



*City of Stirling*

## Ordinary Meeting of the 41st Council

18 February 2025

# Minutes

To: The Mayor and Councillors

Here within the Minutes of the Ordinary Meeting of Council of the City of Stirling held Tuesday 18 February 2025 in the City of Stirling Council Chamber, 25 Cedric Street, Stirling.

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

**Stevan Rodic | Chief Executive Officer**

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

### **Vision**

A sustainable City with a local focus.

### **Mission**

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

### **Values**

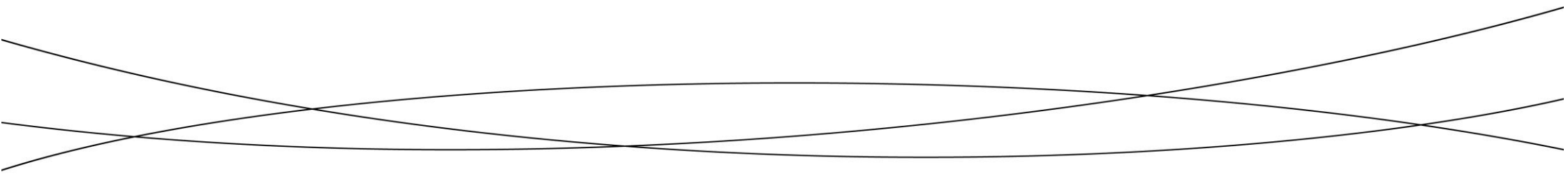
The City of Stirling's core values are:

- Approachable
- Responsive
- Transparent
- Innovative.

### **Disclaimer**

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

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL OF TUESDAY 18 FEBRUARY 2025 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 Joe Ferrante  
Councillor Damien Giudici  
Councillor Chris Hatton  
Councillor Tony Krsticevic  
Councillor David Lagan  
Councillor Suzanne Migdale  
Councillor Teresa Olow  
Councillor Rob Paparde  
Councillor Karlo Perkov  
Councillor Stephanie Proud JP

**Employees**

Chief Executive Officer - Stevan Rodic  
Director Community Development - Michael Quirk  
Director Corporate Services - Ingrid Hawkins  
Director Infrastructure - Andrew Murphy  
Director Planning and Development - Amanda Sheers  
Manager City Future - Andrew Lefort  
Manager Commercial Portfolio - Jon Morellini  
Acting Manager Governance - Jackson Mawby  
Head of Community Engagement - James Murphy  
Service Lead Council & Civic - Candice D'Castro  
Service Lead Marketing and Communications - Caitlin Tiller  
Lead Governance Officer - Regan Clyde  
Lead Governance Advisor - Daniel Govus  
Senior Elected Member Services Officer - Sean McDiarmid

**Public**

16

**Press**

0

**APOLOGIES**

Nil.

**3. APPROVED LEAVE OF ABSENCE**

Councillor Michael Dudek (granted a leave of absence for the period 5 February 2025 to 9 March 2025 inclusive).

Councillor Elizabeth Re (granted a leave of absence for the period 5 February 2025 to 9 March 2025 inclusive).

Councillor Lisa Thornton (granted a leave of absence for the period 5 February 2025 to 9 March 2025 inclusive).

#### 4. DISCLOSURES OF INTEREST

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

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

##### **Planning and Development Committee - 11 February 2025**

Councillor Tony Krsticevic disclosed a Financial Interest in Item 12.1/8.1, as his partner works for the organisation leasing the building.

##### **Council - 18 February 2025**

Nil.

#### 5. PETITIONS

Nil.

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

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

Nil.



## 7. PUBLIC QUESTION TIME

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

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

### 7.1 PUBLIC QUESTION TIME - M ROZICH

**The following questions were submitted by M Rozich, Inglewood WA 6052, at the Council Meeting held Tuesday 18 February 2025.**

Q1. *"Mr Mayor, are you aware of the extreme anti-social behaviour associated with the new high-density State housing complex at 157 Ninth Avenue in Inglewood?"*

A1. The Mayor confirmed that he had been made aware of the matter by Councillors due to recent community interest.

Q2. *"My second question pertains to the City of Stirling's mobile CCTV tower. On 23 January, a group of Inglewood residents met with the Department of Communities officers that manage 157 Ninth Avenue. We were informed that it would be reinstated due to its efficacy in controlling anti-social behaviour, crime and unwanted visitors to the area. We were also told by our local Member that this had been confirmed at a meeting between WA Police and communities in the City of Stirling. It is now 18 February, and the CCTV tower still hasn't arrived. When can we expect to see the reinstatement of the surveillance equipment?"*

A2. The Director Community Development advised that the mobile CCTV tower is in high demand and does rotate around the City's communities often. He advised that the Community Safety teams are certainly happy to work with residents to discuss the different strategies that have been deployed in similar circumstances.

- Q3. *“The State Government has created huge problems for the Inglewood Community by choosing to house unsuitable residents at 157 Ninth Avenue. We’re terrified and have been terrorised by the public housing residents and their visitors for the past several months and we need your help. I believe this whole situation would have been avoided by making the complex mixed tenure - a combination of private, affordable and social housing. However, the new high density housing project is 100% State housing, and the disastrous effects on the community are glaringly obvious. The planned high density housing project for 969 - 971 Beaufort Street will also be 100% State housing, which given the effect that 157 has had on the community so far, I believe doing the same for a complex with more than double the occupancy of 157 Ninth Avenue is extremely irresponsible. Mr Mayor, are you willing to write a letter to the Minister for Communities, on behalf of the people of Inglewood?”*
- A3. The Mayor agreed with Ms Rozich’s points on mixed tenure housing and confirmed that further information would be provided in writing.

### **Additional Information**

- A3. In addition to the Mayor writing to the Minister on behalf of residents, the City will again engage with the Department of Communities (Housing) and WA Police to determine what actions they will take to resolve anti-social and criminal behaviour associated with tenants at 157 Ninth Avenue, Inglewood.

**7.2 PUBLIC QUESTION TIME - M MOLINARI**

**The following questions were submitted by M Molinari, Inglewood WA 6052, at the Council Meeting held Tuesday 18 February 2025.**

Q1. *“Why is the Department of Communities using the historically ineffective model of 100% State housing in a high-density complex for the two new high-density housing complexes in Inglewood, instead of the more effective mixed-tenant housing model, which the City of Perth will be using for the two new high-density housing projects in Pier Street and Smith Street?”*

A1. The Mayor confirmed that Ms Molinari’s question is one that could be included in a letter to the Minister for the Department of Communities.

Q2. *“The suburbs of Perth and Inglewood are both inner-city suburbs with very similar needs for infrastructure and amenities. Why do you believe the community in the City of Perth deserves mixed-tenure housing and the Inglewood community does not?”*

A2. The Mayor advised that this question would be included as part of the Mayor’s correspondence with the Minister for the Department of Communities.

Q3. *“Can you demonstrate specific examples of how 157 Ninth Avenue Inglewood is benefitting the community of Inglewood, and also the residents within the complex itself, other than keeping them off the streets? Why, after eight months of use, using specific examples, is it still not possible to have the complex at full capacity, given that there are more than 18,500 people waiting for State housing in WA?”*

A3. The Mayor agreed that there are many historical examples where the type of complex being referred to has proven to be ineffective, or has not had good outcomes. He advised that he was not aware that this was the model to be used going forward and confirmed that the City would take Ms Molinari’s comments into account.

**7.3 PUBLIC QUESTION TIME - P FITZPATRICK**

**The following questions were submitted by P Fitzpatrick, Inglewood WA 6052, at the Council Meeting held Tuesday 18 February 2025.**

- Q1. *"I reside in the building directly next door to 157 Ninth Avenue. Myself and other tenants in my building have been affected long-term by this building next door. The other night I only got two hours sleep because somebody in that building was screaming and yelling the entire night. My questions are based around the safety of the community, the locals, and the businesses. What immediate measures will the City take to ensure that local residents' concerns about 157 Ninth Avenue are addressed, and can we have a timeline for those actions?"*
- A1. The Director Community Development confirmed that the City's mobile CCTV tower would be deployed this week. He advised that the City would work closely with the WA Police and the Department of Communities to address the issues raised.
- Q2. *"How does the City plan to reduce the crime and anti-social behaviour around 157 Ninth Avenue, and what specific steps will be implemented to guarantee the community's safety?"*
- A2. The Mayor confirmed that the City would be in contact with WA Police and residents to further understand the problems raised around 157 Ninth Avenue.
- Q3. *"What support initiatives will the City put in place to help local businesses affected by 157 Ninth Avenue, and when can these businesses expect to see these measures?"*
- A3. The Mayor advised that the City of Stirling has a very competent and significant Community Safety team which will engage with WA Police to ensure they understand the issues. The City will establish a plan and communicate that to the residents.

**7.4 PUBLIC QUESTION TIME - K SEWELL**

**The following question was submitted by K Sewell, Inglewood WA 6052, at the Council Meeting held Tuesday 18 February 2025.**

- Q1. *"Is the Mayor aware of the perceived lack of transparency and accountability displayed by the Department of Housing towards the suburb of Inglewood? By this, I refer to the social housing site at 157 Ninth Avenue."*
- A1. The Mayor advised that there are many legislative processes and procedures involved within the Department of Housing that may cause frustration for residents within the City of Stirling. The City will engage with the Department to ensure that they understand, and that they are aware of the residents' concerns.

**7.5 PUBLIC QUESTION TIME - M SHADE**

**The following question was submitted by M Shade, Inglewood WA 6052, at the Council Meeting held Tuesday 18 February 2025.**

- Q1. *"I am pretty much dead opposite 157 Ninth Avenue, Inglewood, and it has been a wonderful learning experience, if you know what I mean. There are things that the City can do, but it is very limited - it all comes back to State Government and Communities are making that work. We appreciate you guys in that you do your very best and will continue to do so, I hope."*
- A1. The Mayor thanked Mr Shade for his comments. He said that there are several issues at play here. One is the planning outcomes that might allow this sort of situation to occur, and that is something that the City can certainly work with. The City can also work with the community safety issues. One thing that the City of Stirling can offer is the strength of getting all those groups around the table - this is something the Community Development team are extremely good at. Getting all the right people around the table to work out a sensible solution will hopefully give residents some comfort.

**7.6 PUBLIC QUESTION TIME - L THOMPSON**

The following question was submitted by L Thompson, Trigg WA 6029, at the Council Meeting held Tuesday 18 February 2025.

- Q1. *"In relation to the proposed Boardwalk, the City of Stirling did not follow protocols to request a clearing permit because you believed it was unnecessary, believing it to be a case of translocating flora, vegetation and sand to a new site. You said that the material that was displaced was replanted. Can I ask for details of how many plants were relocated, and to where?"*
- A1. The Mayor advised that the question would be taken on notice and a written response provided.
- Q2. *"What protocols have now been put in place to ensure that the Council will meet all the necessary guidelines for this type of environmental action?"*
- A2. The Director Infrastructure advised that, in light of this recent situation, the City will have a regular and ongoing conversation with the Department of Water and Environmental Regulation to ensure that the correct permits are applied for as required; the City will be taking onboard more advice from them.
- Q3. *"Given these failings, Mr Mayor, it is imperative that this Council acts on best practice guidelines, especially in regard to the Coterra report, which appears to be lacking in substantive data, justifying the significant reduction of a widely accepted buffer zone from 50m to 15m, which is not changeable by the City. Can this report be peer reviewed, and this buffer zone be firmly established with the State Department of Biodiversity, Conservation and Attractions and the Environmental Protection Authority prior to any further assessments being done?"*
- A3. The Mayor advised that the City will undergo a process to liaise with the Environmental Protection Authority, the Department of Biodiversity, Conservation and Attractions, and all other affected agencies for an environmental sign-off prior to the Boardwalk being constructed.
- Q4. *"Do you take responsibility for overseeing a project that risks wasting ratepayers funds, which is considered fiscal mismanagement?"*
- A4. The Mayor advised that the CEO runs the administration side of the City's operations; and he [the Mayor] presides over Council, and is the Mayor of the City of Stirling, so is certainly accountable for decisions that Council makes and implements.

