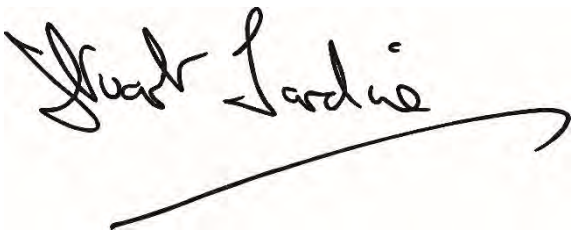
Ordinary Meeting of the 40th Council

10 May 2022

Minutes

To: The Mayor and Councillors

Here within the Minutes of the Ordinary Meeting of Council of the City of Stirling held Tuesday 10 May 2022 in the City of Stirling Council Chamber, 25 Cedric Street, Stirling.



Stuart Jardine PSM | Chief Executive Officer

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MINUTES OF THE ORDINARY MEETING OF COUNCIL OF TUESDAY 10 MAY 2022 HELD IN CITY OF STIRLING COUNCIL CHAMBER, 25 CEDRIC STREET, STIRLING

1. OFFICIAL OPENING

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

2. ATTENDANCE AND APOLOGIES

ATTENDANCE

Mayor	Mark Irwin
Deputy	Councillor Stephanie Proud JP
Councillors	Councillor Andrea Creado (via Zoom from 6.35pm) Councillor Felicity Farrelly (via Zoom) Councillor Joe Ferrante (via Zoom) Councillor Chris Hatton Councillor Tony Krsticevic (via Zoom) Councillor David Lagan Councillor Suzanne Migdale (via Zoom) Councillor Teresa Olow Councillor Karlo Perkov (via Zoom) Councillor Elizabeth Re Councillor Keith Sargent Councillor Bianca Sandri Councillor Lisa Thornton
Employees	Acting Chief Executive Officer - Ingrid Hawkins Director Infrastructure - Michael Littleton (via Zoom) Director Planning and Development - Stevan Rodic Acting Director Community Development - Cheyne Cameron Manager Development Services - Amanda Sheers Manager Governance - Jamie Blanchard (via Zoom) Media and Corporate Affairs Coordinator - Caitlin Tiller Senior Development Engagement Officer - Remo Formato Senior Governance Advisor - Daniel Govus Senior Governance Officer - Regan Clyde Senior Governance Officer - Amorette Kerklaan Senior Governance Officer - Jackson Mawby Senior Strategic Planning Officer - Gareth Glanville
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APOLOGIES

Chief Executive Officer - Stuart Jardine PSM
Director Community Development - Michael Quirk

3. APPROVED LEAVE OF ABSENCE

Nil.

4. DISCLOSURES OF INTEREST

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

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

Community and Resources Committee - 26 April 2022

Councillor Felicity Farrelly disclosed an Impartial Interest in Item 12.1/FPA1 as she has discussed this issue with Go Surf.

Planning and Development Committee - 3 May 2022

Councillor Felicity Farrelly disclosed an Impartial Interest in Item 12.2/DS3 as she is member of JDAP as elected by Council.

Councillor Suzanne Migdale disclosed an Impartial Interest in Item 12.2/DS3 as she is a member of JDAP.

Councillor Bianca Sandri disclosed an Impartial Interest in Item 12.2/DS3 as she is an alternate member of JDAP.

Mayor Mark Irwin disclosed an Impartial Interest in Item 12.2/PRSE7 as he is a social member.

Councillor David Lagan disclosed an Impartial Interest in Item 12.2/PRSE7 as he is a social member.

Councillor Bianca Sandri disclosed an Impartial Interest in Item 12.2/PRSE7 as she was a non-financial board member and is a current social club member.

Council – 10 May 2022

Councillor Lisa Thornton disclosed an Impartial Interest in Item 12.2/DS1 as she has previously taken an interest in, and expressed views on, the proposed development in this Scheme area. This has included engaging with individuals and community groups who have views on the prospect of development in this Scheme area. She confirms that she will give genuine and appropriate consideration to this application.

Councillor Joe Ferrante disclosed an Impartial Interest in Item 12.2/PRSE7 as he is a current social member.

Councillor Suzanne Migdale disclosed an Impartial Interest in Item 12.2/PRSE7 as she is a current committee member.

Councillor Felicity Farrelly disclosed an Impartial Interest in Item 13.1 – Elector Motion 8 as she knows the electors who have moved and seconded this motion and has spoken with them of their concerns of parking on suburban roads in the Coastal Ward.

Councillor Andrea Creado arrived at the meeting prior to consideration of Item 5.

5. PETITIONS

5.1 EPETITION - NORTH BEACH JETTY SURROUNDS

Councillor Tony Krsticevic tabled the following ePetition containing 158 verified signatures:

"We, the undersigned, do respectfully request that the Council:

1. *Provide sitting benches on land to the east side of the jetty.*
2. *Improve drainage from shower / water facilities leading to the jetty.*
3. *Correct the poor surface of turnaround area to the east of the jetty.*
4. *Reinstate the stairs to the lower level (these were blocked off when the change rooms were demolished)"*

This ePetition has been forwarded to the Engineering Services Business Unit for consideration and the appropriate action.

5.2 EPETITION - OPPOSE PROPOSED CHILD CARE PREMISES AT 19-21, LIEGE STREET, WOODLANDS (DA22/0144)

Councillor Elizabeth Re tabled the following petition containing 75 verified signatures:

"We, the undersigned, do respectfully request that the Council refuse this development as those undersigned object for the following reasons:

1. *Amenity and safety for ratepayers and residents who live in close proximity to the site is being compromised, as Liege Street is the only access road to Talbot Road and pedestrians travel way for those 500 plus residents who live in the retirement village and adjoining units.*
2. *Setbacks, access, egress, visual amenity, privacy, streetscape, pedestrian and car safety and significant noise issues are already an issue at this location and on a T-junction would be more dangerous than what the locals experience now, especially seniors.*
3. *Good planning and the amenity of the existing area is being compromised as it doesn't meet the acceptable outcomes as listed in Volume 2 of State Planning Policy 7.3.*
4. *Site coverage and building height – large plot ratio is too big for the site, large scale building of nearly 400m² is not appropriate or inline with the streetscape and the character of the area, and both the Stirling City Centre Project and Design WA Planning Scheme.*
5. *Overshadowing to adjacent existing residents which would affect solar panels and the health and wellbeing of users and the community in general, especially in Willow Road.*
6. *Traffic – Pearson Street, Liege Street and Scarborough Beach Road are already congested, and a main distributor road for local schools, busses, trucks and those cars travelling from the freeway to Subiaco etc. and is already dangerous with lots of accidents.*
7. *Parking and parking bays – with 25 car parking bays proposed onsite of which 21 are for staff and no visitor bays which would predominately be utilised at the same time, causing more congestion on the road and local street parking which is a current issue with the units.*
8. *Cumulative impacts arising from the physical design, car parking, traffic and noise together are such that the proposed development is not suited to what might reasonably be able to be accommodated and is therefore incompatible with its context, as per WASAT 63 and there is already a Childcare centre up the street and several within a one kilometre radius.*

This ePetition will be forwarded to the Development Services Business Unit for consideration and the appropriate action.

Council Resolution

0522/001

Moved Councillor Sandri, seconded Councillor Hatton

That Council RECEIVES the petitions tabled at the Council meeting held Tuesday, 10 May 2022 and the petitions be REFERRED to the Chief Executive Officer for the appropriate action.

The motion was put and declared CARRIED (15/0).

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

All petitions will have an update available in due course on the Petition Status Update page of the City's website which can be accessed here.

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

The responses to questions that were answered during Public Question Time at the previous Council meeting were published in the minutes of that meeting.

Only the responses to questions that were taken on notice at the previous Council meeting appear in the minutes below.

Nil.

7. PUBLIC QUESTION TIME

7.1 PUBLIC QUESTION TIME - J SAMER

The following questions were submitted by J Samer, Watermans Bay 6020 at the Council Meeting held Tuesday 10 May 2022.

The following questions refer to the Neuron e-scooter Trial.

Q1. "When will a curfew on the use of the Neuron e-scooters be implemented? They are already in place in many Neuron locations around the world. The disruption to ratepayers who have to listen to noisy riders after hours is unacceptable and impacts on residents physical and mental wellbeing. Given that there has been no consultation with the community and the community are now asking for this, surely this is sufficient for the Council to pay attention and make the urgent necessary changes, rather than wait till the end of the trial because so many of us are really being negatively impacted about this. The various data and feedback from Neuron about how they are trying to effect change fails to address the main issue: noise. Noise cannot be measured by the app. Noise cannot be addressed if there is no one there to report it, other than the community. The impact of the noise on the health and wellbeing of ratepayers cannot be measured as such. The introduction of this trial seems to have stepped over the important issues of health and safety and the implementation of a curfew is one small sensible logical measure that can be taken to minimise further harm now immediately. And I am hoping that the discussion around that might be able to be brought forward this evening."

A1. The Mayor advised that the item was on the agenda for consideration during the meeting.

Q2. "Where is the feasibility study for the e-scooter trail? It was mentioned in the minutes of the Council meeting in November 2021 and there has been nothing minuted since that I could find. This trial started before consultation and safety issues were addressed. Dual use has not been addressed and those who usually walk the streets, especially the elderly and more frail ratepayers, now have to literally move out of the way of e-scooter riders. Use of the footpaths along the coast increase year on and yet the Council has decided to impose even more traffic without regard for safety and congestion. And I would like to offer that if there is community consultation, I would be more than happy to part of that process with Council."

A2. The Mayor advised that at the Council Meeting held 7 December 2021, there was information presented to Council prior to the trial and the aim of the trial is to inform that decision making. Going forward, there is planned discussion, with affected community especially, and that will form part of an amended motion that will be discussed during the meeting.

Q3. "Who is going to pay for compensation when a pedestrian is injured by a scooter and the rider? Currently Neuron only cover the riders, and I have been in direct consultation with them about that, and not those that the riders of the scooters may injure. Insurance companies are well known for making claims longwinded and extremely stressful. And I can speak about that as a doctor that has to constantly deal with insurance companies, it is not a straightforward process. The Council has nothing in place to manage these concerns and yet there is already one person who has sustained an injury from a rider on a scooter that is costing them a lot of money for their medical expenses. I put to you that this is only the beginning of a trial where this issue has not been thought through at all by the City and where more claims are inevitable. I really want that on the table for you to consider, if someone gets injured by this trial, and it's not covered by Neuron, then what?"

A3. The Mayor advised that Neuron is covered for all insurance including third parties. While it is not covered under the road track app, they do have all appropriate insurances. It is acknowledged that as part of the trial, the risk to the community needs to be ascertained as this trial goes forward and the City receives information and data from Neuron. The Council will deal with the bigger issue. Neuron scooters probably are not the major issue; it's the private ones that are travelling at much greater speeds. There are controls in place for the Neuron scooters. The Council will certainly take those on board.

7.2 PUBLIC QUESTION TIME - L NOACK

The following questions were submitted by L Noack, Karrinyup 6018 at the Council Meeting held Tuesday 10 May 2022.

Q1. "On behalf of a great number of residents around the Karrinyup Shopping Centre, what methods of traffic calming has the Council considered for the local roads around the Karrinyup Shopping Centre? That is Davenport Street, Burroughs Road and Francis Avenue."

A1. The Director Planning and Development advised that a number of road and intersection upgrades were implemented as part of the redevelopment of the shopping centre to assist in improving accessibility. However, traffic calming treatments are generally only considered when there is a need to address high vehicle speeds. The most recent traffic surveys for the roads abutting the shopping centre have shown that the travel speeds are within acceptable parameters, and midblock traffic calming treatments have not been considered at this stage. The Mayor offered to arrange a meeting with Ms Noack and the relevant officer.

Q2. "Has the Council actually looked at other traffic calming methods that are used, particularly in Vincent?"

A2. The Mayor advised that the City monitors the success and impacts of various traffic calming treatments both within and outside of the City to ensure future projects are addressed in an effective manner.

Q3. "They've got 30km/h and 40km/h in residential zones, not just commercial zones. Which is good. We'd also like to know why hasn't this been addressed sooner given all of the locals have been bringing up this issue for a very long time now."

A3. The Director Planning and Development advised that the implementation of traffic calming treatments can be considered at the appropriate stage in the future, and the type of treatments will be determined based on the specific issue being addressed.

7.3 PUBLIC QUESTION TIME - A FREAN

The following question was submitted by A Frean, Tuart Hill 6060 at the Council Meeting held Tuesday 10 May 2022.

Q1. *"Has the Eldorado to Royal Urban Design Concept Plan as part of the Main Street Design Strategy been endorsed? There appears to be a zebra crossing marked out at Waterloo Street. If it has been endorsed, in which year has it been budgeted for and what is the timeline for works? A zebra crossing will provide a bicycle boulevard to link the priority safe cycle route north and south of Royal Street along Waterloo Street, without the need for users to divert down the hill to Main Street and back up. The residents south of Royal Street cannot safely cross the Robinson Oval with children, prams or bicycles due to the refuge islands in the middle of the four lanes being too narrow to accommodate anything other than pedestrians. With a child care centre now being built at that intersection of Royal Street and Waterloo Street, there will be a dozen little reasons to give cyclists and pedestrians protected right of way."*

A1. The Mayor advised that the Main Street Urban Design Study has been endorsed by Council. The City has been working with Main Roads WA to progress a design for the section of Royal Street adjacent to Robinson Reserve in line with that Urban Design Strategy. The estimated time frame currently for implementation of the project is approximately two to three years.

7.4 PUBLIC QUESTION TIME - SILENT ELECTOR

The following questions were submitted by a Silent Elector at the Council Meeting held Tuesday 10 May 2022.

Q1. *"Can we please ask the City to restrict e-scooters around retirement villages and age care facilities? And that the parking is also restricted in those areas? Most retirement villages have aged cares attached to them and often witnessing speeds while in excess of 10km/h that is permitted on our local footpaths. They are silent and older community members have no warning of their approach. There have been a number of frightening near misses. The scooters are frequently abandoned on our footpaths, and my husband and I regularly move them off the footpaths so that those using wheelchairs can use them safely. It would be preferable if the City actually restrict their use around all aged care retirement villages, and I think there is about 20 in the Karrinyup area. These residents should be safe from any injury. And finally, why do residents have to put up with them being parked on their private residences? They are an eyesore."*

A1. The Mayor advised that with regards to the e-scooters being parked on private residences, it is probably because those residents took them. The Mayor further advised that with regards to the age care facility issues, there will also be an amended Notice of Motion regarding these issues in the meeting, and that can be looked into as an option for the trial.

Q2. *"My final question is to do with the Karrinyup Shopping Centre and the developers removal of our trees that surrounded the street. How many trees have been removed or damaged on Karrinyup Road, Francis Avenue, Davenport Street, Burroughs Road, including the Jeanes-Prisk Reserve during the redevelopment of the shopping centre? And how many more are likely to be damaged or removed for the construction of the apartment buildings and viewing towers? The developers were required under JDAP, to put in advanced trees and that hasn't occurred. There are only little saplings and that's not adequate enough. We ask the City to look at engaging a tree service to undertake a comprehensive tree management plan and ensure that the tuarts are protected, especially the one near Northcourt Building, as it was tampered with last year. We ask for a complete comparison audit of the trees that did exist prior to the commencement of the development and what it is now. We are aware that the Mayor has got a newsletter in May that talked about WA Tree Festival, and we ask that the City actually look at the same as what Nedlands Council are, is at looking fining these developers $50,000 when they destroy our trees. It's to do with our environment. It's to do with what we should instil, those trees are important to the residents of Karrinyup and we want to see them back."*

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

Additional Information

A2. The original application for the Major Expansion of Karrinyup Shopping Centre (DA15/0460) was approved by the Metro North-West JDAP on 14 August 2015 which was prior to the adoption of Local Planning Policy 6.11 – Trees and Development by Council at its meeting held 24 October 2017. As such, the Advanced Tree requirements of Local Planning Policy 6.11 – Trees and Development did not apply to the original Major Expansion of Karrinyup Shopping Centre development, however it should be noted conditions of approval were imposed for the landscaping of the site, consistent with the requirements of Local Planning Policy 6.6 – Landscaping. The installation and planting of landscaping is consistent with the conditions of approval and was undertaken prior to the finalisation / occupation of the commercial component of the redevelopment Karrinyup Shopping Centre site. The tree plantings required along the periphery of the site and within the verge, along Francis Avenue, Davenport Street and Burroughs Road have been deferred pending the completion of the separate residential components approved on site, to minimise the removal of on-site and street trees which may be damaged during the construction phase of development.

The Advanced Tree planting requirements of Local Planning Policy 6.11 – Trees and Development apply to the approved Seven Storey Mixed Use Development on the corner of Davenport Street and Francis Avenue and the 9, 15 and 24 Storey Mixed Use Development on the corner of Karrinyup Road and Burroughs Road with minimum Advanced Tree plantings of 12 Advanced Trees and 21 Advanced Trees to be provided, respectively. The trees must be provided upon completion of development.

In response to the street trees removed since the original approval in 2015, the City advises that a total of four street trees were removed from adjacent verges – comprising two street trees in Davenport Street and two street trees in Francis Avenue. Three of these street trees were removed without authority and the developers were charged $39,690.54 to compensate the City for their loss. The trees removed within Karrinyup Road median are Main Roads WA assets so the City does not have any data on the asset removal/s or replacement/s. In terms of the current status of the Tuart Trees near the Northcourt Building, these are located within private property and were retained through the process of modifying the footpath and road intersection. Western Power often negotiate with the property managers for the Northcourt building to ensure the trees are maintained away from the power lines. In relation to Jeanes / Prisk Reserve, there is no record that any trees were removed for parking. Tree protection fences and mulching was installed around existing trees on two occasions when portions of the reserve were used for parking.

7.5 PUBLIC QUESTION TIME - L CARROLL-VIANNA

The following questions were submitted by L Carroll-Vianna, Hamersley 6022 at the Council Meeting held Tuesday 10 May 2022.

Q1. "Could the City arrange e-scooter events to educate e-scooter users on the safe and conscientious use of the scooters in the community?"

A1. The Mayor advised that these events have been running already with a number of these held, and the City is committed to working with Neuron to provide education around the e-scooters.

Q2. "In regards to the loss of trees along the freeway, particularly the mature marri trees, I'm aware that Main Roads are currently removing trees all along the freeway, I believe they are putting in a cycle way, probably an e-scooter pathway as well. Is there any chance of retaining some of those mature marri trees. Does the path have to be that straight and aligned?"

A2. The Mayor advised most people in the room have probably driven past that stretch and it is culmination of several things. It is not only the new freeway interchange and Stephenson Avenue Project, but it also links up with the new PSP along that area and Karrinyup Road underpass, so there is about three major projects going on with very significant tree loss. The City has been working with those State Government departments trying to get them to acknowledge the tree loss and work on it; however this doesn't seem to be occurring. The City is aware that with its major projects like the first stage of Stephenson Avenue, there was tree loss there and that was brought up early. It is never nice to take them down but there was a commitment to replace the trees that were removed at a 5:1 ratio and for that planting to start two years prior to the project to offset this, acknowledging that these still won't reach canopy for a number of years. The Mayor confirmed that the comments would be taken on board and the City will continue to liaise with the relevant State Government departments.

7.6 PUBLIIC QUESTION TIME - R HADLEY

The following questions were submitted by R Hadley, Woodlands 6018 at the Council Meeting held Tuesday 10 May 2022.

Q1. *"As Mr Meakins stated at the Electors' General meeting, the introduction of a trackless tram system along Scarborough Beach Road is a waste of taxpayer's money. The inconvenience of construction tram stops / platforms, the widening of the road, the disruption for traffic, cost of tram units, can easily be bypassed with the provision of electric buses. With roughly $350,000 already paid to SMEC Consulting, how long does it take to produce a report?"*

A1. The Mayor advised that the money being spent is a Federal Government commitment and that a business case is required is because trackless trams have been mooted as a light rail solution, a mid-tier transport solution around Australia in several councils and several states. The global engineering companies, the expert consultants, the engineers are the people examining that business case to determine if you are indeed right or indeed wrong and then show the infrastructure that will be needed to do those trials.

Q2. *"On 8 March, Fleet Commercial Gymnasium was paid $359,095, (almost a CEO's salary), with little detail provided as per normal. Will the City provide details for this sport and recreation equipment?*

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

Q3. "*In addition, the Department of Fire and Emergency Services was paid $11,110,00 and a few more hundred sheckels and costed to fees and government charges. Does this include every premise that the City owns?"*

A3. The Director Corporate Services advised that this does include all ratepayers and is included on the ratepayer notices. This is paid quarterly so that is effectively a quarterly payment of that year surcharge that is on the notices.

Q4. *"I refer to agenda item 'Amendments to the Information and Technical Acceptance Use Policy'. Why is this regarded as a confidential item, or were these amendments in relation to the Auditor General's report into cyber security in local government? And was the City one of the 15 local governments audited, was it one of the three LGA's that had adequate cyber security policies, or more importantly, it didn't have?"*

A4. The Director Corporate Services advised that it is confidential due to cyber security for that reason. With regards to the policy, the City had adequate policy, but the policy has been changed to strengthen the security that is in place.

Additional Information

A2. The payment of $359,095 made to Fleet Commercial Gymnasiums Pty Ltd on 8 March 2022 related to the purchase of gym equipment (treadmills, ellipticals, climbmills etc.) for the Terry Tyzack Aquatic Centre - Inglewood.

7.7 PUBLIC QUESTION TIME - K KELLY

The following questions were submitted by K Kelly, Scarborough 6019 at the Council Meeting held Tuesday 10 May 2022.

The following questions refer to Item 13.1 on tonight's agenda.

Q1. "My question is regarding the excessive on-street parking now occurring within the Scarborough residential area. This has been a problem for many years, ever since the government's push to increase the urban infill. Scarborough was traditionally a one house per block suburb, now we have three dwellings or maybe four or more on these blocks increasing not only the population of the suburb but also the number of vehicles that belong to these residents. As many of you are aware, driving through the Scarborough streets has now become a case of look 50m to 60m in front of yourself then judge if you can make the next safe pull over spot or driving down the middle of the road. With vehicles now parked on both sides of the roads, normal safe traffic movement is not possible. Can the Council tell me what actions it is going to take to alleviate this traffic problem, will it be off-road verge parking, restricted parking areas? Or maybe if I can be so bold as to suggest that the Council look at turning these streets into one way traffic movement streets, looking at one-way roads all the way through the Scarborough area."

A1. The Mayor advised that this item is on the agenda this evening for Council to consider. As part of that electors' motion there is an amendment that has been circulated to Councillors and will be put forward to try to address some of those issues.

Q2. "Is there any update on the derelict, not finished house on the corner of Little Street and Newborough Street?"

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

Additional Information

A2. – The Director Planning and Development contacted Mr Kelly on Wednesday 11 May 2022 and provided an update in respect to the property. The City continue to monitor the property to ensure it remains in a safe and compliant state. Contact with the owner and builder will continue.

7.8 PUBLIC QUESTION TIME - P ELLIS

The following questions were submitted by P Ellis, Carine 6020 at the Council Meeting held Tuesday 10 May 2022.

Q1. "Can you please advise why the Electors' General Meeting minutes were not produced for the 5 April 2022 Council meeting which allowed six working days to produce, yet the administration constantly produces the Council minutes in three working days."

A1. The Manager Governance advised that the Electors' General Meeting minutes were not produced in that time frame because unlike the Council minutes, they contain a full transcript of that meeting which does take a significant amount of time to prepare. Importantly before the previous Council meeting, the City did produce the names of the movers and seconders of the motions deemed as urgent and the motions that were moved to enable decisions to be made on those motions in a timely manner at the previous Council meeting.

Q2. "May I refer to answer 1 from 5 April 2022 meeting, can you tell me where the reserve funds come from so that there is no impact on the ratepayers for the purchase of vehicles and plant?"

A2. The Director Corporate Services advised that the City uses the reserve fund to fund the fleet replacement every year, money is transferred into the reserve from the municipal fund so effectively that money is coming through from the municipal. The City tries to smooth that out so there is not a large increase every year. So there is a transfer through to municipal to build that reserve and this is used for plant and equipment.

Q3. "Can you please tell me if a casual employee works for 10 hours per week for 12 months and then is employed as per the Fair Work Ombudsman's statement as permanent working 38 hours per week, where do they work?"

A3. The Director Corporate Services advised that effectively they would retain their 10 hours wherever they have worked. For example, if there was someone that worked in Recreation and Leisure that worked 10 hours per week as a casual for over six months, they would continue to do 10 hours per week in that role within Recreation and Leisure.

Mr Ellis queried if they would get paid for 38 hours.

The Director Corporate Services confirmed that they would be paid for 10 hours.

7.9 PUBLIC QUESTION TIME - G MEREDITH

The following questions were submitted by G Meredith, Watermans Bay 6020 prior to the Council Meeting held Tuesday 10 May 2022.

The following questions refer to the Neuron e-scooter Trial.

Q1. *"Prior to granting a 12 month trial of Neuron e-scooters did Council explore with Neuron their findings on community issues raised in municipalities elsewhere where they operate? (Neuron advise they employ staff to closely monitor community concerns.) And if so, did Neuron in its disclosures advise Council of community concerns about late evening excessive scooter user noise impacting on sleep, plus hospital emergency staff concerns about having to deal with injuries by late evening scooter users affected by alcohol placing undue pressure on their operations? If so why did Council not put in place a curfew on late evening hire e-scooter usage as happens elsewhere?"*

A1. The City did take into consideration issues and concerns that were raised at other locations where e-scooters were implemented, particularly during the initial establishment period. The City contacted representatives of local governments from other areas where similar trials had been conducted. A curfew was not applied proactively, as the City did not want to pre-emptively restrict the use of the e-scooters in a manner that may have impacted on the viability of the Trial.

Q2. *"As the Neuron e-scooter operation is in reality a commercial use in primarily low density residential areas in Stirling, why did Council not request its various departments to carry out normal detailed due diligence to determine what impacts the scooters would have on its ratepayers, prior to granting the trial? [for even a simple internet search highlights why late evening curfews have been put in place by enlightened and informed municipalities elsewhere in Australia and overseas] And importantly also, why did Council not seek comments from its ratepayers, prior to the Trial?"*

A2. The City did undertake due diligence and sought feedback from representatives of local governments from other areas where similar trials had been conducted.

7.10 PUBLIC QUESTION TIME - B WRIGHT

The following questions were submitted by B Wright, Watermans Bay 6020 prior to the Council Meeting held Tuesday 10 May 2022.

The following questions refer to the Neuron e-scooter Trial.

Q1. "What happens if I am injured by a neuron scooter - who pays my medical bills?"

A1. Neuron has Public Liability Insurance to cover riders whilst they are riding its e-scooters. The insurance covers riders for personal liability and is conditional on them wearing a helmet, obeying all applicable laws and Neuron's Terms & Conditions. Any injury sustained through an accident with a private e-scooter would need to be progressed through the relevant parties' insurance companies, in the same manner as a collision with a cyclist or pedestrian in the public realm.

Q2. "Why has this trial taking place on pathways already congested with pedestrians, bicycles and skateboards?"

A2. The use of electric rideable devices on paths and local roads is permitted under legislation introduced recently by the State Government.

Q3. "Why is there no curfew on their use at night when their operation is widely abused by riders?"

A3. The City acknowledges that there has been a percentage of riders that have chosen to not adhere to the required regulations. However, based on the data provided by the operators, this percentage is comparatively small when compared with the total number of riders. The imposition of a curfew for night-time use may therefore be penalising the significant majority of riders who abide by the rules.

7.11 PUBLIC QUESTION TIME - R PENNINGTON

The following questions were submitted by R Pennington, North Beach 6020 prior to the Council Meeting held Tuesday 10 May 2022.

The following questions refer to the Neuron e-scooter Trial.

Q1. "Will Council ban e-scooters trial for the safety of walkers?"

A1. Council is not considering a full time ban for e-scooters and is only considering the proposal for a night-time curfew to be applied to users of Neuron e-scooters.

Q2. "Will Council cover my injuries after being hit by a e-scooter. Still waiting over 5 weeks for response to my injuries?"

A2. Neuron has Public Liability Insurance to cover riders whilst they are riding its e-scooters. The insurance covers riders for personal liability and is conditional on them wearing a helmet, obeying all applicable laws and Neuron's Terms & Conditions. Any injury sustained through an accident with a private e-scooter would need to be progressed through the relevant parties' insurance companies, in the same manner as a collision with a cyclist or pedestrian in the public realm.

Q3. "Why has there not been any investigation or planning for dual use pathways to make riding of e-scooters and walking safer?"

A3. There has been a rapid and significant increase in the use of electric rideable devices, as demonstrated by the recent introduction of legislation by the State Government. There has not been sufficient time for any long-term planning to occur for this mode of transport, and it is not financially feasible for the City (or any local government) to immediately widen all of its footpaths and shared paths to accommodate these devices. However, provided that users follow the rules and regulations in the legislation, these devices can be safely accommodated on existing path and road networks.

7.12 PUBLIC QUESTION TIME - W KYNASTON

The following questions were submitted by W Kynaston, North Beach 6020 prior to the Council Meeting held Tuesday 10 May 2022.

Q1. "Why is there no curfew for the Neuron e-scooter trial as there are in many other states and countries?"

A1. A curfew was not applied at the start of the trial, as most localities have operated successfully without them. The City also did not want to restrict the use of the e-scooters in a manner that may have impacted on the viability of the trial. However, the City does have the ability to impose a curfew if it is deemed necessary.

Q2. "What happens if I am injured by someone riding a Neuron e-scooter and need compensation for my injuries?"

A2. Neuron has Public Liability Insurance to cover riders whilst they are riding its e-scooters. The insurance covers riders for personal liability and is conditional on them wearing a helmet, obeying all applicable laws and Neuron's Terms & Conditions. Any injury sustained through an accident with a private e-scooter would need to be progressed through the relevant parties' insurance companies, in the same manner as a collision with a cyclist or pedestrian in the public realm.

Q3. "Why has three not been any investigation or planning for dual use pathways to make riding of e-Scooters and walking safer?"

A3. There has been a rapid and significant increase in the use of electric rideable devices, as demonstrated by the recent introduction of legislation by the State Government. There has not been sufficient time for any long-term planning to occur for this mode of transport, and it is not financially feasible for the City (or any local government) to immediately widen all of its footpaths and shared paths to accommodate these devices. However, provided that users follow the rules and regulations in the legislation, these devices can be safely accommodated on existing path and road networks.

7.13 PUBLIC QUESTION TIME - H MCBRIDE

The following questions were submitted by H McBride, Watermans Bay 6020 prior to the Council Meeting held Tuesday 10 May 2022.

The following questions refer to the Neuron e-scooter Trial.

Q1. *"Why is there no curfew for the Neuron e-scooter trial as there are in many other states and countries?"*

A1. A curfew was not applied at the start of the trial, as most localities have operated successfully without them. The City also did not want to restrict the use of the e-scooters in a manner that may have impacted on the viability of the trial. However, the City does have the ability to impose a curfew if it is deemed necessary.

Q2. *"What happens if I am injured by someone riding a Neuron e-scooter and need compensation for my injuries?"*

A2. Neuron has Public Liability Insurance to cover riders whilst they are riding its e-scooters. The insurance covers riders for personal liability and is conditional on them wearing a helmet, obeying all applicable laws and Neuron's Terms & Conditions. Any injury sustained through an accident with a private e-scooter would need to be progressed through the relevant parties' insurance companies, in the same manner as a collision with a cyclist or pedestrian in the public realm.

Q3. *"Why has three not been any investigation or planning for dual use pathways to make riding of e-Scooters and walking safer?"*

A3. There has been a rapid and significant increase in the use of electric rideable devices, as demonstrated by the recent introduction of legislation by the State Government. There has not been sufficient time for any long-term planning to occur for this mode of transport, and it is not financially feasible for the City (or any local government) to immediately widen all of its footpaths and shared paths to accommodate these devices. However, provided that users follow the rules and regulations in the legislation, these devices can be safely accommodated on existing path and road networks.

7.14 PUBLIC QUESTION TIME - N HOGARTH

The following questions were submitted by N Hogarth, North Beach 6020 prior to the Council Meeting held Tuesday 10 May 2022.

The following questions refer to the Neuron e-scooter Trial.

Q1. *"Why is there no curfew for the Neuron e-scooter trial as there are in many other states and countries?"*

A1. A curfew was not applied at the start of the trial, as most localities have operated successfully without them. The City also did not want to restrict the use of the e-scooters in a manner that may have impacted on the viability of the trial. However, the City does have the ability to impose a curfew if it is deemed necessary.

Q2. *"What happens if I am injured by someone riding a Neuron e-scooter and need compensation for my injuries?"*

A2. Neuron has Public Liability Insurance to cover riders whilst they are riding its e-scooters. The insurance covers riders for personal liability and is conditional on them wearing a helmet, obeying all applicable laws and Neuron's Terms & Conditions. Any injury sustained through an accident with a private e-scooter would need to be progressed through the relevant parties' insurance companies, in the same manner as a collision with a cyclist or pedestrian in the public realm.

Q3. *"Why has three not been any investigation or planning for dual use pathways to make riding of e-Scooters and walking safer?"*

A3. There has been a rapid and significant increase in the use of electric rideable devices, as demonstrated by the recent introduction of legislation by the State Government. There has not been sufficient time for any long-term planning to occur for this mode of transport, and it is not financially feasible for the City (or any local government) to immediately widen all of its footpaths and shared paths to accommodate these devices. However, provided that users follow the rules and regulations in the legislation, these devices can be safely accommodated on existing path and road networks.

7.15 PUBLIC QUESTION TIME - S DALY

The following questions were submitted by S Daly, Watermans Bay 6020 prior to the Council Meeting held Tuesday 10 May 2022.

The following questions refer to the Neuron e-scooter Trial.

Q1. "Why has there been no investigation or planning for dual use pathways to make riding of e scooters and walking safer?"

A1. There has been a rapid and significant increase in the use of electric rideable devices, as demonstrated by the recent introduction of legislation by the State Government. There has not been sufficient time for any long-term planning to occur for this mode of transport, and it is not financially feasible for the City (or any local government) to immediately widen all of its footpaths and shared paths to accommodate these devices. However, provided that users follow the rules and regulations in the legislation, these devices can be safely accommodated on existing path and road networks.

Q2. "There needs to be investigation in to speed humps on Flora Terrace. The islands have not slowed down the traffic speed, in fact it's used as "Dodge the Island" game. There are young kids that live on Flora Terrace, and there have been some close calls. Hopefully we don't want a tragic accident happening before something is done."

A2. A comparison between pre and post construction traffic count surveys for Flora Terrace indicates that the treatments installed at various locations along this road in 2015 have reduced the (85th percentile) travel speeds by approximately 7km/h. While the City understands the concerns about vehicle speeds along this road, the data shows that the treatments have been effective in reducing the incidence of speeding motorists along this road.

Q3. "Why is there no curfew for the Neuron e scooter trial?"

A3. A curfew was not applied at the start of the trial, as most localities have operated successfully without them. The City also did not want to restrict the use of the e-scooters in a manner that may have impacted on the viability of the trial. However, the City does have the ability to impose a curfew if it is deemed necessary.

7.16 PUBLIC QUESTION TIME - D FERGUSON

The following questions were submitted by D Ferguson, Watermans Bay 6020 prior to the Council Meeting held Tuesday 10 May 2022.

The following questions refer to the Neuron e-scooter Trial.

Q1. "What is the current financial payment/compensation from Neuron to the City of Stirling? Neuron is a Singaporean based company operating Internationally. It currently has a value of $77.7 million. It would seem a logical step for a large company such as this to financially reward those entities that engage with them to further their financial bottom line."

A1. The agreement with Neuron is based on a 12-month trial period and does not include any revenue being received from the City. This was a decision made to provide flexibility to the City to modify the conditions of the agreement if required without any financial penalties that would normally be associated with contract variations. However, should the roll out of e-scooters be broadly supported by Council beyond the trial period, the City will likely seek an ongoing revenue stream from any operator or operators that are determined through an open tendering process.

Q2. "Did the City of Stirling view the business proposal that Neuron has developed providing hire e-scooters for communities in Australia? If so why has this, along with the contract allowing this International company to operate in the City of Stirling not been minuted and made available to the ratepayers of the City of Stirling?"

A2. The City did take into consideration issues and concerns that were raised at other locations where e-scooters were implemented, particularly during the initial establishment period. The City contacted representatives of local governments from other areas where similar trials had been conducted.

Q3. "Is the City of Stirling aware that under the Department of Transport E-Scooter Rules and Regulations in WA, under the Road Traffic Act Code 2000, that 'riders are not permitted to ride during the hours of darkness'? It would seem appropriate that the City of Stirling would be aware of this and look into this prior to commencing the current trial. How does the Council plan to manage this issue going forward?"

A3. Under the recent changes to the Road Traffic Code 2000, electric rideable devices (or e-Rideables) are permitted to be ridden during the hours of darkness provided the device or the rider has appropriate lights and reflectors (as per Regulation 224).

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7.17 PUBLIC QUESTION TIME - P VIANNA

The following questions were submitted by P Vianna, Hamersley 6022 prior to the Council Meeting held Tuesday 10 May 2022.

The following questions refer to 12.2/DS1 on tonight's agenda.

Q1. *"I propose that the bushland in 12.2/DS1 Local Planning Scheme No.3 - Amendment No.119 - Lot 802 House Number 179 Erindale Road, Hamersley – Initiation report be rezoned to bushland forever."*

A1. The Director Planning and Development advised that the City recognises the natural biodiversity values of the site. While 'Bush Forever' is not a zone, the City can investigate an appropriate zoning for the site once the EPA assessment is complete.

Q2. *"The City of Stirling has proposed reducing heat zones within the City and planting more trees. I ask that the City buy the land - Lot 802 House Number 179 Erindale Road, Hamersley - and keep the bushland for the residents and have similar space like the Warwick Open Space, but with limestone pathways to reduce impact on the bushland."*

A2. The Director Planning and Development advised that Item 12.1/RL1 of the agenda relates to the outcomes of advertising of the City's Public Open Space Strategy. That report identifies that funding mechanisms to meet any identified Public Open Space needs will need to be considered by Council through future capital works budgets and the City's Long Term Financial Plan.

7.18 PUBLIC QUESTION TIME - D MCKENNA

The following questions were submitted by D McKenna, Watermans Bay 6020 prior to the Council Meeting held Tuesday 10 May 2022.

The following questions refer to the Neuron e-scooter Trial.

Q1. *"Why is there no curfew for the Neuron e-scooter trial as there are in many other states and countries?"*

A1. A curfew was not applied at the start of the trial, as most localities have operated successfully without them. The City also did not want to restrict the use of the e-scooters in a manner that may have impacted on the viability of the trial. However, the City does have the ability to impose a curfew if it is deemed necessary.

Q2. *"What happens if I am injured by someone riding a Neuron e-scooter and need compensation for my injuries?"*

A2. Neuron has Public Liability Insurance to cover riders whilst they are riding its e-scooters. The insurance covers riders for personal liability and is conditional on them wearing a helmet, obeying all applicable laws and Neuron's Terms & Conditions. Any injury sustained through an accident with a private e-scooter would need to be progressed through the relevant parties' insurance companies, in the same manner as a collision with a cyclist or pedestrian in the public realm.

Q3. *"Why has three not been any investigation or planning for dual use pathways to make riding of e-Scooters and walking safer?"*

A3. There has been a rapid and significant increase in the use of electric rideable devices, as demonstrated by the recent introduction of legislation by the State Government. There has not been sufficient time for any long-term planning to occur for this mode of transport, and it is not financially feasible for the City (or any local government) to immediately widen all of its footpaths and shared paths to accommodate these devices. However, provided that users follow the rules and regulations in the legislation, these devices can be safely accommodated on existing path and road networks.

7.19 PUBLIC QUESTION TIME - S ZORN

The following question was submitted by S Zorn, Karrinyup 6018 prior to the Council Meeting held Tuesday 10 May 2022.

Q1. "Despite several ongoing measures, the City's tree canopy fell to 12.2 % in 2020-2021. The Local Government Act (s6.33(1)(d) allows for 'other characteristics' to determine Council rates. Shouldn't the City of Stirling consider the percentage of tree canopy on private land as a factor to determine rates, so residents are encouraged to increase the City's tree canopy?"

A1. As part of the Urban Forest Plan, the City has investigated potential increases and decreases to rates based on canopy thresholds. A key finding was this type of mechanism would not be equitable and would not likely impact the people removing tree canopy. For example, residents who buy properties where trees have already been cleared would be unduly impacted, however developers who remove trees, but do not pay rates, would not be affected. Officers are investigating other avenues to incentivise retention of trees.

8. APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Felicity Farrelly requested a leave of absence for the period 16 May 2022 to 23 May 2022 inclusive.

Council Resolution

0522/002

Moved Councillor Re, seconded Councillor Olow

That Council APPROVES Councillor Felicity Farrelly's request for a leave of absence for the period 16 May 2022 to 23 May 2022 inclusive.

