during the design phase to provide advice is highly recommended.

### **5.4 City Trees and Verge Treatments**

Permitted verge treatments will need to incorporate City tree planting when City trees are not currently present. Where existing ~~street~~City trees are present then areas of open soil will be required around the trees with determined setbacks to the verge treatment.

Please refer to the City's ~~erger~~ treatment policy and Guidelines for further information.

### **5.5 -City Tree Information Provided with Applications**

The onus is on the applicant to provide accurate information in applications. If any discrepancies in City tree information are identified after an approval is granted for any private development or verge works, the applicant will need to resubmit ~~applications plans~~ for approval with the correct information. All costs and fees associated are to be met by the applicant.

Discrepancies can include any of the following:

- Incorrect DBH measurement
- Failure to mark ~~City street~~ trees in the submitted plan
- Failure to mark ~~City street~~ tree locations correctly in the submitted plan
- Providing any other inaccurate site information.

Discrepancies identified after the start of any development may not result in tree pruning/removal and may result in impacts to the private property.

### **5.6 -City Tree Retention Adjacent to Development Sites**



A ~~street~~ City tree is a City ~~n~~-asset forming part of green the verge infrastructure. As such, the City actively seeks to retain and protect City street trees adjacent to development sites using the following guidelines:

- If ~~any~~ inaccurate information is presented to the City, as part of any development application, results in a tree needing to be being pruned or removed, the required setback being impeded, or any unauthorised removal or pruning of a tree is carried out, the City will recover the full costs associated with the works and any loss of amenity tree value from the applicant
- If City street tree damage, decline or death occurs during as a result of the development then costs may be recovered from the owner/ developer for rectification pruning, or removal and replacement of the tree including the loss of amenity tree value. Dead trees may be retained in situ at the City's discretion if they are determined to provide habitat or other value
- If a tree needs to be removed or, is removed without authorisation, the applicant will be required to reimburse the City the full costs associated with the tree removal / pruning including the loss of amenity tree value.

All costs owed to the City due to any of the above circumstances will be in line with Section 65, Bonds and Payments of this policy.

### **5.7 City Tree Removal and Replacement In Relation to Applications at Development Sites**

The City prioritises tree retention on City managed land adjacent to development sites, and will only consider removal when no other reasonable design alternative exists. In the event that an approval to commence development is granted by the City's Approvals Development Services business unit on the advice of the City's tree delegate, which has permitted requires the removal/pruning of one or more City street trees, the applicant will be required to inform the City two weeks prior to the start of works to arrange the City to carry out the approved tree works, to arrange removal of the tree(s) with the City's Parks and Reserves business unit.

Where a tree is approved by the City's Delegated Officer to be removed/ pruned, the landowner/applicant will be required to meet the full contributory costs associated with the removal and replacement of the tree and will be required to compensate the City for the costs associated with the loss of the tree asset, as outlined in Section 65, Bonds and Payments.

Replacement City street trees that are required as a result of tree(s) being removed through the development process will be in line with the following:

- A minimum of one replacement tree will be planted on the verge adjacent to the development for each tree removed  
Where a number of frontages are created due to subdivision, then a minimum of one tree shall be planted on each frontage, space permitting
- Where there is room for more than one tree on each frontage/lot, then multiple trees may will be planted in relation to the available space, as determined by the City
- Any additional replacement trees that are not able to be planted on the verge adjacent to the development, due to reduced verge space post development will be planted elsewhere in the City and at the City's discretion at the cost of the applicant/property owner
- All replacement trees will be of a species and size that is acceptable to the City.
- The replacement cost will be met by the developer/ applicant/ owner as outlined in Section 65— Bonds and Payments.

### **5.8 City Street Tree Planting Adjacent to development Sites**

The City strives to create a balance between promoting development and providing cooler, greener and more sustainable urban environment. As such, the City applies the following

~~street~~ City planting guidelines:

- The City at all times ~~holds reserves~~ the right to reserve verge space for future tree planting ~~and -Crossovers will be assessed to accommodate future City tree planting on verges-~~
- Where there is no existing City street tree, the City will plant at least one City street tree in the next available planting season, space permitting
- Where there is room for more than one tree, then multiple trees may be planted in relation to the available space, as determined by the City
- Verges which have been treated with hardscape, paving or synthetic turf are required to have at least one City street tree in accordance with the Verge Treatment Policy
- When considering development of car parks and/or parking bays in the road or other reserve, the plan must accommodate ~~a new tree plantings~~ in line with Local Planning Policy 6.6 per every six car bays in its design
- Where a number of frontages are created due to subdivision, then a minimum of one tree shall be planted on each frontage, space permitting. More trees may be required where space permits.

## 6. Bonds and Payments

Where development or other activities have the potential to impact on City trees, a bond for the protection of the tree will be held by the City prior to the commencement of development. A bond will be held for the duration of the works. Minimum bond amounts will be determined by Council's Fees and Charges.

Where a City tree removal/pruning is approved by the City in relation to a development or works, the full associated ~~contributory~~ costs of the tree (including loss of the Helliwell value) and its removal (or pruning) shall be paid by the property owner or representative prior to the removal/pruning works and commencement of development.

Alternatively, in the instance of civic works by government departments the City may request a five for one tree canopy cover offset contribution.

Where impacts to trees is identified within a Bond or outside of a Bond process, holding of/recovery of costs for associated damage, removal, Loss of Helliwell value, reports, ongoing works, inspections, remediation works, rectification works, assessments, immediate/ongoing works as determined by the City may be held/recovered.

The costs associated with removal, pruning and/or damage of a City tree include the following three elements:

- Removal/pruning costs – amounting to the ~~costs fees~~ incurred by the City for ~~physically undertaking the actual~~ removing/ pruning of the tree/ or part thereof;
- Amenity Value – calculated in accordance ~~with~~ the City's amenity tree calculation (currently the Helliwell method or other City approved valuation system);
- Reinstatement/Replacement Tree Costs – calculated in accordance ~~with~~ the greening required to replace the loss incurred by the tree removal. The level of reinstatement/replacement required will be determined by the City Council (and listed in line with the Council's Fees and Charges), ~~and will take into consideration the location, the significance, the biodiversity provision, and the amenity of the tree.~~ Reinstatement tree costs will include costs of for watering for two subsequent seasons as well as other formative pruning and establishment costs.

Additional costs may be recovered for Arboricultural reports, tree watering, erecting of tree recovery fencing, any other ongoing maintenance requirements as determined by the City.

## 7. Vandalism to City Trees

Members of the community who witness vandalism of ~~the~~ City trees are encouraged to report this information. All reported incidents of vandalism will be investigated and responded to ~~appropriately~~ by the City.

Where vandalism has been committed, the City will take steps to gather information relating to the incident which may include:

- Sending letters seeking information to residents in the vicinity of the vandalism
- Talking to residents in the local area
- Posting notices in local newspapers, notice boards, social media platforms, and on the City's website seeking information
- Installing ~~Erecting~~ signage ~~requesting asking for~~ any information pertaining to the vandalism.
- Reporting damage to the Western Australian Police.