**Additional Information**

A1. The City has not relocated any vegetation in association with the proposed Boardwalk.

In relation to the Trigg Surf Lookout, approximately 300m<sup>2</sup> of native coastal spinifex, about 100 plants, were translocated by the City from the dune directly in front of the Surf Life Saving Club. As a rhizome (creeping rootstalk) grass, spinifex is ideal to stabilise primary dunes while creating a defined lookout to reduce extensive coastal trampling.

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

**7.7 PUBLIC QUESTION TIME - M INMAN**

The following questions were submitted by M Inman, Trigg WA 6029, at the Council Meeting held Tuesday 18 February 2025.

- Q1. *“My questions relate to the proposed Boardwalk feasibility. In order to be compliant with relevant legislation and aligned with the intent and values of the City's Reconciliation Action Plan, as well as the Coastal Hazard, Risk Management and Adaption Plan (CHRMAP), what archaeological ethnographic surveys and hydrogeological modelling is planned for the proposed Boardwalk, the site, to first ensure adequate understanding of the likely impacts of the proposed project on this area?”*
- A1. The Mayor advised that the question would be taken on notice and responded to in writing.
- Q2. *“My second question relates to the Coterra report. It says that the site does not contain any recorded Aboriginal heritage places. Just because there are none recorded, it does not mean there are no sites in this area. The only way to determine or ascertain whether there are heritage sites is for the City to conduct a full photographic and archaeological assessment with the traditional owners who have the right to speak for this country. Will the City do this?”*
- A2. The Mayor advised that if the City proceeds with the Boardwalk, it will seek all the necessary approvals through the appropriate agencies. The City also has its own Reconciliation Action Working Group and will engage with all those stakeholders.

**Additional Information**

- A1. The City has committed to working with the Reconciliation Action Plan Working Group, and undertaking the required geotechnical and environmental surveys as part of the Coastal Boardwalk Feasibility Study.



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**7.8 PUBLIC QUESTION TIME - D KELLY**

**The following questions were submitted by D Kelly, Scarborough WA 6019, at the Council Meeting held Tuesday 18 February 2025.**

- Q1. *“On 13 February 2024 this Council considered and rejected a proposal for temporary parking at the site of 273 West Coast Highway, but did vote unanimously to consider all options to increase parking within the Scarborough Beach precinct. Since then, we’ve had an expression of interest that closed on 24 January, which may make this land unavailable for potential additional parking in the future, which I find most concerning. Can the Council: 1 reconsider the retention of 273 West Coast Highway for the provision of temporary parking; and 2, can it revisit other options within the foreshore precinct to address this critical parking shortage?”*
- A1. The Mayor advised the short answer is yes, the City or Council can always reconsider things. There was support for the parking at the time; the issue around it was the significant cost and being temporary in nature. Additionally, it is not the highest and best use of the site, notwithstanding community interest around parking. During the expression of interest phase, it means it does not have to be ruled out, it is unlikely that someone will start building on it tomorrow. Temporary parking can be investigated by this Council, certainly with many of the developments that are proposed to be built in the future in Stirling, there is the possibility to supply public parking as part of the development.
- Q2. *“In relation to traffic and safety around the Karrinyup Shopping Centre precinct, at a community forum recently, one of the things that came out of it was the need for a Karrinyup precinct infrastructure road safety plan. I wrote to various Ministers asking them and State Government departments to come up with this plan, working with the City of Stirling. The Minister for Roads’ response was that local road safety considerations, including those related to these developments, would be most appropriately overseen by the relevant local government. Where does the buck stop in this case, is it the City of Stirling’s responsibility or is it a State Government responsibility?”*
- A2. The Mayor advised that around Karrinyup Shopping Centre, it is the City’s responsibility, and Karrinyup Road is looked after by Main Roads. For other roads that are local roads, the responsibility rests with the City.

The Director Infrastructure confirmed Karrinyup Road and Reid Highway are under the control of Main Roads, but the other roads in the area are local roads. If there were to be any changes to those roads, the genesis of those changes would come from the City - but this would be in collaboration with Main Roads because of the intersections. Main Roads also need to approve signs and lines, so they have an element of control in other aspects. What Mr Kelly has been told is correct - it would start with the City, then the suggestions would be taken forward from there. The City is aware of the recent community forum and the issues raised. Potential solutions are being worked on.

- Q3. *“To be clear, in terms of the plan for the whole area including Karrinyup Road, the local roads and general transport infrastructure, that’s something that rests with the City?”*
- A3. The Mayor advised that the City was not responsible for Karrinyup Road. The reality is, these problems come about not because of poor planning by the City, but because significant regional centres are put where there is no future infrastructure growth planned. The City can only work on the local roads.

**7.9 PUBLIC QUESTION TIME - M MASIELLO**

The following questions were submitted by M Masiello, Trigg WA 6029, at the Council Meeting held Tuesday 18 February 2025.

- Q1. *"A search under WALGA's preferred supplier directory lists 21 preferred environmental consultant firms. Of these 21 firms, the City specifically invited 13 firms to quote for the Boardwalk Environmental Assessment. The City received a single quote by the successful bidder, Coterra Environment, which was only rated a six out of 10 in terms of demonstrated experience for the project. What were the key reasons 12 out of the 13 environmental consultancy firms that were invited were not interested in submitting a quote for the Coastal Boardwalk Environmental Assessment, despite a generous budget of \$100,000 being offered for this basic high level desktop assessment?"*
- A1. The Mayor advised that he did not know, but noted that it is not uncommon with engineering projects at the moment - the City often has to go out a second time for quotes. The Mayor suggested that Mr Masiello ask the consultants why they did not apply, and added that if any feedback from those consultants was available, it could be provided in writing.
- Q2. *"In the interest of transparency for ratepayers, can the City please provide a breakdown of payments made or owing to Coterra for any works done on the Coastal Boardwalk Environmental Assessment and report?"*
- A2. The Mayor advised this question would be taken on notice and a written response provided.
- Q3. *"Our group has multiple highly experienced environmental advisers that peer reviewed the Coterra report and we identified significant flaws and omissions. Given the significant risk exposure to the City with this proposal in terms of reputation and economic, environmental and social risk factors, does the City feel that trusting the flawed advice given by Coterra, without having it peer reviewed, best practice?"*
- A3. The Mayor advised that he did not have any concerns with the process.

**Additional Information**

- A1. Consultancies on the WALGA Panel were contacted during the procurement process to identify why a proposal was not submitted. Only two consultancies replied and advised that they did not submit due to resourcing/expertise constraints.
- A2. Coterra Environment were paid \$24,640 inc GST for the Preliminary Environmental Opportunities and Constraints Assessment. There are no further payments to be made to Coterra Environment.

**7.10 PUBLIC QUESTION TIME - B RUSSELL**

**The following questions were submitted by B Russell, Trigg WA 6029, at the Council Meeting held Tuesday 18 February 2025.**

- Q1. *“On 15 February 2022, former Councillor Farrelly gained Council support for the City to develop a plan for a walking and cycling facility between Scarborough and Trigg for safety reasons. On 5 December 2023, Councillor Paparde gained support for a workshop to be held about a Boardwalk between Scarborough and Trigg for safer pedestrian access between the two beaches. On 8 July 2024, the Mayor said on 6PR that the dual path was not that dangerous and that the danger was overstated. What is the real reason for the Council's support for spending half a million dollars of ratepayers' money on a Coastal Boardwalk feasibility study?”*
- A1. The Mayor advised that Council has been very clear that it will go through a process and ultimately go to the community to ensure that there is community support for progressing with the Boardwalk. Council has been clear that they see many benefits with having a Coastal Boardwalk that provides accessibility through the dunes to walk between Scarborough and Trigg and to provide that natural walk. Another consideration is the separation between things like electric scooters, bikes, people who just want to walk, or perhaps walk with their prams or walk with their dogs, so safety improvements are part of it.
- Q2. *“How far advanced is the City on its design for a Coastal Boardwalk between the 27 erosion line and the threatened ecological community of Rottnest Pines in the South Trigg Beach A Class reserve and when will these designs be available to the public?”*
- A2. The Mayor advised they have not progressed far; the City envisages that in the next week or so, a display will be set up of different Boardwalks that are in place around the country, to show examples of what it may look like. They are only artist impressions and they are taken from other Boardwalks. The City would then propose where the possible route could be. It would still then go through several checks and the designs would commence after that. There are no designs for it currently.
- Q3. *“There have been two previous proposals to build a Boardwalk through the coastal dunes between Scarborough and Trigg, neither of which have succeeded. Why were Councillors not given the opportunity to hear from environmental experts when Elected Member workshops were held in early 2024 on the proposal for a Coastal Boardwalk feasibility study?”*
- A3. The Mayor advised that Councillors will make their decisions based on all the facts. Councillors are not environmental experts; that is why organisations like Coterra are engaged, and why the process encompasses significant environmental checks through the Environmental Protection Authority, Department of Biodiversity, Conservation and Attractions and other agencies.

**7.11 PUBLIC QUESTION TIME - R HADLEY**

**The following questions were submitted by R Hadley, Woodlands WA 6018, at the Council Meeting held Tuesday 18 February 2025.**

*Q1. "In the November 2024 charter of accounts we noticed that hundreds of dollars have been spent on Uber taxis. If this has occurred every month, the total amount may be several thousand annually. Has the City a pool car booking system, and does it consider it is both effective and efficient?"*

A1. The Mayor advised that the City has pool cars that many different areas use, depending on their needs. Ubers are also used at times, for a number of reasons. For example, multiple people may need to attend a location in the City where there is limited or no parking.

*Q2. "Our members seek details of who, what, when, for a trip made on 16 November for \$73.24, your reference 1289. Also on 23 November for \$64.24, your reference 1244."*

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

*Q3. "On four occasions I have received emails 24 hours prior to the Council meeting, all of which relate to the Trackless Tram project. We wonder if there's an ulterior motive at play. However, we thank you for the limited information received and we ask if this information can be produced in these minutes so all taxpayers, ratepayers, in the interest of transparency and accountability, are made aware."*

*We still seek the cost of 11 raised, 32m platforms which would have to be constructed plus lighting, drainage, shading, security, which we could not locate anywhere in these reports. And where would these five to six trams be stored and maintained if this Trackless Tram project proceeds?"*

A3. The Mayor advised that he did not know the answer to this question.

**Additional Information**

A1. The two payments made to Uber related to the following:

- CC001244 - \$64.24 was for Mayor Irwin attending the Mount Lawley Cricket Club 100<sup>th</sup> Anniversary.
- CC001289 - \$73.24 was for the City's Senior Customer Experience Officer travelling in the Eastern States while there for an awards ceremony.

- A3. In relation to including information about the Trackless Tram project within the Council Minutes, please refer to the [Trackless Tram](#) page of the City's website.

In relation to the question regarding the costs if the Trackless Tram project proceeds, detailed information is provided within the Trackless Tram Business Case Development Package 2 – SMEC Report on future costing. The City will also outline clearly on the Trackless Tram webpage that the Trackless Tram Business Case was fully funded by the \$2 million grant provided by the Australian Government.