The motion was put and declared CARRIED (15/0).

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

9. CONFIRMATION OF MINUTES

Council Resolution

0522/003

Moved Councillor Perkov, seconded Councillor Thornton

That the Minutes of the Ordinary Meeting of Council of 5 April 2022 be confirmed as a true and correct record of proceedings.

The motion was put and declared CARRIED (15/0).

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

10. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Nil.

11. UNRESOLVED BUSINESS FROM PREVIOUS MEETING

Nil.

12. REPORTS AND RECOMMENDATIONS OF COMMITTEES

12.1 COMMUNITY AND RESOURCES COMMITTEE - 26 APRIL 2022

Council Resolution

0522/004

Moved Councillor Hatton, seconded Councillor Sargent

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

The motion was put and declared CARRIED (15/0).

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

12.1/RL1 PUBLIC OPEN SPACE STRATEGY - OUTCOMES OF PUBLIC CONSULTATION AND ADOPTION OF STRATEGY

Report Information

Location:	City Wide
Applicant:	Not Applicable
Reporting Officer:	Manager Recreation and Leisure Services
Business Unit:	Recreation and Leisure Services
Ward:	City Wide
Suburb:	City Wide

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/005

Moved Councillor Hatton, seconded Councillor Sargent

1. **That Council NOTES the Public Consultation Outcomes (Attachment 1) in relation to the Draft Public Open Space Strategy.**

2. **That Council ADOPTS the Public Open Space Strategy 2021-2031 (Attachment 2).**

3. **That Council NOTES the Public Open Space Strategy Overview (Attachment 3).**

4. **That the City INVESTIGATES the natural areas not City managed, and REPORTS back to a future Council meeting on the possibility of bringing these areas back under City control.**

The motion was put and declared CARRIED (15/0) by exception resolution.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

1. That Council NOTES the Public Consultation Outcomes (Attachment 1) in relation to the Draft Public Open Space Strategy.

2. That Council ADOPTS the Public Open Space Strategy 2021-2031 (Attachment 2).

3. That Council NOTES the Public Open Space Strategy Overview (Attachment 3).

4. That the City INVESTIGATES the natural areas not City managed, and REPORTS back to a future Council meeting on the possibility of bringing these areas back under City control.

Officer's Recommendation

1. That Council NOTES the Public Consultation Outcomes (Attachment 1) in relation to the Draft Public Open Space Strategy.

2. That Council ADOPTS the Public Open Space Strategy 2021-2031 (Attachment 2).

3. That Council NOTES the Public Open Space Strategy Overview (Attachment 3).

Report Purpose

To present the outcomes of recent public consultation and seek Council adoption of the Public Open Space (POS) Strategy 2021-2031.

Relevant Documents

Attachments

Attachment 1 - Public Consultation Outcomes ⇩

Attachment 2 - Public Open Space Strategy 2021-2031 ⇩

Attachment 3 - Public Open Space Strategy Overview ⇩

Available for viewing at meeting

Nil

Background

At its meeting held 7 December 2021, Council resolved (Council Resolution Number 1221/007) as follows:

> *"1. That Council ADOPTS the City's draft Public Open Space Strategy for the purposes of advertising for public comment, with a further report to be PRESENTED to Council detailing the outcomes of public consultation by April 2022.*
>
> *2. That the City formally WRITES to the Department of Planning, Lands and Heritage and the Western Australian Planning Commission to seek an urgent review of State Policy frameworks in relation to Public Open Space provision, along with investigation of options to provide additional Public Open Space through the Metropolitan Region Scheme."*

The City's Public Open Space Strategy ('the Strategy') was first developed in 2008 to ensure the management and provision of Public Open Space met current and future community needs. The Strategy has been updated to consider a number of factors including population growth, density change, increasing demand on existing Public Open Space and updated industry standards. It included extensive research, assessment of Public Open Space provision and review of associated strategies and policies. Comprehensive public and stakeholder consultation was also undertaken to ensure integration of stakeholder and community needs and values.

The Draft Public Open Space Strategy was made available for four weeks during February and March 2022, for public comment and feedback from the community and stakeholders. The process included a City-wide consultation approach, with direct engagement with key State Government departments as well as local sporting clubs.

As per Council Resolution Number 1221/007, the City also wrote to the Department Planning, Lands and Heritage (DPLH) to seek an urgent review of relevant State Policy frameworks in relation to Public Open Space provision, along with investigation of options to provide additional Public Open Space through the Metropolitan Region Scheme.

Comment

The Public Open Space Strategy delivers the following:

- Identifies and responds to changing industry trends, challenges, population growth and associated impacts.
- Recognises and communicates the benefits of Public Open Space for community health outcomes.
- Establishes a Public Open Space framework to manage the sustainable provision of amenity and facilities while providing equitable access to a range of functions.
- Identifies the current Public Open Space provision across the City.
- Provides guiding information for key State planning processes; and
- Provides a clear decision-making process to assess the need for Public Open Space and how to address gaps within the community.

The Strategy provides the overarching strategic direction for Public Open Space and an integrated approach to future community infrastructure and facility planning. It recognises that local communities have varying characteristics and needs which require holistic and localised consideration for Public Open Space outcomes.

The Strategy outlines responses that the City intends to deliver to improve Public Open Space planning and provision. These include:

- Develop localised suburb by suburb Public Open Space plans.
- Ensure Public Open Space assessments are undertaken in line with identified process.
- Improve existing Public Open Space provision and quality where there are prioritised gaps and needs.
- Ensure early consideration of Public Open Space infrastructure and land use planning and strategic investment and allocation of cash-in-lieu.
- Continue to advocate to the DPLH for review of current State standards, and for provision of Public Open Space through the Metropolitan Region Scheme given impact of population targets and density.
- Investigate shared-use options and inter agency partnerships to compliment the Public Open Space network.
- Continue to engage with our community and monitor changes in use, trends and demands to deliver functional and needed Public Open Space and amenities.

The development of localised suburb by suburb Public Open Space plans is of significant interest to both Council and the community. These plans will include:

- Localised analysis of Public Open Space to understand current provision and access in each suburb.
- Identification of future needs and gaps in Public Open Space (quantity, access and quality).
- Identification of options for addressing key challenges, gaps and deficiencies in Public Open Space.
- Identification of a broad range of facilities and amenities that can be implemented across the City's Public Open Space network.

These local plans are well advanced and will be drafted by June 2022; they will then require review by Council and relevant Business Units, as well as undergoing local community consultation.

Consultation/Communication Implications

The community and stakeholders were asked to provide feedback regarding the draft Public Open Space Strategy over a four-week consultation period in February and March 2022. A range of consultative approaches were used including:

- Shaping Our City web page including:
  - An animated video providing a summary of the strategy.
  - Frequently asked questions.
- Social media promotion of the draft Strategy and consultation period:
  - Social media posts were made on the City's Facebook page and posted to 16 City of Stirling community Facebook groups.
  - 5,512 people saw the promotion advert at least once, and the advert appeared on screen 15,815 times.
- An e-newsletter was directly sent to the City's sporting clubs.
- A Stirling Scene article (March 2022 edition).
- A media release.
- Posters at key community buildings and leisure facilities.
- Direct engagement with the DPLH; the Western Australian Planning Commission (WAPC); the Department Local Government, Sport and Cultural Industries (DLGSC); and the Western Australian Local Government Association.

Community and stakeholder feedback was requested to be provided via:

- Your Say Stirling online survey (available from Monday 14 February to Monday 14 March).
- Direct feedback via telephone, email or hard copy survey.

Survey responses were the primary form of feedback with a total of 112 surveys recorded as active responses.

A diverse range of feedback was received which provided support for the strategy. Some key responses included:

- When considering Public Open Space in their local area, 25% of respondents considered what infrastructure or facilities are available as the most important, while 15% considered the amount of Public Open Space in their local area as most important.
- When considering opportunities to assist in addressing gaps in Public Open Space, 16% of respondents indicated that upgrading Public Open Space classification to improve amenity provision or quality was the most effective. This was followed by 15% indicating that the development of existing Public Open Space was most effective.

Survey respondents also had the opportunity to provide the City with general comments. Natural shade, continuing to engage and keep the community informed about Public Open Space upgrades, and improvements in amenity provision in local parks were common responses. Feedback received around particular Public Open Spaces will be considered as part of the suburb based Public Open Space plans.

Key findings from the surveys are outlined in Attachment 1.

Respondents to the survey have been advised that the consultation outcomes and Strategy recommendations are being presented to Council for consideration. The feedback from the surveys also provided valuable information that will assist in the development of the suburb by suburb Public Open Space plans.

Three written responses providing feedback regarding the Strategy were received from stakeholders, as follows:

1. Department Planning, Lands and Heritage

As per Council Resolution Number 1221/007 on 7 December 2021, the City wrote to the DPLH to seek an urgent review of relevant State Policy frameworks in relation to Public Open Space provision, along with investigation of options to provide additional Public Open Space through the Metropolitan Region Scheme.

The DPLH responded, providing an update that the review of the WAPC's Policy Development Control 2.3 - Public Open Space in residential areas is progressing, and officers from the DPLH will contact the City to begin a consultation process.

The DPLH also provided feedback regarding the Strategy and noted that it adopts the same assumptions and framework as the DLGSC's 'Classification Framework for Public Open Space' document, which is supported. The Department also identified the need for localised Public Open Space plans to support the Strategy which will provide a clearer picture of current provision, future needs, and strategies to address any deficiencies or required improvements.

2. Department Local Government Sport and Cultural Industries

The DLGSC provided comment that the Strategy was comprehensive and will inform planning for Public Open Space.

3. Murdoch University

The Conservation Medicine Program in the School of Veterinary Medicine at Murdoch University provided written feedback. This group has been studying the health, ecology and demographics of Western Australia's three species of black cockatoos for 10 years.

The feedback requested that the Strategy assist in safeguarding the City's black cockatoo flocks, and encourage black cockatoos to feed, roost and continue to flourish in the City of Stirling.

To ensure City documents are concise and easy to read, a Public Open Space Strategy Overview has been developed (refer Attachment 3). This provides the key information from the Strategy which is most relevant and of interest to the broader community.

Policy and Legislative Implications

Public comment was undertaken in accordance with the Community and Stakeholder Engagement Policy. The draft Strategy has been prepared in accordance with relevant State and Local Planning Policies.

Financial Implications

Preparation and adoption of the draft Strategy is in accordance with allocations in the City's 2021/2022 operating budget. The Strategy outcomes, including the development of localised suburb by suburb Public Open Space plans, will have significant financial implications. Funding mechanisms to meet any identified Public Open Space needs will need to be considered by Council through future capital works budgets and the City's Long Term Financial Plan.

Strategic Implications

Key Result Area: Thriving communities

Outcome S2: Active and healthy City

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Water consumption and quality	The increasing scarcity of water and management of water consumption across the City's Public Open Space network are key trends that will inform future decision making.
Vegetation impact	The value of community connectedness with the natural environment and provision of green corridors are key benefits associated with a well-planned Public Open Space network.

SOCIAL	
Issue	**Comment**
Amenity	The Strategy provides a Public Open Space framework which captures both classification of spaces as well as function within the community. This framework will help guide the amenity provided within Public Open Spaces in an equitable and sustainable way that optimises both the experiences and benefits of Public Open Space for the community.

ECONOMIC	
Issue	**Comment**
Nil.	

Conclusion

The City has engaged with the local community and key stakeholders to seek feedback on the draft Public Open Space Strategy. The majority of respondents support the draft Strategy.

The Strategy has been updated to include 'Other local level informal recreational facilities can also be considered to help deliver vibrant local parks for our community' in the Local Open Space Public Open Space hierarchy classifications as per community feedback. The social benefit 'supports local community sporting clubs' has been included and the word Draft has been removed from the title.

It is recommended that the Public Open Space Strategy be adopted by Council. While the Strategy provides overall strategic direction, the development of the localised suburb by suburb Public Open Space plans will provide more detailed localised planning responding to community needs and will inform future strategic and budget planning. These are being progressed as a priority. The City will also continue to engage and advocate with key State departments including DPLH on the policy review as per Council's resolution.

Attachment 1

Public Consultation Outcomes

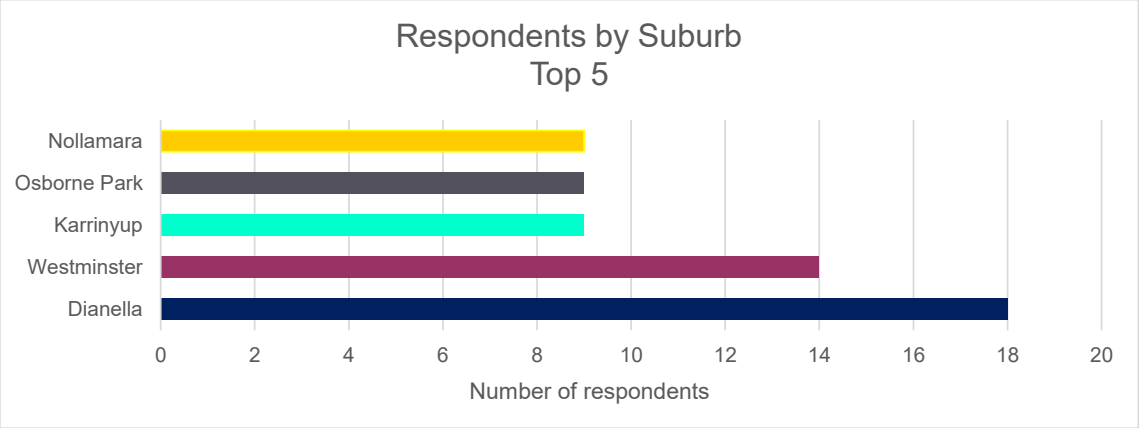
Summary of key community and stakeholder feedback regarding the Draft Public Open Space Strategy.

The Draft Public Open Space Strategy consultation commenced on 14 February and closed on 14 March 2022.



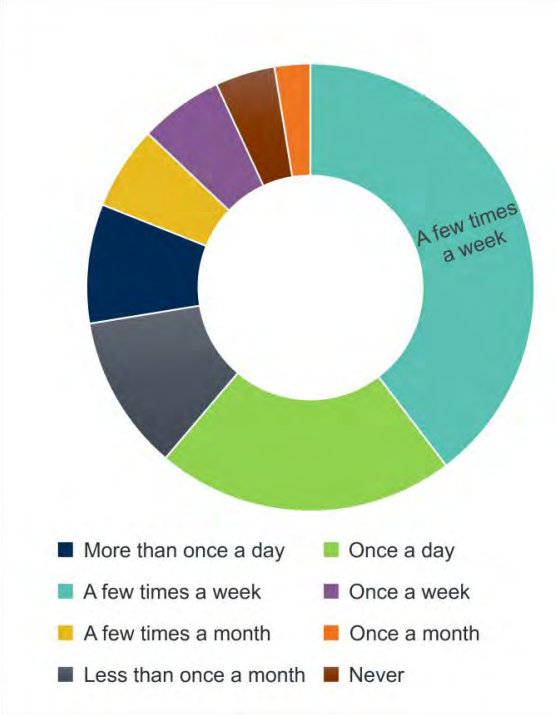
Community respondents summary

- Respondents resided in 26 suburbs across the City.
- The most respondents by area were:
    1. Dianella – 18 respondents
    2. Westminster – 14 respondents
    3. Karrinyup – 9 respondents
    4. Nollamara – 9 respondents
    5. Osborne Park – 9 respondents



A breakdown and analysis of the responses received through the survey has been provided below.

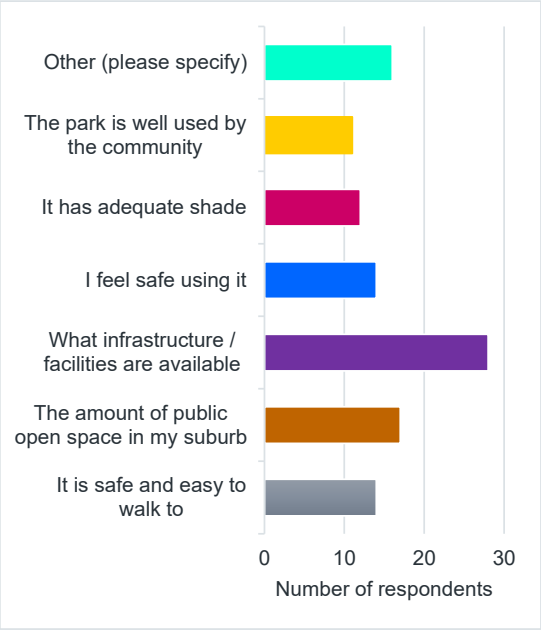
How often do you attend your local park?



Key Findings:

- The majority of respondents visited their closest park or reserve a few times a week.

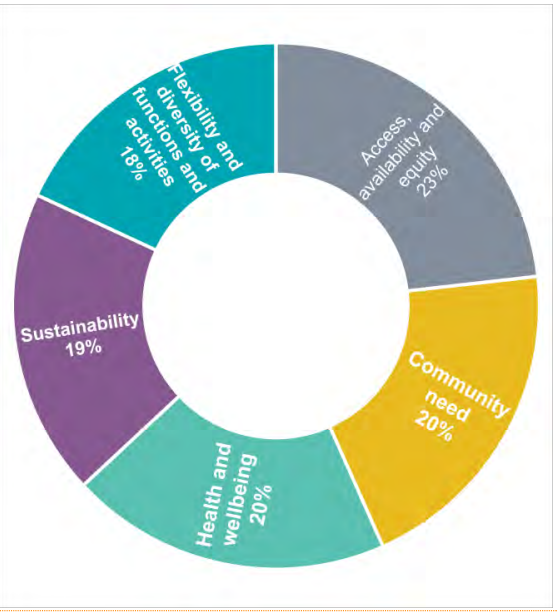
When considering public open space in your local area, what is most important to you?



Key Findings:

- 25% of respondents said that the most important thing to them when considering public open space in their local area was what *infrastructure/ facilities* are available.
- 15% of respondents said *the amount* of public open space in my suburb was most important.
- 14% indicated 'other' was most important. This included:
  - Fenced play areas;
  - Protecting trees and natural flora and fauna;
  - Public open space to be well maintained.

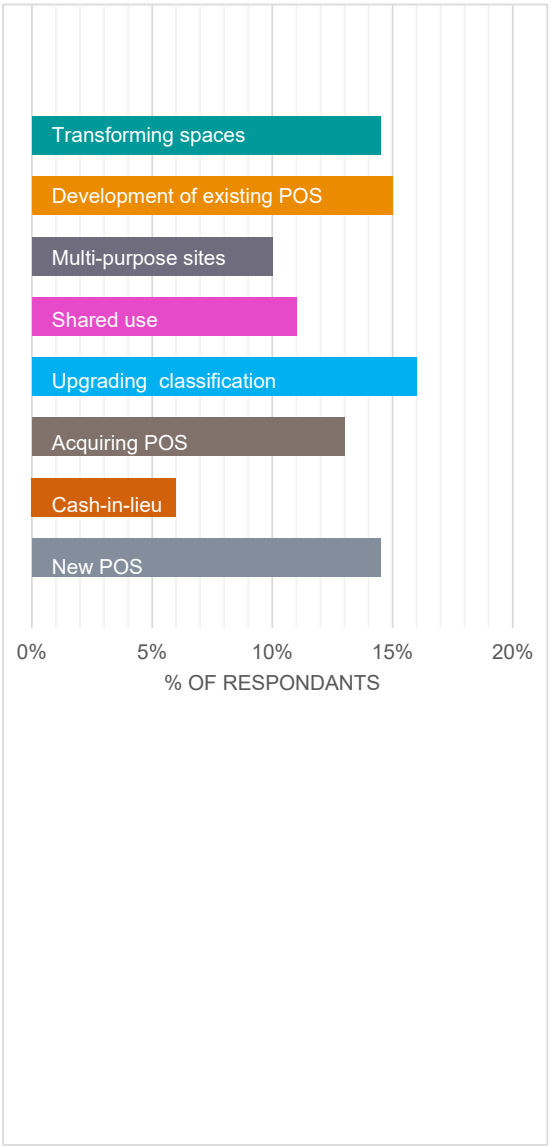
The Strategy identifies 5 key planning principles to provide the fundamentals for public open space provision and development, which do you consider the most important?



Key Findings:

- All the principles were valued very equally by respondents.
- Respondents responses ranked the principles in the following order.
  1. Access, availability and equity (23%)
  2. Community need (20%)
  3. Health and wellbeing (20%)
  4. Sustainability (19%)
  5. Flexibility and diversity of functions and activities. (18%)

The Strategy identifies a number of opportunities which can assist in addressing gaps in POS, which opportunities do you consider to be the most effective?

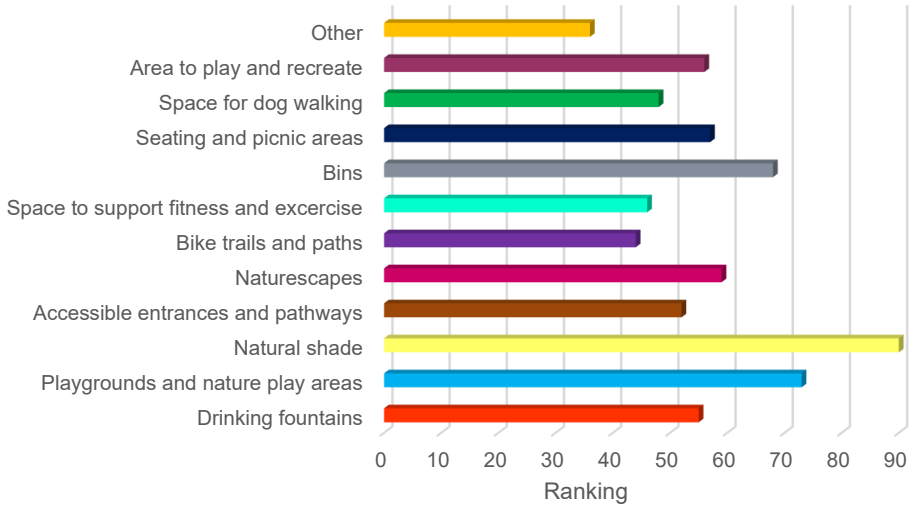


Key Findings:

Respondents considered the following opportunities to be most effective in assisting to address gaps in POS:

1. Upgrading public open space classification to improve amenity provision or quality (16%)
2. Development of existing public open space (15%)
3. New public open space (14%)
4. Transforming spaces, such as considering new and innovative opportunities (14%)
5. Acquiring public open space (13%)
6. Shared use, such as with local schools and other local governments (11%)
7. Multi-purpose sites such as plazas and civic spaces (10%)
8. Cash-in-lieu of public open space provision (6%)

What do you believe are the most important amenities for our local parks?



Key Findings:

- Based on the total ranking of all suggested amenities the top three were (in order):
    1. Natural shade
    2. Playgrounds and nature play areas
    3. Bins

When you think about where you live, what do you love the most?

(open ended question)

Key Findings:

- There are many parks and green spaces to access, the leafy streets, and access to natural areas and wildlife habitats.
- There is good sense of community and friendly neighbourhoods
- There is good access to amenities and services close by such as local shopping, schools, beach and major shopping centres.

Stakeholder respondents summary

Three written responses were received from Stakeholders.

1. Department of Planning, Lands and Heritage (DPLH)
2. Department Local Government, Sport and Cultural Industries (DLGSC)
3. Murdoch University

The City also approached WALGA for feedback regarding the Draft strategy however they advised that they do not to comment on planning documents of Local Governments, except in rare circumstance.

Key Findings:

1. Department Planning Lands and Heritage (DPLH)

The City has continued to engage with the Department of Planning, Lands and Heritage (DHLP) to seek their feedback on the City's Draft Public Open Space Strategy.

DPLH acknowledged that the Strategy identifies concerns with the current Western Australian Planning Commission (WAPC) policy requirement for 10% POS land area per suburb, and the historically derived minimum 33.6m2 POS per person. The City has formally written to DPLH to seek an urgent review of State Policy frameworks in relation to Public Open Space provision, along with investigation of options to provide additional Public Open Space through the Metropolitan Region Scheme. The City has also suggested that it would welcome the opportunity to assist in this review by way of inclusion in an industry reference or project working group. DPLH provided an update that the review of WA Planning Commission Policy Development control 2.3 - Public open space in residential areas is progressing and Officers from DPLH will contact the City to begin a consultation process.

2. Department Local Government Sport and Cultural Industries (DLGSC)

The City requested feedback from DLGSC regarding the draft strategy. DLGSC provided comment that the Draft Strategy was comprehensive and will inform planning for public open space.

3. Murdoch University

The City received written feedback from the Conservation Medicine Program in the School of Veterinary Medicine at Murdoch University. This group has been studying the health, ecology and demographics of Western Australia's three species of black cockatoos for 10 years.

The feedback requested that the City's Draft Public Open Space Strategy assist in safeguarding the City's black cockatoo flocks, and encourage black cockatoos to feed, roost and continue to flourish in the City of Stirling. The feedback indicated that, it will be important for Western Australia to implement effective efforts to ensure the conservation management of our threatened species. For black cockatoos, this will include planning that protects and enhances important habitat in POS and other urban spaces, in order to keep black cockatoos flying in the City of Stirling. It was a detailed submission and this feedback has been forwarded to the City's Parks and Sustainability Business Unit for consideration towards the City's Biodiversity Strategy.

Example Public Consultation Materials

Library and Community and Recreation Centre Poster.



City of Stirling
City of Choice

Draft Public Open Space Strategy

Overview

The Public Open Space Strategy guides the City's future public open space planning and provision. It aims to provide our community access to a network of quality parks and reserves to help deliver a healthier and active community. The Draft new Strategy was adopted by Council on 7 December 2021 for public consultation.

The City is seeking public comment on the draft Public Open Space Strategy.

Timeline

14 February 2022	14 March 2022	March/April 2022	April/May 2022
Community consultation commences	Community consultation concludes	Review community feedback	Council consideration

For more information please visit
www.stirling.wa.gov.au/posstrategy

Open your camera app and scan this QR code to go to the web page.

Sporting Club E-newsletter

Shaping Our City

Draft Public Open Space Strategy

February 2022



You are receiving this email as you have been identified as a key stakeholder of the City of Stirling.

The Public Open Space Strategy guides the City's future public open space planning and provision. It aims to provide our community access to a network of quality parks and reserves to help deliver a healthier and active community. The Draft new Strategy was adopted by Council on 7 December 2021 for public consultation.

The City is seeking public comment on the draft Public Open Space Strategy.

We have provided a poster for display at your clubrooms. Click here to view and print.

For more information please contact the Leisure Planning Team on (08) 9205 8555.

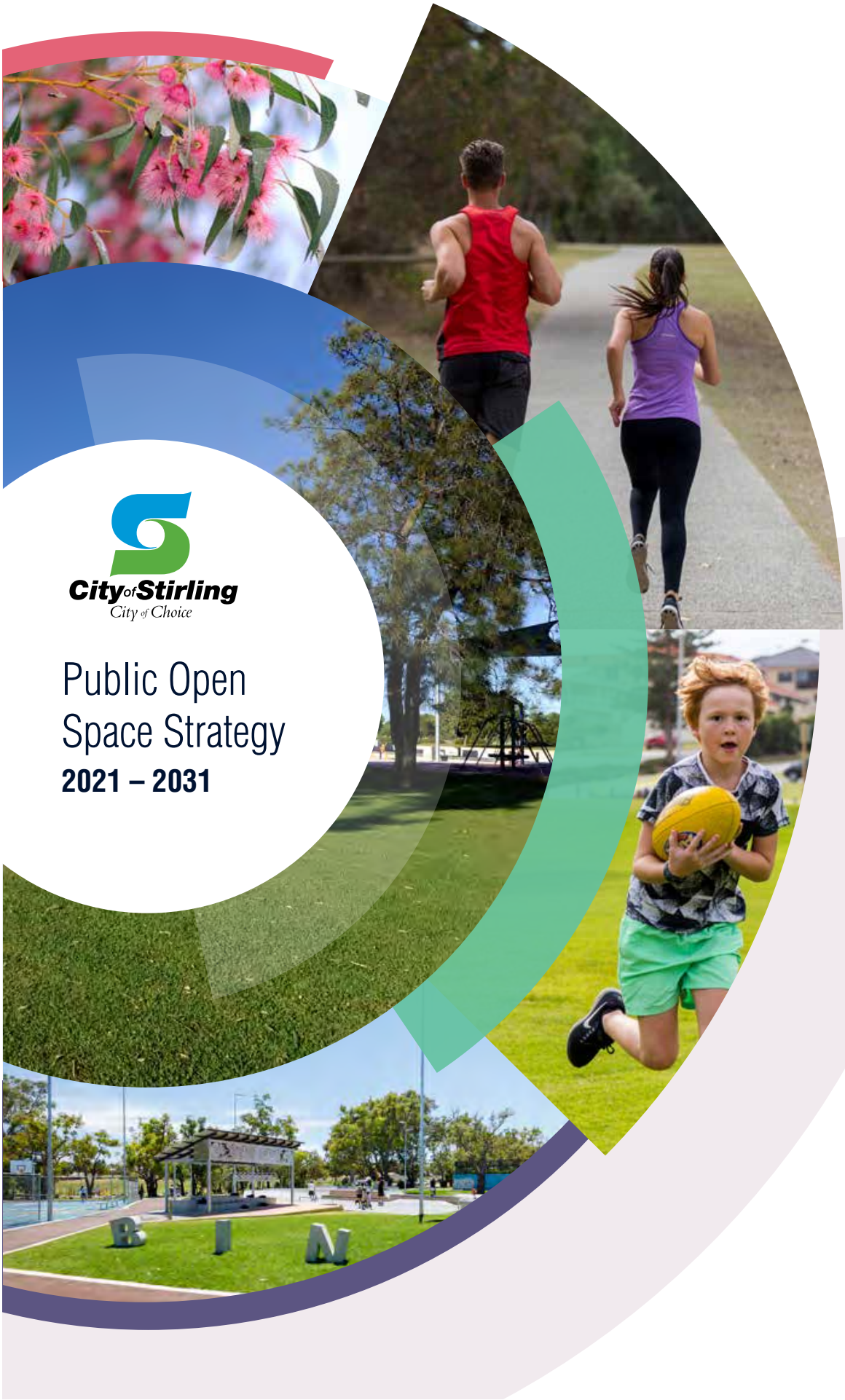
Visit the project page via the link below to have your say and 'follow' the project.

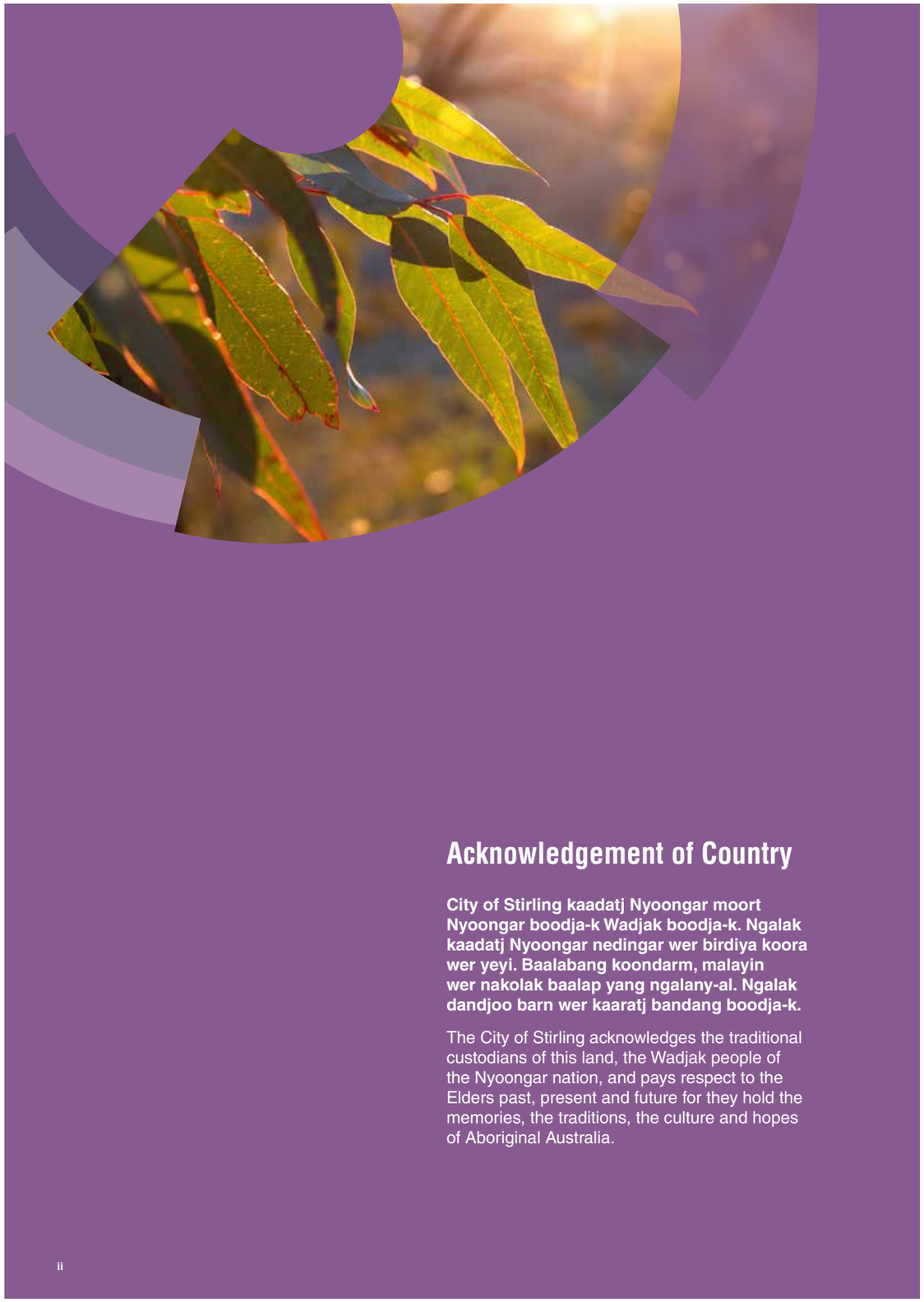
Visit project page

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The City of Stirling acknowledges the traditional custodians of this land, the Wadjak people of the Nyoongar nation, and pays respect to the Elders past, present and future for they hold the memories, the traditions, the culture and hopes of Aboriginal Australia.

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The City of Stirling 25 Cedric Street Stirling, WA 6021


City of Stirling
City of Choice
Public Open Space Strategy
2021 – 2031



Acknowledgement of Country

City of Stirling kaadatj Nyoongar moort Nyoongar boodja-k Wadjak boodja-k. Ngalak kaadatj Nyoongar nedingar wer birdiya koora wer yeyi. Baalabang koondarm, malayin wer nakolak baalap yang ngalany-al. Ngalak dandjoo barn wer kaaratj bandang boodja-k.

The City of Stirling acknowledges the traditional custodians of this land, the Wadjak people of the Nyoongar nation, and pays respect to the Elders past, present and future for they hold the memories, the traditions, the culture and hopes of Aboriginal Australia.

Executive summary

It has been well documented that public open space (POS) is a vital component to any community and provides a wide range of health, social, environmental and economic benefits. It contributes to a community's sense of place, identity and recreational opportunities. It acts as a green relief to the ever-expanding urban environment. These benefits form integral roles to the fabric of a community and in the quality of life of residents.

Globally, POS has come to the forefront of planning to enhance the wellbeing of communities. With unprecedented changes caused by the global pandemic, the importance of POS to provide these physical, social and mental health benefits has only grown more pronounced. Although it is difficult to make predictions, several trends have emerged:

- The increased value placed on green POS
- The importance of access to POS within local (often walkable) catchments
- The growth of free, informal recreation (walking, cycling etc)
- The return to basics with an emphasis on community and family-centred recreation (eg, bike riding, kick-to-kick, backyard cricket) which provides individuals with a nostalgic sense of social connection.

With the difficulty in predicting what will come next, POS (along with the sport and recreation industry) will most certainly need to be adaptable and flexible to continue serving the community.

The City's POS Strategy ('the Strategy') was first developed in 2008 to create a network of resource efficient quality POS across the City that will satisfy current and future recreational needs in an equitable and sustainable manner.

The POS Strategy still looks to meet this aim; however, it was important to revise the Strategy to better align the City's POS hierarchy and classifications with updated industry standards and to provide a contemporary framework to guide future provision.

To meet these aims, the POS Strategy has further defined the meaning and scope of POS within the City and simplified the POS framework with emphasis on key principles and function. It has also identified the level of provision of POS across the City with consideration on how to move forward to meet growing community need.

The POS Strategy highlights the complexities of POS planning and the importance of providing access to quality spaces which offer a range of functions and benefits for the community. The City's POS functions have been identified as sporting spaces, recreational spaces and nature spaces. These POS functions are captured within the POS hierarchy classifications as shown below.

Classification	Summary description
Local	Local spaces are typically small parklands that service the recreational needs of the local residential population, such as children's play, dog walking and relaxation. **Function:** Recreation and nature
Community	Community spaces serve as the recreational and social focus of a community. Residents of surrounding areas are attracted by the variety of features and facilities and opportunities to socialise. **Function:** Recreation and nature
District	District spaces are principally designed to provide for organised formal sport and can provide for local or community-level recreation. **Function:** Sport, recreation and nature
Regional	Regional spaces may accommodate important recreation and organised sport space as well as significant nature spaces for conservation. They may also include environmental features such as water bodies. **Function:** Sport, recreation and nature



In total, the City has 502 POS which equal a total of 745 hectares of POS. Of these, there are currently 426 local open spaces, 31 community open spaces, 41 district open spaces and four regional open spaces. This does not include the extensive portions of bush forever areas, wetlands, conservations areas and coastal foreshore.

In Western Australia (WA), the amount of POS provided through the local planning scheme is set by the Department of Planning, Lands and Heritage (DPLH). It requires the subdivider to provide 10 per cent of the gross subdivisible area of a residential subdivision to the Crown, free of cost, for POS purposes. This equates to 33.6 square metres per person and was based on a standard density of 30 persons per hectare when established in 1955.

In assessing the City's POS provision against DPLH criteria for the 10 per cent standard, it shows that 43 per cent of suburbs meet this minimum standard. However, when considered against the equivalent area of POS per person standard (33.6 square metres per person), 23 per cent of suburbs provide the minimum area of POS. This highlights inadequacies with a one-size fits all approach to POS provision.

It should be noted that POS can also be provided through the Metropolitan Region Scheme reservations and are typically spaces of regional significance. When POS from both schemes are considered, 37 per cent of suburbs have over 33.6 square metres per person of total POS available.

Contemporary views are that POS standards are best set locally (Veal, 2013) to cater for the varying characteristics of different places. Standards set at a broader level cannot cater for local circumstances such as differences in demographics and the extent of urban infill and development in an area.

The POS Strategy recommends a three-step assessment process when undertaking POS planning and provision. This is to balance the current state standard of 10 per cent POS provision with POS principles such as access, distribution and quality of functions.

The POS assessment process includes consideration of future POS provision. By 2031, it is predicted that only seven suburbs will have enough POS by area per person (based on total POS). The challenge facing the City and many other local governments is how to maintain POS and its associated benefits while meeting population targets.

The next step for POS in the City is to use the POS Strategy to guide community-level planning. This localised planning will allow more in-depth consideration of different approaches for the City to effectively respond to community need.

The key challenges identified by the POS Strategy and recommended responses by the City are right of page.

POS Strategy key challenges and responses

Key challenge 1: The current state measure of POS is based on a single percentage approach applied uniformly to a whole suburb, which does not consider distribution, access or quality.

#	Response	Timeframe
A	Develop localised suburb-by-suburb POS plans	Short
B	Undertake POS assessments in line with the identified process in this Strategy to ensure all aspects are taken into consideration	Ongoing
C	Advocate to the WAPC for review of current standards particularly for high-density areas and cash-in-lieu contributions	Medium/long

Key challenge 2: Several suburbs have been identified as having below the minimum standard of POS by area.

#	Response	Timeframe
A	Address individual suburb deficiencies thorough the development of localised suburb-by-suburb POS plans	Short
B	Identify gaps in POS and options for addressing POS deficiencies	As above
C	Undertake strategic planning into investment opportunities of cash-in-lieu contributions	Short / medium
D	Advocate to the Department of Education and the Department of Local Government, Sport and Cultural Industries for a review and improvement of policies regarding shared-use outcomes between local schools and local government	Short
E	Prioritise the retention of existing POS	Ongoing

Key challenge 3: Projected population increases, and associated impacts of increasing residential housing density and urban infill, are resulting in less POS by area being available per person (if POS remains the same).

#	Response	Timeframe
A	Advocate to the WAPC to investigate options to provide additional public open space through the Metropolitan Regional Scheme As the WAPC have set the population targets, it is important to reassess the POS requirements within the regional planning framework	Medium/long
B	Advocate for POS impacts to be considered when residential areas are being considered for rezoning to allow for early identification of impacts and possible solutions	Medium

Key challenge 4: Community demands and expectations are growing, with increasing value being placed on access to quality POS and associated infrastructure.