Once information is acquired an appropriate resolution will be carried out, which may involve:

- The installation of signage at the site advising on the damage/seeking further information
- Installation of a Tree Recovery Zone (TRZ) around the tree or other protective measures on/around the tree to prevent further vandalism
- Retaining any dead tree in sound condition indefinitely
- Placement and ~~p~~Planting of additional ~~other~~ trees at the location of the vandalism to compensate for the damage and loss of tree canopy
- Reclaiming immediate/ongoing costs associated with any works required to rectify the damage
- Issuing of fines or ~~R~~ecouping the full cost of the Helliwell valuations of the asset prior to the vandalism and- tree replacement/establishment costs
- Media
- Further legal action.

## 8. Attachments to City Trees

The City understands that the activation of the verge space is becoming more popular as private garden space diminishes. As such the City is open to the installation of play equipment within City trees adjacent to the property owner's residence. This must be done in such a way that it does not:

- Impact the health or structural integrity of the tree or any part of the tree
- Present as a hazard to users of the play equipment
- Present as a hazard to other users of the verge, surrounding footpaths, or roadways

Other requirements that must be adhered to regarding play equipment or other attachments/installations:

- The installation of bolts, screws or other attachments into the tree is prohibited.
- Any play equipment is to be retained in safe condition by the adjacent property owner /resident/ tenant-
- Nothing should be installed in a tree where overhead power lines are present
- Lights must be low-voltage and solar powered
- Items such as boats/trailers/basketball rings etc. are not to be tethered to trees
- Signage is not to be installed in trees
- No installations will be permitted in reserve trees.

Any play equipment installed is in the public space and as such others may use the equipment. The installer cannot restrict this or claim exclusive rights to the usage. Therefore.

it is recommended that the equipment is removed when not in use.

The City will not accept any responsibility for the loss/theft of equipment, or for any injury to persons or damage to property caused by the private installation of any attachment to a City Tree.

Any damage that may happen to the equipment as part of tree maintenance requirements will not be covered by the City or its contractors. and The City reserves the right to remove any equipment at any time. Should the City determine that any equipment, attachment or installation presents as an immediate hazard, it will be removed without notice.

## 9. Community Consultation and Involvement

The City values its community's opinion, and encourages consultation and communication in the improvement of its urban forest. As such, the City will endeavour to apply the following practices:

- Increase resident activity in the ongoing care of its urban forest by hosting-community street tree planting programs encouraging tree planting involvement and citizen science programs
- Inform adjacent affected residents of street-City tree plantings and removals through various mediums
- Encourage community consultation in programmed-themed City street tree plantings and removals by providing opportunities for to comment
- Prioritise community safety -when in conducting City tree maintenance works
- Raise community knowledge about the benefits of trees and the urban forest through various forms of marketing, education, events, and media. ~~tree information leaflets, the City's web page and local media.~~

## Definitions

**Applications** are considered to be any formal written request made to the City.

**City Tree** A City tree is considered to include any tree which has a majority (> 50%) of its trunk growing from City managed land and includes Grass Trees.

**Diameter at breast height (DBH)** is the recognised method for measuring the diameter of the trunk of a tree. The measurement is taken at 1.4 metres from the ground level. Refer to Australian Standard 4970- 2009 Protection of Trees on Development Sites for more detailed information.

**Development** is considered to be any demolition or construction work on private land, any City infrastructure upgrades on the verge or reserve, crossover installation or upgrade, any private works on the verge such as landscaping, reticulation installation/works, verge treatments and or any use of the verge space that requires a permit or any works carried out by Service providers on the verge or reserve.

**Helliwell method** is a recognised system that allows for a monetary value to be placed on the visual amenity provided by an individual tree asset.

**Structures** are considered to be any construction or other element that may impact on a City Tree. These may include but are not limited to boundary walls/fences, dwellings and/or private trees.

**Tree** is defined in the City's Thoroughfares and Public Places Local Law 2009 as a woody perennial plant generally having a single stem or trunk which will grow to a height of approximately 4-four metres or more.

**City Tree** is any tree which has a majority (> 50%) of its trunk growing from Council managed land

- **Habitat Tree** is any tree, alive or dead, that presents habitat opportunities for wildlife

- **Private Tree** is any tree which has a majority (> 50%) of its trunk growing from private property. ~~Street Tree is a tree that is located within the road reserve~~
- **Prominent Tree** is any tree that has identified features such as large canopy height/spread, wide trunk, large structural roots that would require additional considerations/protections when working in proximity to the tree
- **Reserve Tree** is a tree that is located within a park, reserve or natural area
- **Remnant Tree** is any tree that has naturally grown in an area, usually prior to development.
- **Veteran Tree** is a tree, generally in a post mature state, with unique qualities that requires specific management.

**Tree Protection Zone (TPZ)** is an area above and below ground that is set aside for protection of trees roots, trunk and crown in order to provide for the viability and stability of a tree that is to be retained at a development site.

**Tree Recovery Zone (TRZ)** is an area above and below ground that is established to assist in the recovery of trees when they have been impacted by vandalism, poisoning environmental factors or other contributors or interferences.

**Urban Forest** is a population of trees and other plants growing within an urban setting for the purpose of improving the liveability of that urban setting whilst providing social, economic and environmental benefits to the community as a whole.

**Vandalism** means the unlawful destruction, damage or injury to City owned tree assets which can include, but not limited to, poisoning, pruning, causing malicious damage to, removal and/or ringbarking. negligence during demolition/development/construction activities.

## Relevant management practices/documents

[Crossover Policy](#)  
[Verge Treatment Policy](#)  
[Permits to Use Verge Areas](#)  
[Street Tree Placement Guidelines](#)  
[Urban Forest Plan](#)

## Legislation/local law requirements

*Local Government Act 1995*  
*Local Government (Uniform Local Provisions) Regulations 1996*  
*Local Planning Scheme No. 3 – City of Stirling*  
*Planning and Development Act 2005*  
*City of Stirling Local Government Property Local Law 2009*  
*City of Stirling Thoroughfares and Public Places Local Law 2009*  
[Bushfire Act 1954](#)  
[State Planning Policy 3.7](#)

### Office use only

#### Relevant delegations

Not applicable

#### Initial Council adoption

**Date** 8 December 2015

**Resolution #**

1215/010

#### Last reviewed

**Date** ~~26 May 2020~~

**Resolution #**

~~0520/027~~

#### Next review due

**Date** ~~2024~~

## 12.2/RL1 IMPROVEMENT TO INNALOO PARKS

Business Unit: Services	Recreation and Leisure	Service: Leisure Services
Ward:	Doubleview	Location: Various
Applicant:	Not Applicable	

### Role

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

### Council Resolution

**0524/029**

**Moved Councillor Perkov, seconded Councillor Proud**

1. That Council lists for **CONSIDERATION** funding for improvements at La Grange Dongara Reserve, Innaloo during the 2025/2026 annual budget process following community engagement on proposed improvements; and
2. That Council lists for **CONSIDERATION** funding for a bird waterer be installed at Millet Park, Innaloo and Rannoch Tay Ern Reserve, Hamersley during the 2024/2025 annual budget process

**The motion was put and declared CARRIED (13/0) by exception resolution.**

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

**Against:** Nil.

### Committee Recommendation

1. That Council lists for CONSIDERATION funding for improvements at La Grange Dongara Reserve, Innaloo during the 2025/2026 annual budget process following community engagement on proposed improvements; and
2. That Council lists for CONSIDERATION funding for a bird waterer be installed at Millet Park, Innaloo and Rannoch Tay Ern Reserve, Hamersley during the 2024/2025 annual budget process.