**7.12 PUBLIC QUESTION TIME - B MATTHEWS**

**The following questions were submitted by B Matthews, Churchlands WA 6018, prior to the Council Meeting held Tuesday 18 February 2025.**

- Q1. *“Why did the Council move a motion to use \$300,000 of taxpayer money from the WA State Government for a design of the proposed connector road when its own publicly quoted statistics and traffic surveys clearly show that there is no level of traffic congestion in Churchlands, or the quiet and almost gated Churchlands Green estate?”*
- A1. Council’s decision was made simply as a means of exploring possible options to address ongoing traffic and road safety issues that have been raised by members of the community for many years.
- Q2. *“Why would the Council seek funding for the design of a road through the bushlands that would bring increased industrial heavy traffic from the Freeway to Pearson Street to the schools, kids’ natural walkways and clearly add to traffic congestion at Empire Avenue, and in and around Churchlands and neighbouring suburbs?”*
- A2. The City acknowledges the concerns relating to traffic and environmental impacts of a new local connector road, and these issues will be considered at the appropriate stage in the future.
- Q3. *“In 2025 Newman College has moved over 300 students across to its new campus without incident and without increasing traffic congestion or safety risks. As per its own development application (1/11/22) and as detailed by its traffic consultants, it has excessive car bays and a new circular traffic flow system with internal roads (thanks to the 9,000m<sup>2</sup> lease) that improves traffic flow and eases congestion.*
- Given the above and the significant reduction of traffic in Churchlands Green (right turns from Empire/Cromarty and Pearson/Alumni turned off), why would the City of Stirling continue to seek a design and plan for a connector road (prior to the MRWA road survey being completed) that is clearly not justified?”*
- A3. The previous works undertaken by the City have had a positive impact in reducing the volume of non-local traffic through the Churchlands Green estate. However, the City continues to receive concerns from members of the community regarding traffic issues through the estate, and continues to receive requests for consideration of a local connector road to improve traffic flow within and around this precinct.

**8. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**9. CONFIRMATION OF MINUTES****Council Resolution****0225/020****Moved Councillor Krsticevic, seconded Councillor Migdale****That the Minutes of the Ordinary Meeting of Council of 4 February 2025 be confirmed as a true and correct record of proceedings.****The motion was put and declared CARRIED (12/0).****For:** Councillors Creado, Ferrante, Giudici, Hatton, Krsticevic, Lagan, Migdale, Olow, Paparde, Perkov, Proud and Mayor Irwin.**Against:** Nil.



## **10. ANNOUNCEMENTS BY THE PRESIDING MEMBER**

### **10.1 ANNOUNCEMENT - MAYOR MARK IRWIN - SCARBOROUGH BEACH NAMED 8TH BEST BEACH IN AUSTRALIA**

Mayor Mark Irwin made the following announcement:

*"I am pleased to advise that Scarborough Beach has been ranked in the top 10 beaches in Australia for 2025, with the nation's leading beach expert Brad Farmer AM hailing its redeveloped foreshore as the best in the country.*

*Beaches are judged against his comprehensive 130-point beach assessment guide, which covers natural characteristics, culture, safety, facilities, management and more.*

*Mr Farmer announced his 2025 list placing Scarborough Beach at Number 8, praising it as a destination he called a "national gem".*

*Mr Farmer highlighted the natural beauty of Scarborough Beach, as well as the year-round patrols and accessibility, but he said it was the redeveloped foreshore that made it "an absolute standout".*

*Scarborough Beach was one of two WA beaches named in Mr Farmer's top 10 for 2025, along with Little Lagoon near Denham."*

## **11. UNRESOLVED BUSINESS FROM PREVIOUS MEETING**

Nil.

## 12. REPORTS AND RECOMMENDATIONS OF COMMITTEES

### 12.1 PLANNING AND DEVELOPMENT COMMITTEE - 11 FEBRUARY 2025

Councillor Tony Krsticevic disclosed a Financial Interest in Item 12.1/8.1, as his partner works for the organisation leasing the building; accordingly, he left the meeting at 7.06pm prior to consideration of the item.

#### 12.1/8.1 NEW LEASE - SCARBOROUGH

##### 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

**0225/021**

**Moved Councillor Proud, seconded Councillor Giudici**

**That Council PROCEEDS with the confidential recommendation as outlined in the Recommended Action section of this report.**

**The motion was put and declared CARRIED (11/0) by an absolute majority.**

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

**Against:** Nil.

Councillor Tony Krsticevic returned to the meeting at 7.08pm prior to the Balance of Reports.

## **Council Resolution**

**0225/022**

**Moved Councillor Proud, seconded Councillor Perkov**

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

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

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

**Against:** Nil.

**12.1/CF1 LOCAL PLANNING POLICY 6.18 PUBLIC CONSULTATION - OUTCOMES OF ADVERTISING**

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

**Role**

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

**Council Resolution****0225/023****Moved Councillor Proud, seconded Councillor Perkov**

**That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, Council ADOPTS amended Local Planning Policy 6.18 – ‘Public Consultation’ as shown in Attachment 1.**

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

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

**Against:** Nil.

**Committee Recommendation**

That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, Council ADOPTS amended Local Planning Policy 6.18 – ‘Public Consultation’ as shown in Attachment 1.

## **Officer's Recommendation**

That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, Council ADOPTS amended Local Planning Policy 6.18 – 'Public Consultation' as shown in Attachment 1.

## **Purpose**

To report on the outcomes of advertising of the amended Local Planning Policy 6.18 – Public Consultation (Policy), and to obtain a Council resolution to adopt the Policy in amended form (Attachment 1).

## **Background**

The purpose of the City's Local Planning Policy 6.18 – Public Consultation (the Policy) is to ensure consistency when engaging in public consultation for strategic planning documents or development applications within the City. The current Policy was adopted by Council in December 2021. In May 2024 a Notice of Motion was raised requesting that the reporting of the outcomes of community consultation be modified to more accurately reflect the proximity of submissions in relation to a subject development site. Specifically, the Notice of Motion requested the City report on the percentage of responses that were from submitters:

- a. Within 100m of the site / issue;
- b. Within 200m 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.

Additionally, the City's officers recommended further improvements to the Policy, including waiving the requirement for public consultation in certain circumstances, and several administrative improvements.

The City's officers supported the intent of the Notice of Motion, and at its meeting held 15 October 2024, Council resolved (Council Resolution Number 1024/004) to advertise an amended Policy that incorporated the requested changes. The amended Policy was considered at the same meeting that Council also considered and adopted an updated Community Engagement Policy. The updated Community Engagement Policy outlines the City's strategic commitment to best-practice community engagement to ensure meaningful and inclusive engagement across the City.

A key feature of the Community Engagement Policy is the requirement for Business Units to develop consultation procedures for decision-making, communication, and feedback. At a minimum, these procedures will include consultation requirements, impacted consultation radius, how submissions are to be considered and reporting formats for feedback on decisions. The amended Policy addresses this requirement.

This report addresses the outcomes of advertising of the amended Policy.

### Comment

At the conclusion of the advertising period, one submission had been received, which was in support of the proposed amended Policy.

An additional (late) submission was submitted through the City's Local Planning Scheme No.4 consultation page, the content of which applies to the City's consultation on planning proposals. The submissions are detailed below:

Submission Number	Submission Details	Officer Comment
1	Support more housing projects in the area.	Noted.  No change to the advertised policy is required as a result of the submission.
2	Suggests that advertising signage of development proposals require: <ul style="list-style-type: none"> <li>- A text-based hyperlink and QR code to the development's page on the city's website</li> <li>- Information easier to access</li> <li>- Instructions of how a resident may submit their support/objection</li> <li>- A DL sized mail-drop containing the above to homes in the immediate vicinity ~150m radius of any development</li> <li>- The City to submit residents feedback in full to the DAP, rather than summarised bullet points</li> </ul>	The suggestion that a QR code is included on signage and letters sent by the City is supported.  Including a QR code does not require a change to the local planning policy, but will be reflected in how the City advertises development proposals.  Instructions on how to make a submission are currently contained within the City's consultation letters that are mailed to impacted residents.  Residents' entire submissions are contained within all DAP reports as an additional attachment. For brevity, summarised consultation feedback is included in the Responsible Authority Reports.  No change to the advertised policy is required as a result of the submission.

The Table below provides a breakdown of these submissions.

SUBMISSION RECEIVED	WITHIN 100M RADIUS OF PROPOSED SITE	WITHIN 200M RADIUS OF PROPOSED SITE	WITHIN THE CITY OF STIRLING	OUTSIDE THE CITY OF STIRLING
SUPPORT	N/A	N/A	50%	0%
OBJECT	N/A	N/A	0%	0%
CHANGES REQUESTED	N/A	N/A	50%	0%
OTHER (Not Stated / No Opinion)	N/A	N/A	0%	0%

No further amendments to the Policy are recommended as a result of the submissions received.

### Financial Assessment and Implications

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

### Stakeholder Engagement

Advertising of the amended Policy was carried out in accordance with the requirements of the Planning and Development (Local Planning Schemes) Regulations 2015 and the City's current Policy. The advertised Policy is included in Attachment 1.

Advertising commenced on 28 October 2024 and concluded on 20 November 2024. Details of the proposal were placed on the City's website and notices were placed in the City's Administration Centre for the duration of the advertising of the Policy.

### Recommended Action

The City's Local Planning Policy 6.18 – Public Consultation has been reviewed and advertised for public comment following a resolution of Council. In addition to changing how officers report on the origin of submissions received, it also incorporates improved efficiencies.

One submission of support was received. An additional submission responding to draft Local Planning Scheme No.4 was received which relates to how the City advertises development proposals. The City is currently reviewing its advertising letter format which will include the use of QR Codes. However, changes to the advertised policy are not required as a result of the submission.

It is recommended that Council adopts the advertised Local Planning Policy 6.18 – Public Consultation as shown in Attachment 1.

## Relevant Policies, Legislation and Council Resolutions

The [Planning and Development \(Local Planning Scheme\) Regulations 2015](#) identify the process to be followed when new or amended local planning policies are proposed.

Meeting Date	Council Resolution Number	Council Resolution
15/10/2024	1024/004	<p><i>That Council AMENDS 'Local Planning Policy 6.18 – Public Consultation' (as shown in Attachment 1) for the purpose of public advertising with the following addition:</i></p> <p><i>a. Clause 4.5 of the policy be amended to state 'When assessing amendments for minor works, the City will only exercise discretion not to advertise where officers are satisfied the impacts of the proposed works do not adversely impact on the amenity of the surrounding properties'.</i></p>

## Sustainable Stirling 2022-2032

**Key Result Area:** Our built environment

**Objective:** A liveable City

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

## Strategic Risk

Strategic Risk	Risk Appetite
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 - Local Planning Policy 6.18: Public Consultation - As Advertised and to be Adopted [↓](#)

Attachment 2 - Local Planning Policy 6.18: Track Changes [↓](#)

### Available for viewing at meeting

Nil

### Linked Documents

Nil

## 6.18 PUBLIC CONSULTATION

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*This document has been prepared under Schedule 2 of the 'Planning and Development (Local Planning Schemes) Regulations 2015' and the City of Stirling 'Local Planning Scheme No.3'.*

### 1. INTRODUCTION

This Policy is used by the City to ensure a consistent approach to consultation on planning proposals and supplements the advertising requirements of the Planning and Development (Local Planning Schemes) Regulations 2015.

Information sheets are available on the City's website to assist applicants, residents and the community understand and participate in planning consultations.