#	Action	Timeframe
A	Ongoing community engagement to understand the community's POS needs and to educate how the City is providing quality POS through localised planning	Short/medium
B	Monitor and review changes in the community and emerging industry trends	Ongoing



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1. How to use this strategy

1.1 Guide

The POS Strategy is divided into parts. This is to assist the reader to find the relevant information for their needs (Table 1).

Table 1: POS strategy breakdown

Part	Main audience
Part 1 **Part 2**	This is general information for those wanting greater understanding of what POS is, context in the City and WA planning system and why POS is important.
Part 3	This is predominantly for the general community member who: • May be interested in their local park classification and what this means in terms of park amenity • Would like an understanding of how much POS the City has and where it is.
Part 4	Predominantly for developers and those involved in subdivision process. This part outlines: • What spaces are provided under the local planning scheme and the respective POS percentage to guide POS contribution requirements under Development Control Policy 2.3 (DCP 2.3) • Outlines cash-in-lieu and expenditure in relation to DCP 2.3 and Development Control Policy 1.3 (DCP 1.3).
Part 5	For community members and external stakeholders who are: • Interested in the City's process for assessing POS needs and gaps in the community.
Part 6	Lists the key issues identified by the Strategy and City's responses.

1.2 Purpose

The primary purpose of the Strategy is to provide strategic direction and decision making to guide the quality provision of POS for the community. The Strategy will establish a framework with clear hierarchy and functions of POS which maximise the benefits of POS for the community.

The Strategy provides clarity for the community on the City's POS provision standards and principles. It supports the continuation and implementation of robust, transparent and community-based needs to delivering POS outcomes now and into the future.

To achieve this purpose, the following goals have been established to guide the Strategy:

- Identify and respond to changing industry trends, challenges, population growth and associated impacts to the City's POS network
- Recognise and communicate the benefits of POS for community health outcomes
- Establish a POS framework to ensure sustainable provision of POS and associated facilities while providing equitable access to a range of POS functions
- Provide a clear decision-making framework to assess the need for POS and to address gaps within the community
- Identify the current POS provision within the City and responses to key issues enabling the City to continue providing access to quality public open space.

1.3 Strategy scope

Having an agreed understanding of what is included in the City's definition of POS is essential to reduce ambiguity in planning responsibilities and to develop functional, community-focussed open space networks.

The Strategy defines POS as per the Department of Local Government, Sport and Cultural (DLGSC) Industries Classification Framework for POS. POS is defined as "urban green spaces such as parklands, play areas, playing fields, bushland and other similar spaces people use for recreation, sport and social interaction, in which community access is encouraged and explicitly managed".

It is typically land that has been set aside for recreation and sport purposes and has been reserved under either the Metropolitan Region Scheme (parks and recreation) or under the City's local planning schemes (POS). The Department of Planning, Lands and Heritage (DPLH) generally refers to POS as land that is required (under legislation) to be given up free of cost by a landowner/applicant and vested in the Crown as a reserve for recreation and public purposes.

While it is understood that recreational activities may occur in other areas of publicly accessible space, the Strategy is not intended to apply to areas where the primary purpose or function is identified outside of the POS framework. Primary function or purposes outside the scope of this Strategy are listed below (DLGSC, 2012):

- Preservation and restoration of natural features or habitat such as 'bush forever', nature reserve, state forest, conservation reserve or similar (usually fenced off with restricted or no access)
- Residual land or land set aside as urban deferred or for road reserve, car parking or similar purposes
- River and coastal foreshore reserves and buffer zones (beach area, support amenities and fenced-off areas included)
- Where statutory responsibility lies with Western Australian Planning Commission, Department of Biodiversity, Conservation and Attractions, Department of Education or other state government body
- Open space which is owned and managed by a private institution or third party, including private sporting clubs and not-for-profits
- Leased areas and facilities requiring paid entry and/or membership (eg, aquatic centres, indoor gyms and sports halls).

The Strategy is not a retrospective document and it is acknowledged that not all spaces will match the framework's classification perfectly. Instead, it looks to confirm and re-align the City's planning framework and principles for determining future investment in POS. This is important given the impacts of historical planning and provision. Any outliers will be assessed on a case-by-case basis, with consideration given to any provision gaps and future opportunities.

For example, a drainage sump's primary function is drainage. However, there may be opportunities to partner with the Water Corporation to redesign the space to improve its visual aesthetics and provide some recreational outcomes such as a bench seat or walking path.

As the City's population increases, suburban environments have begun to shift into urban living. Emerging in these high-density areas are mixed-use spaces such as civic plazas and squares that can act as an extension of the community.

They can provide a variety of functions such as transport linkages, meeting places, retail hubs or event space. Mixed-use spaces can also incorporate recreational functions of the local community and incorporate active elements such as a skate plaza or a play space. These spaces will be considered within the context of applicable structure plans on a case-by-case basis, in line with the intent and scope of the Strategy and the functions they provide for recreational and social benefit to the community. These urban spaces are not provided in lieu of green POS; they should instead complement and add value to the community.

Spaces that focus on attracting people to key centres and have recreational, social and place-activation value are distinct to private open space provided as part of shopping precincts or retail centres. Open space with the primary purpose to support retail outcomes or act as thoroughfares will not be included.

School ovals under the control of the Department of Education can provide value to the City's POS network and developing partnerships is encouraged where possible. However, access to school ovals for the general community is not yet established in a holistic state policy approach and is determined on a case-by-case basis. These spaces sit outside the City's POS network at this time. As such, the City will investigate shared-use options when planning for POS to supplement access to open space and recreational areas as required as part of our suburb-by-suburb planning.

1.4 Alignment with key strategies and plans

The Strategy works with a range of key strategic and policy positions within the City as well as external industry organisations. It's important that information within the Strategy is read in the context of other guiding documents. These documents are listed below, with further information found in Appendix 7.1.

Table 2: City strategies and plans

Document	Explanation
Strategic Community Plan	The Strategy aligns with key results areas of • Social: Thriving local communities • Built environment • Natural environment.
Local Planning Strategy	The City's Local Planning Strategy 3 sets the long-term planning direction for the City and highlights how a rapidly growing population will place pressure on existing POS.
Structure plans	The City currently has several structure plans and planning projects which generally include consideration of POS provision. Current projects include Stirling City Centre Structure Plan (2014), Better Suburbs (2020), Mirrabooka Town Centre Structure Plan (2015), Scarborough Beach Road Activity Corridor and Herdsman-Glendalough Precinct. These projects can be catalysts for significant change to population and density, which in turn impacts how POS is provided.
Access and Inclusion Plan	The access and inclusion plan looks to empower the community by being more inclusive and improving physical access. This includes providing access to not only the POS itself (eg, path networks and ramps) but also to the amenity and facilities found on POS such as toilets, playgrounds, drink fountains and seats.
Urban Forest Plan	POS performs an important role within the City's Urban Forest Plan as it contains the highest proportion of canopy cover (24%) than other land uses. Suburbs with higher rates of canopy cover often have more POS and/or lower density housing. As such, areas identified as having low POS with an increasing density are more at risk of low canopy cover and canopy cover loss.
Biodiversity Plan	POS can include important pockets of natural vegetation and habitat for fauna. The Biodiversity Plan identifies areas of regional and local significance for biodiversity conservation.
Community Infrastructure Plan and specific infrastructure documents	Community infrastructure is often located on POS and is guided by the City's POS model. As such, the Strategy needs to consider any community infrastructure plans as well as infrastructure-specific strategies such as the City's Skate and BMX Facility Strategy, Public Art Masterplan and Dog Exercise Park Strategy. The City's Water Smart Parks Strategy is also impacted by POS function, with application of water supplies influencing the quality of POS.
City policies	The Strategy interacts with key policies which guide infrastructure provision on POS. These include Playground Policy, Exercise Equipment Policy, Community Garden Policy, Barbeque Policy and Public Toilet Policy.

Table 3: External organisation strategies and plans

Document	Explanation
Classification Framework for POS (2012), Department of Local Government, Sport and Cultural Industries	The Classification Framework for POS was developed to address the lack of clear and consistent terminology and definition when planning for POS. The City has looked to align with these classifications and incorporated POS functions into the City's POS framework.
Development Control Policy (DCP) 2.3 – POS in Residential Areas, Department of Planning, Lands and Heritage	The Policy looks to ensure that all residential development is complemented by adequate, well-located areas of POS which provide for the recreational needs of residents.
Position Statement: Expenditure of cash-in-lieu of POS, Department of Planning, Lands and Heritage	A position statement for the expenditure of cash-in-lieu for POS was developed to provide additional guidance in conjunction with the Development Control Policy 2.3.
Development Control Policy (DCP) 1.3 – Strata Titles, Department of Planning, Lands and Heritage	The policy deals with those classes of strata title proposals which require the approval of the WAPC and sets out the criteria to be used in the determination of applications for that approval. It includes provision for a contribution to public facilities such as POS.
Liveable Neighbourhoods 2009 & DRAFT Liveable Neighbourhoods 2015, Department of Planning, Lands and Heritage	This is the operational policy for the design and assessment of structure plans and subdivision for new urban (predominantly residential) areas in the metropolitan area and country centres, on greenfield and large urban infill sites. Sets out POS requirements of the WAPC.
Metropolitan Region Scheme (MRS)	The MRS defines the future use of lands and provides the legal basis for planning in the Perth metropolitan region. It identifies areas which are reserved for parks and recreation under the MRS and are a mix of POS, coastal foreshore, wetlands, bush forever and recreational facilities.
State Planning Policy (SPP) 7.2 Precinct Design, Department of Planning, Lands and Heritage	The Precinct Design SPP 7.2 was recently gazetted and guides the preparation of precinct structure plans, local development plans, subdivision and development in areas identified as precincts. Policy outcome 6 specifically relates to providing comfortable public spaces that encourage physical activity, enable a range of uses and are accessible to all.
Precinct Design Guidelines, Department of Planning, Lands and Heritage	SPP 7.2 Precinct Design is to be read in conjunction with the Precinct Design Guidelines which provide more detailed information. The relevant section for the Strategy is design element 3: public realm.



1.5 Definitions

Cash-in-lieu

Under the provisions of Section 153 of the *Planning and Development Act 2005,* payment can be made by a landowner to a local government in lieu of all or part of the POS contribution and is commonly referred to as cash-in-lieu.

Department of Planning, Lands and Heritage (DPLH)

The WAPC operates with the support of the DPLH, which provides professional and technical expertise, administrative services and resources to advise the WAPC and implement its decisions.

Environmental Protection Policy (EPP)

A policy under the Western Australian State Government's Environmental Protection Authority.

Gross subdivisible area (GSA)

This is defined as per Liveable Neighbourhoods and is the total site area less deductions for non-residential.

Infrastructure

This refers to the basic physical systems required to facilitate the development of an area including roads, utilities, water, sewerage, community buildings and sport facilities.

Locality

An area or suburb.

Regional open space

As identified in a region planning scheme or similar, and which is acquired by the state and zoned in region/local schemes as 'regional open space'.

Regionally significant natural area

Regionally significant natural areas include bush forever sites as well as other sites that are large (greater than 20 hectares), viable and in a 'good' or better condition under the Keighery (1994) Vegetation Condition Scale. They must also be of an ecological community with over 10 per cent (essential criteria) or 30 per cent (desirable criteria) of its pre-European extent remaining in the interim biogeographical regionalisation of Australia (IBRA) sub-region.

Statistical area level 2 (SA2)

SA2's are functional areas that represent a community that interacts together socially and economically. They often align with suburb or locality boundaries and can reflect more than one related suburb.

Statutory planning

This is the legal approval process that ensures land use, land supply and urban development are effectively managed. The ability to influence outcomes is more limited than during the strategic planning process, as development is governed closely by a range of legislation and regulations that would have evolved from the strategic planning process.

Strategic planning

Strategic planning is the long-term planning which integrates economic, social, environmental and infrastructure requirements.

Total POS

The total amount of classified POS under the City's POS framework (either local, community, district or regional open space). If a bush forever area or wetland exists on the same POS as recreational and/or sport activity, this is deducted from the total amount.

Walkable catchment

The area within 400 metres or five to 10 minutes' walk from a centre point or location.

Western Australian Planning Commission (WAPC)

The statutory authority with state-wide responsibilities and responds to strategic direction of government on urban, rural and regional land use planning and land development matters.

Department of Local Government, Sport and Cultural Industries (DLGSC)

A Western Australian Government agency, which works collaboratively with government, community organisations, peak bodies and other stakeholders to achieve the vision of creating a vibrant, inclusive and connected WA community.



2. Setting the scene

2.1 Strategy background

The City was one of the first local governments in WA to formally develop a strategy for POS in 2008. With the growth of the recreation and leisure industry and increased importance placed on providing quality POS, this level of strategic planning is now commonplace across both state and local government organisations. In 2012, DLGSC developed a Classification Framework for POS to provide consistency in terms for the community.

The City's original strategy (2008) was developed as a framework to plan the provision and distribution of different types and functions of POS. It allowed for a greater holistic planning approach rather than ad hoc upgrades to facilities and open spaces. This enabled greater financial and sustainable management and delivery of POS functions while also providing more equal access for the City's diverse community.

The City has just over 500 POS, which are used for a range of sport, recreation and nature activities. There are a total of 745 hectares of POS in the City. There are 154 hectares of regional open spaces and 249 hectares of district open spaces. These contain the City's sporting spaces. Local open spaces provide for the local community generally within walking distance. Local open spaces make up the majority of POS, with 267 hectares spread throughout the City. Community open space equals a total of 75 hectares with a focus on recreational and informal social activities. Within these POS, there are numerous facilities and amenities such as playgrounds, barbecues, seating, clubrooms, sporting and community infrastructure, lighting and natural features (eg, lakes).

The community has a significant interest in how POS is provided, developed and used within their local area to meet their sport, recreation and nature needs. POS also provides important green breaks within the urban environment and contributes to the community's overall health and wellbeing. With the growth of the population and the increasing demand on existing POS, it is critical that adequate and proper planning occurs to ensure provision of facilities and amenities meet the growing need and demand from the community.

In 2021, there remains a need for the City to have a strategy to guide and inform future decision making. The 2008 strategy has been reviewed and updated to reflect industry best practice, trends, current challenges/ issues, and future predicted changes to POS. The POS hierarchy and provision standards have been revised with the inclusion of a methodology to assess POS provision and assist with identifying future gaps and prioritisation. It is important that the City is consistent with best practice and can respond effectively to community needs as they change over time.

2.2 Why plan for POS?

POS in the City is a finite resource that is being influenced by a range of pressures due to increasing demand, changing population and density targets. Urban infill targets of 47 per cent by 2031 set in Directions 2031 and Beyond (2010) and later reinforced in Perth and Peel at 3.5 Million (2017) show a need to maintain and provide better functioning POS.

POS allocation has traditionally been made based on the 1955 Stephenson-Hepburn Plan and associated predicted densities at the time. However, housing densities are now greater than those present or predicted in 1955 (Grose, 2009). This is resulting in more people looking to public spaces not only to provide for their general recreational and sporting needs, but also as an escape from the urban environment. This pressure is compounded by the resulting falling lot sizes over time and the reduction in private open space, with more backyards also being subdivided, developed or hardscaped.

The increasing demand for the use of POS is coming from a larger and more diverse group of users. This can include established sporting clubs expanding memberships and extending seasonal use; emerging and new sporting trends; community groups (eg, community gardens, men's shed); everyday use by surrounding residents; fitness groups and recreational groups (eg, dog walkers). All these types of use require different space and amenity requirements and cannot always be accommodated at the same time. It is also important to not over-embellish POS to maintain the sense of space and connection to the natural environment.

The City is largely developed, with only limited opportunity for additional POS. As such, it is prudent to ensure decisions are made holistically when providing POS and associated community infrastructure. Conversely, it is also important to consider whether rezoning a residential area is appropriate if sufficient POS cannot be provided. The provision of POS and the determination of which types of functions and uses a POS will have are essential. This is to ensure an equitable level of recreation and sporting facilities are provided while also protecting the environmental benefit of the POS. Only through a holistic and balanced approach can the City adequately provide for individuals to benefit from POS in their communities.

2.3 Value and benefit of well-planned POS

POS is a vital component to any community and provides a wide range of health, social, environmental and economic benefits. It contributes to a community's sense of place, identity and recreational opportunities. It acts as a green relief to the expanding urban environment. These benefits are integral to the fabric of a community and to the quality of life of residents.

The value POS provides to a community is not always easily measured. It is largely qualitative and intrinsic to the experience of the individual. Fundamentally, POS is provided to foster an active lifestyle and encourages positive health and wellbeing outcomes for the community. These include opportunities and settings for informal play and physical activity, relaxation and social interaction, and formal structured sporting activities. These fundamental elements have wide-reaching and long-term benefits that add value to a community. These can include:

- Promoting physical health benefits in reduced risk of chronic diseases like obesity and cardiovascular disease, which inadvertently reduces impact on health care systems
- Promoting mental health benefits through stress relief, social inclusion and social connectedness
- Encouraging social and cognitive development, particularly among children
- Improving community cohesion, sense of place and sense of pride
- Support community sporting clubs
- Creating jobs and economic stimulus through construction, maintenance and ongoing operational processes
- Reducing anti-social behaviour and crime
- Acting as green corridors and maintains canopy cover to reduce heat island effect
- Providing free recreational and sporting outlets, especially for low socio-economic communities
- Supporting walking and bicycle transport networks and movement of people between places
- Providing places to celebrate culture, heritage and history.

The provision, development and management of POS can be costly and competes against other services in an ever-changing fiscal environment. To justify investment, there has been a growing amount of research to help quantify some of the benefits of POS and associated recreational infrastructure along with a robust strategic approach.

In 2018, KPMG undertook a study which valuated community sporting infrastructure and included sporting ovals and reserves. Sporting ovals and reserves make up a large proportion of POS, which feeds into the social fabric of Australian sporting culture. The study also included hard courts, indoor sport and recreation facilities, aquatic centres and multi-use sporting hubs, which are generally found on POS. The study found that POS and associated community facilities across Australia are estimated to generate an annual value of more than $16.2 billion (Figure 1). This includes:

- An economic benefit of $6.3 billion due to increased economic activity and increased productivity of community sport participants
- Personal health benefits of $4.9 billion due to reduced risk of developing chronic diseases such as cardiovascular disease and diabetes, reduced risk of falling or drowning, and improved mental health
- Greater quality of life and savings made in the health care system due to healthier individuals in the community
- Social benefit of $5.1 billion due to the increased human capital that results from the social interactions during participation in community sport.

The 2018 KPMG study suggests that this value is conservative and there are other benefits that can only be measured qualitatively, such as social inclusion and community pride.

It is noted that the study does not include the number of small, localised POS spread throughout the community that do not have structured sporting ovals or facilities. These spaces also contribute to the above value, particularly the green space benefit, health benefits and social cohesion and connectedness (relaxation, nature play, picnic spaces etc).

An important element of POS in the community is its contribution to environmental benefits. POS form a network of green spaces which act as corridors between larger conservation areas, national parks and bush forever sites. They also contain many of the mature trees left in suburban areas due to residential development and act as cool zones in often hot urban environments. The City's Urban Forest Plan (2019) states that two-thirds of the City's lost canopy cover has occurred on residential land amounting to 1.2 million square metres of canopy in six years. The City's POS currently has the highest number of trees (24 per cent) as opposed to other types of land.

It is clear both qualitatively and quantitatively that POS has enormous social, health, economic and environmental benefits to the community. Having access to parks, reserves and public spaces in which to recreate, relax and gather is inherently ingrained into the Australian psyche and culture. As such, the community places immense intrinsic value on having accessible POS. This value is also conferred on the ability of those entrusted to provide these spaces to meet the community's needs now and into the future.

Figure 1: *Value of community facilities (KPMG 2018)*



Note: The headline figures do not add exactly to the rounding.

2.4 Making great POS

Project for Public Spaces (PPS) evaluated successful public spaces around the world, including parks and reserves, and has found four key qualities that are shared among them:

- They are accessible
- They engage users in activities
- They are comfortable and are aesthetically pleasing
- They offer a sociable space

PPS then linked these four key attributes to intangible elements, for example 'safe', 'clean' and 'attractive' under the 'comfort and image' attribute. These intangible measures can then be linked to tangible measurements such as satisfaction ratings and crime statistics to quantify the value and benefit of public spaces.

Figure 2 below shows the Place Diagram (PPS, 2016) which displays the four attributes and how they can link to intangible elements and be measured. These would apply in varying degrees according to the POS context.

Planning for different types of POS needs to consider a range of tangible and intangible attributes depending on the identified function and need of the community. It is important to be able to make these links to maximise the benefits of POS in the community and quantify the value of investing in great POS.



Figure 2: *What makes a great place? (PPS, 2016)*



2.5 Industry trends and considerations

2.5.1 Sport and physical activity in Australia

The Future of Australian Sport Report (CSIRO, 2013) prepared on behalf of the Australian Sports Commission identified six 'megatrends' which were likely to shape Australian sports over the next 30 years.

Figure 3 shows the six megatrends that impact on POS due to changes in how people approach sport and recreation in their lives. The report highlighted the increase in time-poor and fragmented lifestyles which resulted in people undertaking more individualised sport and recreational activities. Activities such as aerobics, running and walking have seen sharp increases in participation rates, with gym memberships also growing (CSIRO, 2013).

Lifestyle, adventure and alternative sports, particularly popular with young people, have also seen increases, as has the focus on more inclusive and intergenerational sports and activities. Demographic change influences the types of activities and hence the infrastructure provided within POS.

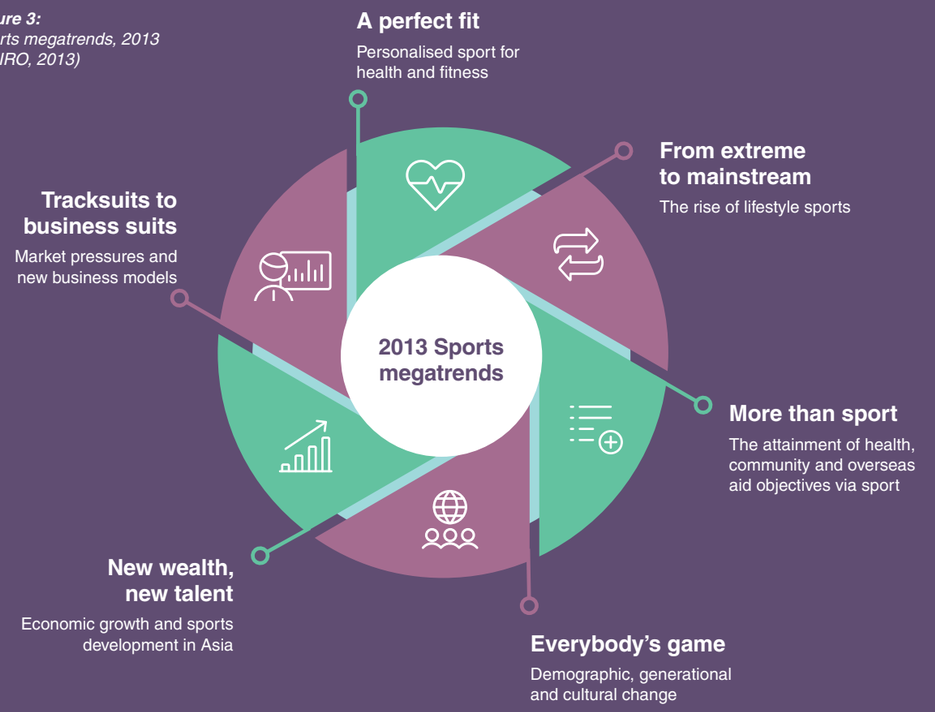
The subsequent impact of these trends is the pressure on POS to deliver wide-ranging, flexible and often simultaneous sport and physical activity outcomes.

Since the CSIRO report, Sports Australia (2018) has released its long-term vision, targets and outcomes to 2030 for sport across the country. Sports Australia has broadened its definition of sport to include unstructured physical activity such as walking, riding and swimming, along with new and evolving sports such as parkour. It has highlighted inactivity as the fourth largest chronic condition in Australia, with 56 per cent of Australian adults being sedentary or having low-activity lifestyles. Lifestyle factors such as aging and being time poor, along with a rise in digital technology, have contributed to this lack of physical activity. Despite the benefits of physical activity, as a nation, Australians are moving less.

A key long-term target of Sports Australia is that *'people of all ages should have the opportunity to be engaged in sport and physical activity throughout every stage of their life'* (2018).

It is important that communities can gain the benefits of an active lifestyle. One key element to supporting this target is having accessible and equitable distribution of POS and associated facilities. The City's POS network is the foundation needed to support the lifelong physical activity pursuits of its community, now and into the future.

Figure 3:
Sports megatrends, 2013 (CSIRO, 2013)



2.5.2 Current POS challenges and considerations

Local governments across the Perth metropolitan area are facing similar challenges concerning the provision of and planning for POS. Many previously identified considerations remain relevant to today's POS planning. However, some are having greater impacts or have shifted how they apply to POS.

As the City's population grows, greater pressure is placed on land and water availability to meet a variety of needs across the community. Concepts such as multi-use and waterwise are underpinning many planning and design decisions. Adding to the pressure is the expanse of higher-density dwellings surrounding existing POS. This has created demand not for POS to accommodate not only a growing population and participation changes, but also recreation needs that were once met by private backyards. Figure 4 below highlights the current key challenges being faced by POS. Appendix 7.2 discusses them in greater detail.

A holistic and coordinated approach can contribute greatly to the flexible nature of POS. This is critical given that uses can change over time due to community needs, trends, challenges and demographics. Flexibility and adaptability are also important for POS to adapt in times of crisis or dramatic change.

Figure 4: *Current challenges and considerations*



2.5.3 Future considerations for POS

It is important that this strategic document recognises and considers the impact of the recent global pandemic and how this may impact future trends for POS. The global community is facing unprecedented change which is being reverberated throughout our local communities and at an individual level.

The traditional formats of participating in sport and recreation, whether through sporting clubs, group fitness or playgrounds, have shifted dramatically.

Figure 5 provides observations into future influences of planning and providing for POS. Appendix 7.3 discusses them in greater detail.

Figure 5: *Future challenges and considerations*



2.6 City of Stirling community

The City's community has seen a considerable population growth over the last 10 years. The City's population is forecast to reach over 270,000 people by 2026 (City of Stirling Local Planning Strategy). As the population has grown, the demographic make-up has changed with increases in people aged over 65 years (+17.4 per cent); people aged 25-34 years (+31 per cent); people born overseas (+25 per cent) and family households (plus seven per cent). These changes come alongside an increase in the multi-cultural diversity across the City. Regardless of these changes, the fundamental value and importance placed on the City's POS by the community is steadfast. It is how people use and access POS in response to the changing community that the City needs to consider.

The City receives upwards of 150 requests from the community every year relating to POS provision and community infrastructure. This can range from a bench seat or drink fountain request to a park upgrade and major infrastructure such as a playground, basketball courts, a skate park or a mountain bike trail.

In receiving individual requests and during the process of planning for POS provision, the following trends have been observed within the City's community:

- Increased demand for specialised areas for dogs
- Greater variety for children's play including nature play and destination play spaces
- Continued importance placed on picnic areas for social interaction, and in particular large family gatherings
- Greater number of community requests for lighting to increase usage times
- Ongoing demand for hard courts for informal sport such as basketball
- Growth in non-traditional sports and adventure-type sports such as scooter, skateboarding and mountain biking
- Greater expectations from the community to deliver quality community infrastructure.

While managing community requests and POS provision, broader planning considerations have emerged including:

- Focus on multi-use development of community infrastructure on POS to manage increasing demand
- Need for holistic and planned approach to mitigate over-developing POS
- Greater understanding of the mental health benefits of POS and how to plan space to support these benefits
- Increased demand for use across a larger cross-section of the community (eg, intergenerational spaces and lifelong activity)
- Greater concerns over noise impacts (eg, basketball courts and clubroom locations), particularly with increasing densities
- Ongoing importance of water-sensitive design
- Need to balance sport and recreational needs with preserving trees and native vegetation while considering the surrounding residents.

The City's POS provides important gathering places for people and are catalysts for community activity and social interaction. It embodies a sense of place and creates a distinctive community identity by maximising the shared value of place. Holistic planning can ensure that there is a mix of uses that meet a variety of needs for a diverse range of people across the City. It also accounts for future considerations and challenges to ensure the City's POS continues to meet the community's needs moving forward.





3. The City's POS

3.1 Key planning principles

The following principles have been used to guide the Strategy and provide the fundamentals for POS provision and development. Inevitably, there will be spaces that do not fit perfectly with the POS hierarchy and function, but which have been recognised as a valuable piece of the POS network. This may be because of the lack of conventional POS in the catchment, historical provision, or conversion of space into POS to meet a function or need. The key principles should then be followed to determine a best-fit outcome for the benefit of the local community. This approach is particularly important in areas with poor distribution, access or amount of POS.

Table 4: Key planning principles

Access, availability and equity	The City's residents should have access to POS with different functions and be within a walkable catchment to a local POS that provides recreational and/or nature functions. Connections to the POS should be both visual and physical so that it is easy to find and, for larger POS, to get around. It is important that POS is universally accessible for all ages, abilities and cultures. Barriers to physical access and visual amenity should be reduced where possible to ensure access is not constrained while maintaining safe environments. Access barriers can include major roads, industrial areas, large developments (eg, golf courses, housing complexes, schools) or vegetation. Suburb boundaries and perception of unsafe path connections can also act as barriers.
Flexibility and diversity of functions and activities	Providing a diversity of functions and activities within the different spaces is what attracts the community to visit and provides the vibrancy and sense of place. Being responsive and flexible to changing trends and use helps POS continue to meet community needs over time and into the future. Being flexible and adapting to change is also important for residents where more people are using the same spaces. Multi-use principles have been largely adopted for many sporting facilities and playgrounds are evolving into intergenerational spaces with a variety of activity choices.
Health and wellbeing	Recognising and promoting the significant benefits that POS provides the community is becoming increasingly important. Positive health outcomes such as fostering social connectivity and building community capacity are key components of healthy communities. Without sufficient POS to conduct such activities, community health decreases along with the health of the individuals in that community.
Sustainability	Sustainability requires balancing the current and future needs of the community, the environment and the economy in providing and maintaining POS. Sustainability in POS principally involves ensuring appropriate use and protection of resources, including the best use of parklands, the protection of habitats, sensitive water management, maintaining POS for future generations, and appropriate use of these assets.
Community need	POS needs to be responsive and reflective of the local community it is servicing. Consideration of community need is important when providing POS and establishing the types of functions, activities and user groups the POS will cater for. As such, community engagement forms part of ensuring the City's POS is a destination that fosters social connections and a sense of place.

3.2 The City's POS framework

The POS framework was originally endorsed in 2008 and has been widely used in guiding POS development across the City. In reviewing the classification system, several key considerations were made:

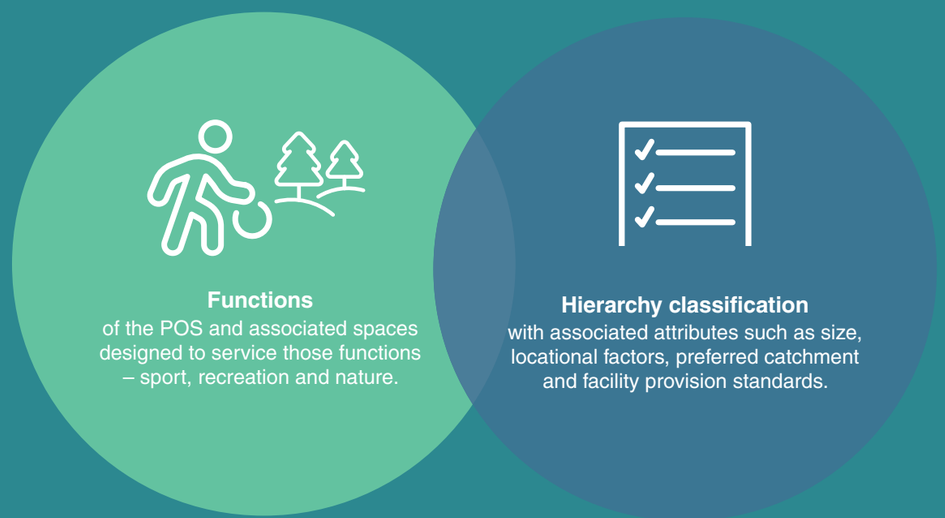
- Changes in POS provision principles, trends and challenges over time
- The subsequent development of state government guiding documents
- A review to identify any gaps in the current POS provision classifications
- A review of where current POS classifications could improve in line with changing community needs.

It was found that the current POS framework only requires moderate adjustments to bring it in line with state guiding documents and current industry standards. Specifically, the City will align with the state government's classification framework for POS, developed in 2012.

The state's classification framework document was developed as a peer-reviewed cross-industry classification framework. The City was included in the consultation process. This includes placing greater emphasis on the role or function of the open space and streamlining the POS classifications to the four main classifications. It was also important to provide greater clarification within the POS provision standards for facilities attached to each classification. A summary has been provided with greater detail in Appendix 7.4.

The City's revised framework utilities a two-tier approach which considers both the functions and the hierarchy classification as part of the POS network (Figure 6).

Figure 6: *POS framework (DLGSC, 2012)*



3.2.1 POS functions

The POS functions are the primary use and expected activities undertaken within POS. There are three primary function spaces, which are described in Table 5 below. A single POS may serve more than one function and is highly influenced by the classification attributes. For example, a POS which is large enough to accommodate a sporting oval and clubhouse is naturally larger, has a bigger catchment and serves a greater sporting function then a smaller POS.

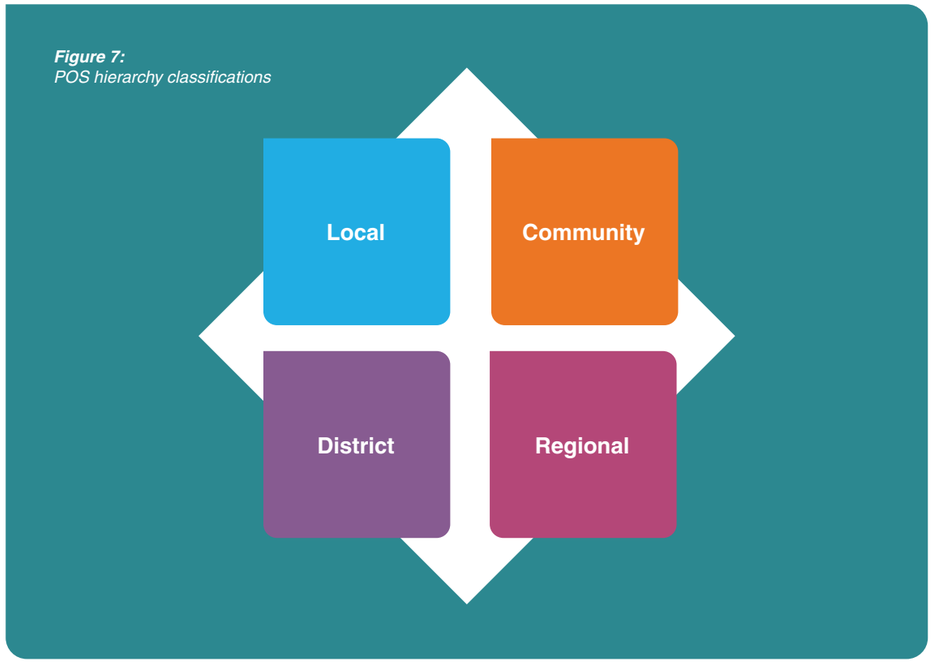
Table 5: POS functions (DLGSC, 2012)

Recreation spaces	
Purpose	Recreation spaces provide a setting for informal play and physical activity, relaxation and social interaction.
Description	Recreation spaces enhance physical and mental health through activity that provides relaxation, amusement or stimulation. Recreation spaces can be accessed by all to play, socialise, exercise, celebrate or participate in other activities that provide personal satisfaction or intrinsic reward. Recreation space includes gardens and open parklands, community gardens, corridor links, amenity spaces (eg, picnic areas), community use facilities (eg, barbecues, skate plazas), civic commons or squares.
Sport spaces	
Purpose	Sport spaces provide a setting for formal structured sporting activities.
Description	Sport spaces provide a venue for formal structured sporting activities such as team competitions, physical skill development and training. Sport spaces are designed to accommodate playing surfaces, buffer zones and infrastructure requirements of specific or general sporting activity, Players and spectators attend with the express purpose of engaging in organised sporting activity, training or competition; or watching the game. Most sport spaces can also be accessed by community members for informal sport and recreational purposes.
Nature spaces	
Purpose	Nature spaces provide a setting where people can enjoy nearby nature while protecting local biodiversity and natural area values.
Description	Nature spaces provide opportunity for low-impact recreational activities such as walking, cycling, picnicking, playing, watching or exploring natural features. They are commonly linked/integrated with recreational spaces. Nature spaces may include bushland, coastal areas, wetlands and riparian habitats, and geological and natural features. Sites are managed to enable recreation access while protecting local ecological and biodiversity values.

3.2.2 POS hierarchy classifications

The City's POS hierarchy has been revised in line with the intended scope of the Strategy and two-tier POS framework previously discussed. The City's POS hierarchy is represented by four classifications (Figure 7) which are:

Figure 7:
POS hierarchy classifications



The hierarchy classifications are defined by their attributes, most notably primary purpose and associated function(s); catchment and access; size; locational factors and distribution; activity type and supporting facilities.

The most tangible difference between the four classifications is the size of the POS. Naturally, the larger POS can cater for larger catchments, simultaneous functions and larger user groups, and support more and bigger facilities. Smaller POS, however, tend to offer more localised recreational activities, intimate environments for socialisation and green relief in urban areas.

It is desirable to have a range of both highly active spaces as well as quieter, more calm spaces to offer the community access to a range of diverse POS.

It is noted that the four classifications remain consistent with the City's previous version of the Strategy. Three classifications have been removed: 'natural conservation areas', 'special purpose open space' and 'residual land'.

Natural conservation area classification was intended to capture areas of natural habitat such as bush forever and wetlands. The Strategy still recognises these spaces within the community, but they sit outside the scope of the POS. These spaces are managed separately through specific WA State Planning Policy and the City's Biodiversity Plan (2010). They have different provision standards given their primary purpose for environmental conservation and have limited public access. Recreational access to these areas needs to be carefully managed through environmental principles and may vary over time.

With a clearly defined scope and a two-tiered framework, special purpose or residual land classifications are no longer relevant. Any spaces identified as POS will be assessed against these parameters and classified per the hierarchy. As previously mentioned, it is not assumed that the hierarchy will identically match every parcel of POS within the City. Any outliers are more than likely to be found in the local open spaces classification and will be assessed accordingly.

A summary of the hierarchy classifications is provided below, with more information found in Appendix 7.4.

A list of the City's regional, district and community open spaces are provided in Appendix 7.5. Local open spaces make-up the remaining open spaces and are the most numerous.

Local open space

Purpose and function:
Local spaces are typically small parklands that service the recreational needs of the local residential population, such as children's play, dog walking and relaxation.

The primary function is recreation and may include small areas of nature space.

The locations are generally in intimate settings with naturally shaded space and open grassed areas and may include local-level infrastructure like bench seating, local level playground, bins and path access.

Other local level informal recreational facilities can also be considered to help deliver vibrant local parks for our community.

The main form of access is via walking and serves a 300-400 metre catchment (approximately five to 10 minutes' walking).

Local spaces are primarily for daytime use (ie, up until sunset).

Local spaces are important pockets of green relief, particularly in areas of higher density with limited private open space and/or concentrated populations. These spaces break up the urban form, contributing to local identity and providing a venue for social interaction at a personal level.



Community open space

Purpose and function:
Community spaces serve as the recreational and social focus of a community. Residents of surrounding areas are attracted by the variety of features, facilities and opportunities to socialise.

Community spaces can assist to engender a sense of place and protect specific natural values through accommodating small nature spaces or lakes and rivers.

They are generally large enough to provide for a variety of informal recreational uses such as playgrounds, dog walking, bike riding, skating/scootering, picnics and informal ball activities. As such, community spaces may have more noticeable infrastructure.

Community spaces cater for approximately 800 metre walkable catchment and act as a destination for family groups by supporting longer-stay activities. They are generally located near food and beverage outlets and accessible by either walking, public transport or limited carparking.

Note: The state's Classification Framework of POS uses the term 'neighbourhood' as opposed to 'community' open space. However, the intent behind the terms is the same and so the City will retain 'community' to maintain consistency in terminology for the City's community and reduce confusion.



District open space

Purpose and function:
District spaces are principally designed to provide for organised formal sport.

District spaces can also provide recreation space on the areas surrounding the main sporting spaces. In most cases there is limited nature space, with the main nature attributes being large mature trees.

District spaces serve large catchments, with many people travelling to participate or spectate sporting events. These spaces are also utilised by nearby schools, with some having the ability to host events.