### Officer's Recommendation

1. That Council lists for CONSIDERATION funding for improvements at La Grange Dongara Reserve, Innaloo during the 2025/2026 annual budget process following community engagement on proposed improvements; and
2. That Council lists for CONSIDERATION funding for a bird waterer be installed at Millet Park, Innaloo and Rannoch Tay Ern Reserve, Hamersley during the 2024/2025 annual budget process.

### Purpose

To respond to the Notice of Motion from Councillor Stephanie Proud JP requesting a report on potential recreational improvements and bird waterers in identified parks in Innaloo.

### Details

Following a Notice of Motion submitted by Councillor Stephanie Proud JP on 29 August 2023, Council resolved (Council Resolution Number 0823/090) the following:

*“That a report be PRESENTED to Council in March 2024 on potential recreational improvements and bird waterers in identified parks in Innaloo including:*

- a. Outcomes of engagement with Ward Councillors on potential locations;*
- b. Community Consultation outcomes on potential recreational upgrades to an agreed location(s); and*
- c. Financial implications of the proposed improvements.”*



### Public open space improvements

In response to the Notice of Motion, a Public Open Space (POS) assessment was undertaken in accord with the City's public open space strategy. The suburb of Innaloo currently has 12% public open space provision which meets the State's 10% provision standard. However, locally the suburb falls below the City's 33.6m<sup>2</sup> per person standard with a current provision of 19.1m<sup>2</sup> per person. The per person metric is utilised to assess provision relative to density to ensure integration of urban growth considerations in addition to comparing to the gross subdivisible area. Current forecasting using the City's public open space Strategy identifies that this per person gap is predicted to increase to 17.8m<sup>2</sup> by 2031 based on estimated population growth for that period.

Situated adjacent to the City's strategic City Centre, Innaloo is expected to become an important vibrant key activity centre. As the population in the City Centre grows, the current demand for POS to support sporting, recreational and nature opportunities will continue to increase. Ensuring there is sufficient access to and enhancing the quality of all functions, including sporting and recreational amenity, will be crucial to accommodate the needs of the expanding population.

Most properties in Innaloo have access to POS within a 400m walkable catchment. However, there is a small gap in the southern part of Innaloo, near the Woodlands border. These POS land parcels cater to various functions, including sports and recreation. Despite this diversity, Innaloo faces challenges in terms of the current level and choice of sporting and recreational amenity provision. Whilst current provision meets the State's requirements (by % open space), there is a need to improve the quality and level of amenities provided to deliver better functioning POS.

La Grange Dongara Reserve in Innaloo is a community open space that services the catchment east of Odin Road and currently features one sports oval, a playground, open space for informal recreation kick-about areas, a large, aged hit-up wall, picnic shelters, seating, partial reserve lighting, barbecue, and a drink fountain. The reserve is well utilised by the community, particularly for dog walking and junior cricket matches in summer. It is identified as an important community space that, with an appropriate level of improvement, will create a better quality locally vibrant space. Urban development around the reserve continues to change with several higher density residential developments already under construction. The catchment for this reserve includes areas that form part of the Stirling City Centre activity area and were identified by the community during city centre planning as requiring improvement. There have also previously been requests for improvements to this park by residents. La Grange Dongara Reserve has been identified as the preferred site for recreational improvements due to the expected future demand for POS in the area, the size of the reserve, the limited POS amenity in the area, and its potential as a community space. The City's Public Open Space Strategy and local action plans will inform future POS improvements in the local area.

### Bird Waterer Analysis

Further to the Notice of Motion from Councillor Proud JP, Councillor Perkov also submitted a Notice of Motion regarding bird waterers on 5 December 2023. Council resolved (Council Resolution Number 1223/021) as follows:

*“That the potential locations for further bird waterers across the City and associated costs be PRESENTED to Council in future budget setting processes.”*

This report identified that the Notice of Motion moved by Councillor Stephanie Proud JP (Council Resolution Number 0823/090) for (in part) bird waterers in Innaloo will be responded to within the broader City-wide consideration.

Bird watering stations provide a permanent fresh water supply for birdlife and enhance biodiversity in conservation reserves and ecologically fragmented urban landscapes. Bird waterers are also an effective mechanism to facilitate greater interactions between local fauna and the general community. Bird watering stations have basic requirements for successfully attracting birds, including ready access to scheme water, a clear flight path and nearby trees. The City has successfully installed a bird waterer in Star Swamp Reserve which is actively used by birds, including Carnaby’s Cockatoos and Forest Red-tailed Black Cockatoos.

To address both resolutions, Officers undertook a City-wide Black Cockatoo bird waterer location analysis. Recommendations regarding future locations are attached to this report. Locations have been identified using data collected by Birdlife Australia as well as consultation with the Kaarakin Black Cockatoo Conservation Centre.

## **Financial Assessment and Implications**

### Park Improvement Project

The community engagement and artists impression/concept cost estimates will primarily be delivered using current resources. There will be a small cost implication to install signage and for residential letter distribution for the community engagement material.

The financial implications of proposed improvements to La Grange Dongara Reserve will be determined through the proposed design which will be guided by the outcomes of the current community engagement process. Based on recent park improvement projects, construction costs are increasing beyond initial cost estimations. To ensure a suitable budget allocation is requested to deliver the project, following design completion a site-specific survey will be undertaken to inform a detailed cost estimate. A proposed concept and cost estimate will be provided to Ward Councillors in June.

This gives time to provide the community with the proposed final design. A detailed cost plan will be developed prior to October 2024 to enable listing for budget consideration for construction in the 2025/2026 budget. Whilst there are no formalised external funding opportunities

generally available for POS improvements, some residents did express interest in seeing some small-scale localised activation opportunities be held in the park as an interim opportunity. Residents were encouraged to seek funding through the City's current grant program.

#### Bird Waterers

Bird Waterers cost approximately \$12,000 for supply and installation. These prices can elevate depending on the distance to scheme water.

At this time two new bird waterers are proposed to be installed pending funding allocation in 2024-2025 at Millet Park, Innaloo and Rannoch Tay Ern Reserve, Hamersley. Future bird waterer locations have been identified and will be submitted for budget consideration as part of the City's annual integrated budget and planning processes.

### **Stakeholder Engagement**

The City's Local Engagement team hosted our Local Connect Drop-in sessions across Innaloo, which included a session at La Grange Dongara Reserve from 4.00pm to 5.30pm on Wednesday 13 March 2024. The drop-in sessions were hosted to help the City strengthen relationships with residents, build local knowledge and gain a sense of how the community currently feel about the reserve and any future improvements. City Officers from Recreation & Leisure Services, Local Engagement and Community Safety attended. Both Ward Councillors were also invited to attend.

Officers spoke to residents about how they currently use the reserve, local issues and their views about reserve improvements. Initial feedback identified the need to consider replacing the seating to a more modern and conversational style given its age, removing or reducing the hit-up wall given its age and size, improving/extending the reserve lighting, reviewing the playground surface material due to the amount of leaf litter, provide more bins and dog litter bags, consider an internal path network and better connection to the existing peripheral path to improve access and create an internal walking/jogging informal path and better access for families with prams and dog walkers.