### 2. OBJECTIVES

This Policy aims to ensure that:

- The community is appropriately informed of planning proposal and is given the opportunity to express its views in a consistent way.
- The community understands the need to focus views on relevant planning considerations when making submissions on planning proposals.
- Applicants have the opportunity to understand community views during the assessment process.
- Determination of planning proposals is based on the planning framework, taking into consideration community views.

### 3. SCOPE

This Policy applies to the advertising (where required) of:

- Development Applications;
- Local Planning Scheme Amendments;
- Local Planning Policies;
- Structure Plans; and
- Local Development Plans.

**Note:** This Policy does not apply to specific planning strategies, projects, or new schemes, the advertising of these will be determined on a case by case basis in line with the minimum advertising requirements of the Planning and Development (Local Planning Scheme) Regulations 2015 (where applicable) and having regard to this Policy.

## 4. REQUIREMENTS

All development applications and strategic planning instruments shall be advertised in accordance with this Policy.

Where there is an inconsistency between this Policy and Local Planning Scheme No.3 or Planning and Development (Local Planning Scheme) Regulations 2015, the provisions of the Local Planning Scheme No.3 or Planning and Development (Local Planning Scheme) Regulations 2015 shall prevail.

### 4.1 ADVERTISING REQUIREMENTS

The following requirements apply to all planning proposals advertised by the City:

- a) All consultation material is to be worded in plain English, subject to legislative requirements.
- b) Advertising commences on the date after the day on which the City publishes the notices as per the requirements of the Planning and Development (Local Planning Scheme) Regulations 2015.
- c) An 'excluded holiday period day', that is in —
  - (i) a period commencing on 25 December in a year and ending on the next 1 January; or
  - (ii) a period of 7 days commencing on Good Friday in a year.

is not to be counted in calculating an advertising period as per the requirements of the Planning and Development (Local Planning Scheme) Regulations 2015.
- d) Where a planning proposal is required to be advertised to an adjoining local authority (Cities of Bayswater, Cambridge, Joondalup, Swan, Vincent and Wanneroo), the City will notify the adjoining local authority of the proposal to allow them the opportunity to advertise to their community.

### 4.2 PUBLIC CONSULTATION REQUIREMENTS – DEVELOPMENT APPLICATIONS:

	Time period (Calendar Days)	Sign on Site	Letters to Owners / Occupiers	Website	Ward Councillors
<b>Standard Application</b>	14 days or a longer period of time agreed upon between the applicant and local government	No	Yes – to adjoining	Yes	Yes
<b>Complex Application</b>	28 days or a longer period agreed upon between the applicant and local government	Yes	Yes – all within 200m, and properties in the vicinity of the proposed development who, in the view of the local government, are likely to be affected by the granting of development approval	Yes	Yes

- (i) All applications subject to consultation will be posted on the City's website and will include the plans and documents submitted with the application.
- (ii) The City will advertise variations to development standards to affected landowners/occupiers, that at the discretion of the City, may adversely impact the amenity of surrounding properties.

- (iii) Advertising to adjoining landowners/occupiers is to be carried in accordance with the figures below which depict typical lot layouts within the City.
- (iv) Sign on sites are to be provided in accordance with the requirements of the Western Australian Planning Commission relating to Erecting Signs for Notice of Development Applications (or similar amended document). The City may request the provision of larger signs depending on the size, type and complexity of a development.



Figure 1 – Example of the extent of consultation for a Standard Application where there are varying lot types

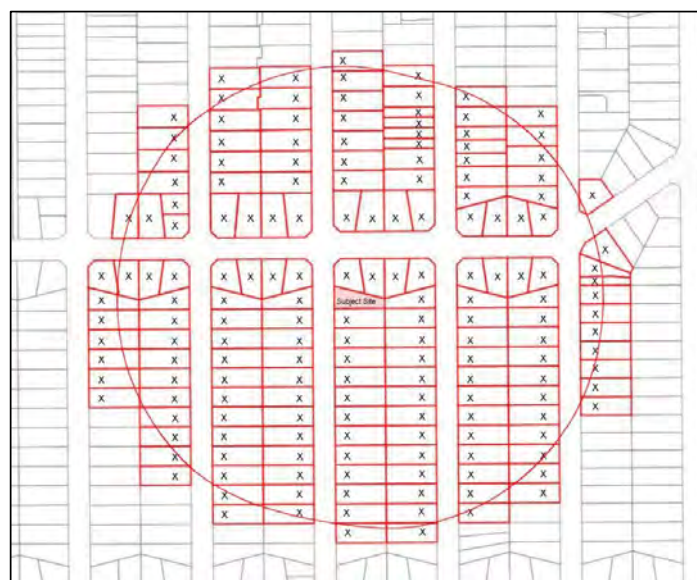


Figure 2 – Example of the extent of consultation for a Complex Application or Strategic Planning Instrument based on a 200m radius from the boundary of a subject site

#### 4.3 PUBLIC CONSULTATION REQUIREMENTS – STRATEGIC PLANNING INSTRUMENTS:

	Standard Amendment	Complex Amendment	Precinct and Standard Structure Plans (New or Amendment)	Local Development Plan (New or Amendment)	Local Planning Policy (New or Amendment)	Development Contribution Plan
<b>Time period (Calendar Days) (i)</b>	42 days	60 days	42 days	Not less than 14 days	Not less than 21 days	60 days
<b>Website</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Admin Centre Notice Board</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Relevant public authorities</b>	Yes	Yes	Yes	Yes	Yes~	Yes
<b>Letters to Owners / Occupiers (ii)</b>	Yes~ – all within 200m (iii)	Yes~ – all within 200m (iii)	Yes~ (v)	Yes~ (v)	Yes~ – all within 200m (iii)	Yes~ – all within 200m (iii)
<b>Sign on Site (iv)</b>	Yes~	Yes~	Yes~	Yes~	Yes~	Yes~
<b>Social Media (v)</b>	Yes~	Yes~	Yes~	Yes~	Yes~	Yes~
<b>Ward Councillors</b>	Yes`	Yes`	Yes`	Yes`	Yes`	Yes`

~ Denotes a non-statutory requirement that will be carried out at the discretion of the City.

` Denotes the City's standard internal process.

- (i) The Planning and Development (Local Planning Schemes) Regulations 2015 stipulates that advertising commences on the date after the day the notice is published in accordance with the Regulations.
- (ii) Letters will be sent to owners and occupiers who, in the view of the City, are likely to be affected by the approval of the proposal. Refer to the minimum extent of consultation in Figure 1 above. The City may advertise to additional properties which are potentially directly affected by the proposal or as resolved by Council.
- (iii) For Scheme Amendments, Local Planning Policies and Development Contribution Plans, letters will be sent where the application applies to a specific site or area (or otherwise deemed appropriate by the Manager Development Services or Manager City Future). Letters will be sent to those properties located within the area and those within the radius specified in the table above. Where the proposal does not relate to a specific site or area, the requirement to send letters to owners and occupiers does not apply.
- (iv) A minimum sign size of 1.0m x 1.5m is required to be displayed on each street boundary. Text shall be legible from the street and the font size shall be large enough to fill the sign. Signs shall only be required at the discretion of (depending on the type of proposal advertised) the Manager Development Services or Manager City Future as appropriate.
- (v) Advertising on social media will be carried out by the City on a case by case basis.

#### 4.4 OTHER CONSULTATION

At the discretion of the City, individuals and/or organisations who may be able to add value to the strategic planning process may be consulted with. This may include, but is not limited to, emailing previous applicants for development approval, private planning consultants with specific experience of certain development proposals, building industry companies, peak industry bodies and where the City is aware of a relevant group.

#### **4.5 WAIVING PUBLIC CONSULTATION REQUIREMENTS**

The City may waive the public consultation requirements where a standard development application relates to development that does not comply with the requirements of the Local Planning Scheme, if the City is satisfied that the non-compliance is of a minor nature. This ability does not apply to development applications that the Local Planning Scheme requires to be advertised for public comment.

Consultation requirements for amended development applications for either minor works and / or an extension of time may be waived at the discretion of the City where the planning framework relevant to the site has not changed since the development was approved, and the amendment will not result in any off-site impacts.

When assessing amendments for minor works, the City will only exercise discretion not to advertise where officers are satisfied the impacts of the proposed works do not adversely impact on the amenity of the surrounding properties.

Under the Planning and Development (Local Planning Schemes Regulations) 2015 the local government may decide to not advertise a Local Development Plan where the local government is satisfied that the plan is not likely to adversely affect any owners or occupiers within the area covered by the plan or an adjoining area. The Regulations also allow a local government to determine not to advertise amendments to a Structure Plan or Local Development Plan if, in the view of the local government, the amendment is of a minor nature. The decision to not advertise any of these documents can only be made by Council.

### **5. CONSIDERATION OF SUBMISSIONS**

All written material submitted to the Council in response to the advertising of a planning proposal must be received by the close of business on the closing date for submissions identified by the City. This written material will be considered by officers in reporting on the planning proposal, subject to the following:

- The submission being received by the City during the public consultation period.
- Officers will only assess and report on written submissions, that raise valid planning considerations.
- Officers will not conduct any investigation into the origin of submitters.
- More than one response received from the same address will be counted as individual responses when signed by different people, unless the content is considered identical.
- When one person signs more than one response (unless one of these is a petition) those responses shall be classified as one response.

#### **5.1 WHAT MATTERS CAN BE CONSIDERED**

The City recognises that when considering the impacts of a planning or development proposal, those consulted may express the view that a proposal adversely affects them. The City's officers must be satisfied there is a factual or realistic basis to the views expressed on a proposal and must balance this view with an assessment of the likely impacts of the proposal. These submissions must relate to valid planning considerations below.

Valid Planning Considerations	Non-Valid Considerations
a) Matters to be considered by the City under the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations); and/or b) The requirements of Local Planning Scheme No.3 or applicable Planning Instrument (Structure Plan, Local Development Plan or Planning Policy which requires the decision maker to exercise judgement; and/or c) Any development standard requiring the decision maker to exercise judgement against the Design Principles of the R-Codes.	The City cannot take into account matters which are not valid planning considerations, including but not limited to: a) Perceived loss of property value b) Private disputes between neighbours including access & egress and easements c) Dividing fence issues d) Impact of construction work e) Trade competition concerns (in most circumstances) f) Personal morals or views about the applicant g) Matters that is controlled under other legislation

## 5.2 SUBMISSIONS ON DEVELOPMENT APPLICATIONS

The City is only able to consider written submissions. Verbal communication with City officers via telephone or at the administration Centre and comments provided through social media platforms will not be considered as a submission to a development application. All written submissions received within the public consultation period raising valid planning considerations will be taken into consideration during the assessment of the application.

Submissions received highlighting non valid planning considerations will not be considered by the City when assessing the application.

## 5.3 SUMMARY OF ISSUES RAISED IN SUBMISSIONS PROVIDED TO APPLICANT

The City will provide a summary of the planning issues raised in submissions to the Applicant to provide them the opportunity to respond. Applicants, if they respond, should do so in a timely manner to ensure assessment timeframes are maintained. Applicants can respond by:

- Providing the City with additional comment or justification to address the planning issue raised in the submission; and/or
- Amending the proposal to address the planning issue raised in the submission.

Where relevant, the applicant's response to issues raised in submissions will be included in the report provided to the decision maker.