To accommodate a large variety of simultaneous uses, district spaces require significant infrastructure investment and maintenance regimes to meet the required sporting standards.

District spaces provide a significant visual break in the urban environment, particularly along major thoroughfares, and are serviced by public transport, walking paths and carparks.



Regional open space

Purpose and function:
Regional spaces may accommodate important recreation and organised sport space as well as significant nature spaces for conservation. These may include environmental features such as water bodies.

Regional spaces in the City have been vested by the Crown as Regional Reserves.

Regional spaces serve one or more geographical or social regions and are likely to attract visitors from outside City boundaries. They also serve local residents' needs. As such, parking facilities and transport network connections are important.

Regional spaces provide for the highest level of simultaneous use due to their very large size. As such, they can accommodate substantial facilities for organised sport, social interaction, relaxation and enjoyment of nature.

Usage is spread throughout the daytime into the late evening to accommodate sporting groups, evening community use and events.





3.3 Specific considerations

Each hierarchy classification includes certain core and discretionary provision standards which align with the primary purpose and function of the POS. Key factors such as demonstrated need, available space, existing like facilities and impact to residents are also considered when improving infrastructure in the City's POS.

Irrigating non-sporting spaces

It is important to protect the water supply in WA. The City needs to implement plans and programs to maintain its commitment as a gold-level waterwise local government, while also providing quality services for the community. The volume of groundwater that the City is permitted to use is determined by the Department of Water. As such, the City manages and maintains a range of both irrigated and unirrigated parks.

Given the increasing demand for access to POS, the City must ensure there is an appropriate distribution of irrigated and unirrigated reserves throughout the community. This is to balance demand and water restrictions as well as utilising water-sensitive design approaches to make unirrigated reserves functional and usable by the community. Further reductions on groundwater extraction licences are expected and the City will need to ensure future communities have diverse choice and equitable access to irrigated reserves.

Playgrounds

The community places a high value on play opportunities for children. The provision of playgrounds is guided by both the Strategy and the City's Playground Policy. There is a hierarchy of playground levels (local, major and regional) which are provided on certain categories of POS. Not all POS will have a playground as provision is governed by a walkable catchment of 400 metres (five to 10 minutes' walk). The City looks to provide for the community's playground needs in an equitable and sustainable manner while providing high-quality, well-maintained equipment that complies with the relevant Australian standards.

Higher-level playgrounds (eg, major and regional) are provided on the higher-level POS as they can support larger numbers of visitors and associated infrastructure such as barbeques, picnic areas, public toilets and parking. Noise and impact on surrounding residents are also key considerations.

Playground provision has also been evolving with greater emphasis on a diversity of play opportunities between play spaces. These include destination-style play spaces, nature play elements, improved inclusivity, more challenging play equipment and combination with elements for older children, such as scooter, skate and BMX.

Community gardens

The City has a Community Garden Policy which guides where and how community gardens are provided within the City. There is a large range of community gardens in terms of size, type and style, and so any new location needs to be assessed on a case-by-case basis. Community gardens are not easily defined into a single category and may not always necessarily be on areas designated as POS, especially as the City grows.

Public art

Public art can be provided in a range of public places and is often found within POS. Public art provision is responsive to the surrounding community and guided by the City's Public Art Policy. As such, any placement of public art within POS should consider maintenance requirements, appropriateness of scale, and appropriate placement to not impact functionality and use. These considerations enable public art to enhance the POS and provide meaning for the community.

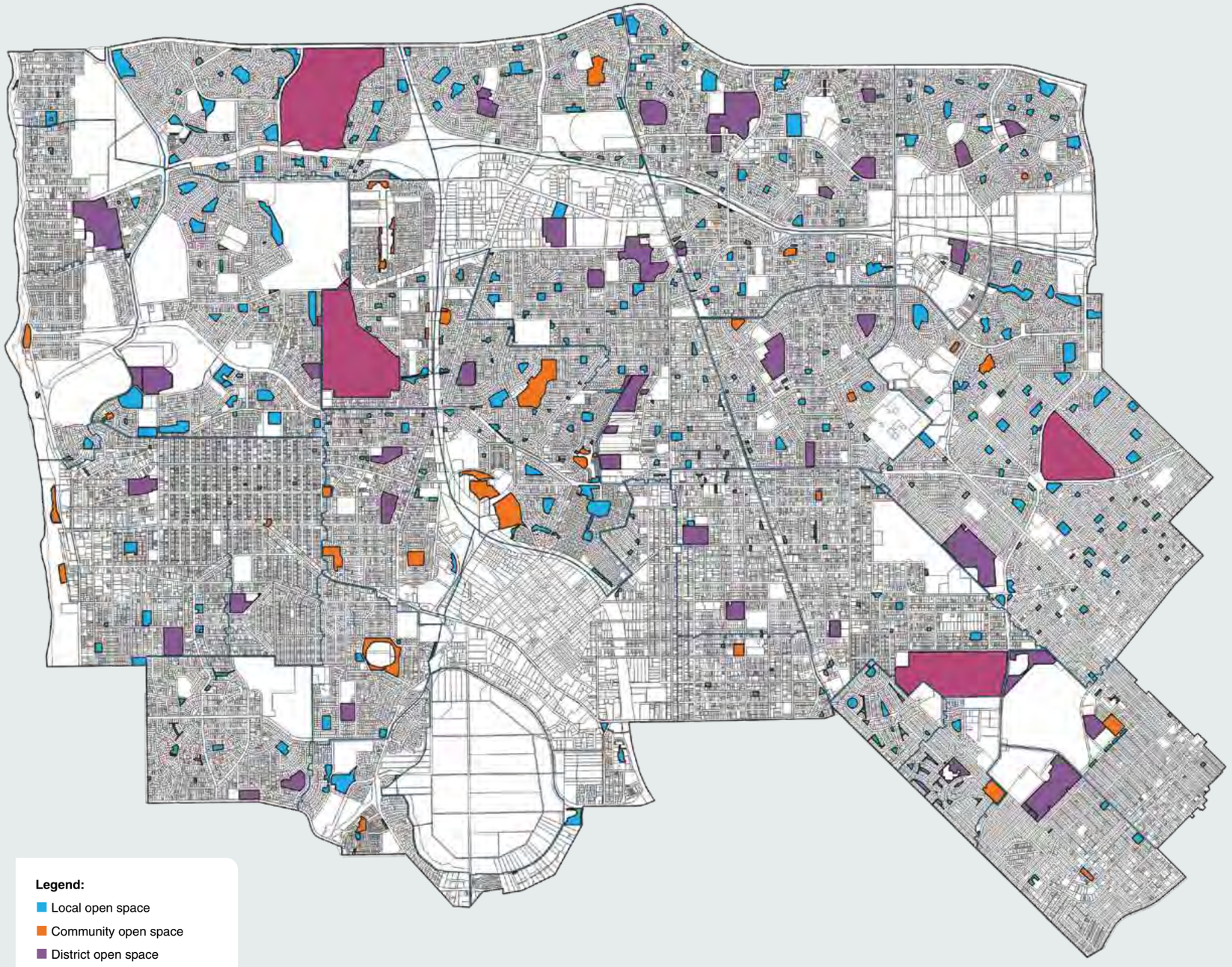
3.4 POS in the City

The City has a large network of POS which varies from small local parks offering a green leafy escape to large spaces with organised sporting activities and large facilities. There are a total of 745 hectares of POS within the City spread over 500 parks and reserves. It is important to consider the amount of POS by both area and the number of spaces. These measures can inform the distribution of POS, the accessibility to different types of POS and the diversity of functions and amenities available to residents.

A map of the City's POS is shown in Figure 8. It displays how POS is distributed across the City.

A suburb of high POS area may still have gaps in provision due to uneven distribution of POS or concentration of POS in regional or district open spaces.

Figure 8: *POS classifications map*



The largest amount of POS by area and number is captured within local open spaces (267 hectares across 426 parks and reserves). Hamersley Ward has the highest area (71 hectares) and number (89) of local open spaces, whereas Doubleview Ward has the lowest area (21 hectares) and Coastal Ward the lowest number (32).

Community open space amounts to 75 hectares and primarily meets the growing demand for informal recreation and social activities. It is acknowledged that both district and regional open spaces can perform local and community functions. As such, POS provision needs to be considered holistically across the classifications to ensure a diversity of function, access and opportunity.

There are 41 district open spaces, which make up 249 hectares. Balga Ward has the highest area (63 hectares) and number (12) of district open spaces. The Doubleview Ward has the lowest area (22 hectares) while both the Coastal and Inglewood Wards have the lowest number (three) of district open spaces.

Regional open spaces (ROS) provide 154 hectares of POS across the City. Two of the regional open spaces are in the Hamersley Ward while the others are within the Lawley and Inglewood Wards. It is noted that three of the four regional open spaces are also classified as 'bush forever' areas (Carine ROS, Lake Gwelup ROS and Dianella ROS). Lake Gwelup ROS and Carine ROS also contain large wetland and lake systems which are classified as Environmental Protection Policy wetlands and serve primary conservation purposes.

As such, restricted portions of the reserves have been subtracted from the totals in line with the scope of POS. Part 3.6 provides further information on the City's natural areas.

Figures 9 and 10 show the makeup of each ward by POS classification by both the area of POS (hectares) and number of POS.

The corresponding table with data totals is found in Appendix 7.6 by ward and suburb with maps shown in Appendix 7.7.

Figure 9: *POS area by ward*

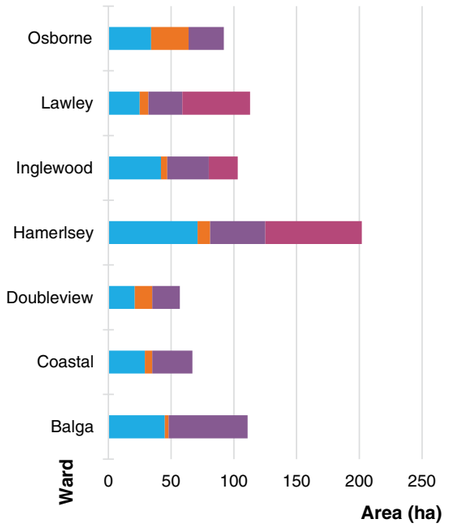
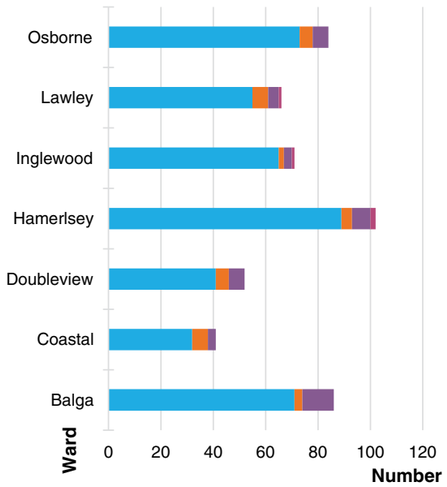


Figure 10: *POS number by ward*

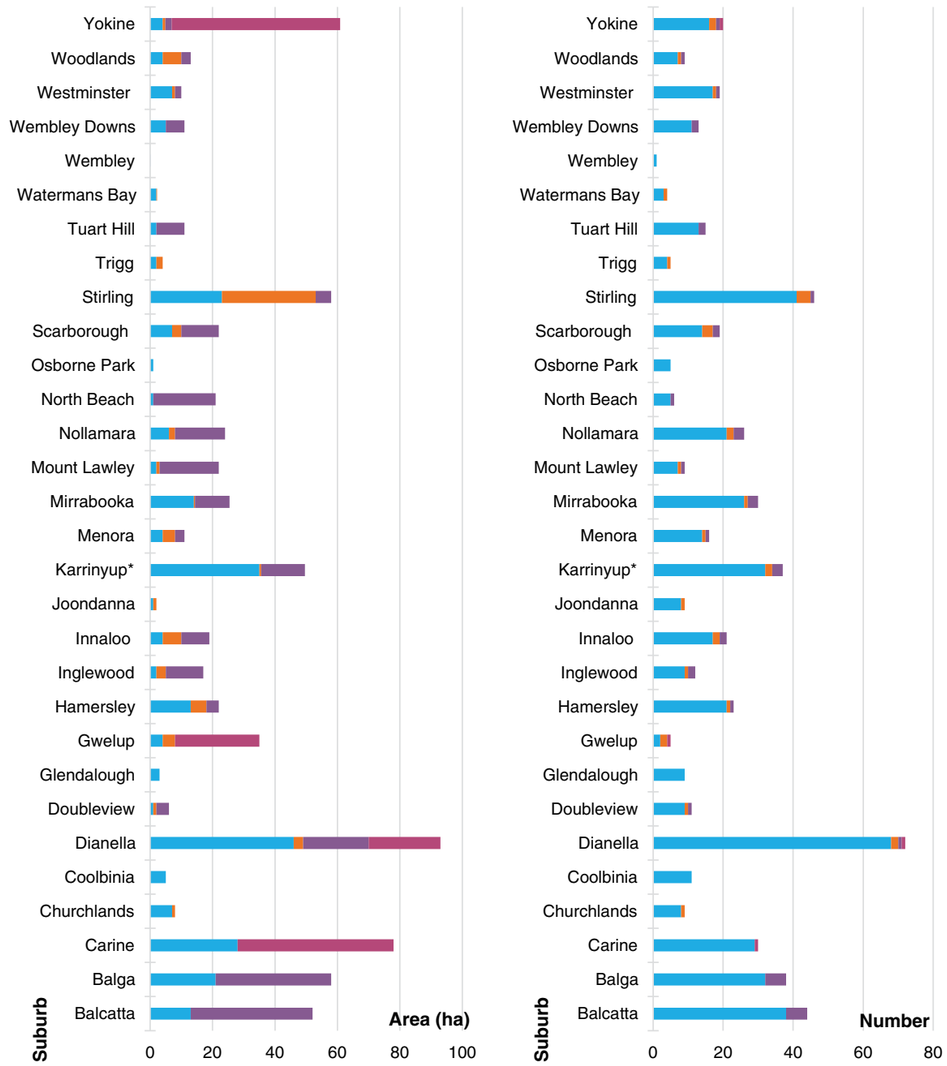


Legend: Local Community District Regional

POS provision has also been calculated at a suburb level for both area (hectares) and numbers (Figure 11 and 12 respectively). Appendix 7.6 provides the corresponding data tables.

Figure 11: *POS area by suburb*

Figure 12: *POS number by suburb*



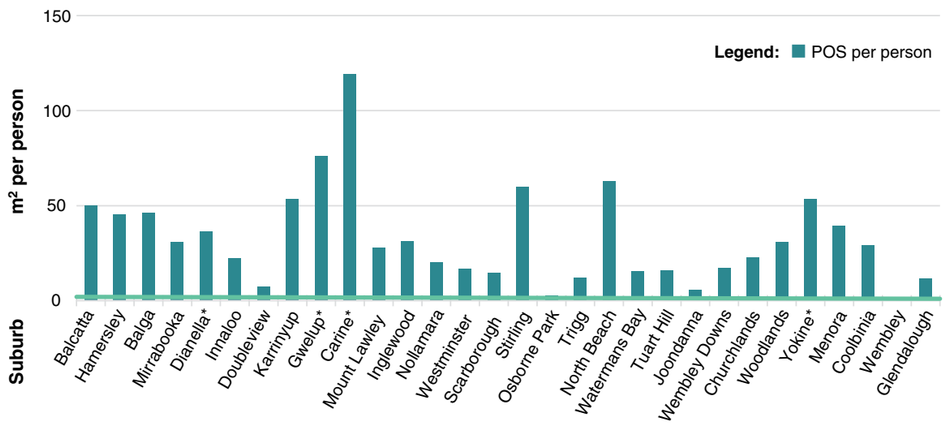
Legend: Local Community District Regional

3.5 POS review

There is significant variation in the characteristics of different suburbs such as size, density, land use and demographics. To simplify comparisons across the suburbs, the total POS area has been calculated using the current population data of each suburb (ABS Census 2016).

Figure 13 shows the POS available per person in square metres by suburb and as a heat map in Appendix 7.8.

Figure 13: *Total POS area per person by suburb*



When considering POS provision, it is important to clearly represent how the POS is distributed across the City. A suburb of high POS area may still have gaps in POS due to uneven distribution of POS or concentration of POS in regional or district open spaces.

There is no updated standardised measure across local governments to quantify how much POS per person is required. As a baseline, the POS for the City has been reviewed against the standard of 33.6 square metres per person. This measure is referenced in the Stephenson-Hepburn Report (1955) and generally refers to POS provided through the local planning scheme and not the metropolitan region scheme. This is discussed further in Part 4.

Although the City's total POS includes both local planning and Metropolitan Region Scheme POS, 33.6 square metres can be used as a baseline of which further analysis is required to also consider both access and quality of POS. See Part 5 for further discussion of the City's method of assessing POS.

Overall, 19 suburbs have under 33.6 square metres of POS per person. Of these, the suburbs with the lowest amount of POS by area per person are:

- Wembley: 2.0 square metres
- Osborne Park: 3.0 square metres
- Joondanna: 5.7 square metres
- Doubleview: 7.6 square metres.

It should be noted only a small portion of the Wembley suburb falls within the City of Stirling boundary, the rest of the suburb falls in the Town of Cambridge. Other than Wembley (which is adjacent to Herdsman Lake), Osborne Park, Joondanna and Doubleview are not within proximity to any Bush Forever areas or coastal foreshore reserves to help break up the urban form.

The suburbs of Carine, Balcatta, Gwelup, Karrinyup, North Beach, Stirling and Yokine have the most POS with a minimum of 50 square metres of POS per person. Three of these suburbs contain regional open spaces, with North Beach containing Charles Riley Reserve. Stirling suburb is likely to be impacted regarding population change due to development of the Stirling City Centre.

3.5.1 Population projections

Table 6 shows the change over time in access to POS. As the population increases, the amount of POS per person naturally will decrease. The suburbs that will lose the most POS area per person due to population increases are Wembley and Glendalough (-36 per cent) and coastal suburbs of Scarborough (-24 per cent), Trigg, North Beach and Watermans Bay (-23 per cent).

Overall, the City is projected to reduce the POS area available per person by five square metres on average due to population change. Appendix 7.9 shows the change over time by five-yearly increments until 2031.

These population projections are derived from the ABS Quick Stats 2016 Census Data and Western Australia Tomorrow Population Report Number 10 and 11, B and C.

The total POS for Mount Lawley and Wembley suburbs have been adjusted to only reflect population and POS area inside the City's boundaries. Forecasts will be monitored and adjusted if required, in line with local POS plans and when new data is released.

Table 6: Current and projected total POS per person 2016 – 2031

SA2 level	Total POS area (ha)	Current provision (ABS 2016 Census)		Future provision (2031 projections)		Reduction in POS per person 2016 – 2031	
		Population	m² / person	Population	m² / person	m² / person	%
Balcatta	**52**	10,382	50.3	10,802	48.3	-2	-4%
Hamersley	**23**	4,982	45.5	5,183	43.8	-2	-4%
Balga	**59**	12,685	46.3	13,637	43.0	-3	-7%
Mirrabooka	**25**	8,110	30.9	8,719	28.8	-2	-7%
Dianella*	**92**	23,486	39.3	25,249	36.6	-3	-7%
Innaloo	**18**	8,251	22.2	9,644	19.0	-3	-14%
Doubleview	**6**	8,404	7.6	9,823	6.5	-1	-14%
Karrinyup	**50**	9,283	53.5	11,551	43.0	-10	-20%
Gwelup*	**35**	4,539	76.2	5,648	61.3	-15	-20%
Carine*	**77**	6,479	119.3	8,062	95.9	-23	-20%
Mount Lawley	**22**	7,565	29.6	8,140	27.5	-2	-7%
Inglewood	**18**	5,674	31.2	6,105	29.0	-2	-7%
Nollamara	**23**	11,570	20.3	14,557	16.1	-4	-21%
Westminster	**10**	6,203	16.8	7,838	13.3	-4	-21%
Scarborough	**22**	15,421	14.6	20,200	11.1	-3	-24%
Stirling	**58**	9,676	60.0	11,310	51.3	-9	-14%
Osborne Park	**1**	4,120	3.0	4,816	2.6	-0.4	-14%
Trigg	**3**	2,794	12.0	3,649	9.2	-3	-23%
North Beach	**21**	3,410	62.8	4,453	48.1	-15	-23%
Watermans Bay	**2**	1,281	15.7	1,673	12.0	-4	-23%
Tuart Hill	**11**	7,012	16.1	8,196	13.8	-2	-14%
Joondanna	**3**	4,836	5.7	5,653	4.9	-1	-14%
Wembley Downs	**11**	6,321	17.2	7,388	14.7	-2	-14%
Churchlands	**8**	3,387	22.9	3,959	19.6	-3	-14%
Woodlands	**13**	4,145	31.1	4,845	26.6	-4	-14%
Yokine*	**62**	11,542	53.5	12,420	49.7	-4	-7%
Menora	**10**	2,592	39.3	2,789	36.5	-3	-7%
Coolbinia	**5**	1,660	29.2	1,786	27.1	-2	-7%
Wembley	**0.1**	791	1.3	1,233	0.8	-0.5	-36%
Glendalough	**3**	2,483	11.9	3,870	7.7	-4	-36%
SA2 total / average	**745.1**	**209,084**	**35.6**	**243,200**	**30.6**	**-5**	**-14%**

*All accessible POS in the City, inclusive of both POS provided under the Local Planning Scheme and Metropolitan Regional Planning Scheme.

3.6 Bush forever, coastal foreshores, natural areas and wetlands

It is important to clarify how natural areas are measured as part of POS area totals and what components of natural areas are not included within the POS calculations. The exclusions are in line with the DLGSC Classification Framework (2012), which specifies that although recreational activities can occur on other publicly accessible spaces, the framework is not intended to apply to areas where the primary purpose or function is identified as preservation or restoration of natural features and values. These areas include bush forever estates, conservation reserves, nature reserves, state forest or similar. POS is also not intended to include river and coastal foreshore reserves and buffer zones.

In addition, it is noted that Liveable Neighbourhoods (2009) specifies conservation areas with restricted access, foreshore reserves and wetlands identified under the Environmental Protection Policy (EPP) or similar environmental value do not form part of POS contributions.

The Strategy is guided by the City's Biodiversity Strategy (2010) which identifies three types of natural areas. These are Regionally Significant Natural Areas (RSNAs), Locally Significant Natural Areas (LSNA) and Local Natural Areas (LNAs).

There are nine RSNAs that are not included within the POS calculations, as their primary purpose is identified for preservation and conservation of natural features. These nine RSNAs are also identified as bush forever sites with two containing EPP wetlands. Where an RSNA is also classified as a regional open space due to recreational and sporting use, only the wetland and/or bushland component has been excluded to maintain consistency in how spaces are measured.

There are three sites that the City's Biodiversity Strategy identifies as EPP wetlands. In these instances, the wetland component has been excluded while the recreational component has been included. These sites are Jackadder Lake, Native Dog Swamp and Careniup Wetland.

Where an LSNA or LNA forms a whole reserve and has limited or no access or is not intended for recreational use, it has also been excluded as it does not align with the scope.

The natural areas which have been determined as outside of the POS classification scope are listed in Table 7 and shown in the corresponding map (Figure 15). They include areas nominated as regionally significant natural areas (RSNAs), Environmental Protection Policy (EPP) identified wetlands and natural areas that serve a solely nature function, are fenced or have restricted access and use.

The Strategy recognises the importance of the City's natural areas and how they contribute to the liveability of the community. Figure 14 shows the total POS by ward in conjunction with the natural areas listed in Table 7 and Table 8. The natural areas in Figure 14 have been separated to show either Bush forever or EPP wetland portions on the respective regional open spaces, whole reserves (eg, Star Swamp) or coastal foreshore.

Figure 14: *Total POS area compared to natural areas*

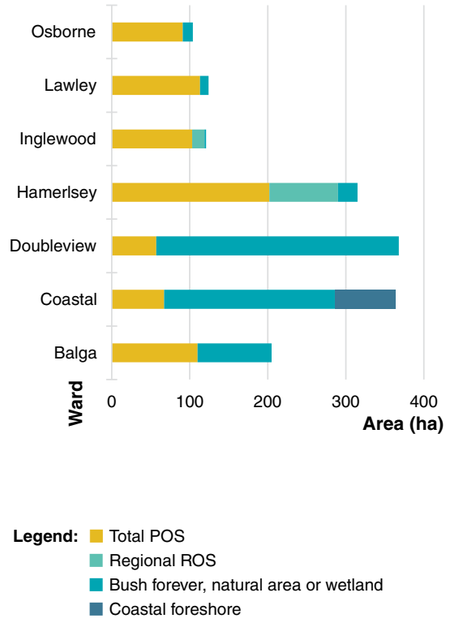


Table 7: Natural areas – City-managed

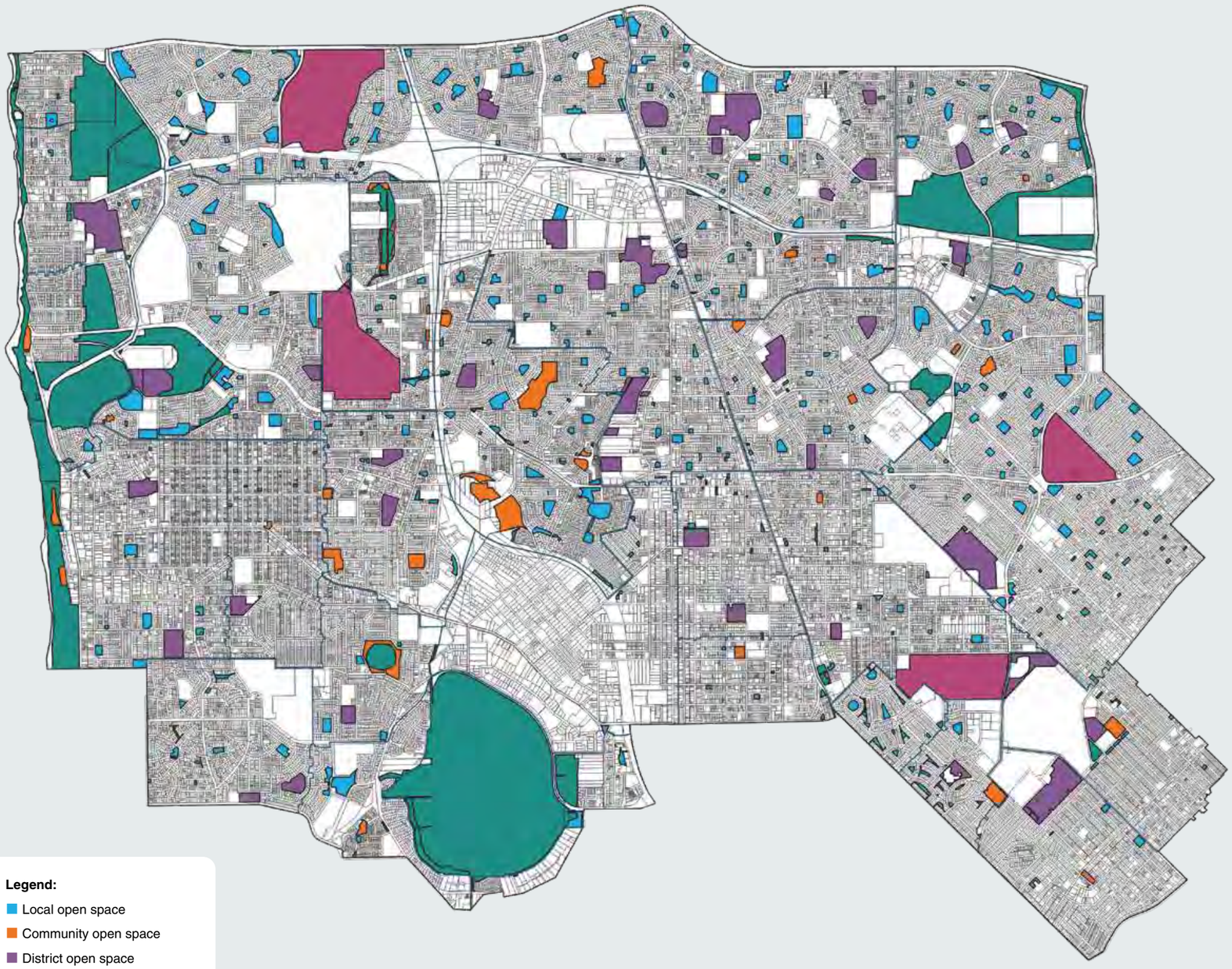
	Name	Significance	Suburb
1	Arkana Walderton Reserve	LNA	Westminster
2	Beach Alexander Bushland	LNA	Mirrabooka
3	Beachton Hamersley Kitchener Bushland and North Beach Beachton Kitchener Bushland	LSNA	North Beach
4	Bradford Glick Bushland Reserve	LNA	Coolbinia
5	Careniup Reserve	EPP wetland	Gwelup
6	Carine Regional Open Space – section	RSNA, EPP wetland, bush forever	Carine
7	Coastal Reserve	Coastal, RSNA and bush forever	Watermans Bay, North Beach, Trigg, Scarborough
8	Cottonwood Crescent Nature Reserve	RSNA, bush forever	Dianella
9	Dianella Regional Open Space	RSNA, bush forever	Dianella
10	Esperanto Martin Reserve	LSNA	Westminster
11	Fletching Climping Reserve	LNA	Balga
12	Lake Gwelup Regional Open Space	RSNA, EPP wetland, bush forever	Gwelup
13	Native Dog Swamp	EPP wetland	Yokine
14	Jackadder Lake	EPP wetland	Woodlands
15	Jackson Duke Wheeler Reserve	LSNA	Karrinyup
16	Star Swamp	RSNA, EPP wetland, bush forever	Watermans Bay
17	Trigg Bushland	RSNA, bush forever	Trigg
18	Walter Hamer Eighth Reserve	LSNA	Inglewood

RSNA – regionally significance natural area; LSNA – locally significant natural area, LNA – local natural area.
EPP wetland – Environmental Protection Policy wetland.

Table 8: Natural areas – not City-managed

	Name	Significance	Suburb
A	Herdsman Lake (includes Maurie Hamer Park)	RSNA, EPP wetland, bush forever	Herdsman and Glendalough
B	Mirrabooka Bushland	RSNA, bush forever	Mirrabooka
C	Channel 9 Bushland	LSNA	Dianella

Figure 15: *City's natural areas outside of POS*



As noted previously, the POS hierarchy is not retrospective and not all parcels of POS will fit perfectly within these classifications, including nature spaces. However, it is important to provide a clear position regarding POS to ensure the POS statistics are not misleading or influenced by large areas of conservation or restricted sites. This is to enable informed decision making for future communities and consistency with industry standards.

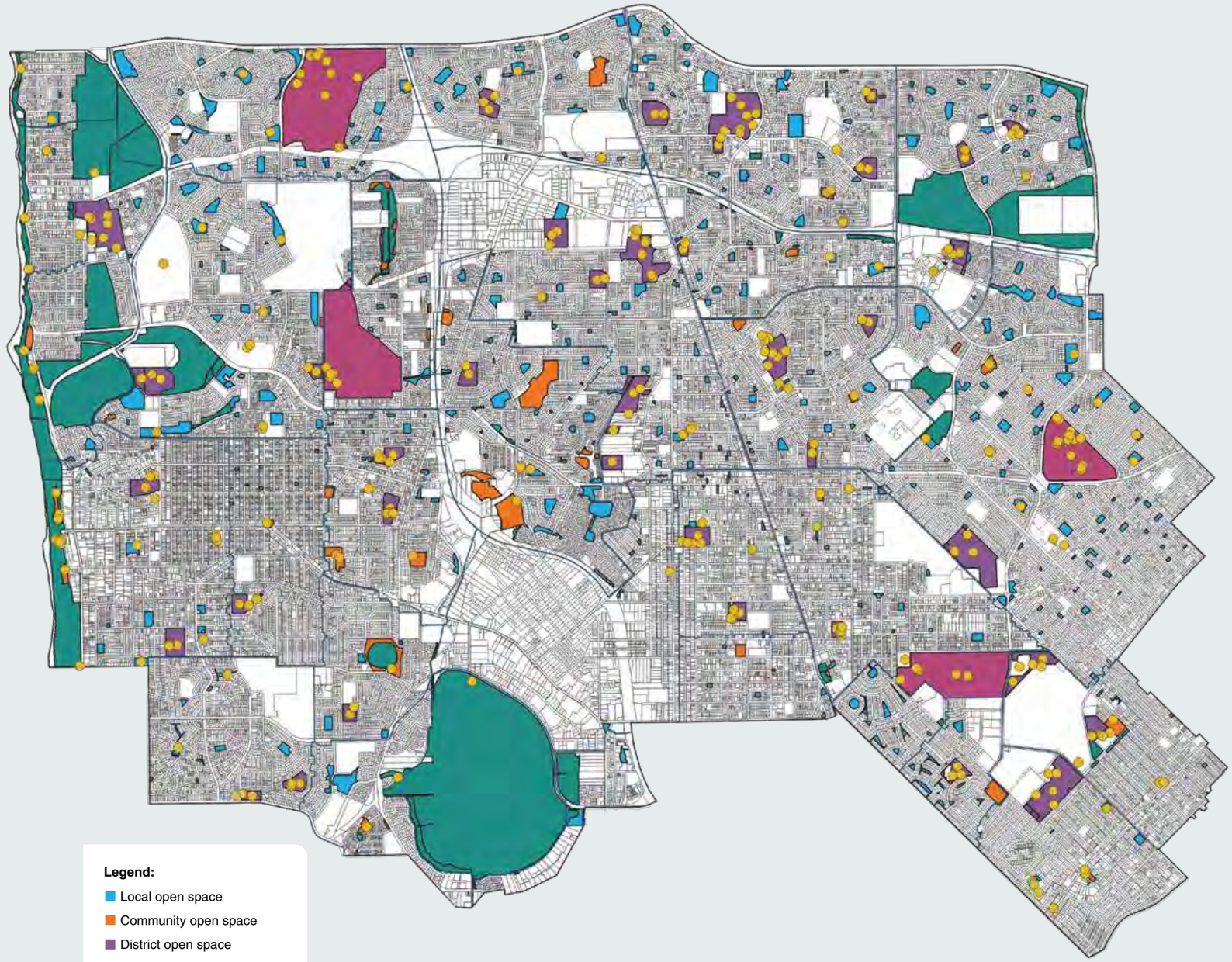
The City's Biodiversity Strategy (2010) should be referred to for other identified locally significant natural areas (LSNA) and local natural areas (LNA) that sit within POS. POS which provides for nature function in conjunction with recreation and/or sporting function has been included within the POS classifications and percentage calculations.

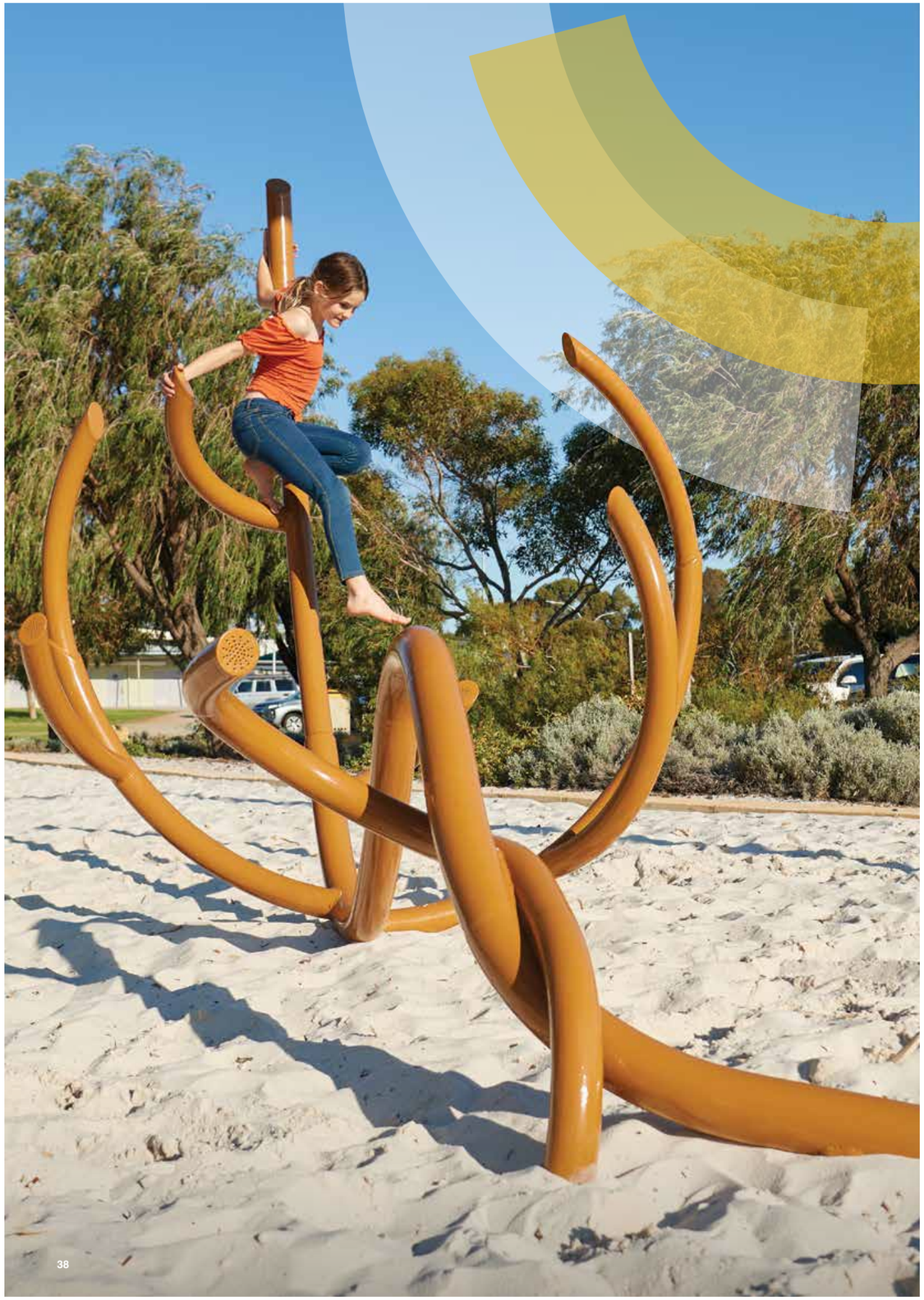
3.7 Community facilities

The Strategy's focus is on POS across the City and achieving the associated benefits for the community. In conjunction with POS, the City also provides a range of community infrastructure which complements outdoor recreational and sporting activities and provides choice for residents.

It is recognised that planning for POS also considers the holistic opportunities across the City and as such is referenced here. These can range from recreation centres, leisure centres, halls, bowling, golf clubs, tennis clubs and changerooms. Figure 16 shows a snapshot of community facilities in relation to the POS locations.

Figure 16: *City's POS, natural areas and community facilities*





4. State planning alignment

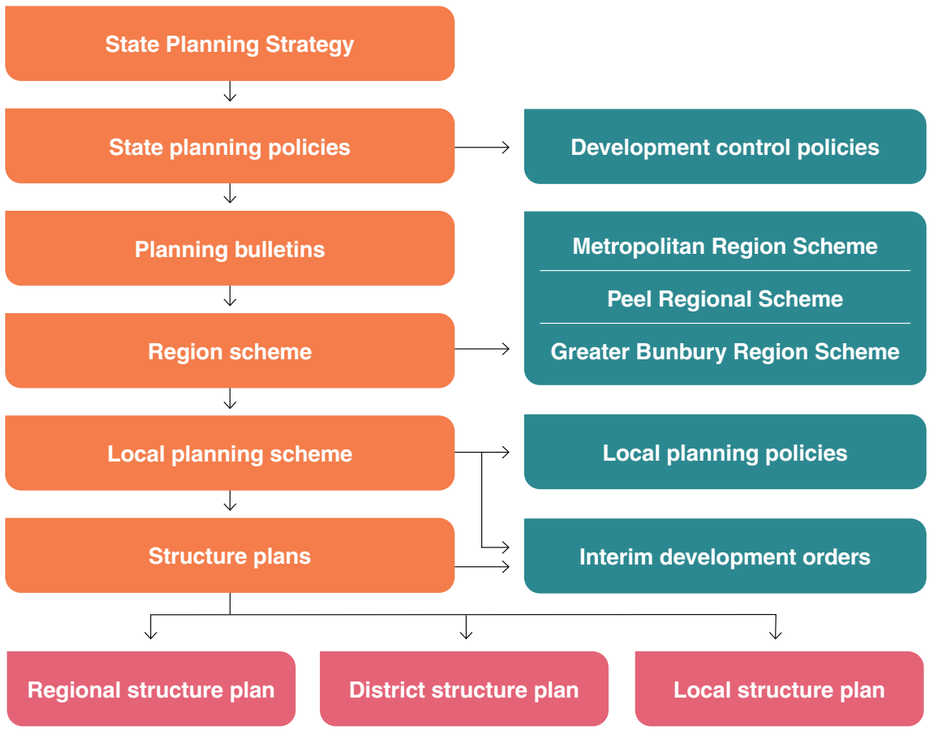
4.1 Setting aside POS

The WA planning system coordinates land use and development by balancing several potentially competing issues relating to economic, social and environmental matters. This process is guided by a series of planning policies, schemes and other statutory processes. The fundamental aim is to develop and sustain a high quality of life for people living within our communities (DLGSC, 2010).