Given initial feedback the City is keen to continue to engage with the local community. A number of residents have advised that they would like to be more involved in the design process. The next stage of consultation has commenced with the community currently being able to share their views about what they would like to see in the park. On site signage, surveys, direct letter communication to residents and local school contact is being progressed. A drop-in session is also scheduled for May 2024. The City is also seeking interest from local residents to become more involved in the project and help shape the final design.

### **Recommended Action**

That funding for a bird waterer to be installed at Millet Park, Innaloo and Rannoch Tay Ern Reserve, Hamersley be listed for consideration as part of the 2024/2025 budget process. Further, that funding for improvements at La Grange Dongara Reserve, Innaloo be listed for consideration as part of the 2025/2026 budget process.

## Options Summary

The following options were considered.

OPTIONS	
1.	Following a needs analysis do not proceed with a park improvement currently.
2.	Following a needs analysis proceed with engaging with the community to gain their views on proposed improvements.

## Relevant Policies, Legislation and Council Resolutions

[Local Government Act 1995](#)

Meeting Date	Council Resolution Number	Council Resolution
29 August 2023	0823/090	That a report be PRESENTED to Council in March 2024 on potential recreational improvements and bird waterers in identified parks in Innaloo including: a. Outcomes of engagement with Ward Councillors on potential locations; b. Community Consultation outcomes on potential recreational upgrades to an agreed location(s); and c. Financial implications of the proposed improvements.

## 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
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 - Black Cockatoo Bird Waterer Location Analysis [↓](#)

### Available for viewing at meeting

Nil

### Linked Documents

Nil

# Black Cockatoo Bird Waterer Location Analysis

## Background:

There is growing community interest in the utilisation of bird waterers in local reserves to support our populations of local native birdlife including Carnabys Black Cockatoos. Developed by the Town of Victoria Park, Cockitroughs emerged as an 'off-the-shelf' option to provide attractive and functional permanent freshwater supply to birdlife. The Cockitrough has been adopted by a number of local governments, including one installed by the City of Stirling in Star Swamp in 2022. The popularity of Cockitroughs has resulted in community recommendations or queries regarding the viability of a bird waterer in their local reserve.

Recognising this, two Council Resolutions have been developed:

- Presented by Councillor Proud, Council Resolution 0823/090 on 29 August 2023 moved That a report be PRESENTED to Council in March 2024 on potential recreational improvements and bird waterers in identified parks in Innaloo.
- Presented by Councillor Perkov, Council Resolution 1223/021 on 5 December 2023 moved That the potential locations for further bird waterers across the City and associated costs be PRESENTED to Council in future budget setting processes.

There are some critical considerations to the placement of bird waterers. Inappropriate placement of bird waterers can result in ineffective outcomes, adverse interactions between birdlife and the community or harm to the birdlife. To develop a holistic approach to bird waterers and provide some guidance to the community regarding the installation of bird waterers on City reserves, Conservation and Wildlife Officers have developed the following guidance in consultation with the Kaarakin Black Cockatoo Conservation Centre.

## Considerations in City Managed Reserves:

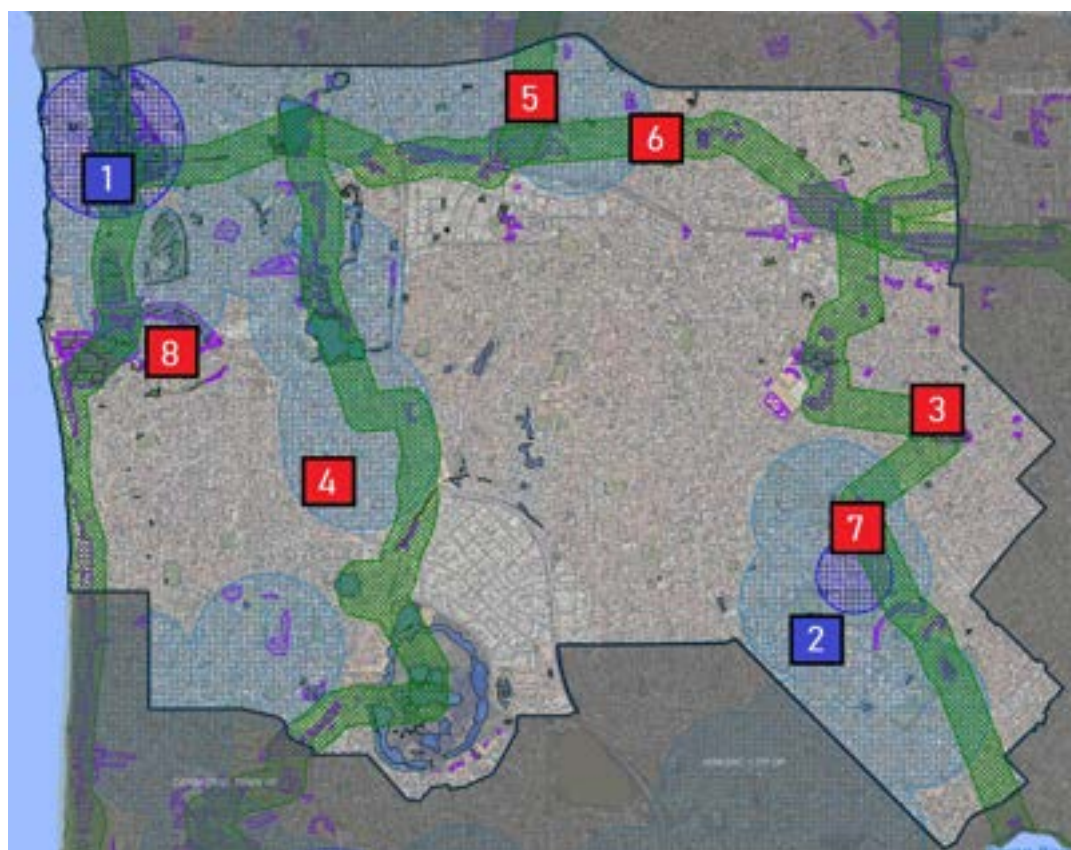
The protection and improvement of existing natural wetland and conservation reserve habitat is the preferred solution for assisting Cockatoo populations into the future. Judicious application of bird waterers can be beneficial, however there are specific considerations for their placement. These are as follows:

1. Waterers only be installed in locations which coincide with viable roosting areas (a location where they safely rest overnight).
2. Waterers only be installed in locations which have enough feeding habitat, have close trees to perch in order for the cockatoos to look out for danger.
3. Waterers be installed in linkages to assist with regional habitat connectivity and movement corridors.
4. Waterers be avoided in areas which have existing local surface water for wildlife. This includes reserves with functioning wetlands and waterbodies.
5. Waterers be preferred in reserves with ready access to metered scheme water is critical to the consistent functioning of a bird waterer. Locations noted as meeting the ecological requirements, but without scheme water supply, were not considered as the cost to run water to the location would be prohibitively expensive.
6. In reserves with drink fountains that are within proximity to perching trees, it is noted that cockatoos will successfully use drink fountains with water bowls as a water source.

Birdlife Australia has been collecting data since 2010 on Cockatoo roosting and feeding habitat through their Great Cocky Count citizen-science surveys. The results of their surveys are in the Map below. It should be noted, there are gaps in the data for the northwest. This data in addition to the location of the regional linkages were used in identifying viable locations.