## 5.4 CATEGORISATION OF SUBMISSIONS

Submissions received to any planning proposal will be categorised into one of the following types:

Submission Category	Description
<b>A: Original unique submissions</b>	Includes any uniquely worded and original letters and e-mails, even if only marginally different from each other, which: <ul style="list-style-type: none"> <li>• Are addressed to the City of Stirling (Council, Mayor, Officers); and</li> <li>• Include the name and address of the author(s).</li> </ul>
<b>B: Pro-forma submissions</b>	Includes identical (pro-forma) letters, emails or cards, including those with individual and unique comment, which;



	<ul style="list-style-type: none"> <li>• Are addressed to the City of Stirling (Council, Mayor, Officers); and</li> <li>• Include the name and address of the author(s).</li> </ul>
<b>C: Petitions</b>	Submissions received which meet the petition criteria as outlined in the City of Stirling Meeting Procedures Local Law 2021. (Further information is available on the <a href="#">Petitions page</a> of the City's website.)

## 5.5 CONSIDERATION OF LATE SUBMISSIONS

The City will consider late submissions only where these are received in sufficient time to allow for their reporting. Where this occurs the City will note submissions which have been received after the closing of the advertising period.

## 5.6 CORRESPONDENCE TO SUBMITTERS

All persons who lodge submissions will receive notification of the decision made. Additionally, where the application is presented to;

- The City's Planning & Development Committee (for consideration),
- Council (for consideration or determination), and/or
- The Development Assessment Panel (for determination).

Submitters will receive further notification by the City of those specific meeting dates and details to allow for attendance and deputations to be made.

Where a decision is made by the Development Assessment Panel, Western Australian Planning Commission, the Minister for Planning or State Administrative Tribunal on a Statutory Planning Instrument or Development Application, the City will advise all persons who lodged a submission of the decision made.

## 5.7 OUTCOMES OF ADVERTISING

When presenting the outcomes of consultation to Committee, Council, and/or the Development Assessment Panel the location the of the submitter and the nature of the submission will be prepared by the City, in accordance with Attachment 2 of this Policy.

# 6. LEGISLATION/LOCAL LAW REQUIREMENTS

The following documents and legislation are relevant:

- Planning and Development Act 2005
- Planning and Development (Local Planning Scheme) Regulations 2015
- City of Stirling Meeting Procedures Local Law 2021
- City of Stirling Local Planning Scheme
- City of Stirling Local Planning Scheme Policy Manual
- Relevant State Planning Policies



## ATTACHMENT 1: DEFINITIONS

<b>Standard Application</b>	A development application required to be advertised under the City's Local Planning Scheme that is not defined as a Complex Application.
<b>Complex Application</b>	<p>A development application:</p> <ul style="list-style-type: none"> <li>(a) for a use that is not specifically referred to in the zoning table under the City's Local Planning Scheme in respect of the zone in which the development is located; or</li> <li>(b) with an estimated value of 2.5 million and greater, but not including:               <ul style="list-style-type: none"> <li>- Single Houses</li> <li>- Grouped Dwellings</li> <li>- Warehouses</li> <li>- Located within the Industry Zone</li> <li>- Located within the Service Station Zone;</li> </ul> </li> <li>(c) Multiple Dwellings which propose 13 or more; or</li> <li>(d) which proposes Telecommunications Infrastructure; or</li> <li>(e) which proposes Child Care Premises (except development that is a class P use in relation to the zone in which the development is located).</li> </ul>

## ATTACHMENT 2: ADMINISTRATIVE MATTERS

### CONTENT OF NOTIFICATION LETTERS

The content of notification letters provided to landowners and residents should be appropriate for the proposal being advertised. The letters must meet the statutory notification requirements of the Planning and Development (Local Planning Scheme) Regulations 2015 and the City's Local Planning Scheme. Letters should be written in plain English and clearly advise:

- What the proposal is that the City is seeking comment on, including (where appropriate) the specific aspects where the decision maker is required to exercise discretion.
- Why the City is consulting with the particular individual.
- Who the decision maker will be.
- How comment / submissions can be made and how to make a valid submission.
- How further information can be obtained.
- What happens to submissions received.
- What further notification the City will provide.

### REPORTING FORMAT

In all cases where submissions have been received, the following table is to be included in the report presented for Committee, Council, and/or Development Assessment Panel meetings.

**SUMMARY TABLE: SUBMISSIONS RECEIVED - RELATIVE LOCATION**

SUBMISSION RECEIVED	WITHIN 100M RADIUS OF PROPOSED SITE	WITHIN 200M RADIUS OF PROPOSED SITE	WITHIN THE CITY OF STIRLING	OUTSIDE OF THE CITY OF STIRLING
SUPPORT	a%	b%	c%	d%
OBJECT	e%	f%	g%	h%
CHANGES REQUESTED	i%	j%	k%	l%
OTHER (COMMENT)	w%	x%	y%	z%



In reporting on the percentages of submissions in support and opposition to an application or proposal, it is acknowledged that the numbers counted must not be seen as a referendum on whether a proposal should proceed or not. The examination of submission is instead a way of identifying planning issues that need to be considered and addressed.

The issues raised in the submissions are to be summarised in the following format as part of the reporting to the relevant Committee, Council, and/or Development Assessment Panel meeting.

NUMBER OF SUBMISSIONS TO RAISE ISSUE	SUBMISSION COMMENT	OFFICER COMMENT
xx		
xx		
xx		

**OFFICE USE ONLY:**

**Local Planning Scheme No.3 – Local Planning Policy History:**

Action	Resolution Number	Effective Date
Adopted	1221/028	13/12/2021
Modified	XXXX/XXX	18/02/2024



## 6.18 PUBLIC CONSULTATION

*This document has been prepared under Schedule 2 of the 'Planning and Development (Local Planning Schemes) Regulations 2015' and the City of Stirling 'Local Planning Scheme No.3'.*

### 1. INTRODUCTION

This Policy is used by the City to ensure a consistent approach to consultation on planning proposals and supplements the advertising requirements of the Planning and Development (Local Planning Schemes) Regulations 2015.

Information sheets are available on the City's website to assist applicants, residents and the community understand and participate in planning consultations.

### 2. OBJECTIVES

This Policy aims to ensure that:

- The community is appropriately informed of planning proposal and is given the opportunity to express its views in a consistent way.
- The community understands the need to focus views on relevant planning considerations when making submissions on planning proposals.
- Applicants have the opportunity to understand community views during the assessment process.
- Determination of planning proposals is based on the planning framework, taking into consideration community views.

### 3. SCOPE

This Policy applies to the advertising (where required) of:

- Development Applications;
- Local Planning Scheme Amendments;
- Local Planning Policies;
- Structure Plans; and
- Local Development Plans.

**Note:** This Policy does not apply to specific planning strategies, projects, or new schemes, the advertising of these will be determined on a case by case basis in line with the minimum advertising requirements of the Planning and Development (Local Planning Scheme) Regulations 2015 (where applicable) and having regard to this Policy.

## 4. REQUIREMENTS

All development applications and strategic planning instruments shall be advertised in accordance with this Policy.

Where there is an inconsistency between this Policy and Local Planning Scheme No.3 or Planning and Development (Local Planning Scheme) Regulations 2015, the provisions of the Local Planning Scheme No.3 or Planning and Development (Local Planning Scheme) Regulations 2015 shall prevail.

### 4.1 ADVERTISING REQUIREMENTS

The following requirements apply to all planning proposals advertised by the City:

- All consultation material is to be worded in plain English, subject to legislative requirements.
- Advertising commences on the date after the day on which the City publishes the notices as per the requirements of the Planning and Development (Local Planning Scheme) Regulations 2015.
- An 'excluded holiday period day', that is in —
  - a period commencing on 25 December in a year and ending on the next 1 January; or
  - a period of 7 days commencing on Good Friday in a year.
 is not to be counted in calculating an advertising period as per the requirements of the Planning and Development (Local Planning Scheme) Regulations 2015.
- Where a planning proposal is required to be advertised to an adjoining local authority (Cities of Bayswater, Cambridge, Joondalup, Swan, Vincent and Wanneroo), the City will notify the adjoining local authority of the proposal to allow them the opportunity to advertise to their community.

### 4.2 PUBLIC CONSULTATION REQUIREMENTS – DEVELOPMENT APPLICATIONS:

	Time period (Calendar Days)	Sign on Site	Letters to Owners / Occupiers	Website	Ward Councillors
<b>Standard Application</b>	14 days or a longer period of time agreed upon between the applicant and local government	No	Yes – to adjoining	Yes	Yes
<b>Complex Application</b>	28 days or a longer period agreed upon between the applicant and local government	Yes	Yes – all within 200m, and properties in the vicinity of the proposed development who, in the view of the local government, are likely to be affected by the granting of development approval	Yes	Yes

- All applications subject to consultation will be posted on the City's website and will include the plans and documents submitted with the application.
- The City will advertise variations to development standards to affected landowners/occupiers ~~such as variations to Setbacks, Retaining Walls, Boundary Walls and Visual Privacy that may impact upon their~~

~~property, as determined by the City, that at the discretion of the City, may adversely impact the amenity of surrounding properties.~~

(iii) Advertising to adjoining landowners/occupiers is to be carried in accordance with the figures below which depict typical lot layouts within the City.

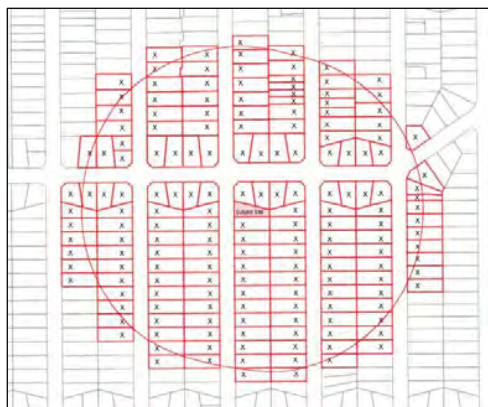
(iv) Sign on sites are to be provided in accordance with the ~~requirements of the~~ Western Australian Planning Commission's ~~Commission relating to~~ Erecting Signs for Notice of Development Applications ~~form (or similar amended document)~~. The City may request the provision of larger signs depending on the size, type and complexity of a development.

~~(v) All expenses incurred by the City as a result of advertising Complex Applications to landowners/occupiers are to be payable by the applicant in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015.~~





Figure 1 – Example of the extent of consultation for a Standard Application where there are varying lot types



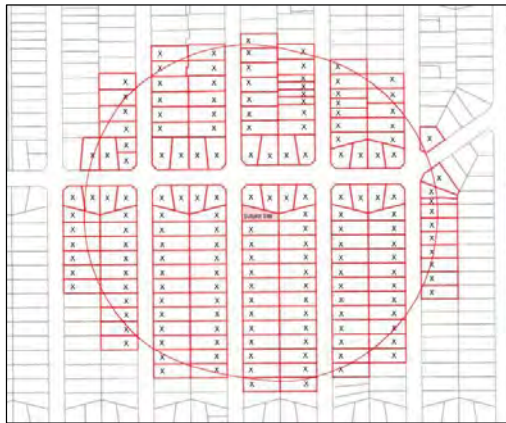


Figure 2 – Example of the extent of consultation for a Complex Application or Strategic Planning Instrument based on a 200m radius from the boundary of a subject site

#### 4.3 PUBLIC CONSULTATION REQUIREMENTS – STRATEGIC PLANNING INSTRUMENTS:

	Standard Amendment	Complex Amendment	Precinct and Standard Structure Plans (New or Amendment)	Local Development Plan (New or Amendment)	Local Planning Policy (New or Amendment)	Development Contribution Plan
<b>Time period (Calendar Days) (i)</b>	42 days	60 days	42 days	Not less than 14 days	Not less than 21 days	60 days
<b>Website</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Admin Centre Notice Board</b>	Yes	Yes	Yes	Yes	Yes	Yes
<b>Relevant public authorities</b>	Yes	Yes	Yes	Yes	Yes~	Yes
<b>Letters to Owners / Occupiers (ii)</b>	Yes~ – all within 200m (iii)	Yes~ – all within 200m (iii)	Yes~ (v)	Yes~ (v)	Yes~ – all within 200m (iii)	Yes~ – all within 200m (iii)
<b>Sign on Site (iv)</b>	Yes~	Yes~	Yes~	Yes~	Yes~	Yes~
<b>Local Newspaper NoticeSocial Media (v)</b>	Yes~	Yes~	Yes~	Yes~	Yes~	Yes~
<b>Community groups (vi)Ward Councillors</b>	Yes~	Yes~	Yes~	Yes~	Yes~	Yes~



<b>Planning Framework List</b>	Yes~	Yes~	Yes~	Yes~	Yes~	Yes~
<b>Social Media (vii)</b>	Yes~	Yes~	Yes~	Yes~	Yes~	Yes~
<b>Ward Councillors</b>	Yes~	Yes~	Yes~	Yes~	Yes~	Yes~

~ Denotes a non-statutory requirement that will be carried out at the discretion of ~~(depending on the type of planning document advertised) the Manager Development Services or Manager City Future as appropriate, the City.~~

~ Denotes the City's standard internal process.