Two key elements to the planning system are strategic planning (long-term planning) and statutory planning (the legal approval process which regulates land use). The most critical stage to inform POS needs is during the strategic planning process, as the ability to influence outcomes is more restricted during the statutory planning stage.

There are a variety of principal planning documents that impact the provision of POS throughout varying stages of the planning process. A selection of documents that impact the City's Strategy is included in Part 1.4. They include regional schemes, local planning schemes, state planning policies, development control policies, and operational policies such as Liveable Neighbourhoods. The relationship between some of these principal planning documents is shown below in Figure 17.

Figure 17: *Relationship of principal planning documents (DLGSC, 2010)*



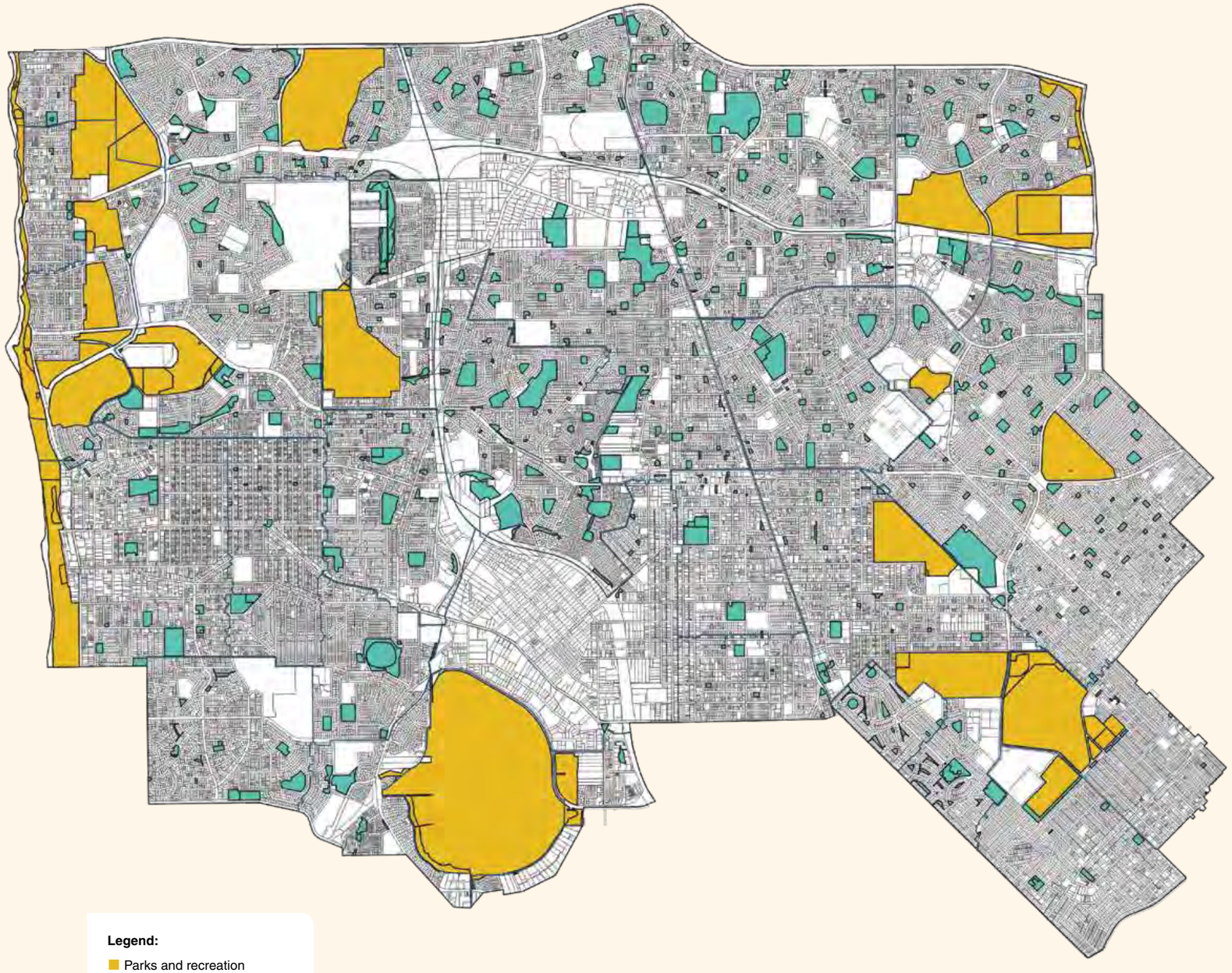
The City's POS can be divided into spaces that have been provided through the Metropolitan Regional Scheme (MRS) and spaces that have been provided through the local planning scheme (LPS). The LPS must be consistent with the MRS and hence, in the case of conflict between the schemes, the MRS will override the LPS. POS provided through both the MRS and LPS form an integrated POS network for the City's community.

4.2 Metropolitan Region Scheme

The MRS defines the future use of land and provides the legal basis for planning in the Perth metropolitan region. It divides land in the region into broad zones and reservations. When referring to 'reservations', the MRS is referring to land reserved for community purposes. These community purposes can include parks and recreation; railways; ports; state forests; water catchments; civic and cultural uses; waterways; public purposes (eg, hospitals and schools); regional roads and bush forever areas.

Of interest to the Strategy are the areas reserved for parks and recreation under the MRS. These spaces are defined by the MRS as land of regional significance for ecological, recreation or landscape purposes. The parks and recreation reservations are a mix of POS, coastal foreshore, wetlands, bush forever and recreational facilities. The City's bush forever areas have been highlighted in Part 3.6. Bush forever areas are subject to planning requirements of State Planning Policy 2.8 – Bushland Policy for the Perth Metropolitan Region.

Figure 18: *Map of MRS parks and recreation reservations*



4.2.1 POS provision under Metropolitan Regional Scheme

Figure 18 shows the areas reserved for parks and recreation under the MRS. It also shows the POS network provided under the LPS for comparison. It is emphasised that only a portion of MRS parks and recreation reservations are included as POS within the City's POS framework. The areas included as POS have been assessed to align with the definition, scope and key principles of POS.

Distinction has been provided in Tables 9, 10 and 11 of the MRS areas which are POS compared to other land uses. There are three instances in which the land provides POS purposes while also identified as bush forever. These are Carine Regional Open Space, Dianella Regional Open Space and Lake Gwelup Regional Open Space.

Table 11 shows the lands reserved under the MRS as parks and recreation which serve a separate function such as bush forever, coastal foreshore and recreational facility. It should be noted that not all MRS reservations listed are managed or owned by the City.

Table 9: MRS parks and recreation reservations – also serve as POS

	Name	City POS classification	Suburb	Ward
1	Allamanda Gardens Reserve	Local open space	Mirrabooka	Balga
2	Apple Blossom Polyantha Reserve	Local open space	Mirrabooka	Balga
3	Charles Riley Reserve	District open space	North Beach	Coastal
4	Coastal Foreshore Reserve, Brighton Beach Reserve, Scarborough Beach Reserve, Clarko Reserve and Watermans Bay Reserve	Community open spaces	Watermans Bay, North Beach, Trigg and Scarborough	Coastal
5	Hamer Park and Inglewood Oval	District open space	Mount Lawley	Lawley
6	Macaulay Park	Community open space	Inglewood	Inglewood
7	Millington Reserve / Kevin Langdon Reserve	District open space	Karrinyup	Coastal
8	Walter Road East Reserve	District open space	Inglewood	Inglewood
9	Wordsworth Reserve	District open space	Inglewood	Inglewood
10	Yokine Regional Open Space	Regional open space	Yokine	Lawley



Table 10: MRS parks and recreation reservations – provide both POS and bush forever area

	Name	City POS classification	Suburb	Ward
1	Carine Regional Open Space	Regional open space	Carine	Hamersley
2	Dianella Regional Open Space	Regional open space	Dianella	Inglewood
3	Lake Gwelup Regional Open Space	Regional open space	Gwelup	Hamersley

Table 11: MRS parks and recreation reservations – serve other uses

	Name	City POS classification	Suburb	Ward
1	Coastal foreshore	Coastal foreshore / bush forever	Various	Coastal
2	Cottonwood Crescent Nature Reserve	Bush forever	Dianella	Lawley
3	Star Swamp	Bush forever	Watermans Bay	Coastal
4	Trigg Bushland	Bush forever	Trigg	Coastal
5	Walter Hamer Eighth Reserve	Locally significant natural area	Inglewood	Inglewood
6	Inglewood Bowling and Sports Club	Recreational facility (located on Hamer Park / Inglewood Oval)	Mount Lawley	Lawley
7	Inglewood United (leased facility)	Recreational facility	Inglewood	Inglewood
8	Mount Lawley Golf Course (includes tennis club)	Recreational facility	Inglewood	Inglewood
9	North Beach Tennis Club	Recreational facility (located on Charles Riley Reserve)	North Beach	Coastal
10	Stirling Leisure Centres – Terry Tyzack Aquatic Centre – Inglewood	Recreational facility (located on Wordsworth Reserve)	Inglewood	Inglewood
11	WA Golf Course	Recreational facility		
12	Yokine Bowling Club	Recreational facility (located on Yokine Reserve)	Yokine	Lawley
13	Herdsman Lake (includes Maurie Hamer Park and Glendalough Reserve)	Bush forever and EPP wetland (not City-managed)	Herdsman and Glendalough	Doubleview
14	Mirrabooka Bushland	Bush forever (not City-managed)	Mirrabooka	Balga

4.3 Local planning scheme

Local Planning Schemes (LPS) set out the way land is to be used and developed. An LPS classifies areas for land use and includes provisions to coordinate infrastructure and development within the local government area. An LPS consists of scheme maps and is supported by a local planning strategy. It is developed in line with the other principal planning documents and reserves land for POS purposes.

4.3.1 Current LPS standards for POS

It was in the early twentieth century that park activists sought to establish minimum requirements for the provision of POS (Byrne and Sipe, 2010; Veal, 2013). These standards, first established in the US and UK, have now been emulated in Australian POS planning and development policies and strategies.

In WA, the standard of 3.36 hectares of POS per 1,000 people was established in the Stephenson-Hepburn Report of 1955 for POS provided through local planning. This standard was converted to 33.6 square metres per person, based on a density of 30 persons per hectare. This resulted in 1,008 square metres of POS provision for every hectare (10,000 square metres) of land and thus the standard established was that 10 per cent of a residential area was to be set aside for POS.

This 10 per cent standard has been applied in WA since this time, and a subdivider is required to provide 10 per cent of the gross subdivisible area of a residential subdivision to the Crown, free of cost, for POS purposes.

This 10 per cent standard only applies to POS determined through LPS via subdivision and relates to the Development Control Policy (DCP) 2.3 for POS in Residential Areas. POS set aside through the MRS is required in addition to the LPS and is excluded from the 10 per cent contribution for an area.

A report undertaken in 1972 into the corridor plan for Perth found increasing density to be a concern and that "if basic standards for the provision of POS are not reaffirmed then desired concepts may be lost forever". It stated that the adopted policy was 10 per cent of the subdivisible area while the Stephenson Plan of 1955 recommended that the provision be based upon population. It concluded that the provision of POS based on population density was more desirable than existing requirements based upon area (Honorary Royal Commission, 1972, p. 74).

The 10 per cent standard was reviewed and retained in 1980 and the 10 per cent provision has subsequently been supported through DCP 2.3. The DCP 2.3 states that the 10 per cent requirement remains valid due to smaller lot sizes being offset by declining household occupancies. This standard is also iterated in the draft Liveable Neighbourhoods (2015). More recently it has been acknowledged that the DCP 2.3 and Liveable Neighbourhoods require a review, which is scheduled for 2022.

It is noted that this 10 per cent contribution applies only to land that generates a need for POS, primarily residential land use. As such, only POS provided under the LPS is included in the calculation when assessing developer POS contributions.

As advised by DPLH, the land listed below is excluded from the City's POS calculations and does not form part of the gross subdivisible area (GSA).

- Foreshore reserves, bush forever areas, natural water bodies and EPP wetlands
- Local bushland with restricted public access, unless it forms part of the two per cent of 'restricted use' local POS (refer to: LN 2009, Element 4 R5 and R33)
- All land reserved as parks and recreation under the MRS regardless of function
- Land zoned as industrial, rural or private recreation under the MRS
- Business, civic, development, district centre, hotel, industry, local centre, mixed business, private institution, regional centre, service station and special use zones/reserves under LPS 3, including leased and private sporting clubs (eg, bowls, tennis, golf, soccer)
- All public purpose or utility reserves under the MRS and LPS, such as fenced drainage sumps
- Recreation facilities, leisure facilities or other community facilities.

It is noted that artificial water bodies are considered 'restricted use' local POS for up to 2 per cent of the 10 per cent calculation, with the surplus being excluded. If deemed 'restricted use' then the surface area of the water body is included in the GSA and POS calculation.

Previously mixed-use zoned land was excluded from the GSA and hence POS calculation. With changes in built form, the residential and non-residential components of a mixed-use development can only be known at development stage. As such, it is difficult to accurately quantify the residential component of future development for POS purposes. It is preferred that these future developments, such as activity centres and corridors, include mixed-use zoned land within the GSA to ensure the amount of POS land required is not underestimated.

4.3.2 Shortcomings of percentage standards for POS

There are several concerns in applying a broad-based percentage standard adopted over 60 years ago. This is predominantly due to the changes in density and suburb characteristics, changes to how people access and use both private and POS, and the impact of changes to planning policy.

The standard of 10 per cent for local residential areas was set prior to subsequent increases in densities and residential infill. High-growth suburbs originally planned around this standard, such as Westminster and Nollamara, have since had density increase threefold. This has resulted in the average property being able to accommodate three dwellings instead of the original one dwelling, without increasing the total residential area.

This change over time is cumulative and is having a significant impact on the adequate provision of POS (Local Planning Strategy, 2019). In particular, areas with uneven distribution of POS are more at risk of not having walkable access to POS.

Assumptions made in 1955 have significantly changed, specifically the availability of private open space as the main source of outdoor recreation (Grose, 2009). As housing densities increase, the amount of private open spaces diminishes. This change results in more people looking to public spaces to fill gaps in recreational activities once predominantly catered for in backyards.

An overall significant shortage of POS available to accommodate organised sport has been an unintended consequence of applying the 10 per cent standard (Middle, 2013). This is due to added requirements to also provide water-sensitive urban design (WSUD) and bush forever (Middle et al., 2013). The shortage of organised sporting spaces is concentrated in new-growth suburbs but impacts inner-city areas such as the City of Stirling, given people need to travel to access sporting space. This volume of visitors to the City's district and regional POS coupled with high infill will only increase pressure. It also inadvertently impacts the condition of the sporting spaces, which need appropriate recovery time from the high impact and high volume of use.

Minimum requirements are needed to establish a baseline standard to consistently measure POS provision across local government areas. It is also acknowledged that conservation and water management principles are important for long term sustainability. However, measuring the adequacy of POS provision through an arbitrary percentage based on a static area value will not suffice moving forward. POS provision is complex and multi-faceted, with consideration needed at both a broad and local level.

As such, the application of the 10 per cent standard for POS is discussed within the confines and scope to which it applies as per DCP 2.3. However, when planning for broader POS needs, the standard forms part of the City's assessment methodology of POS as outlined in section 5.1, in conjunction with other key measures including accessibility and quality.



4.4 Application of the percentage standard for POS

The 10 per cent POS requirement comes from the Stephenson-Hepburn Report, which is implemented through DCP 2.3. DCP 2.3 only relates to subdivision, and as such, the 10 per cent standard is applicable to subdivision under the LPS.

Suburbs vary greatly in size and Table 4 shows the areas of POS against the gross subdivisible area (GSA). This provides a percentage of POS within each suburb, which is in line with WAPC's method of determining adequate POS provision. The POS area has also been assessed against the equivalent 33.6 square metres per person measure in line with the latest population census statistics (ABS, 2016).

Table 12 shows that 13 of the City's suburbs (43 per cent) have more than 10 per cent of POS when compared against GSA within their respective suburb boundaries. However, when considering the area per person standard (33.6 square metres), only seven suburbs (23 per cent) provide above the required amount. Herdsman is excluded given the suburb has no GSA. The suburbs are broken down as follows:

Standard	Suburbs
✓ Percentage ✓ Area per person	**7 Suburbs**
	Balcatta, Balga, Carine, Hamersley, Karrinyup, Menora, Stirling
✓ Percentage ✗ Area per person	**6 Suburbs**
	Churchlands, Dianella, Innaloo, Mirrabooka, Nollamara, Woodlands
✗ Percentage ✗ Area per person	**17 Suburbs**
	Coolbinia, Doubleview, Glendalough, Gwelup, Inglewood, Joondanna, Mount Lawley, North Beach, Osborne Park, Scarborough, Trigg, Tuart Hill, Watermans Bay, Wembley, Wembley Downs, Westminster, Yokine

Table 12 shows that suburbs which meet the 33.6 square metres of POS per person generally have a minimum of 15 per cent POS. This variance shows the inadequacies of arbitrarily applying the 10 per cent standard without considering the suburb characteristics, and particularly the impact of density and urban infill.

This is demonstrated in suburbs such as Hamersley and Mirrabooka which both have 15 per cent POS but a significant difference in POS provision when measured by area per person. Hamersley has 45.5 square metres of POS per person and Mirrabooka has 30.9 square metres of POS per person.

The suburb of Stirling has the highest supply of POS by percentage and area per person. Stirling has only one small district open space with majority of POS area being captured in community and local open spaces (Appendix 7.7). Stirling is however not located in the wards with the highest amount of POS, highlighting an uneven distribution of POS for adjacent suburbs in the same ward. It is noted that the Stirling City Centre Structure Plan (2014) may impact on the amount of POS per person for Stirling.

The suburbs of Yokine (three per cent, 6.3 square metres), Joondanna (three per cent, 5.7 square metres), Osborne Park (1.6 per cent, three square metres), North Beach (1.4 per cent, 3.5 square metres) and Wembley (0.2 per cent, two square metres) have the lowest provision of POS by percentage and by area per person.

It is noted that Yokine contains a regional open space (ROS) which provides supplementary access to POS for residents in the south of the suburb. North Beach contains Charles Riley Reserve, an MRS-provided reserve, which also supplements LPS POS.

As such, priority for addressing POS gaps should consider the broader provision of POS across both MRS and LPS areas.

Overall, the City averages 11 per cent of POS with 24.6 square metres of POS per person.

Table 12: Assessment of POS area by percentage and population

Suburbs that have 10% or more POS and over 33.6m² of POS per person are highlighted in green.

Suburb	LPS POS area (ha)	Gross subdivisible area (GSA)	POS % of GSA	Latest census population (2016)	POS by m2 / person
Balcatta	**52**	252	21%	10,382	50.3
Balga	**59**	268	22%	12,685	46.3
Carine	**28**	175	16%	6,479	42.7
Churchlands	**8**	67	11%	3,387	22.9
Coolbinia	**5**	49	9.9%*	1,660	29.2
Dianella	**70**	598	12%	23,486	29.7
Doubleview	**6**	181	4%	8,404	7.6
Glendalough	**1**	29	3%	2,483	3.5
Gwelup	**7**	104	7%	4,539	16.2
Hamersley	**23**	152	15%	4,982	45.5
Herdsman	**0**	n/a	n/a	n/a	n/a
Inglewood	**2**	111	2%	5,674	4.1
Innaloo	**18**	151	12%	8,251	22.2
Joondanna	**3**	102	3%	4,836	5.7
Karrinyup	**38**	234	16%	9,283	41.1
Menora	**10**	52	20%	2,592	39.3
Mirrabooka	**25**	170	15%	8,110	30.9
Mount Lawley	**3**	159	2%	7,565	4.2
Nollamara	**23**	216	11%	11,570	20.3
North Beach	**1**	84	1.4%	3,410	3.5
Osborne Park	**1**	78	1.6%	4,120	3
Scarborough	**19**	284	7%	15,467	12.3
Stirling	**58**	177	33%	9,676	60.0
Trigg	**2**	69	2%	2,794	5.6
Tuart Hill	**11**	135	8%	7,012	16.1
Watermans Bay	**2**	38	5%	1,281	14.4
Wembley	**0.1**	24	0.2%	791	0.7
Wembley Downs	**11**	159	7%	6,321	17.2
Westminster	**10**	130	8%	6,203	16.8
Woodlands	**13**	107	12%	4,145	31.1
Yokine	**7**	248	3%	11,542	6.3
City total	**517**	**4,605**	**11%**	**209,084**	**24.7**

POS provided under the local planning scheme only.

Figures for Mount Lawley and Wembley include population within the City's boundary only.

Total POS and percentage figures are shown rounded to the whole number were applicable. Coolbinia suburb's percentage is 9.9% when rounded to one decimal place and hence counted as under the 10% provision. Gwelup is 10.2% and counted as over 10%.

GSA is consistent with LPS3 and will be reviewed in line with LPS4 and DPLH methodology.

Table 13 shows the change over time in access to POS provided through the local planning scheme. The percentage of decrease is similar to the impact to the total POS per person (Table 6), with the biggest decline by percentage being Wembley and Glendalough (-35 per cent) followed by Scarborough (-27 per cent). Overall, the City is projected to experience a decline of available POS by an average of three square metres per person Citywide.

Table 13: Reduction of local planning scheme (LPS) POS per person (2016 – 2031)

Suburbs with over 33.6m² of POS per person are highlighted in green.

SA2 level	LPS POS area (ha)	2016 Census data		2031 projections		Reduction in LPS POS per person 2016 – 2031	
	ha	Population	m² / person	Population	m² / person	m² / person	%
Balcatta	**52**	10,382	50.3	10,802	48.3	-2	-4%
Hamersley	**23**	4,982	45.5	5,183	43.8	-2	-4%
Balga	**59**	12,685	46.3	13,637	43.0	-3	-7%
Mirrabooka	**25**	8,110	30.9	8,719	28.8	-2	-7%
Dianella	**70**	23,486	29.7	25,249	27.6	-2	-7%
Innaloo	**18**	8,251	22.2	9,644	19.0	-3	-14%
Doubleview	**6**	8,404	7.6	9,823	6.5	-1	-14%
Karrinyup	**38**	9,283	41.1	11,551	33.1	-8	-20%
Gwelup	**7**	4,539	16.2	5,648	13.0	-3	-20%
Carine	**28**	6,479	42.7	8,062	34.3	-8	-20%
Mount Lawley	**3**	7,565	4.2	8,140	3.9	-0.3	-7%
Inglewood	**2**	5,674	4.1	6,105	3.8	-0.3	-7%
Nollamara	**23**	11,570	20.3	14,557	16.1	-4	-21%
Westminster	**10**	6,203	16.8	7,838	13.3	-4	-21%
Scarborough	**19**	15,421	12.8	20,200	9.4	-3	-24%
Stirling	**58**	9,676	60.0	11,310	51.3	-9	-14%
Osborne Park	**1**	4,120	3.0	4,816	2.6	-0.4	-14%
Trigg	**2**	2,794	5.6	3,649	4.2	-1	-23%
North Beach	**1**	3,410	3.5	4,453	2.7	-1	-23%
Watermans Bay	**2**	1,281	14.4	1,673	11.0	-3	-23%
Tuart Hill	**11**	7,012	16.1	8,196	13.8	-2	-14%
Joondanna	**3**	4,836	5.7	5,653	4.9	-1	-14%
Wembley Downs	**11**	6,321	17.2	7,388	14.7	-2	-14%
Churchlands	**8**	3,387	22.9	3,959	19.6	-3	-14%
Woodlands	**13**	4,145	31.1	4,845	26.6	-4	-14%
Yokine	**7**	11,542	6.3	12,420	5.8	-0	-7%
Menora	**10**	2,592	39.3	2,789	36.5	-3	-7%
Coolbinia	**5**	1,660	29.2	1,786	27.1	-2	-7%
Wembley	**0.1**	791	0.7	1,233	0.5	-0.3	-36%
Glendalough	**1**	2,483	3.5	3,870	2.2	-1	-36%
All LPS POS	**517**	**209,084**	**24.7**	**243,200**	**30.6**	**-3**	**-14%**

4.5 POS contribution and cash-in-lieu

The provision of POS or cash-in-lieu (CIL) for residential areas is governed by the DPLH's Development Control Policy 2.3 POS in Residential Areas (DCP 2.3). It is noted that the DCP 2.3 is subject to a comprehensive review. However, the City must still align CIL contribution requirements with this policy until such time that it is updated or advised otherwise.

In conjunction with the requirements set in DCP 2.3, the City will continue to undertake a holistic assessment of subdivision and CIL submissions in line with the previously identified POS provision assessment process.

4.5.1 Subdivision of five lots or less

A subdivision of five lots or less doesn't necessarily require a cash-in-lieu contribution. However, DCP 2.3 specifies that cash-in-lieu can be requested under certain conditions. Along with other conditions within the DCP 2.3, the DPLH have confirmed that cash-in-lieu should be requested in localities where a deficiency or potential deficiency of POS has been identified. The primary way of determining this deficiency, in line with DPLH requirements at this current time, is the 10 per cent standard for the suburb.

In the event of managing disputes to a POS CIL contribution, the City will utilise information on the 400 metre walkable catchment provision and future projected provision in line with relevant impacts such as high-growth areas, activity centres and evidence of ongoing urban infill.

4.5.2 Strata titles

Development Control Policy 1.3 Strata Titles (DCP1.3) provides general requirements where land for public purposes such as POS can be ceded to the Crown free of cost. This is due to the increased scope for use of strata schemes resulting in land being divided in a manner similar to a conventional subdivision.

Section 3.3 of DCP 1.3 states that for proposals involving more than a small number of lots, a contribution may be required from the WAPC towards the provision of public facilities such as POS. A maximum allowance of up to 50 per cent of the total 10 per cent may be permitted as communal open space if it provides a usable function for general recreation. The remainder may be provided outside of the subdivision or by way of CIL.

A strata title development of five lots or less doesn't necessarily require cash in lieu contribution. However, like a subdivision of five lots or less cash in lieu can be requested under certain conditions.

Consideration should be given to DCP 1.3, particularly in suburbs of poor access or low amount of POS, where appropriate for POS contribution.

4.5.3 Expenditure of cash-in-lieu

The expenditure of cash-in-lieu is subject to the conditions set within the DCP 2.3. Generally, any expenditure is required to be on land vested with the local government for management, be freely available for public use, have no entry or membership requirement, and have no other access or use restrictions. It also needs to be consistent with the Position Statement: Expenditure cash-in-lieu of POS (2020).

The position statement states that cash-in-lieu funds may be used in the following manner:

- For the purchase of land for parks, recreation grounds or open spaces generally, in the locality in which the subdivision is situated
- In repaying loans raised by the local government for the purchase of such land
- With the approval of the minister for planning, for the improvement or development as parks, recreation grounds or open spaces generally of any land in the said locality vested in or administered by the local government for any of those purposes.

In addition, the land must be managed for recreation purposes and be for uses to which the public has unrestricted access. Land held in fee simple by local governments should be reserved for public recreation or civic and community purposes within local planning schemes.

Acceptable expenditure of cash-in-lieu funds may be for basic items such as seating, spectator cover, toilets, landscaping and earthworks, changerooms, lighting, play equipment, pathways, car parking or signs relating to recreational pursuits. Other examples may include proposed development which:

- Provides for a range of functions
- Aligns with adopted strategic planning documents such as POS Strategy
- Improves access to and functionality of open spaces within the reserve
- Promotes the safe use and enjoyment of open spaces
- Preserves and enhances ecological systems and biodiversity
- Establishes or enhances a community's sense of place.

The use of cash-in-lieu is not typically accepted for facilities where access by the public is restricted or associated with a fee. Examples of these are community halls, recreation centres, enclosed tennis courts, bowling clubs and private club facilities.

It is noted that cash-in-lieu expenditure can only occur within the locality (suburb) of the subdivided lots from which the cash-in-lieu contribution came and where the subdivided lots are seen to benefit from the expenditure.

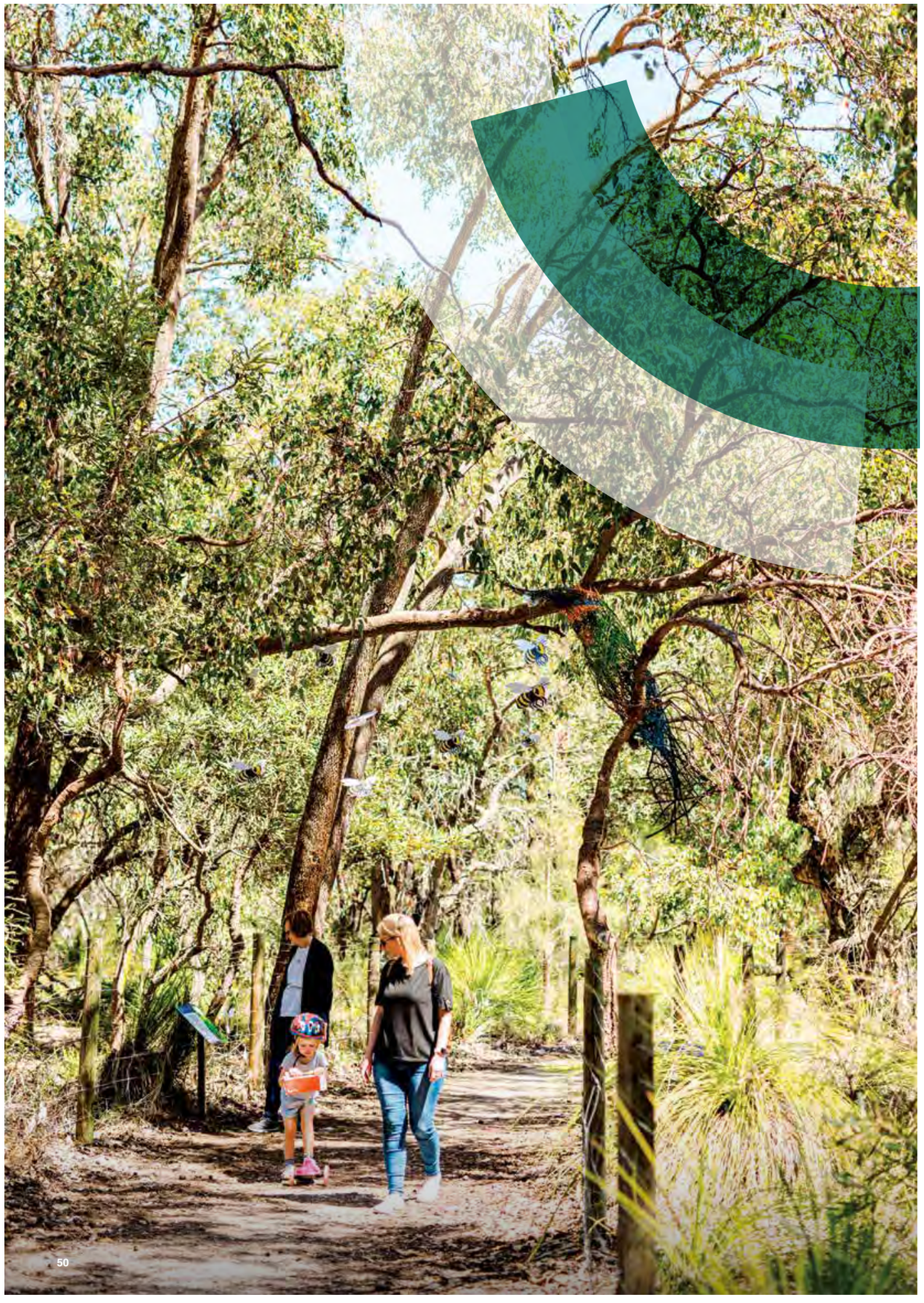
The distance and location of the cash-in-lieu expenditure to the subdivided lots may depend on the type of POS and expenditure. For example, low-cost local POS expenditure should be within a walkable catchment as per the local classification. Alternatively, the expenditure may occur on purchasing or improving a large POS within the relevant catchment to the subdivided lots, such as a community or district open space.

Access is an important consideration in determining a POS contribution as the subdivision needs to be reasonably located with reasonable access to surrounding POS. As such, major barriers need to be considered such as significant roads, commercial areas, public transport options and large bushland areas.

In some instances, cash-in-lieu may be considered for expenditure on POS reserved for parks and recreation under the MRS. This may be in instances where there is not suitable local POS within the subdivision catchment or the MRS reserve will provide for the best use of cash-in-lieu to meet local recreational needs.

Any use of cash-in-lieu on MRS reserves will require consideration based on circumstances and merit, with the Minister for Planning making the final determination.

The Strategy will guide expenditure through strategic investment of cash in-lieu in line with local POS planning and community infrastructure planning.



5. Assessing public open space

5.1 POS methodology

As infill developments and urban renewal projects occur across the City, many of the areas traditionally made up of large blocks and single houses are gradually replaced by higher-density areas. This shift in dwelling type increases the housing density while subsequently decreasing the amount of POS available and accessible to each person. In some areas, this is already occurring.

Historically, new subdivisions used the POS standard developed by Stephenson-Hepburn Report (1955) which revolves around a 10 per cent provision of the gross subdivisible area. This percentage provision is often measured at a suburb level for ease and consistency of application. However, suburbs are made up of residential areas and localities often delineated by road barriers, commercial precincts, schools, landmarks and sometimes socioeconomic and cultural variances.

Suburbs are also not uniformly developed, with higher densities often concentrated around activity centres and corridors. See Part 4 for further discussion on the application of the Stephenson-Hepburn POS standard.

Contemporary views are that POS standards are best set locally (Veal, 2013) to cater for the varying characteristics of different places. Standards set at a broader level cannot cater for local circumstances such as differences in demographics, walkability of neighbourhoods and the extent of urban infill and development in an area.

The City follows a three-step POS assessment process which is guided by three key measures of adequate POS. These three key measures with an example of key questions are shown in Table 14.

Table 14: Key measures of adequate POS

Key measures	Example questions
Quantity	• How much POS is in my local area? • How much POS will there be in the future?
Access	• Can I walk to a POS? • What other POS can I reasonably access? • Are there any barriers I face trying to access POS?
Quality	• What classifications of POS are near me? • What functions do the POS perform? • Is the infrastructure in the POS able to meet that function?

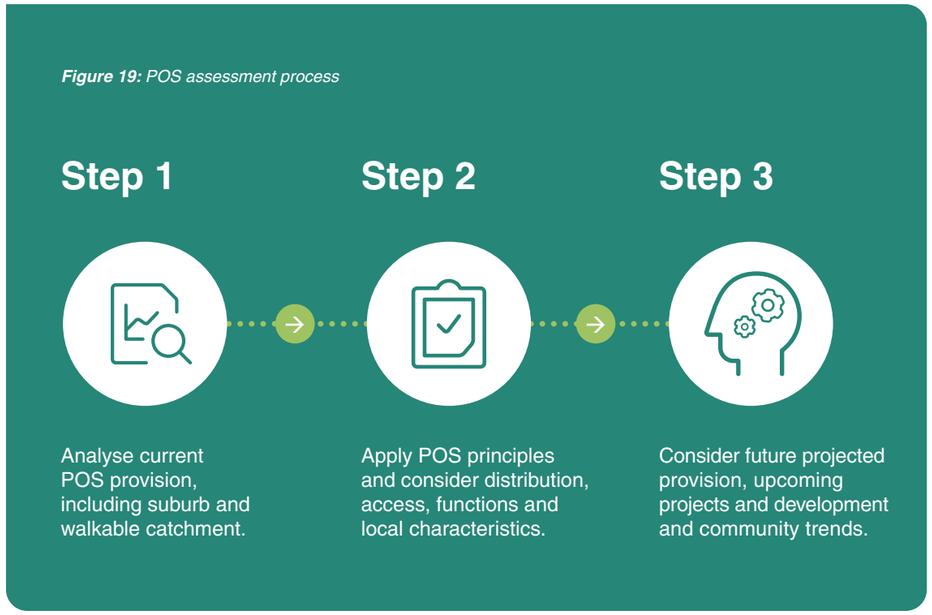


Figure 19: *POS assessment process*

The POS assessment process (Figure 19) still recognises the current application of the Stephenson-Hepburn 10 per cent POS standard while balancing other key considerations to meet the needs of local communities.

Within step one, the City will consider the current POS provision at a suburb level (percentage and area per person) and what is available within the 400 metre walkable catchment. It will also identify access to different classifications of POS within the relevant catchment areas (eg, 800 metres for a community open space). It is important to consider both percentage, area per person and walkability as not all suburbs or local areas will develop and grow at equal rates. For example, a suburb with density growth may have a high percentage of POS but a low amount of POS per person.

The second step is essential and overlays the local area's characteristics. It is vital to consider how POS has been distributed across the suburb, whether there is access to different POS functions and recreational amenity, how the local demographics may influence POS needs and if there are any barriers to accessing POS. For example, a suburb may have larger portions of POS located to the north, creating an imbalance of access to POS in the south.

The final step considers the future projected POS provision and possible impacts. This includes determining POS provision per person based on population projections, future structure planning or development areas, and consideration of any future community needs and industry trends. It is realistic to assume that most suburbs will see a decrease in POS per person as population increases within the same land area if the area of POS remains the same. However, some areas may have faster rates of growth or be further impacted by key activity corridors and precincts.

The process mapped in Figure 19 will assist with any assessments relating to POS as applicable. These may include but are not limited to:

- New POS provision (eg, structure plans and community infrastructure plans)
- Applications requiring consideration of POS such as green title, survey strata, strata plan, subdivision and community title plans
- Cash-in-lieu assessments
- Change of use requests (ie, leased space to public space)
- Upgrading POS classifications
- Development of existing POS
- Acquisition and disposal of POS.

It is recognised that in many built-up areas, new POS may be difficult to acquire and traditional POS form, particularly in the short-term, may not be achievable.

This Strategy's approach, however, will consider how the City can sustainably meet the community's needs by identifying gaps in provision, justifying POS recommendations, guiding future planning and being a catalyst to rethink how the community uses POS.

5.2 Addressing gaps in POS

The City is in a challenging position to balance growth with maintaining access to quality POS, in order to achieve healthy and liveable communities. Currently, the only official standard for POS is the WAPC's recommended 10 per cent of the gross subdivisible area. However, it is apparent that this standard is not an adequate method on its own to assess the future needs of the City's community.

As such, the City includes this measure within the three-step assessment process previously discussed.

Once gaps in POS provision have been identified, the City can look at opportunities to improve POS provision. This may be through addressing distribution, equity of activities or infrastructure, availability of space, considering shared use partnerships or by diversifying functional needs (Table 15).

Given the City is largely developed, relying solely on new subdivisions to increase POS is not realistic. Likewise, the ongoing acquisition of sufficient land to address any gaps in POS, especially with a growing population, will be difficult. The City must consider a range of strategies and work with the local communities to maintain and improve access to quality POS.

Table 15: Addressing gaps in POS

Opportunity	Discussion
New POS	This is new POS as part of a subdivision in line with the DCP 2.3 and the *Planning and Development Act 2005.* The Strategy advocates for POS to be considered early in the subdivision process to ensure quality POS is provided and that the functional needs of the community are considered.
Cash-in-lieu	In certain circumstances, the Planning and Development Act 2005, DCP 2.3 allows for POS to be provided as cash-in-lieu as opposed to setting aside a portion of land. Funds gathered through cash-in-lieu can be used to improve the provision or quality of POS in the said locality. Cash-in-lieu is generally consented to by the WAPC via the subdivision process. DCP 1.3 also provides position on POS provision requirements.
Acquiring POS	The acquisition of POS can be an extensive and costly process and is considered on a case-by-case basis. It may be considered in circumstances where land becomes available and there is a strong and clear demonstrated need for POS. It is important to identify possible acquisition opportunities early in the process to prevent loss of suitable land to fill POS gaps.
Upgrading POS classification	Upgrading a POS from local to a community classification can be considered. This upgrade is to meet a gap in POS provision, activities or function by increasing the catchment and capacity of an existing POS. Any identified upgrade would require community engagement and integrate with the City's capital works program.
Shared use	Consideration may be given to supplementing gaps in POS through shared use of like facilities such as school ovals.
Multi-purpose sites	Recreational functions and activities can be incorporated into civic spaces such as plazas or squares, particularly in high-density areas or where there is a mix of commercial and residential land uses in the one development. Along with adding recreational value, these spaces should provide for place activation and social interaction. They may be repurposed from other land uses such as road reserves and carparks and can be negotiated through planning schemes, structure plans and development applications.
Development of existing POS	It is important that existing POS is at a quality standard to accommodate the needs of the community. This is regardless of how much POS is available. The Strategy acknowledges the City's park renewal and asset replacement programs, which can accommodate POS improvements.
Transforming spaces	The shortfall of traditional POS is a realistic prospect for many areas across the City as population increases over time. The City will need to expand the ideas of how to continue providing the benefits of POS for the City's communities. Embracing innovations and non-traditional spaces will need to be considered while ensuring the integrity of the POS network is not compromised. For example, this may require a change in how streetscapes are viewed, drainage sump conversions where practical, better use of shared spaces in apartment and strata living and even vertical or rooftop green spaces.