**Recommendations:**



**Key:**

Ecological Linkages	Carnabys Cockatoo Feeding Habitat
Carnabys Cockatoo Confirmed Roosting Sites	Existing Bird Waterer Locations
Black Cockatoo Roosting Sites (Buffered)	Proposed Stirling Bird Waterer Locations

Location	Notes
1. Star Swamp Reserve, North Beach	Installed May 2022.
2. Coolbinia Primary School, Coolbinia	Installed Dec 2023 by City Living Green Grant
3. Dianella ROS, Dianella	To be installed May 2024.
4. Millett Park, Innaloo	To be considered for proposed 2024-25 budget
5. Rannoch Tay Ern Reserve, Hamersley	To be considered for proposed 2024-25 budget
6. Princess Wallington Reserve, Balga	To be considered for proposed 2025-26 budget
7. Breckler Park, Dianella	To be considered for proposed 2025-26 budget
8. Millington Reserve, Karrinyup	To be considered for proposed 2025-26 budget

Parks & Environment.  
15 March 2024.



**12.2/F2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH ENDING 30 APRIL 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****0524/030****Moved Councillor Perkov, seconded Councillor Proud**

**That the monthly Statement of Financial Activity and other relevant Financial Reports for the month ending 30 April 2024 be RECEIVED.**

**The motion was put and declared CARRIED (13/0) by exception resolution.**

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

**Against:** Nil.

**Committee Recommendation**

That the monthly Statement of Financial Activity and other relevant Financial Reports for the month ending 30 April 2024 be RECEIVED.

**Officer's Recommendation**

That the monthly Statement of Financial Activity and other relevant Financial Reports for the month ending 30 April 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 30 April 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 30 April 2024 are as follows:

### **Operating Revenue**

#### **1. Grants & Subsidies**

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

#### **2. Contributions, Reimbursements & Donations**

This revenue item has a positive variance due to the City receiving unbudgeted revenue relating to charges for replacement of street trees for a subdivision on Alexander Drive, Mirrabooka. These funds will be transferred to the Tree Reserve at 30 June 2024.

**Operating Expenditure****3. Employee Costs (including Agency Staff)**

For the period to 30 April 2024, the total of direct employee costs (net of the cost of Agency Personnel) and indirect employee costs were in line with budget. The adverse employee costs variance was due to labour recoveries which were \$1.4million below budget.

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

**Investment Activity****4. Loss on Disposals**

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

**5. Gifted and Previously unrecognised assets**

This variance relates to an E vehicle gifted to the City's Emergency Management service.

**6. Equity Share of Investment**

This positive variance is due to the volume of Catalina Estate land sales which have exceeded forecast for the year to date.

**7. Capital Expenditure**

This variance mainly relates to the following:

- Capital renewals program
  - Terry Tyzack redevelopment and Hamersley Public Golf Course redevelopment have a financial variance but are on track to be completed in line with milestones and funds expended by the end of the financial year.
  - Wembley Downs Tennis has been delayed due to changes in scope. Construction has commenced with revised estimated completion in October 2024.
  - Hector Street Safe Active Streets – on hold pending further information to be provided to Committee and Ordinary meeting of Council.
- Delays in the delivery of vehicles due to supply constraints for the Fleet Replacement Program \$1.3 million variance.

- \$1.6 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](#)

[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 30 April 2024 [↓](#)

Attachment 2 - Net Current Assets Position as at 30 April 2024 [↓](#)

Attachment 3 - An Investment Report for the period to 30 April 2024 [↓](#)

### Available for viewing at meeting

Nil

### Linked Documents

Nil.

**City of Stirling**  
**Rate Setting Statement**  
**For the Period Ending 30 April 2024**

Description	Notes	YTD Actual \$'000	YTD Budget \$'000	Variance \$'000	%	Amended Budget \$'000
<b>OPERATING ACTIVITIES</b>						
Net surplus/(deficit) start of financial year		45,401	48,277			48,277
<b>Revenue from operating activity (excluding rates)</b>						
Other Rates Revenue		494	425	69	16	500
Underground Power Rates		2	0	2	100	0
Security Charge		4,137	4,103	34	1	4,123
Grants & Subsidies	(1)	9,113	8,155	958	12	9,253
Contributions,Reimbursements & Donations	(2)	2,634	1,984	650	33	2,338
Interest		9,403	9,443	(40)	(0)	10,991
Registration,Licences & Permits		3,585	3,557	29	1	4,046
Service Charges		44,529	43,775	754	2	44,486
Fees & Charges		16,934	16,306	628	4	18,953
Other		3,605	3,492	113	3	3,865
<b>Total Operating Revenue</b>		<b>94,436</b>	<b>91,240</b>	<b>3,197</b>	<b>4</b>	<b>98,556</b>
<b>Expenditure from operating activities</b>						
Employee Costs (including Agency Staff)	(3)	(88,092)	(86,205)	(1,887)	(2)	(103,409)
Materials & Contracts Direct MTC of NCA		(22,743)	(23,313)	571	2	(29,358)
Materials & Contracts Other Works		(54,752)	(56,626)	1,875	3	(71,088)
Underground Power Expenditure		(1,475)	(1,353)	(122)	(9)	(1,353)
Utilities		(6,834)	(7,007)	172	2	(8,735)
Impairment		4	0	4	100	0
Depreciation		(42,215)	(42,837)	622	1	(51,293)
Insurance		(2,121)	(2,237)	115	5	(2,238)
Other		(3,400)	(3,488)	88	3	(5,057)
<b>Total Operating Expenditure</b>		<b>(221,627)</b>	<b>(223,066)</b>	<b>1,438</b>	<b>1</b>	<b>(272,532)</b>
<b>Sub Total Operating Result</b>		<b>(127,191)</b>	<b>(131,826)</b>	<b>4,635</b>	<b>4</b>	<b>(173,976)</b>
<b>Operating activities excluded</b>						
Profit on disposal of assets	(4)	840	457	384	84	507
(Loss) on disposal of assets	(4)	(1,692)	(104)	(1,588)	(1,530)	(128)
Non cash movements in non current assets and liabilities		(2,325)	0	(2,325)	0	0
Gifted & Previously Unrecognised Assets	(5)	(122)	0	(122)	(100)	0
Depreciation on Assets		(42,215)	(42,837)	622	1	(51,293)
<b>Total Excluded from Operating Result</b>		<b>40,864</b>	<b>42,484</b>	<b>(1,620)</b>	<b>(4)</b>	<b>50,915</b>
<b>Amount attributed to operating activities</b>		<b>(86,327)</b>	<b>(89,342)</b>	<b>3,015</b>	<b>3</b>	<b>(123,061)</b>
<b>INVESTMENT ACTIVITIES</b>						
Grants & Subsidies		6,253	5,827	426	7	10,171
Equity Share of Investment	(6)	8,003	4,201	3,802	90	6,827
Proceeds from Disposal of Assets	(4)	2,757	2,309	448	19	2,937
Profit / (Loss) on Disposals	(4)	(851)	353	(1,204)	(341)	379
Total Capital Expenditure	(7)	(52,298)	(64,976)	12,678	20	(116,311)
<b>Amount attributed to investment activities</b>		<b>(36,136)</b>	<b>(52,286)</b>	<b>16,150</b>	<b>31</b>	<b>(95,998)</b>
<b>FINANCIAL ACTIVITIES</b>						
Transfers to/from Trust						
Transfers to Reserves		(5,235)		(5,235)	(100)	(29,303)
Transfers to Accum Funds		476		476	100	40,152
<b>Amount attribute to financial activities</b>		<b>(4,759)</b>		<b>(4,759)</b>	<b>(100)</b>	<b>10,848</b>
<b>Surplus/(deficient) before general rates</b>		<b>(160,057)</b>	<b>(159,933)</b>			<b>(159,933)</b>
<b>Total amount raised from general rates</b>		<b>160,057</b>	<b>159,933</b>			<b>159,933</b>
<b>Net current assets at end of period - suplus/(deficit)</b>		<b>78,235</b>	<b>66,582</b>			<b>0</b>