- (i) The Planning and Development (Local Planning Schemes) Regulations 2015 stipulates that advertising commences on the date after the day the notice is published in accordance with the Regulations.
- (ii) Letters will be sent to owners and occupiers who, in the view of the City, are likely to be affected by the approval of the proposal. Refer to the minimum extent of consultation in Figure 1 above. The City may advertise to additional properties which are potentially directly affected by the proposal or as resolved by Council.
- (iii) For Scheme Amendments, Local Planning Policies and Development Contribution Plans, letters will be sent where the application applies to a specific site or area (or otherwise deemed appropriate by the Manager Development Services or Manager City Future). Letters will be sent to those properties located within the area and those within the radius specified in the table above. Where the proposal does not relate to a specific site or area, the requirement to send letters to owners and occupiers does not apply.
- (iv) A minimum sign size of 1.0m x 1.5m is required to be displayed on each street boundary. Text shall be legible from the street and the font size shall be large enough to fill the sign. Signs shall only be required at the discretion of (depending on the type of proposal advertised) the Manager Development Services or Manager City Future as appropriate.
- ~~(v) Advertising in local newspapers will be at the discretion of (depending on the type of proposal advertised) the Manager Development Services or Manager City Future as appropriate.~~
- ~~(vi) Community groups as identified on the community groups register maintained by the Development Services Business Unit.~~
- ~~(vii) Advertising on social media will be carried out where considered suitable by (depending on the type of proposal advertised) the Manager Development Services or Manager City Future as appropriate, and will be done in collaboration with the City's Customer and Communications Business Unit. The type of social media channels to be used for engagement will be decided upon agreement between the Development Services or City Future business units and the Customer and Communication Business Unit.~~
- ~~(v) Advertising on social media will be carried out by the City on a case by case basis.~~

#### 4.4 OTHER CONSULTATION

~~To ensure that the City engages as widely as possible on changes to the City's strategic planning documents, the City's officers have compiled a list of individuals and businesses (the Planning Framework List) who have requested to be kept informed of changes to the City's planning framework. Whenever changes to the City's planning framework are proposed, these individuals will be notified.~~

At the discretion of the ~~Manager Development Services or Manager City Future, the City will consult with City.~~



individuals and/or organisations who may be able to add value to the strategic planning process – may be consulted with. This may include, but is not limited to, emailing previous applicants for development approval, private planning consultants ~~who often represent landowners or developers with specific experience of certain development proposals~~, building industry companies, ~~and~~ peak industry bodies and where the City is aware of a relevant group.

#### 4.5 WAIVING PUBLIC CONSULTATION REQUIREMENTS

The City may waive the public consultation requirements where a ~~Standard~~standard development application relates to development that does not comply with the requirements of the Local Planning Scheme ~~No.3~~, if the City is satisfied that the non-compliance is of a minor nature. This ability does not apply to development applications that the Local Planning Scheme ~~No.3~~ requires to be advertised for public comment.

Consultation requirements for amended development applications for either minor works and / or an extension of time may be waived at the discretion of the City where the planning framework relevant to the site has not changed since the development was approved, and the amendment will not result in any off-site impacts.

When assessing amendments for minor works, the City will only exercise discretion not to advertise where officers are satisfied the impacts of the proposed works do not adversely impact on the amenity of the surrounding properties.

Under the Planning and Development (Local Planning Schemes Regulations) 2015 the local government may decide to not advertise a Local Development Plan where the local government is satisfied that the plan is not likely to adversely affect any owners or occupiers within the area covered by the plan or an adjoining area. The Regulations also allow a local government to determine not to advertise amendments to a Structure Plan or Local Development Plan if, in the view of the local government, the amendment is of a minor nature. The decision to not advertise any of these documents can only be made by Council.

## 5. CONSIDERATION OF SUBMISSIONS

All written material submitted to the Council in response to the advertising of a planning proposal must be received by the close of business on the closing date for submissions identified by the City. This written material will be considered by officers in reporting on the planning proposal, subject to the following:

- The submission being received by the City during the public consultation period.
- Officers will only assess and report on valid written submissions ~~received based on the written content only, that raise valid planning considerations.~~
- Officers will not conduct any investigation into the origin, ~~usual residential address of authors, or age of authors/submitters.~~
- More than one response received from the same address will be counted as individual responses ~~where/when~~ signed by different people, ~~excepting where/when~~ the content is considered identical.
- When one person signs more than one response (unless one of these is a petition) those responses shall be classified as one response.

### 5.1 WHAT MATTERS CAN BE CONSIDERED

The City recognises that when considering the impacts of a planning or development proposal, those consulted may express the view that a proposal adversely affects them. The City's officers must be satisfied ~~that~~ there is a factual or realistic basis to the views expressed on a proposal, and must balance this view with an assessment of the likely impacts of the proposal. These submissions must relate to valid planning considerations below.

~~These views must relate to valid planning considerations, and the matters that constitute valid planning considerations are detailed below.~~

~~The City may seek professional opinions and independent advice to assist with this assessment.~~

Valid Planning Considerations	Non-Valid Considerations
a) Matters to be considered by the City under the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations); and/or b) The requirements of Local Planning Scheme No.3 or applicable Planning Instrument (Structure Plan, Local Development Plan or Planning Policy which requires the decision maker to exercise judgement; and/or c) Any development standard requiring the decision maker to exercise judgement against the Design Principles of the R-Codes.	The City cannot take into account matters which are not valid planning considerations, including but not limited to: a) Perceived loss of property value b) Private disputes between neighbours including access & egress and easements c) Dividing fence issues d) Impact of construction work e) Trade competition concerns (in most circumstances) f) Personal morals or views about the applicant g) Matters that is controlled under other legislation

## 5.2 SUBMISSIONS ON DEVELOPMENT APPLICATIONS

The City is only able to consider written submissions. Verbal communication with City officers via telephone or at the administration Centre and comments provided through social media platforms will not be considered as a submission to a development application. All written submissions received within the public consultation period raising valid planning considerations will be taken into consideration during the assessment of the application.

Submissions received highlighting non valid planning considerations will not be considered by the City when assessing the application.

## 5.3 SUMMARY OF ISSUES RAISED IN SUBMISSIONS PROVIDED TO APPLICANT

The City will provide a summary of the planning issues raised in submissions to the Applicant ~~and to provide them~~ the opportunity ~~for the applicant to respond for both development applications and strategic planning documents.~~ Applicants, if they respond, should do so in a timely manner to ensure assessment timeframes are maintained. Applicants can respond by:

- Providing the City with additional comment or justification to address the planning issue raised in the submission; and/or
- Amending the proposal to address the planning issue raised in the submission.

~~The~~Where relevant, the applicant's response to issues raised in submissions will be included in the report provided to the decision maker.

## 5.4 CATEGORISATION OF SUBMISSIONS

Submissions received to any planning proposal will be categorised into one of the following types:

Submission Category	Description
<b>A: Original unique submissions</b>	Includes any uniquely worded and original letters and e-mails, even if only marginally different from each other, which: <ul style="list-style-type: none"> <li>• Are addressed to the City of Stirling (Council, Mayor, Officers); and</li> <li>• Include the name and address of the author(s).</li> </ul>
<b>B: Pro-forma submissions</b>	Includes identical (pro-forma) letters, emails or cards, including those with individual and unique comment, which: <ul style="list-style-type: none"> <li>• Are addressed to the City of Stirling (Council, Mayor, Officers); and</li> <li>• Include the name and address of the author(s).</li> </ul>
<b>C: Petitions</b>	Submissions received which meet the petition criteria as outlined in the City of Stirling Meeting Procedures Local Law <del>2009</del> 2021. (Further information is available on the <a href="#">Petitions page</a> of the City's website.)



## **5.5 CONSIDERATION OF LATE SUBMISSIONS**

The City will consider late submissions only where these are received in sufficient time to allow for their reporting. Where this occurs the City will note submissions which have been received after the closing of the advertising period.

## **5.6 CORRESPONDENCE TO SUBMITTERS**

All persons who lodge submissions will receive notification of the decision made. Additionally, where the application is presented to;

- The City's Planning & Development Committee (for consideration),
- Council (for consideration or determination), and/or
- ~~The Metropolitan North West Joint~~ The Development Assessment Panel (for determination).

Submitters will receive further notification by the City of those specific meeting dates and details to allow for attendance and deputations to be made.

Where a decision is made by the ~~Metropolitan North West Joint~~ Development Assessment Panel, Western Australian Planning Commission, the Minister for Planning or State Administrative Tribunal on a Statutory Planning Instrument or Development Application, the City will advise all persons who lodged a submission of the decision made.

## **5.7 ~~COUNCILLOR REQUESTS FOR FURTHER INFORMATION ON THE OUTCOMES OF~~ ADVERTISING**

~~Councillors may request, with a minimum~~ When presenting the outcomes of 48 hours' notice, ~~the following be provided at the relevant consultation to~~ Committee or Council meeting:

- ~~A confidential copy of all submissions received;~~ and/or

~~A map identifying the Development Assessment Panel the location~~ the of the submitter and the nature of all ~~submitters identified the submission will be prepared by the City, in accordance with Attachment 2 of this Policy.~~



## 7.6. LEGISLATION/LOCAL LAW REQUIREMENTS

The following documents and legislation are relevant:

- Planning and Development Act 2005
- Planning and Development (Local Planning Scheme) Regulations 2015
- City of Stirling Meeting Procedures Local Law 20092021
- City of Stirling Local Planning Scheme ~~No.3~~
- City of Stirling Local Planning Scheme ~~No.3~~ Policy Manual
- Relevant State Planning Policies

*Local Planning Scheme No.3 – Local Planning Policy History:*

*Action Council Date Resolution No. Effective Date*

*Adopted dd/mm/yyyy xxxx/yyy-dd/mm/yyyy*

*Modified \_\_\_\_\_*

## ATTACHMENT 1: DEFINITIONS

<b>Standard Application</b>	A development application required to be advertised under <u>the City's</u> Local Planning Scheme <del>No.3</del> that is not defined as a Complex Application.
<b>Complex Application</b>	<p>A development application:</p> <p>(a) for a use that is not specifically referred to in the zoning table under <u>the City's</u> Local Planning Scheme <del>No.3</del> in respect of the zone in which the development is located; or</p> <p>(b) with an estimated value of <u>\$2.5</u> million and <del>over-excluding</del> <u>greater, but not including:</u></p> <ul style="list-style-type: none"> <li>- Single Houses</li> <li>- Grouped Dwellings</li> <li>- Warehouses</li> <li>- Located within the Industry Zone</li> <li>- Located within the Service Station Zone; <del>or</del></li> </ul> <p>(c) <del>which proposes 10 or more</del> Multiple Dwellings <u>which propose 13 or more</u>; or</p> <p>(d) which proposes Telecommunications Infrastructure; or</p> <p>(e) <u>which</u> proposes Child Care Premises (except development that is a class P use in relation to the zone in which the development is located).</p>

## ATTACHMENT 2: ADMINISTRATIVE MATTERS

### CONTENT OF NOTIFICATION LETTERS

The content of notification letters provided to landowners and residents should be appropriate for the proposal being advertised. The letters must meet the statutory notification requirements of the Planning and Development (Local Planning Scheme) Regulations 2015 and the City's Local Planning Scheme ~~No.3~~. Letters should be written in plain English and clearly advise:

- What the proposal is that the City is seeking comment on, including (where appropriate) the specific aspects where the decision maker is required to exercise discretion.
- Why the City is consulting with the particular individual.
- Who the decision maker will be.
- How comment / submissions can be made and how to make a valid submission.
- How further information can be obtained.
- What happens to submissions received.
- What further notification the City will provide.