The Strategy establishes the overarching framework to guide future planning and provision of POS. Given the expansiveness and variety of POS across the City, detailed recommendations on individual areas or POS have not been provided within the Strategy.

As recognised by the Strategy, the City's local communities have varying characteristics and needs which require more consideration than a blanket application across all areas. Addressing gaps in POS provision also requires long-term consideration depending on the most suitable approach. For example, acquiring POS can be a lengthy and indeterminate process particularly in a high-density residential area compared to improving existing POS or transforming spaces.

As such, the Strategy provides the POS framework and methodology which will be applied at a localised level to develop suburb-based POS plans.

The localised POS plans will include:

- Review of current POS provision from a percentage and square metres approach as per the Strategy
- Community demographic analysis
- Review of current and projected population and density
- Assessment against the key principles including quality, diversity and accessibility in line with POS catchments
- Detailed mapping which will identify each classification of POS along with the type of functions available to the community to assess the variety of POS available
- Consideration of the quality of POS and how this relates to the performance of the POS in meeting its core role and function
- Identification of any influencing factors within the suburb that may impact POS provision.

This information will enable the City to identify current and future gaps in provision. Localised POS improvement plans are being progressed and will include a range of strategies to address any identified gaps as per Table 15. These plans will include engagement with Council and the broader community.

5.3 Community engagement

To achieve positive results in planning for and providing POS, it is important to embrace multi-disciplinary planning, cross-sectional collaboration and community engagement.

The World Health Organisation (2017) suggests embedding these elements in the planning process is essential in delivering a variety of functional opportunities. Specifically, "…when a physical improvement to the green space is coupled with a social engagement/participation element to promote the green space and reach out to new target groups" (WHO, 2017).

Engaging with the community is an essential part of POS provision and upheld in the Strategy. The City is committed to communicating and engaging with our diverse community openly and inclusively to make sure they can participate in decision making that impacts them. Any community engagement relating to POS will be guided by the City's Community and Stakeholder Engagement Policy and guidelines.



6. Outcomes

The Strategy has been reviewed to align with key industry documents while also recognising the need for flexibility and local consideration when planning for future POS provision.

The Strategy will guide ongoing decision making within the City to provide an equitable and accessible network of quality POS for the Stirling community. As a result of analysing the City's current POS provision, it was noted that 43 per cent of suburbs meet the minimum requirement set by the WAPC of 10 per cent POS of the gross subdivisible area. When converting this to a representative area per person, just 27 per cent of suburbs meet the minimum 33.6 square metres of POS per person.

The next step for the Strategy is to guide local POS planning so that the community's needs can be considered at a local level and be reflective of the community's characteristics.

Several key challenges have emerged from the Strategy which will drive the future outcomes and recommendations for addressing POS in the City. These key issues are listed over the page in Table 16 with key responses recommended.



Table 16: Key challenges and responses

#	Response	Timeframe
Key challenge: The current measure of POS is based on a single percentage approach applied uniformly to a whole suburb, which does not consider distribution, access or quality.		
A	Develop localised suburb-by-suburb POS plans	Short
B	Undertake POS assessments in line with the identified process in this Strategy to ensure all aspects are taken into consideration	Ongoing
C	Advocate to the WAPC for review of current standards, particularly for high-density areas and cash-in-lieu contributions	Medium / long
Key challenge: Several suburbs have been identified as having under the recommended amount of POS		
A	Address individual suburb deficiencies thorough the development of localised suburb-by-suburb POS plans	Short
B	Identify gaps in POS and options for addressing POS deficiencies	As above
C	Undertake strategic planning into investment opportunities of cash-in-lieu	Short / medium
D	Advocate to the Department of Education and the Department of Local Government, Sport and Cultural Industries for a review and improvement of policies regarding shared-use outcomes between local schools and local government	Short
E	Prioritise the retention of existing POS	Ongoing
Key challenge: Projected population increases and associated impacts of increasing density and urban infill are resulting in less POS by area being available per person (if POS remains the same).		
A	Advocate to the WAPC to investigate options to provide additional POS through the Metropolitan Regional Scheme As the WAPC have set the population targets, it is important to reassess the POS requirements within the regional planning framework	Medium / long
B	Advocate for POS impacts to be considered when residential areas are being considered for rezoning to allow for early identification of impacts and possible solutions	Medium
Key challenge: Community demands and expectations are growing, with increasing value being placed on access to quality POS and associated infrastructure.		
A	Ongoing community engagement to understand the community's POS needs and to educate how the City is providing quality POS through localised planning	Short / medium
B	Monitor and review changes in the community and emerging industry trends	Ongoing

Progress of the Strategy will be continually monitored and will aligned with the City's reporting requirements. The Strategy will also be reviewed in line with changes in community profile data or updated statistics when available, such as the 2021 Census and state population and density forecasting.

Localised suburb-by-suburb POS plans, identifying amenity improvements and addressing provision deficiencies are being progressed as a matter of priority for Council consideration and adoption.

The Strategy will be reviewed at five years for any minor amendments and formally revised at 10 years. This is to ensure the strategic intent and principles of the Strategy are still relevant to the City's community. Minor amendments may also be made at the time updated statistics are available, such as population, changes in POS or policy framework.





7. Appendices

7.1 Alignment with key strategies and plans

City of Stirling Local Planning Strategy

The City of Stirling Local Planning Strategy (LPS) sets the long-term planning direction for the City. In relation to POS, the LPS highlights how a rapidly growing population will result in the reduction of POS per person while the area by suburb remains the same. This will present the City with challenges on providing sufficient POS.

Traditionally POS is determined as a percentage of the total residential area. The benchmark was established under the Plan for the Metropolitan Region Perth and Fremantle (1955) and based off the Stephenson-Hepburn ratio of 3.36 hectares of POS per 1,000 population. This benchmark does not account for increases in residential housing density over time, however. The LPS notes that from 2004 – 2014, the City's population increased by approximately 50,000 people with minimal increase in land area.

The LPS provides the POS percentage and area within the City's suburbs. These figures differ from the POS area and percentages provided by the Strategy. This is because the Strategy excludes spaces required to be deducted to ensure accurate determination of the 10 per cent calculation and POS area per person calculation. These include deductions such as natural conservation areas, coastal foreshore, regional open spaces and recreational facilities. Future iterations of the LPS will look to align with the Strategy regarding the percentage of POS. The localised suburb POS plans will also further address the POS figures.

Structure plans

The City currently has several structure plans and planning projects which generally include consideration of POS provision. Current projects include Stirling City Centre Structure Plan (2014), Better Suburbs (2020), Mirrabooka Town Centre Structure Plan (2015), Scarborough Beach Road Activity Corridor and Herdsman-Glendalough Structure Plan. These projects can be catalysts for significant changes to population and density which in turn will impact on how POS is provided, and hence an integrated approach is required.

The Stirling City Centre Structure Plan (adopted in 2014) for example, along with the Herdsman Glendalough Structure Plan area, will form Perth's largest activity centre outside of the Perth central business district (CBD). Specifically, the Stirling City Centre will become intensely developed with the intent to transform the area into a 'city for people'. This includes the transformation of the transport system from a vehicle-dominated experience to one that is focussed on pedestrians, cyclists and public transport.

Included within these structure plans is the proposed configuration and distribution of POS across the structure plan area. It centres around a linear green corridor which will also accommodate drainage (beautified to improve aesthetics), cycling and pedestrian linkages, the retention of some existing POS, and new POS. New civic squares are also proposed.

These structure plan areas will be increasing the local area population dramatically through multi-storey development and higher density without an equal rate of increase in land availability. This in turn will increase pressure on existing POS in these structure plan areas and surrounding POS and will require new POS to accommodate this growth.

Providing enough POS for such intensive growth is difficult. For example, in the Stirling City Centre, the biggest increase in population is projected to be in the station precinct of the structure plan with a minimum of 5,245 people. Depending on what measure of POS is used (percentage of gross subdivisible area or area per person) this will give a different outcome. Currently, the structure plan allows for a minimum of 10 per cent POS (current WAPC standard) at approximately 12 hectares. If area per person is used (at 33.6 square metres per person), the minimum POS requirement for this area based on the minimum population projection would be 17.6 hectares. As such, it will be important to ensure there is a reasonable provision of POS that considers future community needs and delivers functional POS for the community.

As the structure plan is focussing on pedestrian movements and public transport, the POS within the structure plan should be well connected to allow walkable access to a diverse range of activities and functions. This includes access to POS which provides for recreation space (eg, barbecues, picnic areas, open grassed areas), nature space (eg, trees, nature play) as well as sporting space (eg, senior sporting ovals). With a lack of backyards, increased importance will be placed on areas for social interaction, large gatherings, children's play, dog walking, and green relief to escape the urban form. The structure plan currently proposes a mix of local-level open spaces, community-level spaces and one district-level open space.

City of Stirling Urban Forest Plan

The Urban Forest Plan (2019) states that the City is currently losing four times more canopy than it is growing each year. If this loss continues at its current rate, the City will not be able to recover back to present levels until 2030. This is because trees take time to grow and it may be 30 years until a new tree can replace a removed mature tree. It is predicted that in 10 years' time, suburbs with high rates of development are predicted to lose up to 85 per cent of the residential

canopy that existed in 2012. This is due to many residential developments utilising the whole site and using hardscaping for outdoor space, with limited ability to plant trees.

POS performs an important role within the City's Urban Forest Plan as it contains the highest proportion of canopy cover (24 per cent) compared to other land uses. Suburbs with higher rates of canopy cover often have more POS and/or lower-density housing.
As such, areas identified as having low POS with an increasing density are more at risk of low canopy cover and canopy cover loss.

The City has set an 18 per cent canopy cover target by 2040. This includes actions such as retention of existing trees and planting more trees. The Strategy works in collaboration with the Urban Forest Plan through the retention of existing POS and supporting the provision of new POS where needed. The Strategy also looks to support a balanced approach to providing POS which serve recreation, sport and nature space functions. Trees within POS are a vital component and provide a range of tangible and intangible benefits such as shade, nature play and education, green relief, visual amenity, food and homes for wildlife and mental health benefits.

Classification Framework of POS, Department of Local Government, Sport and Cultural Industries

The Classification Framework for POS (Framework) was developed to address the lack of clear and consistent terminology and definition when planning for POS. The Framework is intended as a peer-reviewed cross-industry document which also looks to inform high-level policy, urban planning practice and open space elements in Liveable Neighbourhoods.

The Framework highlights the gap in the Liveable Neighbourhoods regarding the diversity of open space function within neighbourhood planning. As such, the application of Liveable Neighbourhoods has resulted in an imbalance in some areas, with smaller open spaces being favoured as opposed to POS that can accommodate organised sport.

To address this, the Framework identifies three main functions of POS. These are sporting space, recreation space and nature space. These functions are found within the four main classifications of POS, being local, neighbourhood, district and regional open spaces.

The City has looked to align with these classifications but has retained the classification 'community' instead of 'neighbourhood'. The descriptions and purpose of a community open space and neighbourhood open space are the same. However, a name change would cause confusion among residents given the length of time that 'community' as a classification of POS has been used.

New to the Strategy is the inclusion of different POS functions. These had been previously referred to but have now been included into the POS framework and strengthened in line with the Framework. These elements have previously been discussed in Part 4.

Development Control Policy 2.3 POS in Residential Areas, Department of Planning, Lands and Heritage

The basic component of this policy is the requirement of 10 per cent of the gross subdivisible area of a conditional subdivision will be given up free of cost by the subdivider for POS. As mentioned previously, this 10 per cent requirement is derived from the Stephenson-Hepburn Plan of 3.36 hectares per 1,000 population. This standard in turn was made based on a uniform density of 30 persons per hectare. It is noted that the policy is subject to a comprehensive review however at this time, the 10 per cent requirement is the primary method of determining sufficient POS in a locality.

The policy looks to ensure that all residential development is complemented by adequate, well-located areas of POS which provide for the recreational needs of residents. It sets general requirements for what is included within the gross subdivisible area on which the POS requirement is assessed. It also sets provisions for cash payment in lieu of providing land for open space, known as cash-in-lieu. It also sets out the conditions for how the cash-in-lieu is to be expended.

Position Statement: Expenditure of cash-in-lieu of POS, Department of Planning, Lands and Heritage

A position statement for the expenditure of cash in lieu for POS was developed to provide additional guidance in conjunction with the Development Control Policy 2.3. This includes more information on where cash-in-lieu funds can be spent and what they can be spent on.

Use of cash-in-lieu to improve POS provision for the community will be guided by the Strategy and future POS planning. The position statement states that cash-in-lieu funds can only be expended within the locality of the newly subdivided lots and where these local areas are seen to benefit from this expenditure. Determining the location and distance of POS to achieve that benefit for the subdivision will be considered based on the POS framework and assessment process outlined in the Strategy. This includes consideration of size, scale, form and function of new POS or POS improvements.

7.2 POS challenges and considerations

Challenge	Explanation
Finite resources	The impact of forecast climate change in rainfall, temperature and hydrological cycle as well as reduction in groundwater availability will impact the quality of POS and hence how the City meets recreational outcomes. Not all POS can be irrigated, with the City maintaining a range of both irrigated and unirrigated spaces. As such, water-sensitive design is used to balance demand and water conservation while ensuring POS are functional and usable by the community. Groundwater allocations to City groundwater licences are expected to reduce by 10-15 per cent. The City's Watersmart Parks Strategy and Waterwise Council Action Plan 2021 – 2026 seek to address securing water supplies for POS by amalgamating groundwater licences to ensure more equitable allocation of water. They also set specific water goals, vision and consumption targets. The City of Stirling, along with other inner-city councils, is largely developed and has reduced capacity for additional land for POS. New opportunities come in the form of small structure plans and POS needs to contend with other land uses. It's important that any new POS options are identified early in planning processes and existing POS is retained and managed appropriately.
Suburban to urban: Density and infill	Current housing types across the City are dominated by single detached dwellings in 'residential R20', 'R30' and 'R40' zoned areas. However, many homeowners are subdividing or building grouped dwellings. Although this has enabled housing supply to keep pace with demand, most growth is occurring within backyards or through the redevelopment of larger lots into small strata complexes. Unintended consequences have been experienced as houses remain large and lot sizes shrink in effect, reducing the amount of private open space and particularly green space. It is noted that currently there is no levy for a POS requirement for built strata subdivisions or group dwellings. It is noted that the City has seven of the 10 densest suburbs in Perth, being Tuart Hill, Joondanna, Scarborough, Innaloo, Doubleview, Nollamara and Westminster. This type of residential development coupled with 47 per cent infill targets (Perth and Peel at 3.5million) for the Perth Metropolitan area has placed and will continue to place increasing pressures on existing POS to serve greater recreational functions.
Demand and capacity	With increasing population, higher densities and smaller backyards comes increasing demand for use of POS by a variety of users for a broader range of activities. Backyard-dominant activities such kick-to-kick, backyard cricket, children's play, family barbeques and large gatherings are shifting to POS. In conjunction, the City has limited sporting spaces, which are under increasing pressure from sporting clubs due to the number of players as well as expanding times of use. This includes both extended hours (eg, opening evenings for match play) and expanded out-of-season and off-season activities. This has flow-on impacts which require management, such as light and noise spillage for residents, traffic implications and increased turf maintenance. As usage increases, so does the expectation that the POS can be maintained to a community standard and that adequate facilities are provided to support these uses. Demand has been increasing for infrastructure such as picnic tables, diverse play space, scooter trails, barbeques, public toilets, mountain bike trails, dog facilities, lighting and parking. Sporting clubs are also requesting improved floodlighting and clubrooms facilities. The challenge is in balancing the diverse needs of the community to ensure flexibility is built into the form and spaces are not overdeveloped to ensure retention of the green space benefit.

7.2 POS challenges and considerations (continued)

Challenge	Explanation
Participation shift	It has been identified that people are undertaking more informal recreational activities such as cycling, walking and running, whilst organised and team sports have held constant or declined (CSIRO, 2013). Coupled with smaller backyards, this change in participation is placing pressure on POS and associated infrastructure to support more informal and ad hoc activities. This can be seen in the growth of walking path connections, bike paths, lighting, dedicated dog facilities and space for personal trainers. Destination play spaces and intergenerational spaces for families have grown more popular as people continue to look for outdoor experiences. Greater emphasis has also been placed on the importance of outdoor play and nature play for young children and the mental health benefits of nature for adults. There has been growing interest and demand for nature-play-style opportunities and balancing accessible nature spaces with developed areas as well as restricted conservation areas. In the context of the global pandemic, staying active during lockdown was highly encouraged by multiple agencies, including the state and federal governments, given the flow-on negative health impacts of remaining sedentary. Outdoor activities that permitted social distancing and prevented lengthy stays in one location were favoured. Activities permitted for outdoor recreation (as opposed to at home) included walking, jogging, riding a bike or scooter and kicking a ball at an oval.
Aging population and lifelong activity	The City has a high percentage of people aged over 65 years compared to the broader Perth metropolitan area. As the population continues to age, this percentage is forecasted to increase to 26 per cent by 2031. Providing opportunities for the City's aging population to participate in lifelong physical activity and recreational pursuits is important for both the physical and mental health of the community. How our aging population recreates is also changing. More older people are providing childcare for grandchildren and are less inclined to spend entire days within bowling or sporting clubs. Many are also more active outdoors, with cycling and walking popular. As such, POS needs to be able to respond to how people want to use spaces through different life stages and to reduce barriers to participation. Barriers could include accessibility, education and proximity to inclusive facilities
Risk Perception	Previously, the provision of community infrastructure (such as playgrounds) has looked to design out risk to reduce the chance of injury. However, this perception has changed with demand growing for more adventurous and challenging play designs and features of POS. Having a level of inherent risk should not, however, be confused with something being unsafe. There remains a need to balance risk as part of decision-making processes.

7.3 POS Future considerations

Observation	Comment
Increased value of POS	There appears to be a greater mainstream awareness and acknowledgement of the importance POS plays in the health and well-being of communities, both socially, physically and mentally. This was further highlighted as POS became focus points for essential exercise and activities with the closure of indoor leisure facilities, gyms and national parks (Barker and Smith, 2020). The ability to disconnect, slow down and give time for self-care is important. POS intrinsically provides spaces where people can have an emotional and mental break from the day-to-day, connect with nature and find renewed sense of purpose.
Importance of local access	Contributing to the increased value of POS has been the requirement to stay local during lockdown stages. This has accentuated any unequal distribution of POS, function or service within the local area. Individuals who travel further than their immediate catchment to access functions or activities in other POS would no longer have this option (Barker and Smith, 2020). The variations in availability and quality of POS would disadvantage certain neighbourhoods. Of particular concern would be households which do not live within the walkable catchment (400 metres) to any type of POS or vulnerable individuals who need special facilities (eg, adult change facilities). Creative and localised consideration is important in these scenarios to maintain equity of access to the benefits that POS can provide.
Technology opportunities	In line with the growth of cycling and walking, technology expanded quickly to keep people connected as well as active during the global pandemic. POS along with other public spaces such as national parks, coral reefs and museums became more accessible through virtual tours. Not only did it keep lockdown communities in touch with places, it opened a new outdoor world for people with disabilities and accessibility difficulties. Although virtual tours are not new, the number of locations expanded rapidly. Along with virtual tour opportunities to share the visual and mental experience of POS, augmented reality also presents an opportunity. As outdoor spaces, POS inevitably provide less risk and more space to accommodate social distancing requirements. POS can shift into art exhibits, children's activities, educational programs and fitness classes using augmented reality. Technology is rapidly changing, and this is a space to watch for future POS experiences.

7.3 POS Future considerations (continued)

Challenge	Explanation
Reclaiming streets as public spaces	With a reduction in cars on the road, varying levels of POS and greater emphasis on local recreation, the streets have become focal points as places rather than just transit routes. Streets have provided important access to essential services as well as places for healthy activities in a climate where space is a commodity. Government agencies are responding with bold and creative ways to rapidly reshape streets to meet immediate health, social and financial needs of communities (National Association of City Transportation Officials, 2020). Many local governments are looking at programs to activate streets and verges with temporary closures for children to ride bikes and play. Further afield, places like Boston, Minneapolis and Oakland have banned through-traffic and opened streets for pedestrians and cyclists. This repurposing is to provide for greater use while maintaining social distancing for recreation and transit (Diaz, 2020). This shift shows not just a change in the needs of the community but also changing values and perspectives. As reliance on cars decreases, streets have evolved into important public realms that provide cycling and walking linkages between POS.

7.4 POS Framework provision standards

Explanation

The tables below show the core and discretionary facilities that can be considered for each hierarchy classification of POS. If an item is not listed, then it is not generally provided. However, as trends shift the City will consider other needs on a case-by-case basis.

A discretionary facility requires an assessment to determine if it will be provided on a particular POS. This assessment is completed with consideration to:

- Relevant policy requirements (eg, Playground Policy, Public Toilet Policy, Barbeque Policy)
- Proximity of infrastructure on surrounding POS to minimise over-provision
- Suitability of infrastructure for the POS site characteristics
- Any operational, environmental and financial impacts.

Irrigation cannot be provided at all POS due to the volume of open spaces in comparison to water availability and water conversation efforts.

Outliers

The POS framework is not retrospective and not all parcels of POS will fit perfectly within these classifications. It is important to provide a clear distinction between inclusions and exclusions for different classifications of POS to guide informed decision making for current and future communities. This is to ensure consistency and equity of service across the City.

Any provision outside of hierarchy classification standards as outlined below needs to be adequately justified and approved. Consideration is also given to other influencing strategies and/or policies such as the Playground Policy or Skate and BMX Facility Strategy. There are a small number of circumstances in which infrastructure has been provided historically outside of the key provision standards (for example, a basketball hoop on a local park). These elements will be considered on a case-by-case basis and in consultation with the local community.

It is important not to undermine the role of the Strategy in providing fair and equitable provision for the City's community, but to recognise the need to be flexible and adaptable in managing change in community needs.



POS classification provision standards

Local open space	Key facilities	Discretionary facilities
Purpose: Local spaces are typically small parklands that service the recreational needs of the local residential population, such as children's play, dog walking and relaxation. The locations are generally in intimate settings with naturally shaded space and open grassed areas and may include local-level infrastructure such as bench seating, local-level playgrounds*, bins and path access. Other local level informal recreational facilities can also be considered to help deliver vibrant local parks for our community. Local spaces are important pockets of green relief particularly in areas of higher density with limited private open space and/or concentrated populations. These spaces break up the urban form, contributing to local identity and providing a venue for social interaction at a personal level.	• Natural shade • Informal play area • Relaxation area • Bench seat • Path access (external/street) • Signage • On-street parking.	• Local level playground • Nature play area • Internal path • Rubbish bins • Dog poo bags • Irrigation • Drinking Fountains • Turf/grassed areas • Additional seating area(s).
Function: Recreation and nature spaces		
Size: 0.4 – 2.0 hectares		
Catchment: 300 – 400 metre walkable catchment (five to 10 minutes)		
Location: • Easily accessed by foot via safe pedestrian and cycle connections • Consideration given to physical barriers to accessing the POS (eg, cul-de-sacs, long street blocks, distributor roads and highways, natural barriers including steep topography, wetlands and bushland, undeveloped land and large private lots) • Frontage to one or two streets and it is preferable that adjacent residences face or side onto the park, providing opportunities for passive surveillance.		
Timing of use: Local spaces are primarily for daytime use up until sunset.		

Local open spaces contain the widest range of POS with many not matching the classification completely due to historic provision. Some local open spaces may be oddly shaped, too small or poorly located to reasonably accommodate all the key facilities. These spaces will be assessed on a case-by-case basis to determine the best use and function (ie, green relief, pocket park) depending on form and surrounding provision.

*Refer to 3.3 Specific considerations.

Community open space	Key facilities	Discretionary facilities
Purpose: Community spaces serve as the recreational and social hub of a community. Residents of surrounding areas are attracted by the variety of features and facilities and opportunities to socialise. Community spaces can assist to engender sense of place and protect specific natural values by accommodating small nature spaces or lakes and rivers. They are generally large enough to provide for a variety of informal recreational uses such as playgrounds, dog walking, bike riding, skating/scootering, picnics and informal ball activities. As such, community spaces may have more noticeable infrastructure. Community spaces cater for approximately 800 metre walkable catchment and act as a destination for family groups by supporting longer-stay activities. They are generally located near food and beverage outlets and accessible by either walking, public transport or limited car parking.	• Natural shade • Turf/grassed area • Informal play area • Relaxation area • Bench seat • Path access (external/street) • Signage • On-street parking. **Plus** • Major level playground • Informal recreational facilities (dependent on needs) • Internal path • Rubbish bin • Dog poo bags • Drinking fountain • Picnic table • Barbeque • Shelter structure • Bicycle rack • Power/water supply • Limited parking • Irrigation.	• Nature play area • Lighting • Public toilet • Informal recreational facilities such as multi-use hard courts (basketball, netball), tennis hit-up wall, scooter/skate path • Bicycle paths • Small-scale community event areas • Outdoor exercise equipment • CCTV • Power/water supply.
Function: Recreation and nature spaces		
Size: Two to five hectares		
Catchment: 800 metre walkable catchment		
Location: • Easily accessible to residents by safe pedestrian, cycle and public transport connections • Consideration given to physical barriers to accessing the POS • Central to surrounding neighbourhoods as a key part of identity in the area • Street frontage preferred on at least one local distributor or on or near intersections • Residential lots oriented towards community open spaces encouraging passive surveillance		
Timing of use: District open space is used throughout to day into the late evening. They experience high use on weekends and community events are common.		

District open space	Key facilities	Discretionary facilities
Purpose: District spaces are principally designed to provide for organised formal sport. District spaces are significant open spaces that provide recreation space on the fringes of the sport spaces or when not in use for organised sport. In most cases, there is limited nature space, with the main nature attributes being large mature trees. District spaces serve large catchments with many people travelling to participate or spectate sporting events. These spaces are also utilised by nearby schools with some having the ability to host events. To accommodate a large variety of simultaneous use, district spaces require a significant infrastructure investment and maintenance regime to meet the required sporting standards. District spaces provide a significant visual break in the urban environment, particularly along major thoroughfares. They are serviced by public transport, walking paths and carparks.	• Natural shade • Turf / grassed area • Informal play area • Informal recreational facilities (dependent on needs) • Relaxation area • Bench seats • Path access (external/street) • Signage • On-street parking • Local-level playground • Internal path • Rubbish bin • Dog waste bags • Drinking fountain • Shelter structure • Bicycle rack • Power/water supply. **Plus** • Designated sporting field • Clubroom facility and associated infrastructure • Floodlighting • Irrigation (sporting space) • Carparking.	• Major or regional-level playground • Nature play area • Picnic area • Barbeque • Public toilet • Informal recreational facilities such as multi-use hard courts (basketball, netball), tennis hit-up wall, scooter/skate path • Other informal sporting facilities • Bicycle path • Event space • Outdoor exercise equipment • CCTV • Lighting (community use and footpath) • Dog exercise park • Community facilities and associated infrastructure.
Function: Sporting, nature and recreation spaces		
Size: Five to 30 hectares		
Catchment: 1.5 – 2.5 kilometre catchment (can also serve the catchment of local and community POS if providing the same purpose).		
Location: • Location determined by resource availability and opportunities to utilise and/or protect POS • Street frontage required for most of the perimeter • Well-connected to major roads and public transport network • High-use areas taken into consideration in relation to noise pollution and traffic flow for neighbouring residential areas • Can be co-located with schools or other community facilities to create a community hub.		
Timing of use: District open space is used throughout to day into the late evening. They experience high use on weekends and community events are common.		

Regional open space	Key facilities	Discretionary facilities
Purpose: Regional spaces may accommodate important recreation and organised sport spaces as well as significant nature spaces for conservation. These may include environmental features such as water bodies. Regional spaces in the City have been vested by the Crown as regional reserves. Regional spaces serve one or more geographical or social regions and are likely to attract visitors from outside City boundaries. They also serve local residents' needs. As such, parking facilities and transport network connections are important. Regional spaces provide for the highest level of simultaneous use due to the nature of their very large size. As such, they can accommodate substantial facilities for organised sport, social interaction, relaxation and enjoyment of nature.	• All key facilities within local, community and district open spaces. **Plus** • Public toilet (one minimum) • Major-level playground (one minimum) • Bicycle paths.	• Regional-level playground • Nature play area or additional local-level playground • Public toilet (additional) • Informal recreational facilities such as multi-use hard courts (basketball, netball), tennis hit-up wall, scooter/skate path • Other informal sporting facilities • Event space • CCTV • Lighting (community use and footpath) • Dog exercise park • Community facilities and associated infrastructure.
Function: Recreation, sporting and nature spaces		
Size: 30 – 80+ hectares (size is variable and dependent on function)		
Catchment: 2.5 kilometre catchment (can also serve catchment of local, community and district if providing same purpose).		
Location: • Already determined within the City with current regional reserves • Allocated outside of structure planning process by the WA Planning Commission • Determined by resource availability and opportunities to utilise and/or protect the POS • Street frontage required for most of the perimeter • Well-connected to major roads and public transport network • High-use areas taken into consideration in relation to noise pollution and traffic flow for neighbouring residential areas.		
Timing of use: Regional open spaces are used throughout the daytime into late evening. Activities possible in buildings extend late into the night.		

7.5 City's regional, district and community POS

District open spaces

District open space name	Suburb
Grindleford Reserve	Balcatta
Jones Paskin Reserve	Balcatta
Macedonia Park	Balcatta
Rickman Delawney Reserve	Balcatta
Richard Guelfi Reserve	Balcatta
Roselea Estate District Reserve	Balcatta (future)
Barry Britton Reserve	Balga
Camberwell Park	Balga
Celebration Park	Balga
Fernhurst Reserve	Balga
Linthorne Park	Balga
Princess Wallington Reserve	Balga
Breckler Park	Dianella
Bennett Park	Doubleview
Aintree Eglington Reserve	Hamersley
Walter Road Reserve	Inglewood
Wordsworth Reserve	Inglewood
Birralee Reserve	Innaloo
Yuluma Park	Innaloo
Karrinyup Reserve	Karrinyup
Kevin Langdon Reserve	Karrinyup

District open space name	Suburb
Millington Reserve	Karrinyup
Alexander Park	Menora
Dryandra Pendula Reserve	Mirrabooka
Fragrant Gardens Reserve	Mirrabooka
Mirrabooka Reserve	Mirrabooka
Hamer Park and Inglewood Oval	Mount Lawley
Des Penman Reserve	Nollamara
Robertsbridge Reserve	Nollamara
Woodchester Reserve	Nollamara
Charles Riley Reserve	North Beach
Abbett Park	Scarborough
Butlers Reserve	Scarborough
Sheldrake Jardine Reserve	Stirling
Grenville Reserve	Tuart Hill
Robinson Reserve	Tuart Hill
AS Luketina Reserve	Wembley Downs
Empire Avenue Reserve	Wembley Downs
Ted Cross Reserve	Westminster
Woodlands Reserve	Woodlands
Reader Reserve	Yokine

Community open spaces

Community open space name	Suburb
Edith Cowan Reserve	Churchlands
Majestic Noble Reserve	Dianella
Montclair Rise Estate	Dianella
Munro Reserve	Doubleview
Careniup Reserve	Gwelup
Pomarine Cinnamon Reserve	Gwelup
Rannoch Reserve	Hamersley
Macaulay Park	Inglewood
Millet Park	Innaloo
La Grange Dongara Reserve	Innaloo
Joondanna Reserve	Joondanna
Newborough Tamblyn Reserve	Karrinyup
Tamblyn Cousins Reserve	Karrinyup
Copley Park	Mount Lawley
Ron Stone Park	Menora
Floribunda Reserve	Mirrabooka
Hancock Karabil Reserve	Nollamara
Tony Marcon Reserve	Nollamara
Brighton Beach Reserve	Scarborough
Scarborough Beach Reserve	Scarborough
Antonio Scarfo Reserve	Stirling

Community open space name	Suburb
Hertha North Reserve	Stirling
Roselea Reserve	Stirling
Shearwater Spoonbill Kingfisher Reserve	Stirling
Stirling Civic Gardens	Stirling
Clarko Reserve	Trigg
Watermans Bay Reserve	Watermans Bay
Pycombe Worthing Reserve	Westminster
Jackadder Lake Reserve	Woodlands
Native Dog Swamp	Yokine
Knight Reserve	Yokine

Regional open space

Regional open space name	Suburb
Carine Regional Open Space	Carine
Dianella Regional Open Space	Dianella
Lake Gwelup Regional Open Space	Gwelup
Yokine Regional Open Space	Yokine



7.6 Total POS by ward and suburb

Total POS (area and number) by ward

Ward	Total POS*		Local open space		Community open space		District open space		Regional open space	
	Area (ha)	#	Area (ha)	#	Area (ha)	#	Area (ha)	#	Area (ha)	#
Balga	110	86	45	71	3	3	63	12	0	0
Coastal	67	41	29	32	6	6	32	3	0	0
Doubleview	57	52	21	41	14	5	22	6	0	0
Hamersley	202	102	71	89	10	4	44	7	77**	2
Inglewood	103	71	42	65	5	2	33	3	23**	1
Lawley	113	66	25	55	7	6	27	4	54	1
Osborne	91	84	34	73	30	5	28	6	0	0
City total	**745**	**502**	**267**	**426**	**75**	**31**	**249**	**41**	**154**	**4**

**Includes both MRS and LPS-provided POS.*

***Relevant portions of regional open spaces which have EPP wetlands and bush forever areas have been subtracted from total in line with scope.*



Total POS (area and number) by suburb

Figures rounded to whole number unless the figure is below 1

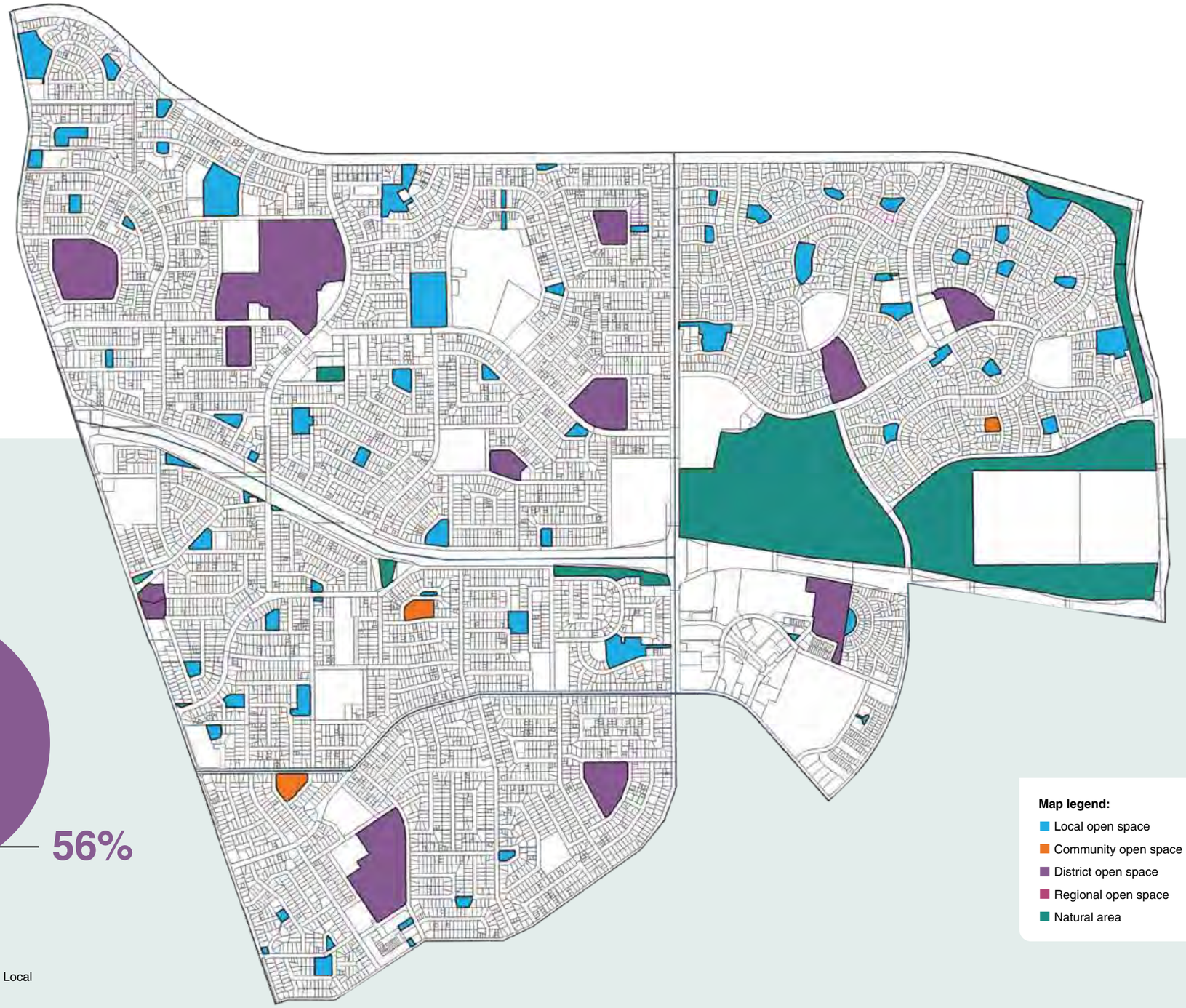
Suburb	Total POS		Local open space		Community open space		District open space		Regional open space	
	Area (ha)	#	Area (ha)	#	Area (ha)	#	Area (ha)	#	Area (ha)	#
Balcatta	**52**	**38**	13	32	-	0	39	6	-	0
Balga	**59**	**32**	21	26	-	0	37	6	-	0
Carine	**77**	**30**	28	29	-	0	-	0	50	1
Churchlands	**8**	**8**	7	7	1	1	-	0	-	0
Coolbinia	**5**	**11**	5	11	-	0	-	0	-	0
Dianella*	**92**	**69**	46	65	3	2	21	1	23	1
Doubleview*	**6**	**9**	1	7	1	1	4	1	-	0
Glendalough	**3**	**2**	3	2	-	0	-	0	-	0
Gwelup	**35**	**10**	4	7	4	2	-	0	27	1
Hamersley	**23**	**21**	13	19	5	1	4	1	-	0
Herdsman	**0**	**0**	-	-	-	0	-	0	-	0
Inglewood	**18**	**9**	2	6	3	1	12	2	-	0
Innaloo	**18**	**17**	4	13	6	2	9	2	-	0
Joondanna	**3**	**8**	1	7	1	1	-	0	-	0
Karrinyup*	**50**	**32**	35	27	0.6	2	14	3	-	0
Menora	**10**	**14**	4	12	4	1	3	1	-	0
Mirrabooka	**25**	**26**	14	22	0.4	1	11	3	-	0
Mount Lawley	**22**	**7**	2	5	1	1	19	1	-	0
Nollamara	**23**	**21**	6	16	2	2	16	3	-	0
North Beach	**21**	**5**	1	4	-	0	20	1	-	0
Osborne Park	**1**	**5**	1	5	-	0	-	0	-	0
Scarborough	**22**	**14**	7	9	3	3	12	2	-	0
Stirling	**58**	**41**	23	36	30	4	5	1	-	0
Trigg	**3**	**4**	2	3	2	1	-	0	-	0
Tuart Hill	**11**	**13**	2	11	-	0	9	2	-	0
Watermans Bay	**2**	**3**	2	2	0.2	1	-	0	-	0
Wembley	**0.1**	**1**	0.1	1	-	0	-	0	-	0
Wembley Downs	**11**	**11**	5	9	-	0	6	2	-	0
Westminster	**10**	**17**	7	15	1	1	2	1	-	0
Woodlands	**13**	**7**	4	5	6	1	3	1	-	0
Yokine	**62**	**17**	4	13	0.9	2	2	1	54	1
City total	**745**	**502**	**267**	**426**	**75**	**31**	**249**	**41**	**258**	**4**

**Includes both MRS and LPS POS.*

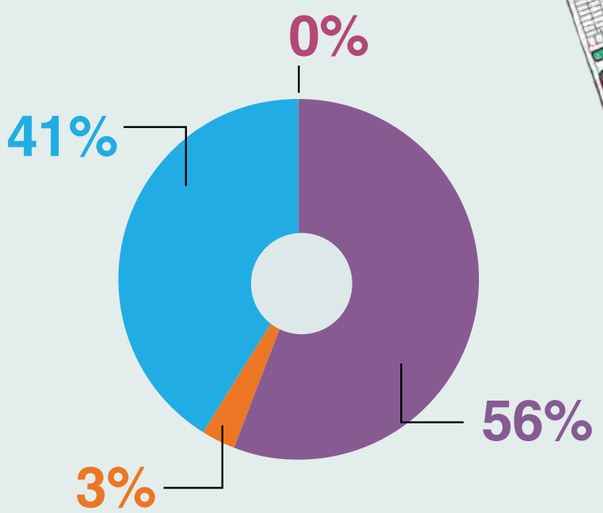
7.7 POS maps

Balga Ward

- The Balga Ward has the second-highest POS in area and number.
- The ward is dominated by district open spaces which make up for the lack of a regional open space and can also provide for local and community functions.
- There is a good distribution of POS with minimal gaps in walkable catchment.
- Princess Wallington Reserve and Des Penman Memorial Reserve are significant district open spaces that also provide for community-level infrastructure and hence a higher level of recreation function.
- There is the opportunity to improve the quality of POS and the equality of function and activities.