## City of Stirling

### Net Current Asset Position Statement As At 30 April 2024

	\$'000
<b>CURRENT ASSETS</b>	
Cash and cash equivalents	190,512
Trade receivables	20,537
Other financial assets at amortised cost	4,931
Inventories	4,920
Contract assets	968
Total Current Assets	221,868
<b>CURRENT LIABILITIES</b>	
Trade and other payables	27,768
Contract liabilities	1,584
Lease liabilities	80
Employee related provisions	17,986
Other provisions	13,957
Total Current Liabilities	61,375
Closing Funds	160,493
<b>Restricted Assets</b>	
Restricted Investments	100,244
Total Restricted Assets	100,244
<b>NET CURRENT ASSETS LESS RESTRICTED ASSETS</b>	<b>60,249</b>
Add Cash Backed Leave	17,986
<b>CLOSING FUNDS</b>	<b>78,235</b>



## CITY OF STIRLING CASH & INVESTMENT REPORT AS AT 30 APRIL 2024

	Short term Rating	Long-term Rating	Allocation %	AV RATE <sup>1</sup> %	TOTAL FUNDS \$	MUNI FUNDS \$	REST FUNDS \$	TRUST FUNDS \$	RESERVE FUNDS \$
<b>IN HOUSE INVESTMENTS</b>									
<b>Banks</b>									
AMP Bank	BBB	BBB	0	4.75%	900,000	900,000	-	-	-
Bank of Queensland	A2	A-	24	5.06%	50,008,837	5,450,000	1,253,991	-	43,304,845
Bankwest	A-1+	AA-	0	-	-	-	-	-	-
Bendigo / Adelaide Bank	A2	A-	20	4.84%	40,641,461	13,200,000	4,784,258	17,681,603	4,975,600
NAB	A1+	AA-	30	5.24%	62,131,818	18,680,000	7,820,991	-	35,630,827
Sun Corp Metway	A-1	A+	7	5.01%	15,041,737	3,980,000	-	-	11,061,737
Westpac	A1+	AA-	19	5.16%	38,370,917	33,100,000	-	-	5,270,917
<b>TOTAL INVESTMENTS</b>			<b>100</b>	<b>5.09%</b>	<b>\$ 207,094,770</b>	<b>\$ 75,310,000</b>	<b>\$ 13,859,240</b>	<b>\$ 17,681,603</b>	<b>\$ 100,243,927</b>

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

	INTEREST RECEIVED TO DATE	%	FULL YEAR BUDGET
<b>INTEREST EARNED</b>			
Municipal Fund	9,402,821	117.67%	7,990,804
<b>TOTAL</b>	<b>9,402,821</b>	<b>117.67%</b>	<b>7,990,804</b>

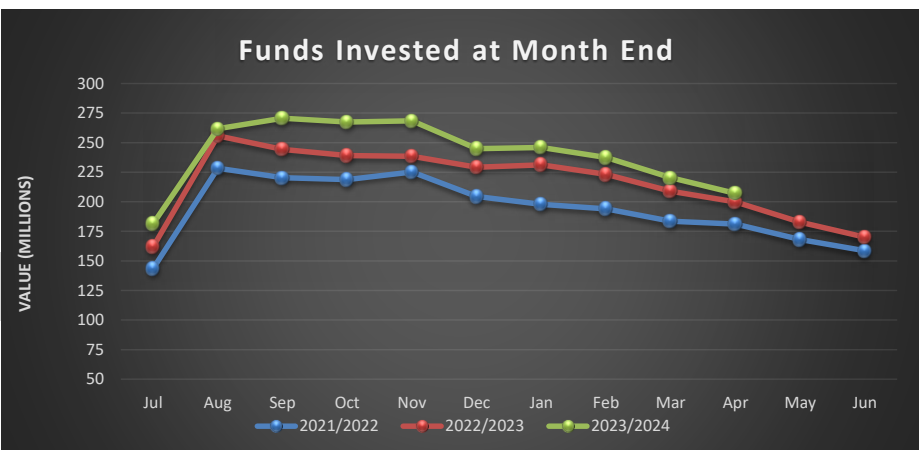
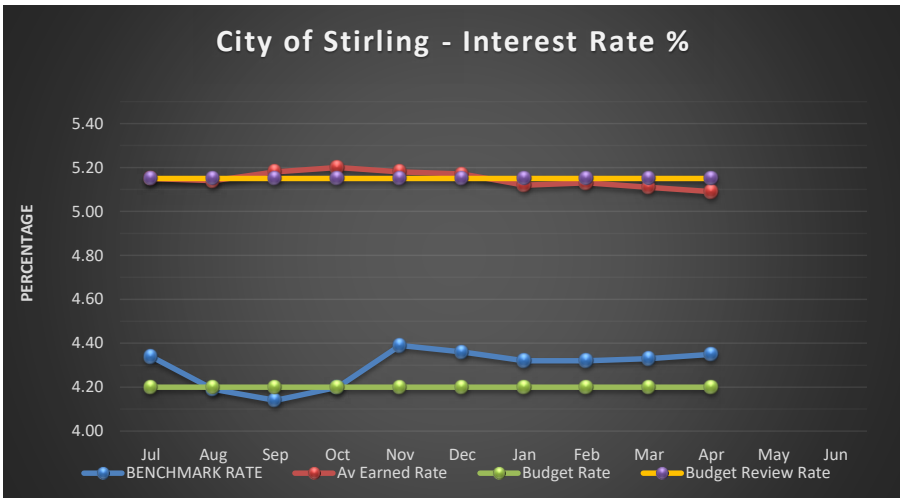
INTEREST RATES	JUL %	AUG %	SEP %	OCT %	NOV %	DEC %
AVGE EARNED RATE (ALL INVESTMENTS)	5.15	5.14	5.18	5.20	5.18	5.17
BENCHMARK RATE	4.34	4.19	4.14	4.20	4.39	4.36

	JAN	FEB	MAR	APR	MAY	JUN
AVGE EARNED RATE (ALL INVESTMENTS)	5.12	5.13	5.11	5.09		
BENCHMARK RATE	4.32	4.32	4.33	4.35		

MARKET AVERAGE	At Call	30 Day	90 Days	180 Days	5 Yr Bond %	YTD Av
INTEREST RATES FOR 2023-24 YEAR ONLY	4.35	4.25	4.30	4.51	0.00	4.35

### 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 2023/24, the City continued its cash investments strategy with local banking institutions administrated in house. The City may also consider recommendations from approved advisors should the need arise.
- This report is supported by detailed statements of borrowers of the City's funds with details thereto.