### REPORTING FORMAT

In all cases where submissions have been received, the following table is to be included in the report presented for Committee, Council, and/or Development Assessment Panel ~~meeting~~meetings.

**SUMMARY TABLE: SUBMISSIONS RECEIVED - RELATIVE LOCATION**

<del>SUBMISSIONS</del> SUBMISSION RECEIVED		WITHIN 200m RADIUS OF PROPOSE D SITE	WITHIN 200M RADIUS OF PROPOSE D SITE	WITHIN THE CITY OF STIRLING	REMAINDER OUTSIDE DE OF THE CITY OF STIRLING	ALL SUBMISSION S
SUPPORT		a%	b%	c%	d%	
OBJECT	g%	e%	f%	h%	i%	
CHANGES REQUESTED	g % h%	i%	j%	k%	l%	
OTHER <del>(Not stated / No opinion / No objection)</del> (COMMENT)		w%	x%	y%	z%	

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In reporting on the percentages of submissions in support and opposition to an application or proposal, it is acknowledged that the numbers counted must not be seen as a referendum on whether a proposal should proceed or not. The examination of submission is instead a way of identifying planning issues that need to be considered and addressed.

~~In cases where no more than five submissions are received, the issues raised in the submissions are to be summarised in the following format as part of the reporting to the relevant Committee, Council, and/or Development Assessment Panel meeting.~~

SUBMISSION NUMBER	SUBMISSION DETAILS	OFFICER COMMENT
1		
2		
3		

~~In cases where more than five submissions are received, the~~The issues raised in the submissions are to be summarised in the following format as part of the reporting to the relevant Committee, Council, and/or Development Assessment Panel meeting.

NUMBER OF SUBMISSIONS TO RAISE ISSUE	SUBMISSION COMMENT	OFFICER COMMENT
xx		
xx		
xx		

**OFFICE USE ONLY:****Local Planning Scheme No.3 – Local Planning Policy History:**

Action	Resolution Number	Effective Date
Adopted	1221/028	13 Dec 2021
Modified	XXXX/XXX	XX XXX XXXX

## 12.1/PCS1 PURCHASE OF ROAD TRUNCATION BY OWNER OF 141 TENTH AVENUE, INGLEWOOD

Business Unit:	Property and Commercial Services	Service: Property Services
Ward:	Inglewood	Location: <a href="#">141 Tenth Avenue, Inglewood</a>
Applicant:	Owner of 141 Tenth Avenue, Inglewood	

### Role

Quasi-Judicial - *Determining applications from the community.*

### Council Resolution

**0225/024**

**Moved Councillor Proud, seconded Councillor Perkov**

**That Council REQUESTS the Minister for Lands close a portion of road adjoining 141 Tenth Avenue, Inglewood of approximately 13.5m<sup>2</sup> as identified in Attachment 1, under Section 58 of the *Land Administration Act 1997*, allowing it to be amalgamated with Lot 2 on Survey Strata Plan 47866 as identified in Attachment 2.**

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

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

**Against:** Nil.

### Committee Recommendation

That Council REQUESTS the Minister for Lands close a portion of road adjoining 141 Tenth Avenue, Inglewood of approximately 13.5m<sup>2</sup> as identified in Attachment 1, under Section 58 of the *Land Administration Act 1997*, allowing it to be amalgamated with Lot 2 on Survey Strata Plan 47866 as identified in Attachment 2.

## Officer's Recommendation

That Council REQUESTS the Minister for Lands close a portion of road adjoining 141 Tenth Avenue, Inglewood of approximately 13.5m<sup>2</sup> as identified in Attachment 1, under Section 58 of the *Land Administration Act 1997*, allowing it to be amalgamated with Lot 2 on Survey Strata Plan 47866 as identified in Attachment 2.

## Purpose

To approve the application to close a portion of road adjoining 141 Tenth Avenue, Inglewood allowing it to be amalgamated with the adjacent property.

## Details

The owners of 141 Tenth Avenue, Inglewood made an application to the City to close an approximate 13.5m<sup>2</sup> portion of the road reserve (as shown in Figure 1 of Attachment 1) and amalgamate it with Lot 2 on Survey Strata Plan 47866.

The current road reserve includes a 6m x 6m road truncation (Attachment 2). A 3m x 3m truncation of the road reserve was deemed acceptable as it is consistent with the truncation at 142 Tenth Avenue (Attachment 3) and would not adversely impact sight lines at the intersection. The proposed portion of road reserve is designated as part of the intersection of Tenth Avenue and Clifton Crescent, Inglewood, (shown as a road widening in Attachment 2). While reducing the area of road reserve, the remaining 3m x 3m truncation would still leave sufficient residual verge width for future services and widening of the road if required in the future.

The purchase of the truncation would reduce the area of road reserve, and the mechanism by which this is done is by requesting that the Minister closes that portion of the road reserve so it can be purchased by the owners of 141 Tenth Avenue and amalgamated into Lot 2 on Strata Plan 47866.

The City is the responsible authority for initial consideration and processing of applications for road reserve closures. Once approved by Council, the application is submitted to the Department of Planning, Lands and Heritage for final approval and implementation of the closure and amalgamation of the land by the Department.

To comply with Section 58 of the *Land Administration Act 1997* and Regulation 9 of the Land Administration Regulations 1998, the City must submit a request for closure of the road to the Minister for Lands which includes the following:

- a. Written confirmation that the local government has resolved to make the request, the date when the relevant resolution was passed and any other information relating to the resolution that the Minister may require;
- b. Sketch plans showing the location of the road and the proposed future disposition of the land comprising the road after it has been closed;
- c. Written confirmation that the local government has complied with Land Administration Regulations 1998, Regulation 9, sub-regulations (1) to (3);
- d. A copy of the advertisement referred to in the Land Administration Regulations 1998, Regulation 9, sub-regulation (1);
- e. Copies of any submissions made to the local government within the submission period and the local government's comments on those submissions; and
- f. Any other information the local government considers relevant to the Minister's consideration of the request.

### **Financial Assessment and Implications**

The owner of 141 Tenth Avenue, Inglewood has agreed to pay all costs, including any relocation of utility network assets that may be required.

### **Stakeholder Engagement**

As per regulation 9(2)(b) of the Land Administration Amendment Regulations 2024 an advertisement was placed in the Public Notices section of the City of Stirling website (Attachment 4) on 16 December 2024. Submissions and comments were required by 24 January 2025.

At the end of the statutory advertising period, no submissions or comments had been received.

The owner of Lot 2 has consulted with Western Power, which has confirmed that the purchase will not affect its infrastructure; Western Power has, however, requested the owner grant an easement, which the owner has agreed to.

Internal consultation with the City Future, Development Services and Engineering Services Business Units returned no objections to the proposed road truncation closure and purchase. Comments are below:

- **City Future:** From a planning perspective the Business Unit does not have an issue with the owners purchasing back part of the truncation.
- **Development Services:** In terms of engineering the proposal is acceptable providing the minimum truncation is 3m x 3m.
- **Engineering Services:** A 3m x 3m truncation at 141 Tenth Avenue (consistent with that provided at 142 Tenth Avenue) would be acceptable. This reduced truncation would not adversely impact sight lines and there are no future upgrades planned that would require this land be available.

### **Recommended Action**

That the application to close and purchase a portion of road truncation adjoining 141 Tenth Avenue, Inglewood be approved.

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

[Local Government Act 1995](#)

[Land Administration Act 1997](#)

[Land Administration Regulations 1998](#)

[Land Administration Amendment Regulations 2024](#)

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

**Key Result Area:** Our leadership

**Objective:** A customer-focused City

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

## Strategic Risk

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

## Relevant Documents and Information

### Attachments

Attachment 1 - Location Map [↓](#)

Attachment 2 - Strata Plan 47866 [↓](#)

Attachment 3 - Plan of Intersection [↓](#)

Attachment 4 - Advertisement [↓](#)

### Available for viewing at meeting

Nil

### Linked Documents

Nil

Attachment 1

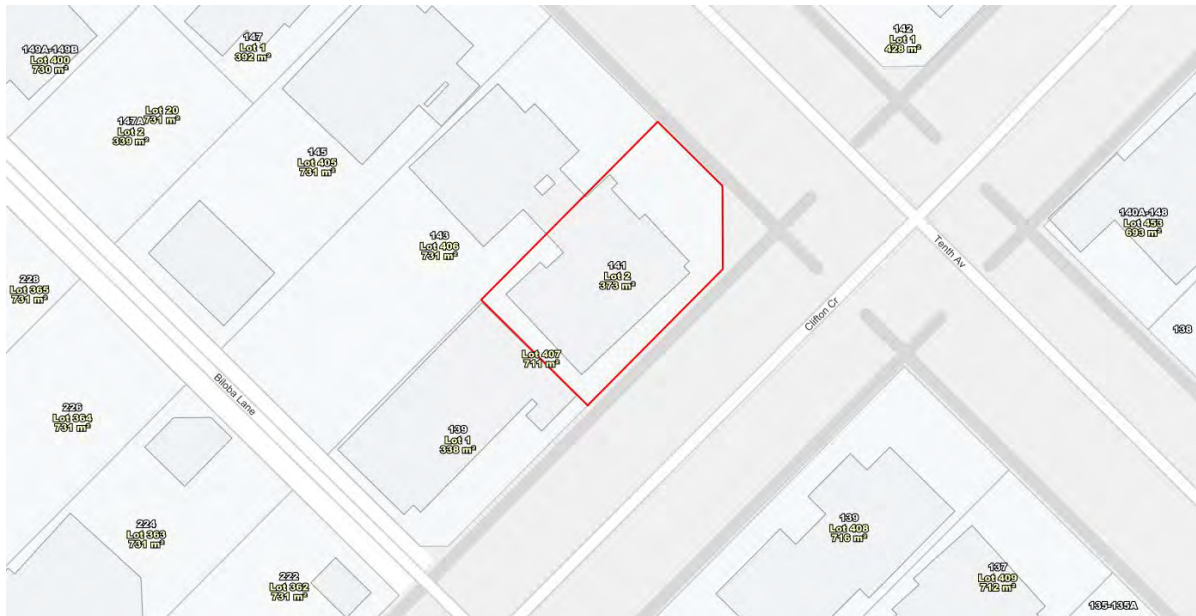


Figure 1: Intramap Image 141 Tenth Avenue, Inglewood.



Figure 2: Aerial Image of 141 Tenth Avenue, Inglewood.