POS composition (area)

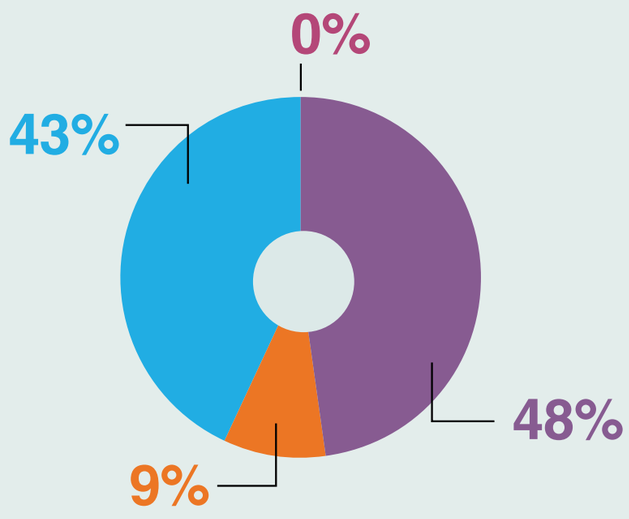


Legend: Regional District Community Local

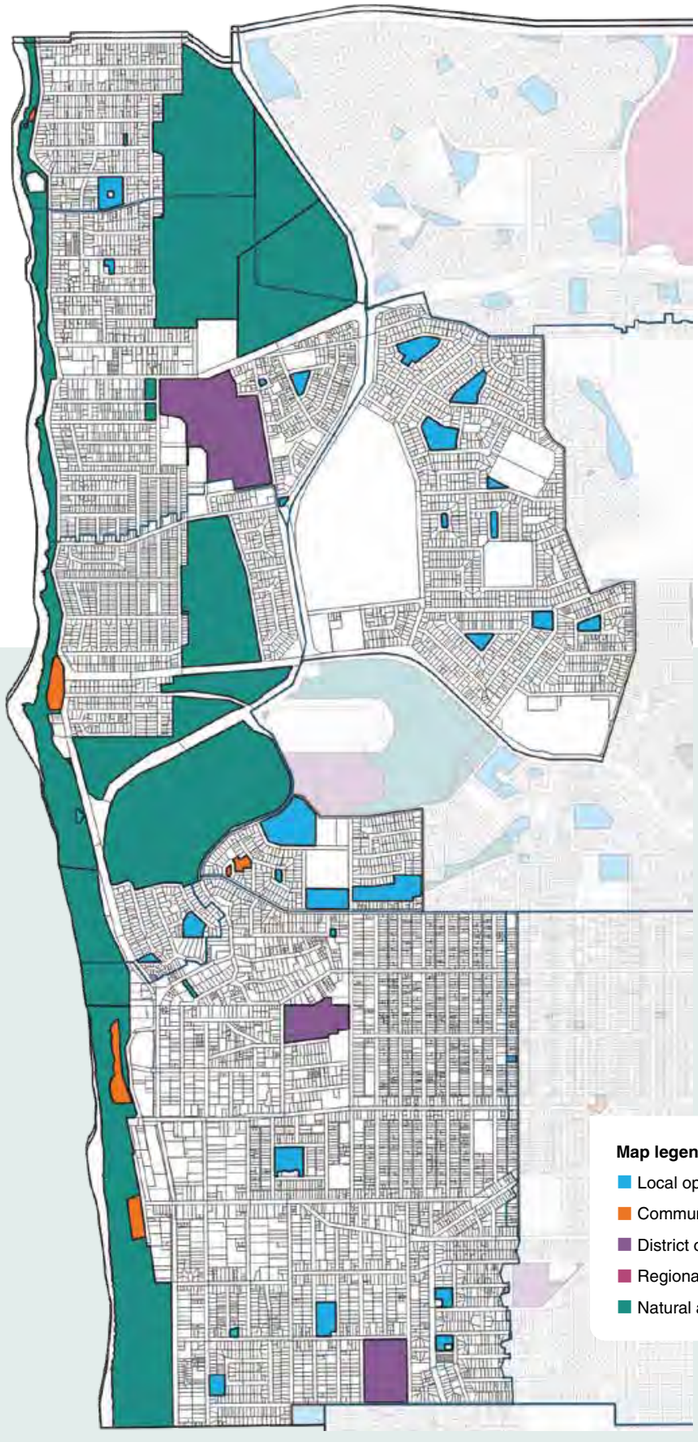
Coastal Ward

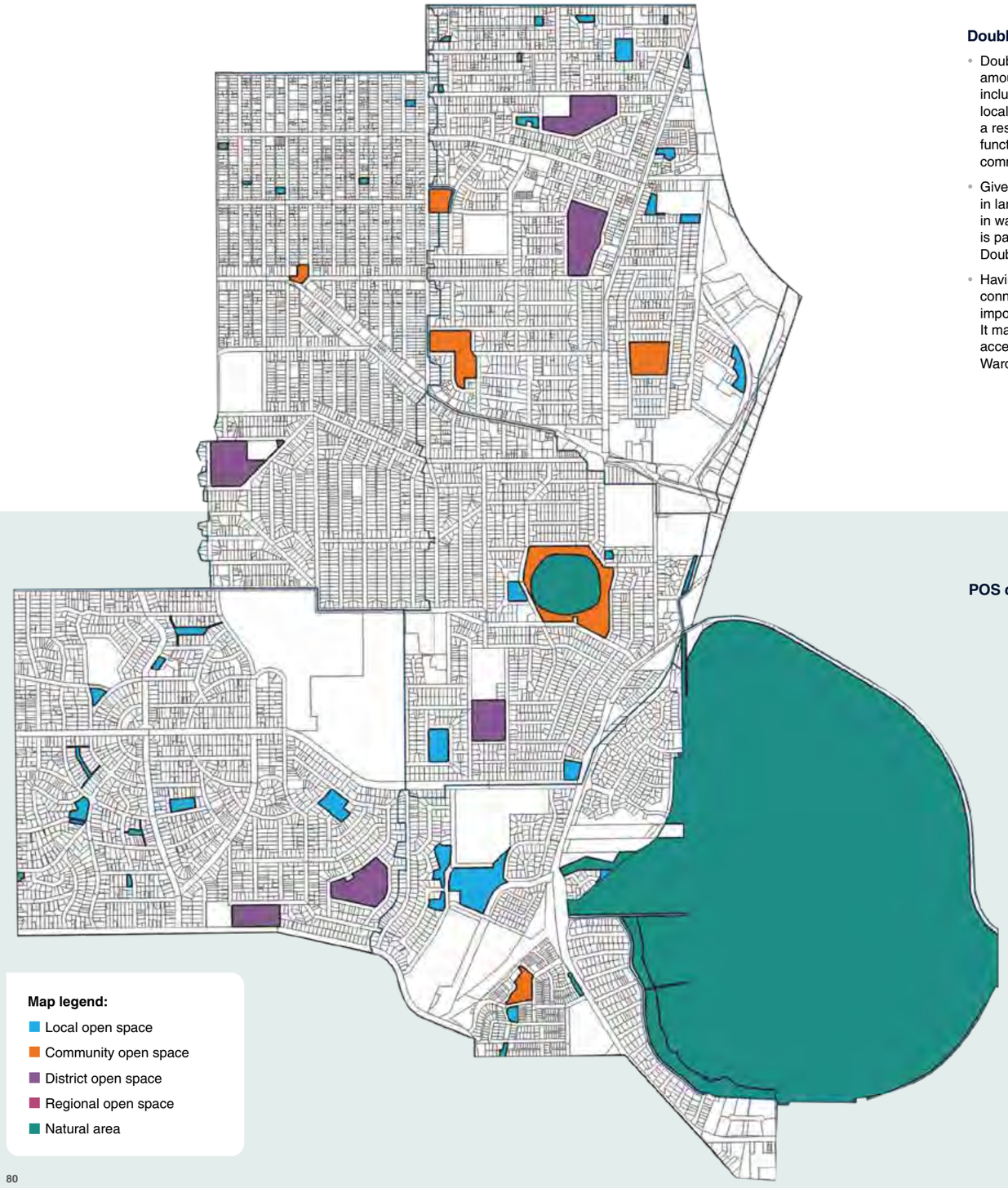
- The Coastal Ward has the lowest number of overall POS (41) with the lowest number of local open spaces (32) and equal lowest number of district open spaces (three). It has the third lowest POS by area.
- Given POS is concentrated in a lower number of spaces, there are gaps in which residential areas do not have access to POS within 400 metres. These areas are mostly in Scarborough and Trigg.
- Trigg, Watermans Bay and Scarborough all have low POS by area / person and under 10 per cent provision under the LPS, with two per cent, five per cent and seven per cent respectively.
- North Beach has the highest amount of POS with 62.8 square metres per person. This contrasts with the percentage of POS by LPS at just 1.4 per cent, given Charles Riley Reserve is an MRS reservation.
- The Coastal Ward is unique due to a high level of natural area spread throughout the ward. This natural area can provide functions such as green relief and low-key recreation (walking) to supplement the lack of POS.

POS composition (area)



Legend: Regional District Community Local

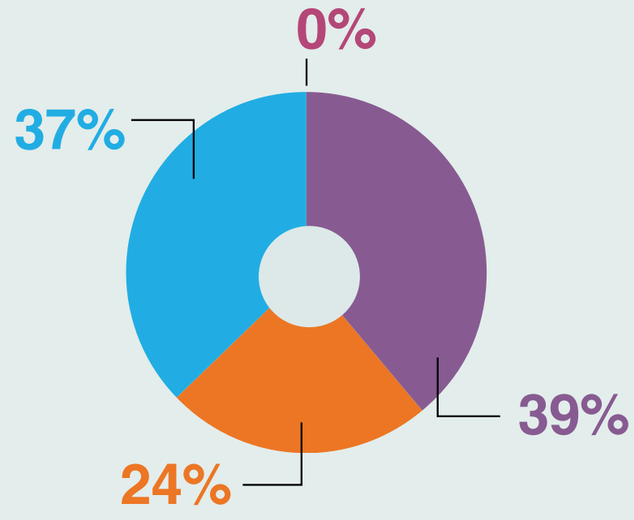




Doubleview Ward

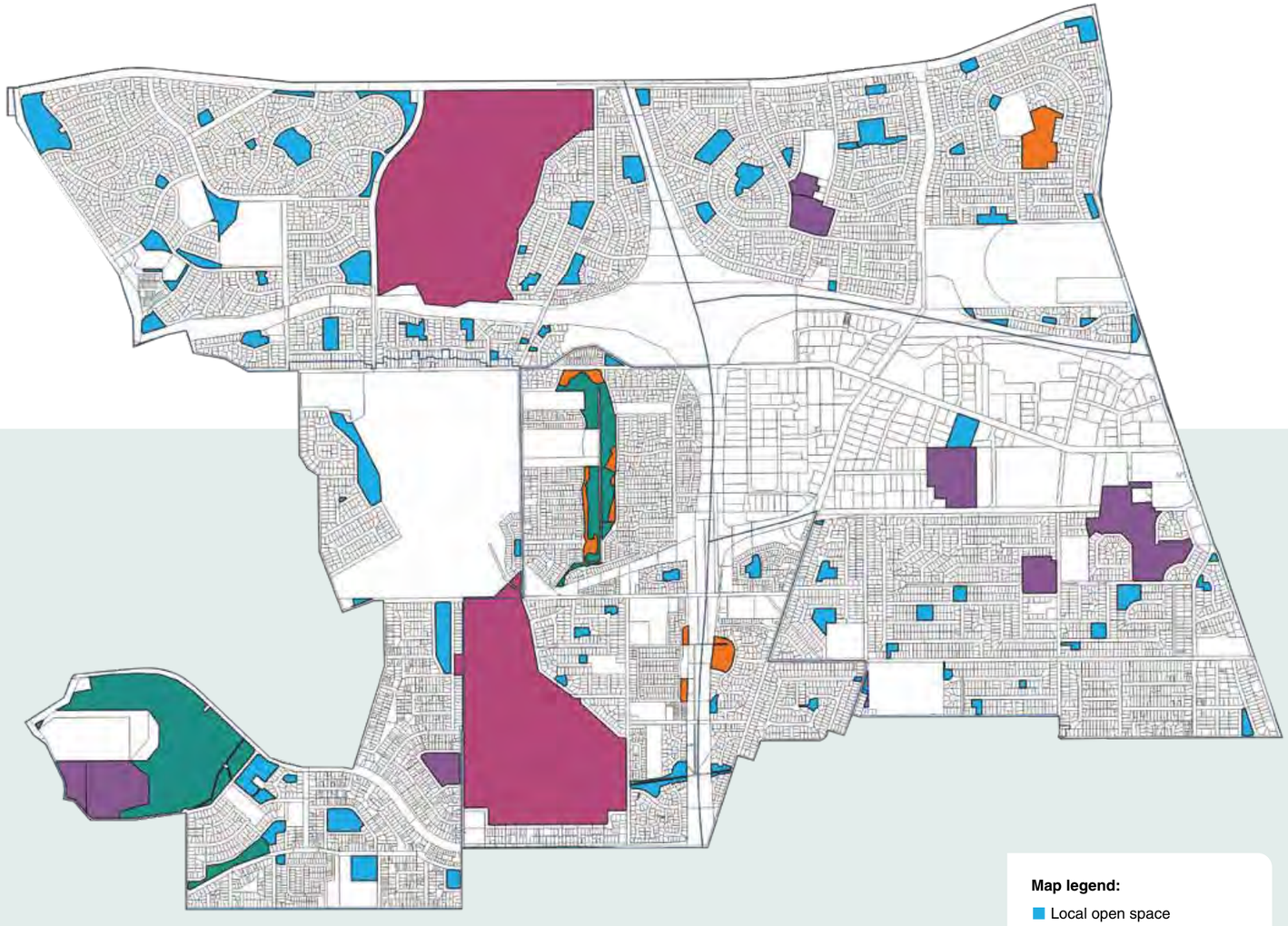
- Doubleview Ward has the lowest amount of POS by area (57 hectares) including the lowest amount of local open space (21 hectares). As a result, much of the ward's POS functions are focussed in district and community open spaces.
- Given the concentration of POS in larger spaces, there are gaps in walkable access to POS. This is particularly true in parts of Doubleview, Woodlands and Innaloo.
- Having safe access, path connections and transport links is important between open spaces. It may also mean more people accessing open spaces in this Ward by car.
- All the suburbs sit below 33.6 square metres per person of total POS and under the percentage of POS for LPS-provided reserves. Doubleview suburb has the lowest with 7.6 square metres per person of POS and 3.5 per cent of POS.
- Doubleview Ward has the highest level of natural conservation area due to Herdsman Lake and Jackadder Lake.

POS composition (area)

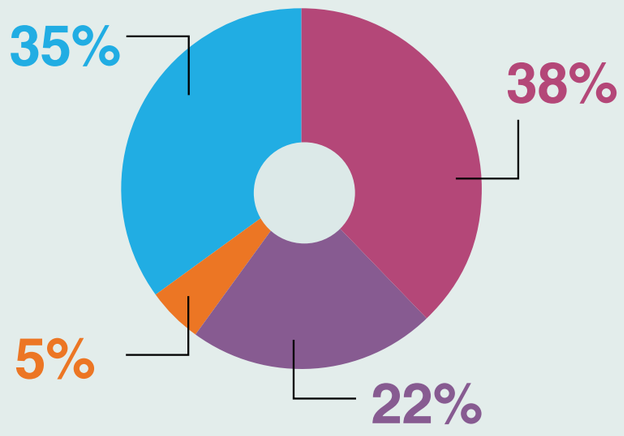


Hamersley Ward

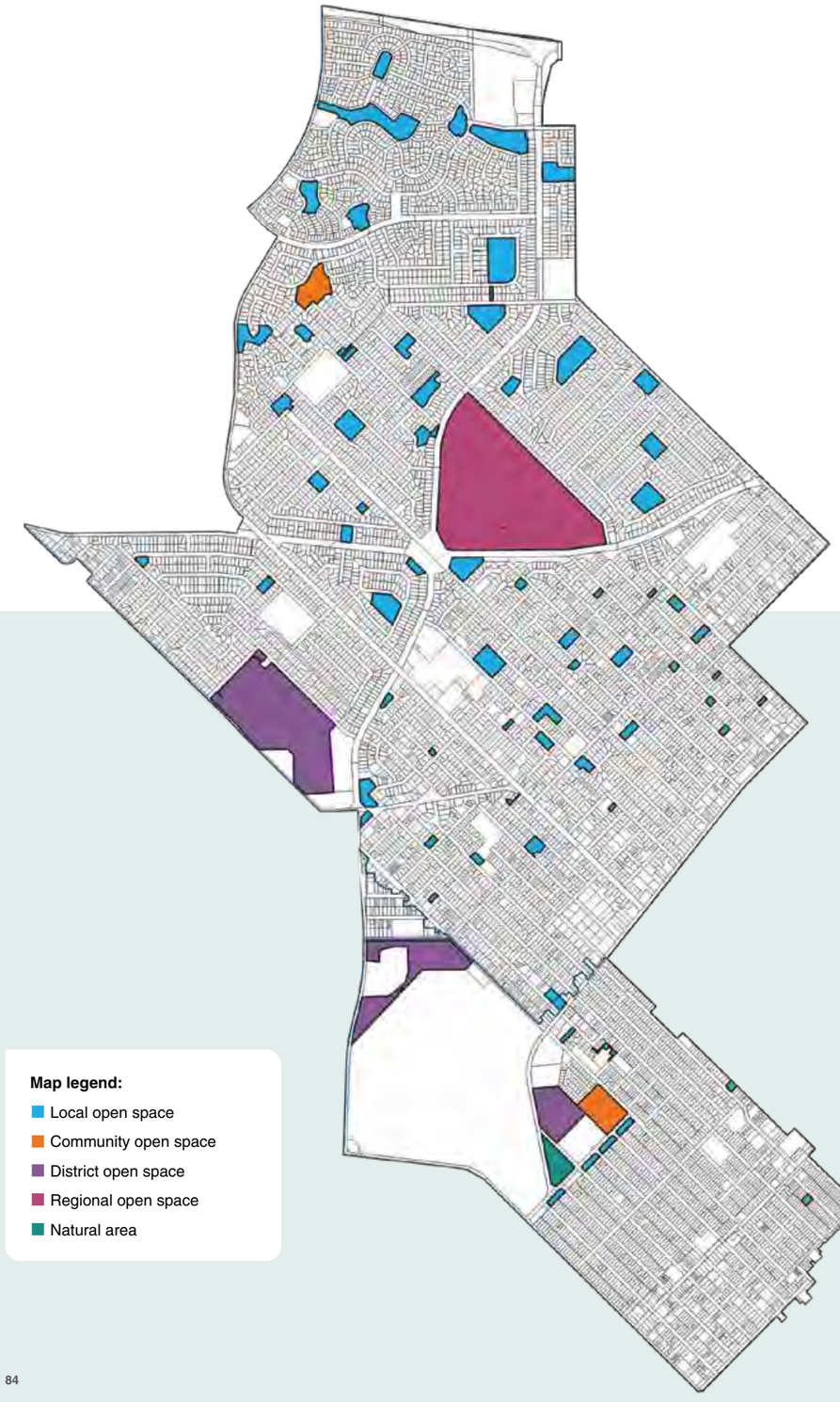
- Overall, Hamersley Ward has the highest amount of POS (202 hectares) due to two regional open spaces, the most area of local open spaces and second-highest area of district open space.
- The high amount of POS is reasonably spread across the ward giving a good distribution and walkable network with minimal gaps.
- Significant road barriers divide Hamersley Ward, including the Mitchell Freeway and Reid Highway which should be considered with determining access.
- All the suburbs within the ward have over 33.6 square metres of total POS per person. When considering the percentage of POS for LPS No 3 provision, Gwelup is the only suburb that sits below the 10 per cent provision, with seven per cent POS.
- The focus for these suburbs is on ensuring a diversity of functions and access to quality POS.



POS composition (area)



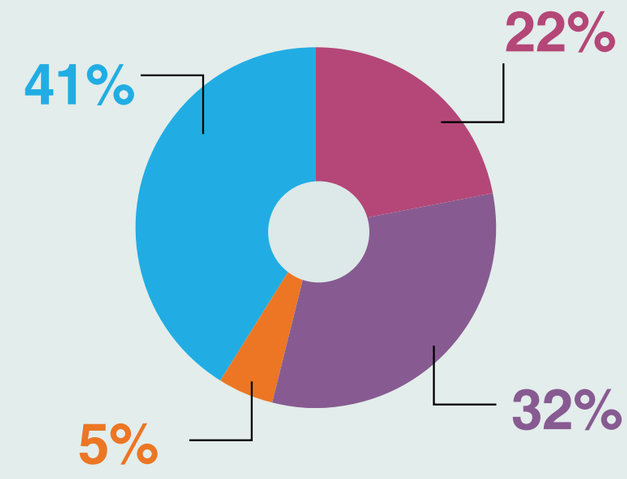
Legend: Regional District Community Local

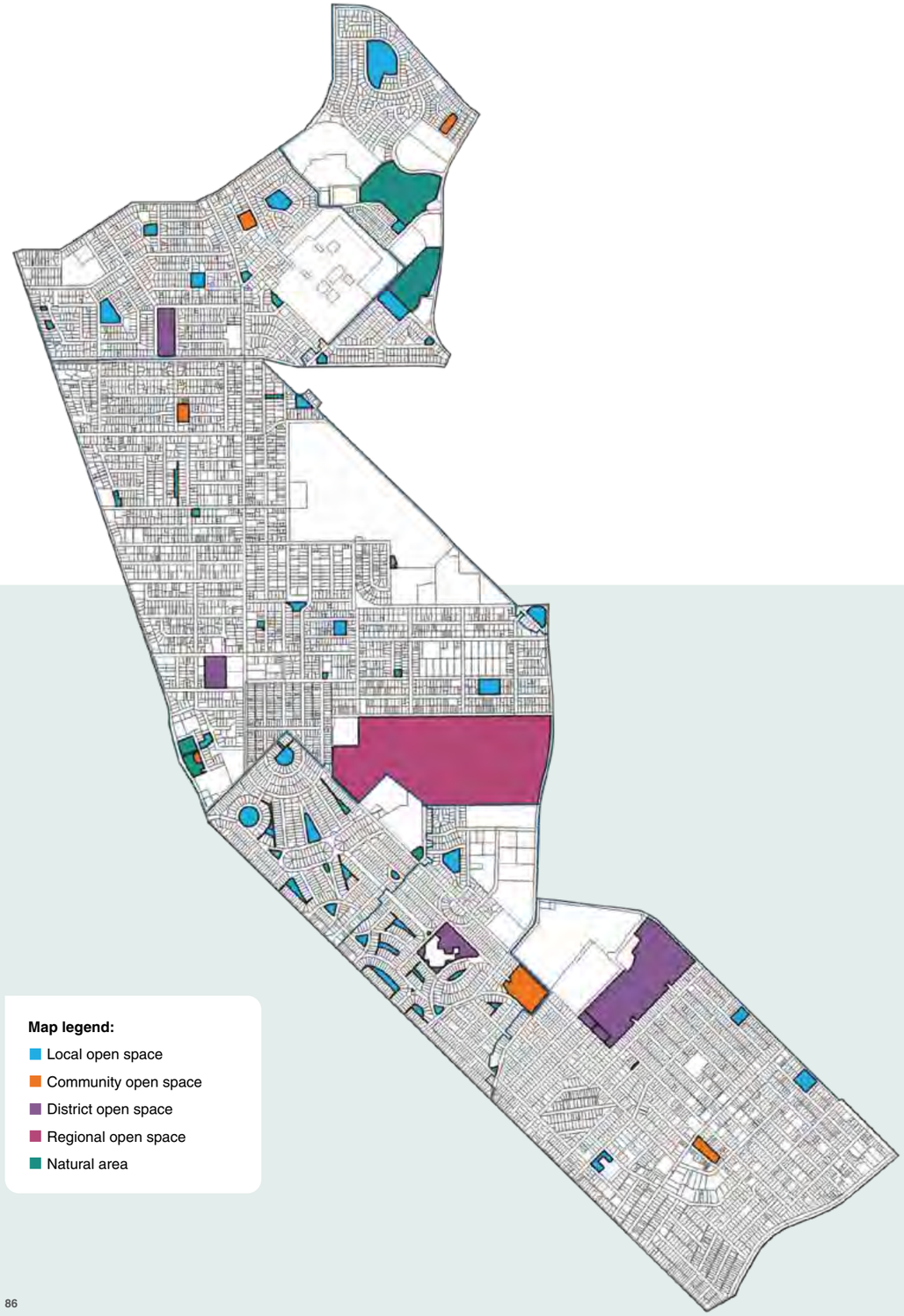


Inglewood Ward

- Dianella has the highest total amount of POS (92 hectares) but also the highest population, resulting in 39.3 square metres per person of POS. Its predominantly made up of Dianella ROS and local open spaces. This high number of local open spaces results in good walkable access. The focus for Dianella is on ensuring a diversity of functions and quality of spaces to meet need.
- The suburb of Inglewood has POS unevenly distributed with a concentration of district, community and local open spaces in the north adjacent to the golf course.
- The distribution of POS creates significant gaps in walkable access for southern areas.
- The majority of POS in Inglewood are also MRS reserves and so it has just two per cent POS when measuring the LPS reserves.

POS composition (area)

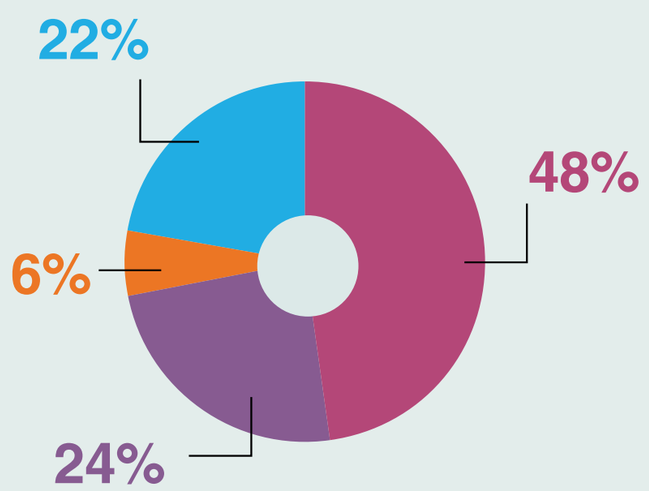


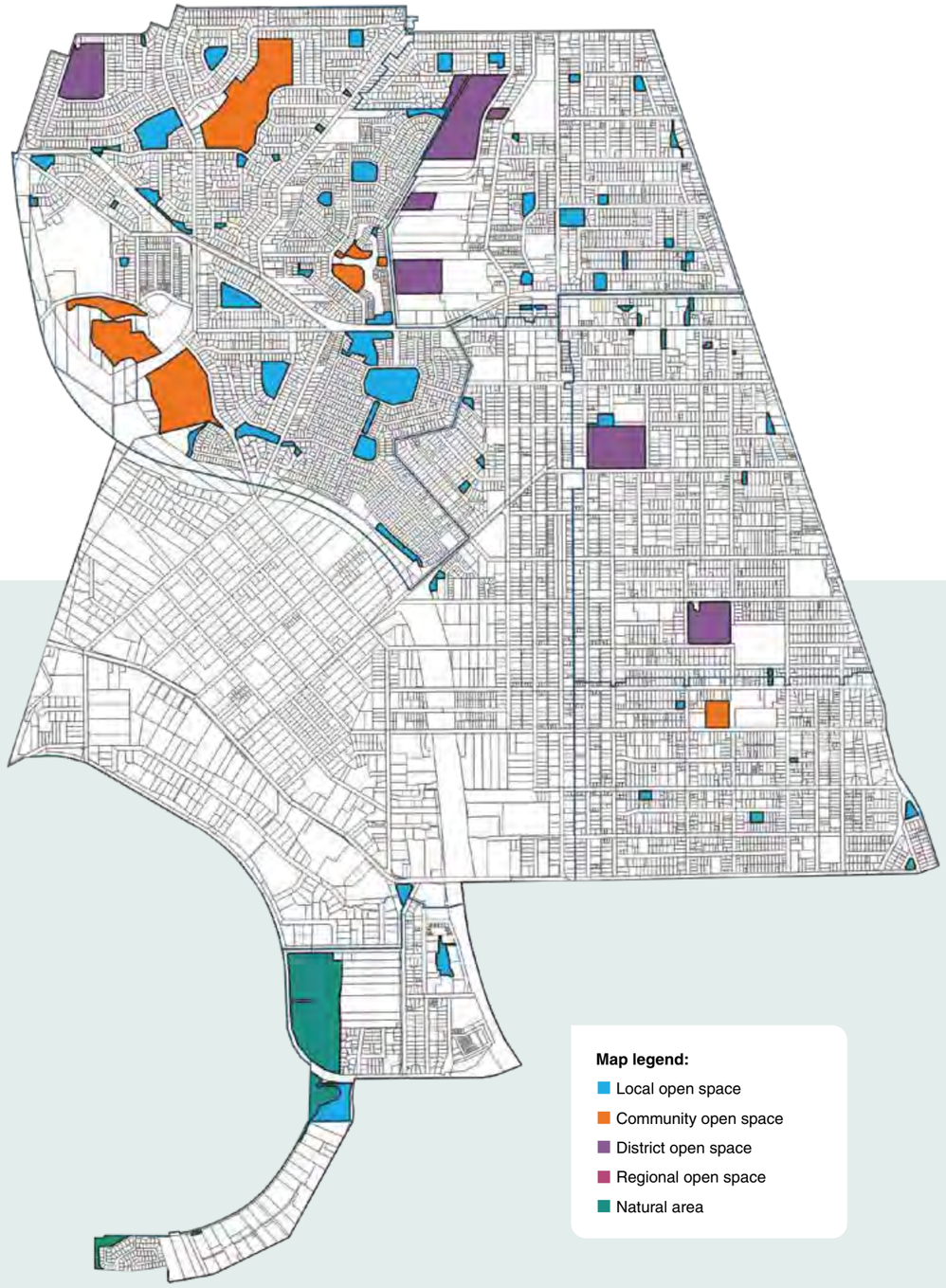


Lawley Ward

- Lawley Ward covers a diverse range of suburbs with varying types, distribution and amount of POS.
- Menora and Coolbinia have a reasonable distribution of POS. They include several POS positioned behind housing. This gives a more personal appeal to POS but can mean poor external visibility and access.
- Nollamara also has a reasonable distribution of POS but also relatively high development and ongoing infill. It currently has 20.3 square metres per person of POS, which is projected to decline by 21 per cent with additional population growth.
- Due to Yokine ROS, Yokine has 53.5 square metres per person of POS. However, this is concentrated in the south of the suburb with potential gaps in access and function to the north. Yokine ROS is excluded from the percentage calculation as an MRS reserve, so Yokine is low in this regard with just three per cent POS. The remainder of Yokine's POS are local reserves, relatively small district reserves and a small community reserve.
- Mount Lawley's POS is also unevenly distributed, with the majority concentrated in Hamer Park/Inglewood oval to the north. This creates gaps in access in the southern areas. The suburb sits at 29.6 square metres per person, but with MRS reserves excluded, it has just two per cent POS provided through the LPS.

POS composition (area)

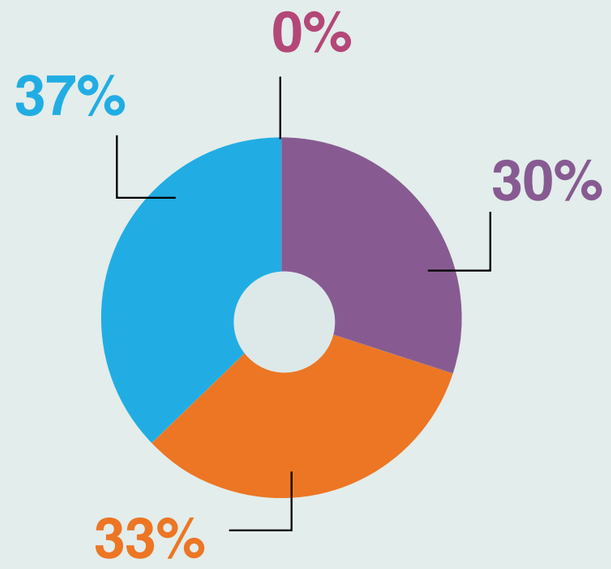




Osborne Ward

- POS is unevenly distributed across the Osborne Ward, with significant variation from north of the ward to the south.
- There is high provision of POS in suburbs of Stirling (60 square metres per person) and Balcatta (50.3 square metres per person).
- Stirling's POS is largely made up of four community open spaces and contains man-made lakes that contribute to the POS amount.
- Stirling's POS provision may be impacted by the future Stirling City Centre Structure Plan and population growth, particularly for Hertha North Reserve and Stirling Civic Gardens.
- The suburbs of Joondanna (5.7 square metres per person) and Osborne Park (three square metres per person) have some of the lowest provision of POS in the City.
- There is only one community open space in Joondanna, with the remaining spaces being local across both suburbs. This creates gaps in both walkable access, levels of recreational outcomes and function diversity. These suburbs are also not in reasonable proximity to a natural area to supplement the POS functions or provide a green break in the urban environment.
- Tuart Hill's provision is still low at 16.1 square metres per person and is mainly concentrated in two district open spaces. This adds pressure to these spaces to serve local uses as well as district sporting needs and creates potential gaps in walkable access to local reserves.

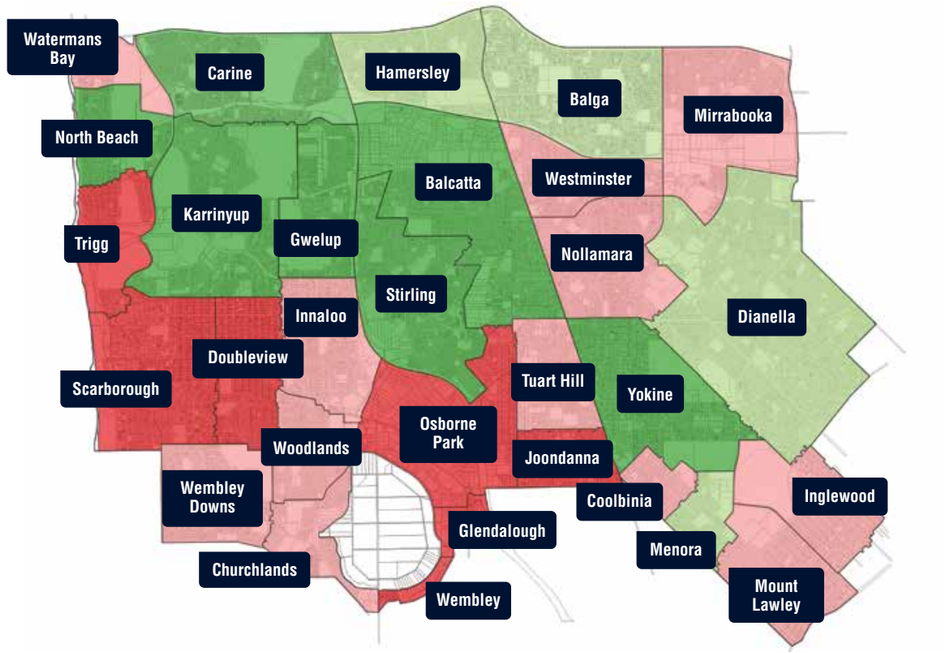
POS composition (area)



7.8 POS heat maps

Total POS (square metres per person)

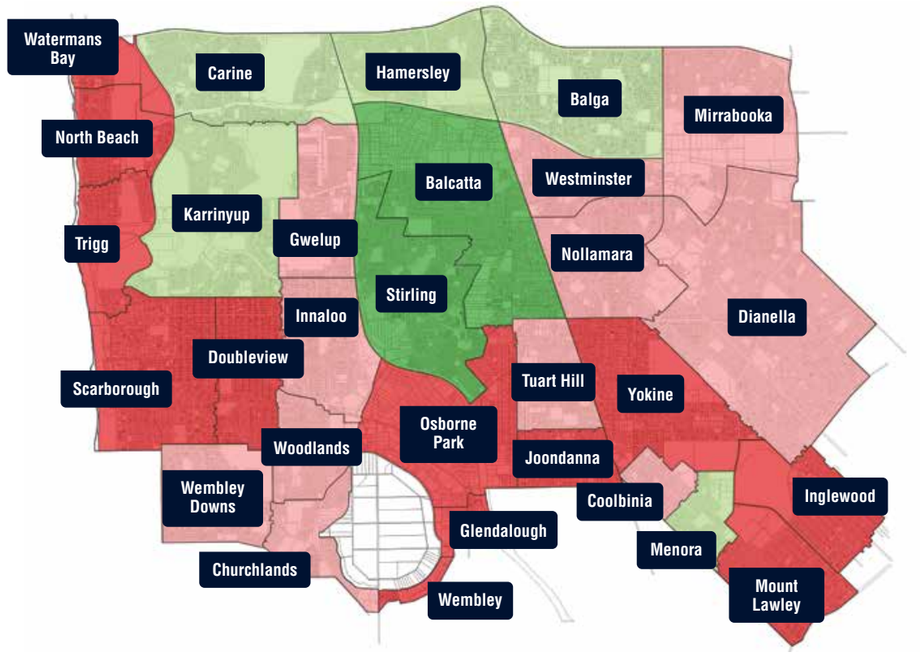
Local planning scheme No 3 and metropolitan regional scheme.