TRUST FUND DETAILS	BALANCE \$
Other Bonds	545,600
Right of Way Bonds	483,216
Payment in Lieu of Public Open Space	9,615,935
Town Planning Schemes	5,724,142
Other Trusts	1,230,629
<b>FINANCE ONE</b>	<b>17,599,521</b>
<b>INVESTMENT REGISTER</b>	<b>17,681,603</b>
<b>Funds to be Transferred</b>	<b>82,082</b>

RESERVE FUND DETAILS	BALANCE \$
Asset Acquisition Reserve	99,182
Cash in Lieu of Public Open Space	1,136,209
Churchlands Lighting Reserve	42,334
Corporate Project Fund	24,046,309
Capital Investment Reserve	22,684,821
Investment Income Reserve	2,994,946
Leave Liability Reserve	13,916,697
Long Service Leave Reserve	844,740
Payment in Lieu of Parking Reserve	3,045,831
Plant Replacement Reserve	5,496,112
Public Parking Strategy Reserve	6,677,269
Road Widening Compensation Reserve	145,334
Scarborough Development Contribution Plan	257,732
Security Service Reserve	0
Strategic Waste Development Reserve	14,523,055
Tree Fund Reserve	1,223,116
Workers Compensation Reserve	2,767,826
<b>FINANCE ONE</b>	<b>99,901,513</b>
<b>INVESTMENT REGISTER</b>	<b>100,243,927</b>
<b>Funds to be Transferred</b>	<b>342,414</b>

RESTRICTED FUND DETAILS	BALANCE \$
Book Bond	135
Builders Registration Board Levy	91,890
BCITF Levy	52,077
Client Bonds	400
Development Trust	6,395
Hall Hire Bonds	4,500
Other Rest Funds	9,445
Pay in Lieu POS	4,305,809
Performance Bonds	4,485,765
Reserve Bond	600
Section 152 Land	1,722,744
Street Trees Bonds	318,801
Unclaimed Monies	129,482
Verge Bonds	2,828,880
<b>FINANCE ONE</b>	<b>13,956,922</b>
<b>INVESTMENT REGISTER</b>	<b>13,859,240</b>
<b>Funds to be Transferred</b>	<b>97,682</b>

**12.2/TE1 VP397124 MICROSOFT ENTERPRISE AGREEMENT**

Business Unit:	Corporate Information Services	Service: Technology Services
Ward:	Not Applicable	Location: Not Applicable
Applicant:	Not Applicable	

**Role**

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

**Council Resolution****0524/031****Moved Councillor Perkov, seconded Councillor Proud**

**That the Quotation for the WALGA Quotation VP397124 Microsoft Enterprise Agreement be ACCEPTED as detailed in Confidential Attachment 1.**

**The motion was put and declared CARRIED (13/0) by exception resolution.**

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

**Against:** Nil.

**Committee Recommendation**

That the Quotation for the WALGA Quotation VP397124 Microsoft Enterprise Agreement be ACCEPTED as detailed in Confidential Attachment 1.

## Officer's Recommendation

That the Quotation for the WALGA Quotation VP397124 Microsoft Enterprise Agreement 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 Details

**IFQ Number** VP397124  
**IFQ Title** Microsoft Enterprise Agreement  
**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.

<b>Contract Term</b>	Initial:	3 Years
	Extension Options:	Nil
<b>Quoted Rates/Cost</b>	Provided in Attachment 1 to this report (confidential)	
<b>Quotation Deadline:</b>	Wednesday, 6 March 2024	3.00pm
<b>Quotation Opening:</b>	Wednesday, 6 March 2024	3.30pm

**Quotation Submissions**

Three quotations were received, including alternative and non-conforming quotations:

Respondent	Trading Name	Stirling or Local Business?
DATA#3 LIMITED	DATA#3 Group	YES
Crayon Australia Pty Ltd	Crayon Australia Pty Ltd	NO
Insight Enterprises Australia Pty Ltd	Insight Enterprises Australia Pty Ltd	YES

**Contract**

Commencement Date of New Contract: 1 July 2024  
Completion Date of New Contract: 30 June 2027  
Price Basis of New Contract: Fixed for the term of contract

**Quotation Evaluation Panel**

The evaluation panel comprised of four members, including Business Unit Manager (Chairperson), Service Desk Lead, Service Lead Technology and ICT Purchasing & Contract Administration Officer. 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 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?	NO
Work Health and Safety is not required	

## Financial Assessment and Implications

Provided in Confidential Attachment 1 to this report.

## Stakeholder Engagement

Not Applicable

## 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 leadership

**Objective:** A well-governed City

**Priority:** Comply with legislation, standards and obligations

**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.
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 - 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.

**12.2/TE2 47724 - SUPPLY AND INSTALLATION OF TURFING WORKS**

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

**Role**

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

**Council Resolution****0524/032****Moved Councillor Perkov, seconded Councillor Proud**

**That the tender for the Supply and Installation of Turfing Works be ACCEPTED as detailed in Confidential Attachment 1.**

**The motion was put and declared CARRIED (13/0) by exception resolution.**

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

**Against:** Nil.

**Committee Recommendation**

That the tender for the Supply and Installation of Turfing Works be ACCEPTED as detailed in Confidential Attachment 1.

**Officer's Recommendation**

That the tender for the Supply and Installation of Turfing Works 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 Details

**IFT Number** 47724  
**IFT Title** Supply and Installation of Turfing Works  
**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: 3 Years  
Extension Options: 2 Extension Options of 1 year each

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

**Panel Allocation**

**1. When Estimated Work Price is less than (or equal) to \$20,000 ex GST:**  
Work will be offered to the best priced panel member as per the Schedule of Rates that can meet the work timeline.

**2. When Estimated Work Price is more than \$20,000 Ex GST:**  
All panel members will be requested to provide a quotation. Whilst the panel member cannot exceed the rates within 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. Work will be offered to the Panel Member with the best value for money submission that can meet the work requirements, including the work timeline.

**Advertising:** Saturday, 24 February 2024 The West Australian

**Tender Deadline:** Wednesday, 20 March 2024 1.00pm

**Tender Opening:** Wednesday, 20 March 2024 3.00pm

**Tender Submissions**

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

<b>Tenderer</b>	<b>Trading Name</b>	<b>Stirling or Local Business?</b>
Jerra Nominees Pty Ltd & NB Norrish Pty Ltd	State Wide Turf Services	YES
The Trustee for Hackshaw Family Trust & The Trustee for HJS Trust	Allwest Turfing	YES
The Trustee for the JPD Trust	West Coast Turf	YES

**Contract**

Commencement Date of New Contract: 1st July 2024  
Completion Date of New Contract: 30th June 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 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 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:

<b>Has the recommended Tenderer(s) undergone Reference Checks successfully?</b>	YES
No comments	
<b>Has the recommended Tenderer(s) undergone Probity assessment and been deemed compliant?</b>	YES
No comments	
<b>Has the recommended Tenderer(s) undergone Financial Viability assessment and been deemed acceptable?</b>	YES
No comments	
<b>Was a Conflict of Interest declared? If yes, please specify how it was managed</b>	NO
No comments	
<b>Has the recommended Tenderer(s) undergone Occupational Safety and Health assessment and been deemed acceptable?</b>	YES
No comments	

## 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

## 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.
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

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**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.