**SURVEY STRATA PLAN**  
**47866**

SHEET 1 OF 1 SHEET

MANAGEMENT STATEMENT ☐ YES ☒ NO

Lodged 6.10.2005 3.314 4.11.2008  
Examined 30.11.2005 15.15.276  
Registered 5.12.05 15.15.276

REGISTRAR OF TITLES  
WESTERN AUSTRALIAN PLANNING COMMISSION  
Certificate of Approval of W.A.P.C. under  
Section 258(2) of Strata Titles Act 1985.  
WAPC 1992-04

FOR CHAIRMAN  
DATE 30.11.05

**PLAN OF**  
LOT 407 ON P 2877(1)

CERT. OF TITLE  
Vol. 1083 Fol. 266

LOCAL GOVERNMENT  
CITY OF STIRLING

INDEX PLAN  
BG34(2)14.28

FIELD BOOK NUMBER 95481

SCALE 1:300

**NAME OF SCHEME**  
141 TENTH AVENUE, INGLEWOOD

**ADDRESS OF PARCEL**  
141 TENTH AVENUE, INGLEWOOD 6052

**Department of Land Information**

Cor 1716 / 2005 p 222

**FORM 8**  
Strata Titles Act 1985  
Sections 58(1), BA, 22(2)  
SURVEY - STRATA PLAN No. 47866

**DESCRIPTION OF PARCEL**  
LOT 407 ON P 2877(1)  
ADDRESS OF PARCEL: 141 TENTH AVENUE, INGLEWOOD 6052

**CERTIFICATE OF LICENSED SURVEYOR**  
I, R. M. COLDAN, being a licensed surveyor registered under the Licensed Surveyors Act 1905 certify that in respect of the survey strata plan which relates to the parcel described above (in this certificate called "the plan"):-

(a) the plan is a correct and accurate representation of the survey carried out by me personally and recorded in Field Books kept, and if required lodged, for the purpose of this plan;

(b) the measurements are in strict accordance with the Licensed Surveyors Act 1905 and the Regulations made thereunder and in particular regulations 23 and 34 of those regulations;

(c) the survey and plan are in strict accordance with the requirements of the Licensed Surveyors Act 1905 and the Regulations made thereunder and the relevant law in relation to which it is lodged

18/9/05  
DATE

18/9/05  
DATE

**INTERESTS AND NOTIFICATIONS**

SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS
(A)	EASEMENT	ENERGY OPERATORS (POWERS) ACT 1979	DOCJ536275	LOTS 1 & 2	WESTERN POWER CORPORATION	See DP 46573 for easement limitations
(B)	RESTRICTIVE COVENANT	SEC 129BA OF THE TLA	DOCJ536278	LOT 1	WAPC	DEVELOPMENT RESTRICTION

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

**SCANLAN SURVEYS LTD**  
LICENSED SURVEYORS  
FOR THE CITY OF STIRLING  
141 TENTH AVENUE, INGLEWOOD 6052  
TEL: 08 9447 1000  
FAX: 08 9447 1001  
Email: info@scanlansurveys.com.au

5346/04/2

**SURVEY-STRATA PLAN NO. 47866**

[illegible]**DESCRIPTION OF PARCEL**

TWO SURVEY-STRATA LOTS UPON LOT 407 ON P 2877(1)  
ADDRESS OF PARCEL: 141 TENTH AVENUE, INGLEWOOD 6052

**CERTIFICATE OF LICENSED VALUER  
SURVEY-STRATA PLAN**

I, BRADLEY J DAWSON, being a Licensed Valuer licensed under the *Land Valuers Licensing Act 1978* certify that the unit entitlement of each lot (in this certificate, excluding any common property lots), as stated in the schedule bears in relation to the aggregate unit entitlement of all lots delineated on the plan a proportion not greater than 5 per cent more or 5 per cent less than the proportion that the value (as that term is defined in section 14 (2a) of the *Strata Titles Act 1985*) of that lot bears to the aggregate value of all lots delineated on the plan.

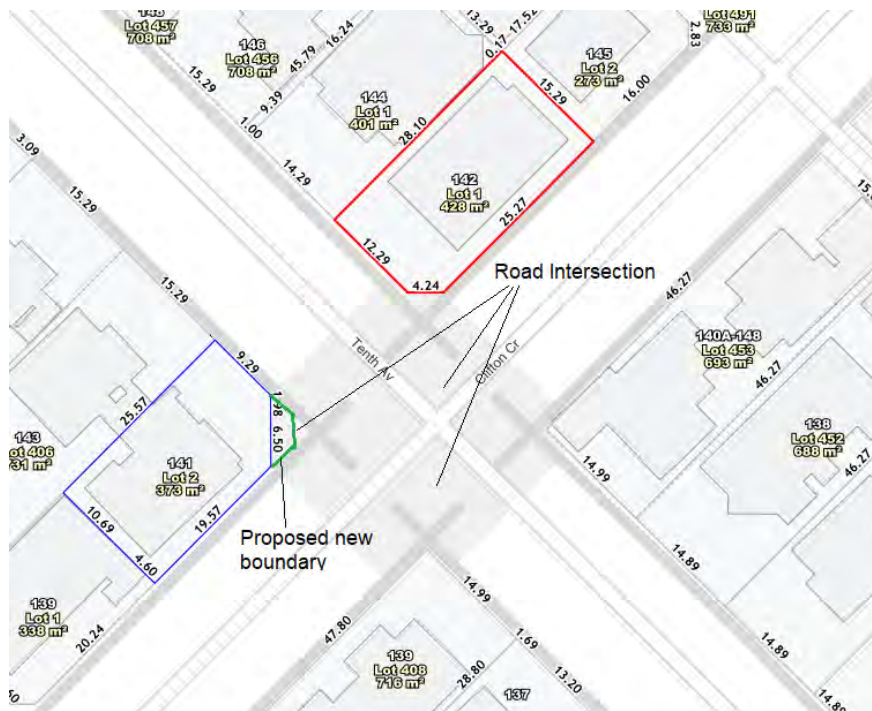
Date \_\_\_\_\_

Signed





Plan of the intersection of Tenth Avenue and Clifton Crescent, Inglewood.



The proposed portion of road truncation, outlined in green, will bring the road reserve on the corner at 141 Tenth Avenue in line with the road reserve truncation at 142 Tenth Avenue.

**PROPOSED ROAD RESERVE CLOSURE****NOTICE****Section 58 of the Land Administration Act 1997**

The City of Stirling provides Notice that Council intends to consider a proposal to close approximately 13.5 m<sup>2</sup> portion of road reserve on the corner of Tenth Avenue and Clifton Crescent, Inglewood. The subject portion of road reserve is proposed to be amalgamated with Lot 2 on Strata Plan 47866, House Number 141 Tenth Avenue, Inglewood.

A plan of the proposal can be inspected at the Council Offices between 8:30am and 5:00pm Monday to Friday (excluding Public Holidays). Written objections or comments to the proposed closure should be lodged with the Chief Executive Officer, City of Stirling, 25 Cedric Street, Stirling before 5:00pm on 24 January 2025.

Enquires may be made to the City's Property and Commercial Services Business Unit by email to [propertyservices@stirling.wa.gov.au](mailto:propertyservices@stirling.wa.gov.au) or phone (08) 9205 8555.

**Stevan Rodic**

**CHIEF EXECUTIVE OFFICER**

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**12.1/8.2 NEW LEASE - DIANELLA****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****0225/025****Moved Councillor Proud, seconded Councillor Perkov**

**That Council PROCEEDS with the confidential recommendation as outlined in the Recommended Action section of this report.**

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

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

**Against:** 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.



## 14. NOTICES OF MOTION FOR CONSIDERATION

‘Notices of Motion for Consideration’ include a brief report to assist Council in deciding to approve or not approve the Motion.

A further and more detailed report will be submitted at a future Ordinary Council meeting for Motions that are approved, in accordance with Clause 4.5(2)(c) of the City of Stirling Meeting Procedures Local Law 2021.

### 14.1 PROPOSED NOTICE OF MOTION - COUNCILLOR TONY KRSTICEVIC - KARRINYUP SHOPPING CENTRE TRAFFIC REVIEW

Business Unit:	Engineering Services	Service: Transport Services
Ward:	Coastal	Location: <a href="#">Roads Surrounding Karrinyup Shopping Centre</a>
Applicant:	Not Applicable	

#### Role

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

#### Council Resolution

**0225/026**

**Moved Councillor Krsticevic, seconded Councillor Paparde**

**That the City UNDERTAKES a review of traffic, pedestrian and road safety issues for the roads surrounding the Karrinyup Shopping Centre and the findings of the review to be presented to Council.**

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

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

**Against:** Nil.

## **Notice of Motion Recommendation**

That the City UNDERTAKES a review of traffic, pedestrian and road safety issues for the roads surrounding the Karrinyup Shopping Centre and the findings of the review to be presented to Council.

## **Details**

The Karrinyup Shopping Centre has, over the last five years, been the subject of major redevelopment works approved by the State Government's Joint Development Assessment Panel. The significant increase in retail floor space has had a direct impact on the number of patrons and therefore the number of vehicles travelling to and from the centre. This has resulted in increased traffic, congestion, parking and road safety issues on the roads surrounding the centre.

The City can undertake a review of traffic, pedestrian and road safety issues for the roads surrounding the Karrinyup Shopping Centre to determine if there are any potential measures to improve safety.

Officers can prepare a report to be presented to the Community and Resources Committee meeting to be held 20 May 2025.

## **Financial Assessment and Implications**

The financial implications of the proposed works will be discussed as part of the requested report.

## **Sustainable Stirling 2022-2032**

**Key Result Area:** Our built environment

**Objective:** An accessible and connected City

**Priority:** Provide and maintain safe and accessible roads and parking

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

## Strategic Risk

Strategic Risk	Risk Appetite
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

**14.2          PROPOSED NOTICE OF MOTION - COUNCILLOR SUZANNE MIGDALE - TEE NETTING - WA GOLF COURSE**

At the request of Councillor Suzanne Migdale, Item 14.2 has been deferred until the Council Meeting to be held 18 March 2025.

**15. NOTICE OF MOTION FOR CONSIDERATION AT THE NEXT MEETING****15.1 PROPOSED NOTICE OF MOTION - COUNCILLOR CHRIS HATTON - TRAFFIC ISSUES AT INTERSECTION OF CLEMENT DRIVE AND SUMMERHAYES ROAD, KARRINYUP**

Councillor Chris Hatton submitted the following Notice of Motion at the Council meeting held 18 February 2025.

**Notice of Motion Recommendation**

That the City UNDERTAKES a review of traffic, pedestrian and safety issues for the roundabout intersection of Clement Drive and Summerhayes Road, Karrinyup, providing potential options and engineering solutions with approximate costings including a more substantial roundabout that could improve vehicle flow and pedestrian safety.

**15.2 PROPOSED NOTICE OF MOTION - COUNCILLOR TONY KRSTICEVIC - TRAFFIC ISSUES ON CLEMENT DRIVE, KARRINYUP**

Councillor Tony Krsticevic submitted the following Notice of Motion at the Council meeting held 18 February 2025.

**Notice of Motion Recommendation**

That the City UNDERTAKES a review of traffic, pedestrian and road safety issues for Clement Drive, Karrinyup from North Beach Road to Pascoe Street, and the findings of the review to be presented to Council.

**16. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil.

**17. NEW BUSINESS OF AN URGENT NATURE**

Nil.

**18. MATTERS BEHIND CLOSED DOORS**

Nil.

**19. CLOSURE**

The Presiding Member declared the meeting closed at 7.12pm.

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

...../...../ 2025

SIGNED:

Presiding Member Name: .....

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PRESIDING MEMBER