Nil.

## 15 NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING

At 7.40pm, Councillor Suzanne Migdale left the meeting during Item 15.

### 15.1 PROPOSED NOTICE OF MOTION - COUNCILLOR ELIZABETH RE - ENVIRONMENTAL HEALTH

Councillor Elizabeth Re submitted the following Notice of Motion at to the Council meeting held 28 May 2024.

#### **Notice of Motion Recommendation**

1. That a report be **PROVIDED** to the Planning and Development committee biannually on the work statistics of the Environmental Health Business Unit with regard to the number of inspections; number of prosecutions; health promotion activities etc, commencing in August 2024.
2. That an Environmental Health promotion of good hygiene practices etc display be incorporated into the community safety tent used at community events throughout the City.

#### Reason for Motion

Good Environmental Health practices are the cornerstone of a healthy community and by reporting on the abundant environmental health officers activities and being involved in community events, the awareness of what is needed to encourage healthy suburbs will be enhanced and this will have a knock on effect of improving the health of City of Stirling residents for today and generations to come.

This will also showcase the work our Environmental Health Officers are doing everyday to keep our community safe, which will no doubt show they are well above the benchmark standards for their field in local government



**15.2 PROPOSES NOTICE OF MOTION - COUNCILLOR ELIZABETH RE - CONSULTATION TABLES**

Councillor Elizabeth Re submitted the following Notice of Motion at the Council meeting held 28 May 2024.

**Notice of Motion Recommendation**

**That a table be PROVIDED in all Planning and Development and Community and Resources Committee agendas, when any consultation is initiated by the City of Stirling showing consultation percentages of respondents that meet the below parameters:**

- a. 100 metres of the site / issue;**
- b. 200 meters of the site / issue;**
- c. Within the City of Stirling; and**
- d. Outside the City of Stirling and in line with any planning legislative regulations.**

**Reason for Motion**

A table would make it easier for both the councillors and the public to ascertain the views of the community after a consultation process on a topic and would show how the issue is considered by those in close proximity to the site and those not located in the City of Stirling. This table would also demonstrate the value of the consultation process and procedures.

**15.3 PROPOSED NOTICE OF MOTION - MAYOR MARK IRWIN - ILLEGAL SMOKING IMPLEMENTS**

Mayor Mark Irwin submitted the following Notice of Motion at the Council meeting held 28 May 2024.

**Notice of Motion Recommendation**

- 1. That City officers INVESTIGATE the opportunity to undertake changes to the planning framework to ban the trading and supply of illegal vape and cigarettes (smoking related implements).**
- 2. That the Mayor WRITES to the Minister for Health and the Premier calling for faster reform and stronger legislation in restricting these shops.**

**Reason for Motion**

There is a growing concern with vape/smoking implements shops and related illegal activity in local shopping centres by the community. Many of these are set up within close proximity to schools.

**15.4 PROPOSED NOTICE OF MOTION - MAYOR MARK IRWIN - REVIEW OF RIGHTS OF WAYS UNDER THE CITY OF STIRLING LOCAL PLANNING SCHEME NO.3**

Mayor Mark Irwin submitted the following Notice of Motion at the Council meeting held 28 May 2024.

**Notice of Motion Recommendation**

**That a review of the City of Stirling Local Planning Scheme No. 3 as it relates to Right of Ways (ROWs), the City's Local Planning Policy 6.5 – Developments and Subdivisions Abutting Rights of Way and the City's Rights of Way Management Strategy is UNDERTAKEN with reference to:**

- a. The bonding requirements for ROWs; and**
- b. The process followed by the City in respect of scheduled whole ROW upgrades where portions of the ROW have already been improved by individual property owners.**

Reason for Motion

Concern is expressed that:

- The requirement for a property owner to enter into a bonding agreement with the City to the value of the improvement works is onerous and unnecessary; and
- The requirement for a property owner to undertake improvements to a portion of a ROW, at their own cost, and for those improvement works to be further modified when the City's rolling ROW programme takes place is not an effective use of resources nor a good outcome.

**16. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil.

## 17. NEW BUSINESS OF AN URGENT NATURE

### 17.1 APPOINTMENT OF MINDARIE REGIONAL COUNCIL DEPUTY

#### Council Resolution

**0524/033**

**Moved Councillor Proud, seconded Councillor Paparde**

**That Council APPOINTS Councillor Michael Dudek as the alternative member to attend the Mindarie Regional Council meeting to be held Thursday 30 May 2024 if Councillor Joe Ferrante is unable to attend.**

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

**For:** Councillors Creado, Dudek, Giudici, Hatton, Krsticevic, Lagan, Olow, Paparde, Perkov, Proud, Re and Mayor Irwin.

**Against:** Nil.

#### Reason

A Mindarie Regional Council (MRC) meeting is scheduled to be held 30 May 2024. Councillor Joe Ferrante, one of the City's four appointed MRC members, may be unable to attend this meeting.

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. MRC's constitution mandates that a formal resolution is required to appoint an alternate each time an appointed member is unable to attend.

## 18. MATTERS BEHIND CLOSED DOORS

### Council Resolution

0524/034

Moved Councillor Dudek, seconded Councillor Lagan

That item 18.1 - Waste to Energy - Financial Modelling and Progress Update be **CONSIDERED Behind Closed Doors** in accordance with Section 5.23(2)(c) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

- (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.*

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

**For:** Councillors Creado, Dudek, Giudici, Hatton, Krsticevic, Lagan, Olow, Paparde, Perkov, Proud, Re and Mayor Irwin.

**Against:** Nil.

At 7.44pm, the meeting was closed to the public and all employees who were not required left the meeting for consideration of Item 18.1.

At 7.47pm, Councillor Suzanne Migdale returned to the meeting during consideration of Item 18.1.

At 8.02pm, Councillor Elizabeth Re left the meeting during consideration of Item 18.1, and returned to the meeting at 8.04pm.

## 18.1 WASTE TO ENERGY - FINANCIAL MODELLING AND PROGRESS UPDATE

### 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:-

- (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.*

### Council Resolution

**0524/035**

**Moved Councillor Proud, seconded Councillor Creado**

**That Council NOTES the update on the Mindarie Regional Council Waste to Energy Tender and the updated financial implications.**

**The motion was put and declared CARRIED (8/5).**

**For:** Councillors Creado, Giudici, Hatton, Krsticevic, Paparde, Proud, Re and Mayor Irwin.

**Against:** Councillors Dudek, Lagan, Migdale, Olow and Perkov.



**Council Resolution****0524/036****Moved Councillor Dudek, seconded Councillor Re****That the Meeting be REOPENED to the public.****The motion was put and declared CARRIED (13/0).****For:** Councillors Creado, Dudek, Giudici, Hatton, Krsticevic, Lagan, Migdale, Olow, Papparde, Perkovic, Proud, Re and Mayor Irwin.**Against:** Nil.

At 8.22pm, the meeting was reopened to the public.

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**19. CLOSURE**

The Presiding Member declared the meeting closed at 8.22pm.

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

/ / 2024

SIGNED:

residing Member name: ..

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PRESIDING MEMBER