Total POS (m² / person)

- 50m² and over
- 49.9 m² – 33.7m²
- 33.6 m² – 15m²
- 14.9 m² and under

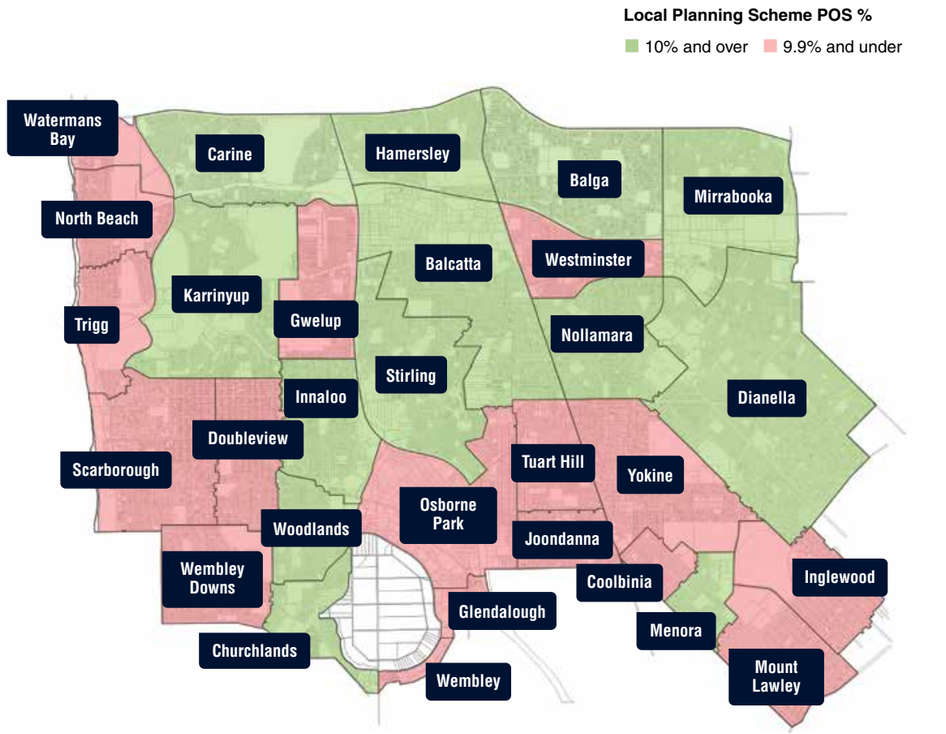
Local planning scheme POS (square metres per person)



Local planning scheme POS (m² / person)

- 50m² and over
- 49.9 m² – 33.7m²
- 33.6 m² – 15m²
- 14.9 m² and under

Local planning scheme POS percentage



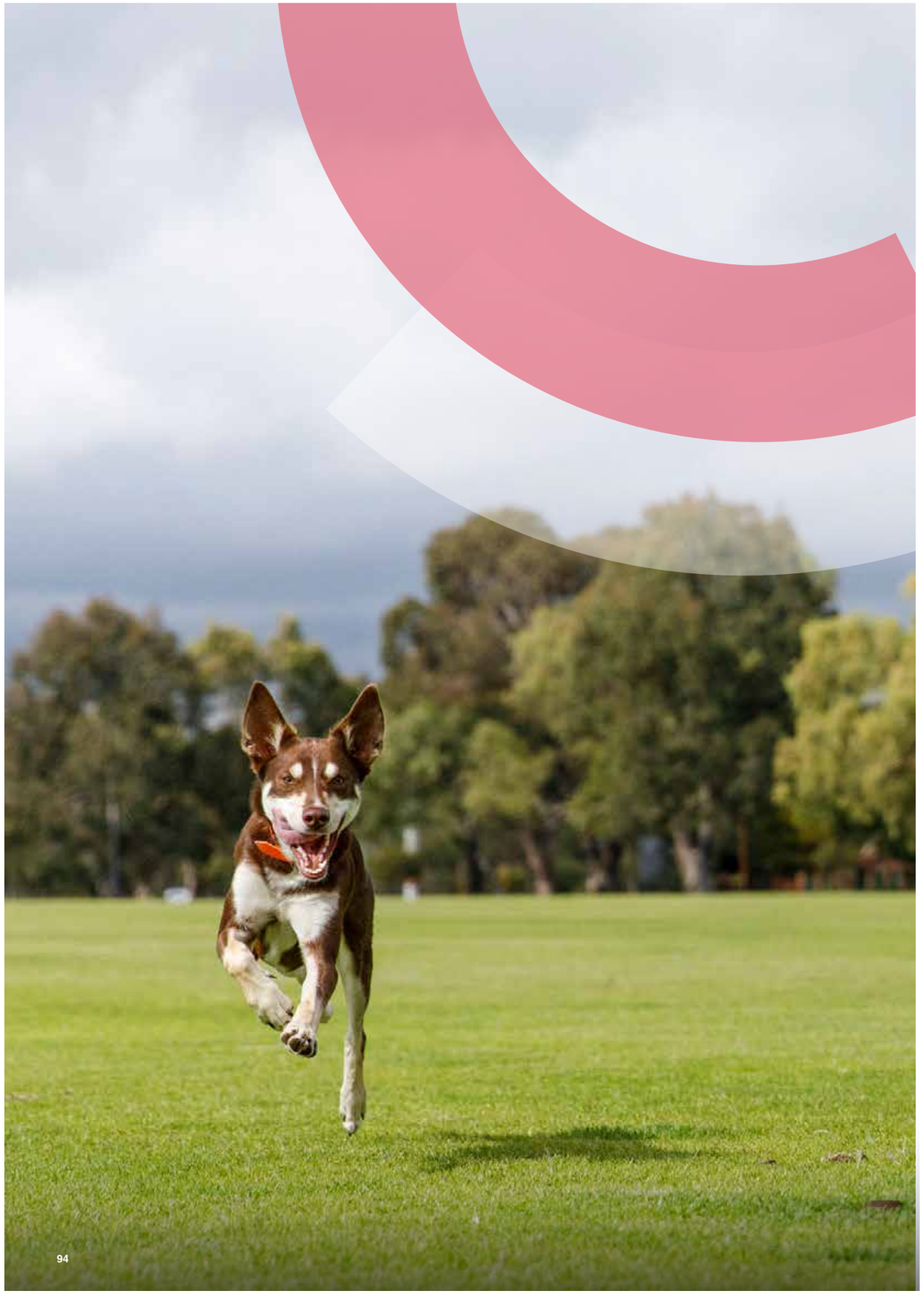
7.9 Total POS: Future projections

This table shows POS by square metres per person for five-year intervals from 2016 to 2031. It also shows the rate of reduction of POS per person as population increases. This is based on the current amount of POS remaining the same.

Suburbs that remain above 33.6 square metres of POS per person are highlighted in green. Suburbs between 33.6 square metres and 20 square metres per person are in yellow, and those under 20 square metres per person are in red.

SA2 level	Total POS area*	2016 Census Data		2021 projections		2026 projections		2031 projections		Reduction in POS per person 2016 – 2036	
	ha	Population	m²/ person	Population	m²/ person	Population	m²/ person	Population	m²/ person	m²/ person	%
Balcatta	**52**	10,382	50.3	10,669	48.9	10,775	48.4	10,802	48.3	-2	-4%
Hamersley	**23**	4,982	45.5	5,120	44.3	5,170	43.9	5,183	43.8	-2	-4%
Balga	**59**	12,685	46.3	13,127	44.7	13,371	43.9	13,637	43.0	-3	-7%
Mirrabooka	**25**	8,110	30.9	8,393	29.9	8,548	29.4	8,719	28.8	-2	-7%
Dianella	**70**	23,486	39.3	24,305	38.0	24,756	37.3	25,249	36.6	-3	-7%
Innaloo	**18**	8,251	22.2	8,800	20.8	9,239	19.8	9,644	19.0	-3	-14%
Doubleview	**6**	8,404	7.6	8,963	7.2	9,410	6.8	9,823	6.5	-1	-14%
Karrinyup	**50**	9,283	53.5	10,084	49.2	10,737	46.2	11,551	43.0	-10	-20%
Gwelup	**7**	4,539	76.2	4,930	70.2	5,250	65.9	5,648	61.3	-15	-20%
Carine	**28**	6,479	119.3	7,038	109.8	7,494	103.1	8,062	95.9	-23	-20%
Mount Lawley**	**22**	7,565	29.6	7,742	28.9	7,968	28.1	8,140	27.5	-2	-7%
Inglewood	**18**	5,674	31.2	5,807	30.5	5,976	29.6	6,105	29.0	-2	-7%
Nollamara	**23**	11,570	20.3	12,688	18.5	13,712	17.1	14,557	16.1	-4	-21%
Westminster	**10**	6,203	16.8	6,832	15.3	7,383	14.1	7,838	13.3	-4	-21%
Scarborough	**22**	15,421	14.6	17,258	13.0	18,781	12.0	20,200	11.1	-3	-24%
Stirling	**58**	9,676	60.0	10,320	56.2	10,834	53.6	11,310	51.3	-9	-14%
Osborne Park	**1**	4,120	3.0	4,394	2.8	4,613	2.7	4,816	2.6	-0.4	-14%
Trigg	**3**	2,794	12.0	3,118	10.7	3,393	9.8	3,649	9.2	-3	-23%
North Beach	**21**	3,410	62.8	3,805	56.3	4,141	51.8	4,453	48.1	-15	-23%
Watermans Bay	**2**	1,281	15.7	1,429	14.1	1,555	12.9	1,673	12.0	-4	23%
Tuart Hill	**11**	7,012	16.1	7,479	15.1	7,852	14.4	8,196	13.8	-2	-14%
Joondanna	**3**	4,836	5.7	5,158	5.4	5,415	5.1	5,653	4.9	-1	-14%
Wembley Downs	**11**	6,321	17.2	6,742	16.1	7,078	15.4	7,388	14.7	-2	-14%
Churchlands	**8**	3,387	22.9	3,612	21.5	3,793	20.4	3,959	19.6	-3	-14%
Woodlands	**13**	4,145	31.1	4,421	29.2	4,641	27.8	4,845	26.6	-4	-14%
Yokine	**7**	11,542	53.5	11,812	52.2	12,157	50.8	12,420	49.7	-4	-7%
Menora	**10**	2,592	39.3	2,653	38.4	2,730	37.3	2,789	36.5	-3	-7%
Coolbinia	**5**	1,660	29.2	1,699	28.5	1,748	27.7	1,786	27.1	-2	-7%
Wembley**	**0.1**	791	1.3	922	1.1	1,071	0.9	1,233	0.8	-0.5	-36%
Glendalough	**3**	2,483	11.9	2,893	10.2	3,363	8.8	3,870	7.7	-4	-36%
Total all SA2	**745.1**	**209,084**	**35.6**	**222,214**	**33.5**	**232,957**	**32**	**243,200**	**30.6**	**-5**	**14%**

**Total POS includes all identified in Part 3 (both MRS and LPS reserves).*
***Mount Lawley and Wembley – only includes POS and population which falls within City boundaries.*
2021 to 2026 uses WA Tomorrow Report 10, 2031 uses WA Tomorrow Report 11. No data available for 2036 – 2051.
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City of Stirling
City of Choice
Public Open Space Strategy
2021 – 2031 Overview

Acknowledgement of Country

City of Stirling kaadatj Nyoongar moort Nyoongar boodja-k Wadjak boodja-k. Ngalak kaadatj Nyoongar nedingar wer birdiya koora wer yeyi. Baalabang koondarm, malayin wer nakolak baalap yang ngalany-al. Ngalak dandjoo barn wer kaaratj bandang boodja-k.

The City of Stirling acknowledges the traditional custodians of this land, the Wadjak people of the Nyoongar nation, and pays respect to the Elders past, present and future for they hold the memories, the traditions, the culture and hopes of Aboriginal Australia.



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Mayor's foreword

The provision of public open spaces is one of the City's most essential services given the physical, social and health benefits they provide residents.

Public open spaces are the many green spaces such as parklands, play areas, playing fields, bushland and other similar spaces that our community uses for recreation, sport and social interaction. Community needs and expectations are growing, with increasing value being placed on access to quality public open space and associated infrastructure.

This strategy identifies the benefits associated with access to public open space as well as the significant challenges and complexities impacting public open space provision across our suburbs.

Localised plans will help address the key public open space challenges, and provide the basis for advocacy to the State Government for a much-needed review of policy and planning scheme frameworks that impact public open space provision.

With population growth and densification occurring within the City, it is critical that proper planning occurs to ensure we meet the needs and demand from our community.

Mark Irwin
Mayor, City of Stirling

What is public open space?

Public Open Spaces (POS) are urban green spaces that are accessible by all community members for recreation, sport and socialising, such as parklands, play areas, playing fields and bushland.

The way our community uses public open space is changing so as our population increases the City must continue to find ways to ensure accessibility for a wide range of activities.



What POS is included in the strategy

Recreation can occur in many spaces, however the strategy is intended to apply to areas where the primary purpose of the space is sport, recreation or nature and typically the land has been set aside for these purposes.

POS outside the scope of this Strategy are listed below (DLGSC, 2012):

- Preservation and restoration of natural features or habitat such as 'bush forever', nature reserve, state forest, conservation reserve or similar (usually fenced off with restricted or no access)
- Residual land or land set aside as urban deferred or for road reserve, car parking or similar purposes
- River and coastal foreshore reserves and buffer zones (beach area, support amenities and fenced-off areas included)
- Where statutory responsibility lies with Western Australian Planning Commission, Department of Biodiversity, Conservation and Attractions, Department of Education or other state government body
- Open space which is owned and managed by a private institution or third party, including private sporting clubs and not-for-profits
- Leased areas and facilities requiring paid entry and/or membership (eg, aquatic centres, indoor gyms and sports halls).

Why does the City need a POS strategy?

Public open space (POS) is a vital component to any community and provides a wide range of health, social, environmental and economic benefits. It contributes to a community's sense of place, identity and recreational opportunities, as well as providing a green relief to the ever expanding urban environment.

The City has seen a considerable population growth over the last 10 years. Based on the 2016 census data the City's population is 219,981 which is forecast to reach over 270,000 people by 2026 (City of Stirling Local Planning Strategy).

With this significant growth in population, urban development, and densification, the POS Strategy will guide ongoing decision making within the City to provide an equitable and accessible network of quality POS for the Stirling community.

This document provides a high level overview of the full Public Open Space Strategy.

Please visit the City's website to see the full Strategy for more detail.



Why is POS important?

Public open space is a vital part of any community. It provides a wide range of health, social, environmental and economic benefits.

Health benefits

Promotes
active lifestyle

Promotes
improved mental health

Activity
reduces risk
of chronic disease

Encourages
social and cognitive development,
particularly among children

Social benefits

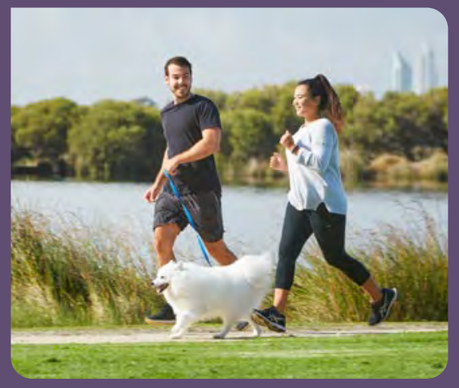
Improves community cohesion,
sense of place and sense of pride

Reduces
anti-social behaviour and crime

Provides places to
celebrate
culture, heritage and history

Supports
community sporting clubs

Supports walking and bicycle networks
and movement of people between places





Environmental benefits

Acts as green corridors and maintains canopy cover to
reduce 'heat island' effect

Provides
valuable space for mature trees
in the urban environment which are important habitats for native flora and fauna

Economic benefits[1]

Provides health benefits of

$4.9bn

due to reduced risk of chronic diseases, reduced risk of falling or drowning, and improved mental health

Provides social benefit of

$5.1bn

due to the increased human capital that results from the social interactions during participation in community sport

Creates jobs and economic stimulus

through ongoing construction, maintenance and operations

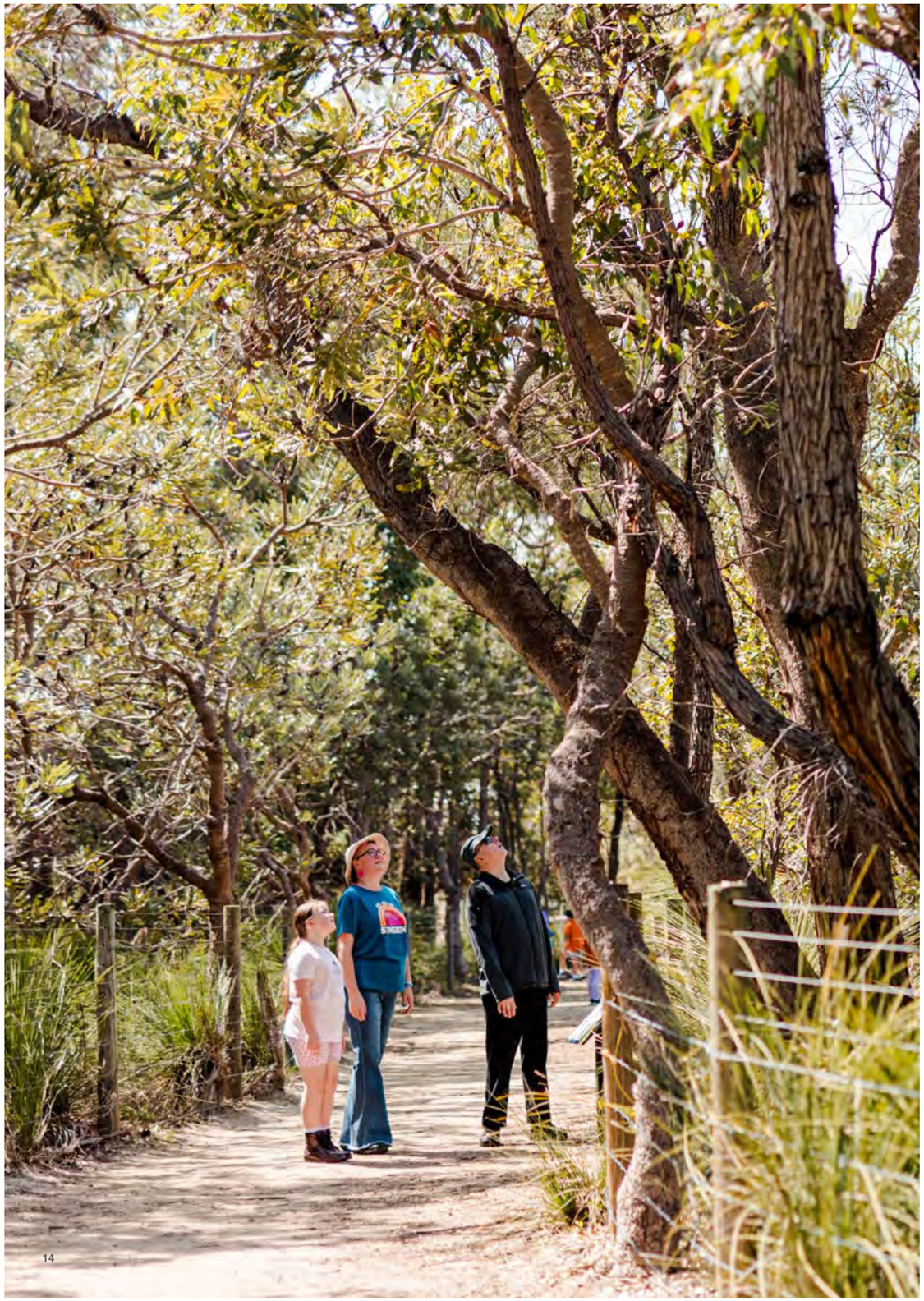
Delivers an economic benefit of

$6.3bn

due to increased economic activity and increased productivity of community sport participants

[1] KPMG report





The City's POS Framework

The City's Public Open Space Framework has been updated to better align with current best practice.

The model has two components:
Functions and **Hierarchy Classifications.**

Functions are the areas within public open space which cater for the primary use and activities of that public open space. There are three functions:

- sporting spaces;
- recreation spaces; and
- nature spaces.

A park can have one or more of these functions. For example, there may be a sporting space which may have a sporting oval, cricket wicket, football goals and clubrooms.

The second part of the model is the **hierarchy classifications.** The four classifications are:

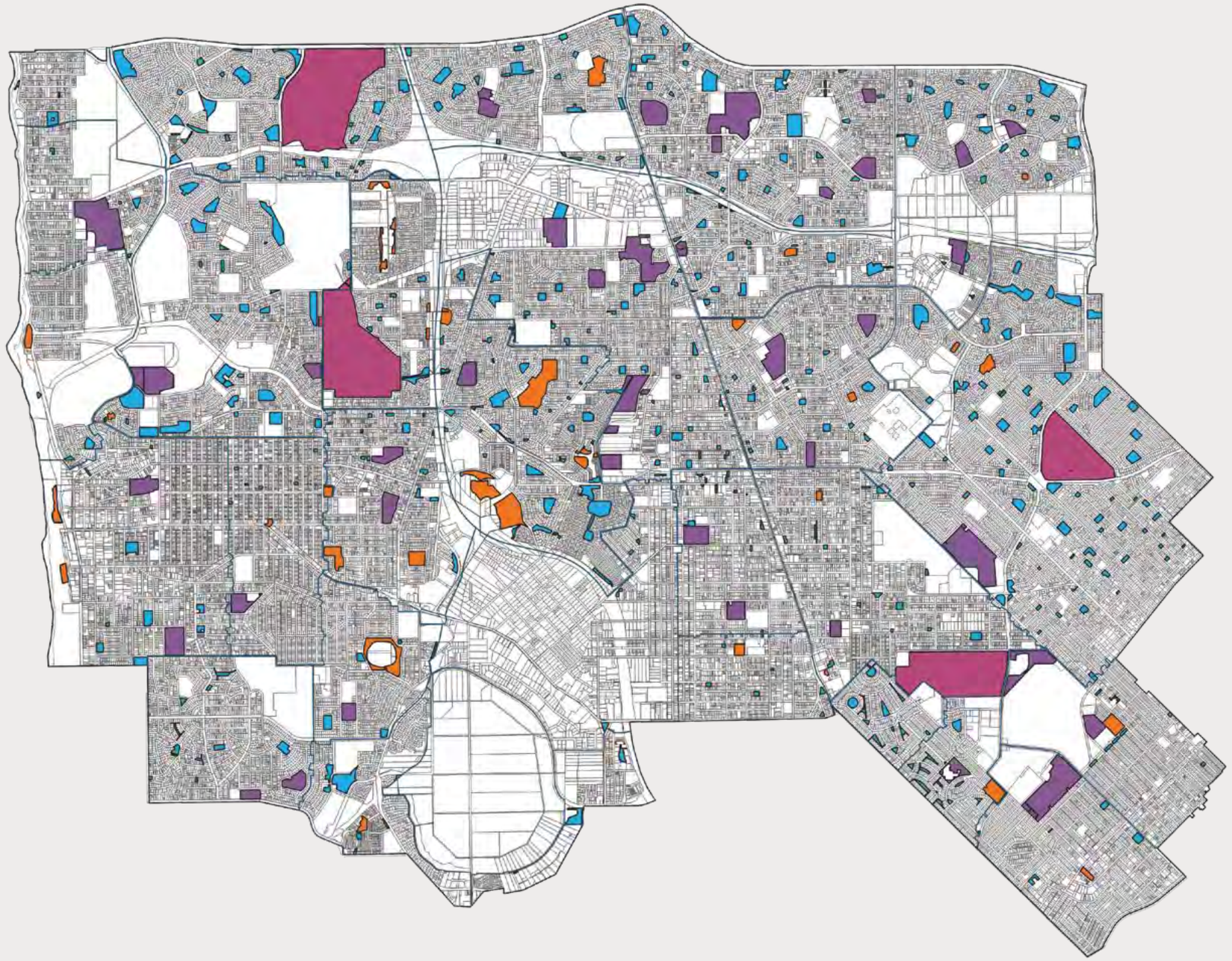
- Local
- Community
- District
- Regional.

Classification	Summary description
Local	Local spaces are typically small parklands that service the recreational needs of the local residential population, such as children's play, dog walking and relaxation. **Function: Recreation and nature**
Community	Community spaces serve as the recreational and social focus of a community. Residents of surrounding areas are attracted by the variety of features and facilities and opportunities to socialise. **Function: Recreation and nature**
District	District spaces are principally designed to provide for organised formal sport and can provide for local or community-level recreation. **Function: Sport, recreation and nature**
Regional	Regional spaces may accommodate important recreation and organised sport space as well as significant nature spaces for conservation. They may also include environmental features such as water bodies. **Function: Sport, recreation and nature**

POS in the City of Stirling

Legend:

- Local open space
- Community open space
- District open space
- Regional open space



How much POS is enough?

There is a State requirement to provide 10 per cent of the gross area for a residential subdivision for the purpose of public open space. This is based on a standard of 3.36 hectares of public open space per 1,000 people. As explained in Part 4 of the Strategy.

As per State Policy, reserves under the Metropolitan Regional Scheme are not included in this 10 per cent calculation. This '10 per cent Standard' is often applied across a suburb creating challenges around ensuring the community has access to sufficient public open space.

Part 3 of the Strategy considers the City's total public open space provision. It identifies the amount of POS that our community currently has access to for sport, recreation and nature, only excluding areas where there is restricted access such as bush conservation areas.

Assessing the quantity of public open space on its own does not always ensure sufficient public open space is provided.

This highlights the importance to undertake planning at a localised suburb level to ensure that local community's needs, current POS provision and access is understood and assists in delivering a sustainable response to future provision or improvements in the area.

Key POS challenges and next steps

The City's challenge is to find the balance between growth and maintaining access to quality public open space, which helps our community members to live a healthy and fulfilling lifestyle.

The Strategy sets the framework to plan for a better future that ensures equitable access to a network of quality and functional public open spaces. To achieve this the Strategy outlines some key outcomes including:

- Develop localised suburb-by-suburb public open space plans which identify specific opportunities to improve amenity and infrastructure in response to community needs
- Identify and respond to any identified gaps in POS provision through a range of strategies
- Advocate to the Western Australia Planning Commission (WAPC) for review of current Public Open Space policy standards and cash-in-lieu contributions
- Advocate to the WAPC to investigate options to provide additional public open space through the Metropolitan Regional Scheme
- Advocate to the Department of Education and the Department of Local Government, Sport and Cultural Industries for a review and improvement of policies regarding shared-use outcomes between local schools and local government
- Prioritise the retention of existing public open space.



Further information

To obtain a full copy of the POS Strategy and view the explainer video, please visit the City of Stirling website.

For more information about the POS Strategy, please contact the City of Stirling Administration Centre on (08) 9205 8555 or visit www.stirling.wa.gov.au/enquiries

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Councillor Felicity Farrelly disclosed an Impartial Interest in Item 12.1/FPA1 as she has discussed this issue with Go Surf.

12.1/FPA1 STORAGE AT BRIGHTON BEACH

This item was REFERRED to the Community and Resources Committee meeting to be held 26 April 2022 at the Council meeting held 5 April 2022 to allow the enclosed C-Breez Kiosk concept to be investigated more fully as a proposed storage area.

Additional information and a Suggested Alternative Recommendation have been included at the end of the report.

Report Information

Location:	Brighton Beach
Applicant:	Not Applicable
Reporting Officer:	Manager Facilities, Projects & Assets
Business Unit:	Facilities, Projects & Assets
Ward:	Coastal
Suburb:	Scarborough

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☐	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☒	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/006

Moved Councillor Hatton, seconded Councillor Sargent

1. **That Council ENDORSES Option 3 - the provision of a large storage trailer by Go Surf Perth.**

2. **That the City IDENTIFIES an alternative location for the Brighton Reserve seasonal licence; preferably the location identified west of C-Breez Kiosk.**

The motion was put and declared CARRIED (15/0) by exception resolution.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

1. That Council ENDORSES Option 3 - the provision of a large storage trailer by Go Surf Perth.

2. That the City IDENTIFIES an alternative location for the Brighton Reserve seasonal licence; preferably the location identified west of C-Breez Kiosk.

Officer's Recommendation

That Council ENDORSES Option 3 - the provision of a large storage trailer by Go Surf Perth.

Report Purpose

To consider a Council endorsed Notice of Motion.

Relevant Documents

Attachments

Attachment 1 - Brighton Beach Surf School Concepts ⇩

Available for viewing at meeting

Nil

Background

At its meeting held 7 December 2021, Council endorsed the following Notice of Motion:

"That a report be PRESENTED to Council outlining the cost, potential fee, and practicality of:-

a. PROVIDING a sea container at Brighton Reserve for use by Perth Go Surf; and

b. ENCLOSING a portion (specifically the south/west quadrant) of the current Brighton Reserve public toilet facility for use by Perth Go Surf."

Comment

Brighton Beach is located at the southern end of the Scarborough Beach precinct and serviced by a car park and small reserve containing a playground and building. The building provides both public toilet and change facilities as well as a small area leased by the C-Breez Kiosk.

Go Surf Perth is an accredited surf school operating from Brighton Beach. It is one of two surf schools that are permitted to operate on the City's beaches, with the other being Scarborough Beach Surf School which operates at Scarborough Beach. Both companies have a permit to operate under a three-year arrangement for a fee of $3,500 per annum in accordance with the City's Surf Skills Coaching Lessons Policy. Each Surf School operator is permitted to undertake coaching lessons on the beach and park one vehicle within each adjacent reserve. The current three-year term is due to end in September 2022 at which time Recreation Services will undertake an Expression of Interest process to engage operators for the next period.

Go Surf Perth have no permanent facilities on site but have approached the City, through an Elected Member, seeking additional space for storage. Two options were initially suggested - a sea container, and the enclosure of the 'south-west quadrant' of the existing changeroom facility shown in Figure 1 below (without a roof). Officers met on-site with Go Surf who also suggested a trailer concept. These three options are shown in Attachment 1 which was provided by Go Surf Perth.

Go Surf Perth identified that storage is required for the surf boards used during lessons as well as securing the belongings of those having lessons. An informal 'check-in' facility is also desired. Several alternative locations have been suggested and can be seen in the attachment.

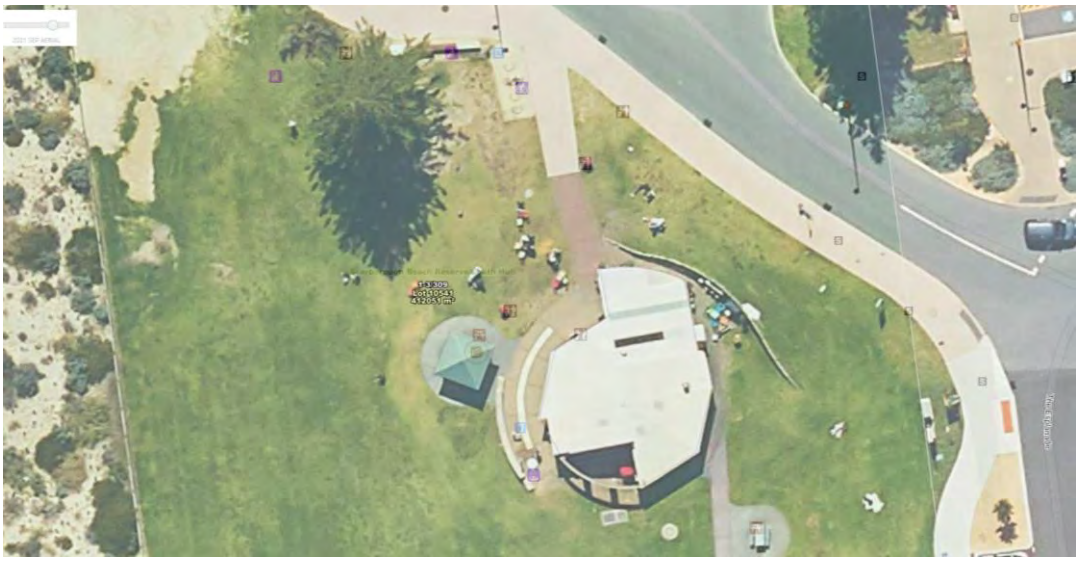


Figure 1 - Aerial photo of C-Breez Kiosk

The options are considered in the table shown below.

Option	Est. cost	Est. Lease Fee (p.a.)	Practicality
1. Sea container	$7,000	$4,000	While sea containers are easily installed and commonly used for temporary storage, they do require planning approval if they are to be permanent. The appearance of a sea container can also be quite 'industrial' however the installation of a facility at Scarborough Beach North for Stirling Natural Environment Centre (SNEC) indicates the aesthetic possibility of such an installation. The location of a sea container on Public Open Space for use by a 'for profit' business is likely to be controversial and needs to be carefully considered. It is assumed that the cost of the container would be paid by the lessee with the fee being for a simple ground lease.
2. Enclosing portion of existing building	$20,000	$4,000 (assuming lessee pays for improvement)	The conversion of an underutilised space in an existing facility would be preferred over the installation of a sea container as it would not increase the developed footprint of the area and would be less controversial. However, the public toilet facility is approaching end of life and requires a significant upgrade or replacement. Initial ideas are to create a similar facility to that located adjacent to Sunset Hill. Any upgrade to the public toilets would impact the C-Breez Kiosk and would also need to be considered. As such, it would not be appropriate to add storage to this facility until plans are confirmed. Conversion costs could be borne by either the City or the lessor and the lease fee would reflect this.

3.	Trailer (preferred)	not applicable	$3,500	The provision of a large trailer by the Surf School to be semi-permanently parked in their existing licenced area is the option preferred by the City. There would be no infrastructure cost to the City and minimal additional cost to the Surf School (after procurement of a trailer). This would also allow the trailer to be removed during winter as well not imposing additional development on the reserve. As it doubles the space utilised for vehicles by Go Surf Perth it is considered appropriate that the fee increase proportionally.

The Reserve at Brighton is vested in the City under a Management Order for the purpose of Recreation so any licence or lease would be subject to the approval of the Minister for Lands and would need to be deemed to be ancillary to the purpose of the reserve. A sea container for storage purposes for the exclusive use of a commercial operator (who may also have a seasonal business) may not be an appropriate use of the Public Open Space reserved for recreation.

Should the City grant Go Surf Perth consent for permanent or semi- permanent storage facilities it could expect a similar request from Scarborough Beach Surf School which operates in a nearly identical fashion and faces the same issues and constraints.

A ground lease / licence fee would be approximately $4,000pa for a 20m² space, with the licensee to also pay legal costs to draft the agreement estimated at between $1,500 to $3,000.

Given there is an existing operator agreement with the City, it may be preferable to permit Go Surf to locate a storage facility within the reserve adjacent to the existing space and should that trial be successful, include additional space in its operator arrangement should it be successful at the next EOI process.

Consultation/Communication Implications

Nil.

Policy and Legislative Implications

Surf Skills Coaching Lessons Policy applies (permits to operate).

Any licence or lease would be subject to the approval of the Minister for Lands.

Financial Implications

The purchase of a sea container would cost in the vicinity of $7,000 but likely to be at the cost of the lessee. The lease fee for a sea container would be approximately $4,000 per annum.

The enclosure of the south-west quadrant of the existing facility would cost in the order of $20,000. The lease fee for the south-west quadrant would be approximately $4,000 per annum.

Any additional licence fee for a trailer would depend on the space required and whether or not it fits into the existing licenced area.

Strategic Implications

Key Result Area: Vibrant economy

Outcome E2: A great place to work, invest and do business

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Nil.	

SOCIAL	
Issue	**Comment**
Amenity	Upgraded facilities would improve the amenity of Brighton Beach.

ECONOMIC	
Issue	**Comment**
Dvlpmt of key business sectors	The proposal will have a positive impact on the businesses involved.

Conclusion

The public toilet and café facilities at Brighton Beach need an upgrade and the development of a broader plan for the area is required before any additional facilities such as storage are considered to ensure the amenity of the precinct is optimised.

The use of a trailer to store surfboards and personal belongings during lessons is a practical solution supported by both parties. It will facilitate the permanent additional storage requirements of the surf school during the summer months when they are operating from Brighton Beach and will enable the trailer to be removed when their operation transfers to Leighton Beach in the winter months. It can be configured so as not to increase the visual obstruction of the coastline. The City will progress discussions with Go Surf Perth to facilitate this outcome.

Additional Information – 26 April 2022

Officers have had further conversations with Elected Members to clarify the options presented. Whilst Option 3 remains the preferred outcome and was generally supported, Elected Members have sought consideration of relocating the allocated space away from the beach entry and access to C-Breeze, preferably further towards the coastal dunes at the front of the reserve (where the area is lower). Given an EOI for the bi-annual licence is to be reconsidered in September 2022, and the summer surfing season is nearing completion, that can be addressed prior to the next surfing season.

Suggested Alternative Recommendation

1. **That Council ENDORSES Option 3 - the provision of a large storage trailer by Go Surf Perth.**

2. **That the City IDENTIFIES an alternative location for the Brighton Reserve seasonal licence, preferably toward the coastal dune at the front of the grassed reserve area.**

STORAGE/CHECK IN CONCEPTS

BRIGHTON RESERVE, SCARBOROUGH

REQUIREMENTS

- STORAGE SPACE FOR EQUIPMENT
- CHECK IN AREA FOR CUSTOMERS (SPACE DEPENDANT)
- SAFE STORAGE OF CUSTOMERS VALUABLES
- AUTHORITY TO LEAVE STORAGE SPACE (TRAILER,CONTAINER) ONSITE FOR THE SEASON
- SYNTHETIC TURF/PAVING/CONCRETE SLAB OVER THE AREA CURRENTLY OCCUPIED BY THE GO SURF VAN

PROPOSED CONCEPTS

1) SHIPPING CONTAINER
2) TRAILER CONCEPT
3) ENCLOSED C'BREEZE CAFE

BELOW I HAVE ATTACHED SOME IMAGES TO GIVE YOU A ROUGH IDEA/VISUAL OF HOW EACH PROPOSED CONCEPT COULD LOOK LIKE. OBVIOUSLY, THE ACTUAL CONFIGURATION/DESIGN OF THE CONTAINER AND TRAILER CONCEPT WOULD BE TAILORED MORE TOWARDS STORAGE AND LESS TOWARD

SHIPPING CONTAINER CONCEPT

BRIGHTON RESERVE, SCARBOROUGH







GO SURF

TRAILER CONCEPT

BRIGHTON RESERVE, SCARBOROUGH







GO SURF

ENCLOSED C'BREEZE CONCEPT

BRIGHTON RESERVE, SCARBOROUGH







SYNTHETIC TURF/CONCRETE AREA

BRIGHTON RESERVE, SCARBOROUGH

DUE TO CONSISTENT FOOT TRAFFIC, SALT WATER AND VAN PARKING THE AREA CURRENTLY OCCUPIED BY GO SURF HAS TURNED INTO A DUST BOWL. THE GRASS DOES NOT AND HAS NOT GROWN BACK IN MORE THAN 6 YEARS. IF ONE OF THE SEMI PERMANENT CONCEPTS ABOVE WAS CONSIDERED BY COUNCIL, WOULD THEY ALSO CONSIDER SYNTHETIC TURF, PAVING OR CONCRETING THE PORTION HIGHLIGHTED IN RED BELOW.



GO SURF

POTENTIAL LOCATIONS

BRIGHTON RESERVE, SCARBOROUGH



12.1/F1 SCHEDULE OF ACCOUNTS FOR PERIOD 9 ENDING 31 MARCH 2022

Report Information

Location:	Not Applicable
Applicant:	Not Applicable
Reporting Officer:	Manager Finance
Business Unit:	Finance Services
Ward:	Not Applicable
Suburb:	Not Applicable

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/007

Moved Councillor Hatton, seconded Councillor Sargent

That the schedule of cheques drawn and payments made for Period 9, 1 March – 31 March 2022 amounting to:-

Municipal Fund	**$39,909,658.13**
TOTAL	**$39,909,658.13**

be RECEIVED.

The motion was put and declared CARRIED (15/0) by exception resolution.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

That the schedule of cheques drawn and payments made for Period 9, 1 March – 31 March 2022 amounting to:-

Municipal Fund	$39,909,658.13
TOTAL	$39,909,658.13

be RECEIVED.

Officer's Recommendation

That the schedule of cheques drawn and payments made for Period 9, 1 March – 31 March 2022 amounting to:-

Municipal Fund	$39,909,658.13
TOTAL	$39,909,658.13

be RECEIVED.

Report Purpose

To inform Council of funds disbursed for the period 1 March 2022 to 31 March 2022.

Relevant Documents

Attachments

Attachment 1 - Schedule of Accounts - March 2022 ⇩

Attachment 2 - Cheque Listing Attachment - March 2022 (ECM Document No. 10614430) (previously circulated to Elected Members under separate cover)*

Available for viewing at meeting

Nil

**(Please note the Cheque Listing attachment can be viewed as a separate document to the Agenda on the City of Stirling website).*

Background

Nil.

Comment

The reported schedules are submitted in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996.

Fluctuations in the value of payments made in the month will mainly be impacted by the value of the City's investments, significant progress payments made for capital projects and the timing of statutory payments such as the Emergency Services Levy.

The cheques drawn and payments made in March 2022 were higher than the prior month mainly due to the quarterly Emergency Services Levy payment.

Consultation/Communication Implications

Nil.

Policy and Legislative Implications

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

Financial Implications

Nil.

Strategic Implications

Key Result Area: Governance and leadership

Outcome G1: Good governance

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Nil.	

SOCIAL	
Issue	**Comment**
Nil.	

ECONOMIC	
Issue	**Comment**
Nil.	

Conclusion

The schedule of cheques drawn and payments made during the reporting period is presented.

SCHEDULE FOR PERIOD 9 - 01/03/2022 - 31/03/2022							
PAYMENT	TRANSACTION	DATE	A/C VOUCHER NUMBERS	AMOUNT $	MUNICIPAL $	TRUST $	RESERVE $
CREDITOR PAYMENTS	EFT	2/03/2022	EF229716-EF229722	8,972.42	8,972.42		
CREDITOR PAYMENTS	INSTANT	2/03/2022	EF229723-EF229727	20,664.06	20,664.06		
CREDITOR PAYMENTS	VARIOUS	2/03/2022	EF229728-EF229748	162,656.52	162,656.52		
CREDITOR PAYMENTS	VARIOUS	2/03/2022	EF229749-EF229777	110,966.21	110,966.21		
CREDITOR PAYMENTS	VARIOUS	2/03/2022	EF229778-EF229804	38,314.50	38,314.50		
CREDITOR PAYMENTS	VARIOUS	2/03/2022	EF229805-EF229832	108,168.38	108,168.38		
CREDITOR PAYMENTS	PAYROLL	2/03/2022	EF229833-EF229839	240,985.12	240,985.12		
CREDITOR PAYMENTS	CANCEL	2/03/2022	516929	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	2/03/2022	516951	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	2/03/2022	516980	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	2/03/2022	517025	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	2/03/2022	517026	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	2/03/2022	517086	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	2/03/2022	517131	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	2/03/2022	517146	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	2/03/2022	517155	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	2/03/2022	517169	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	2/03/2022	517203	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	2/03/2022	517224	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	2/03/2022	517409	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	3/03/2022	517507	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	3/03/2022	517554	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	3/03/2022	517652	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	3/03/2022	517661	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	3/03/2022	517668	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	3/03/2022	517881	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	3/03/2022	518396	0.00	0.00		
CREDITOR PAYMENTS	CHQ	3/03/2022	518522-518523	823.05	823.05		
CREDITOR PAYMENTS	SUNDRY	3/03/2022	518524-518528	574.49	574.49		
CREDITOR PAYMENTS	INSTANT	3/03/2022	EF229840-EF229848	41,931.71	41,931.71		
CREDITOR PAYMENTS	VARIOUS	3/03/2022	EF229849	128,766.79	128,766.79		
CREDITOR PAYMENTS	VARIOUS	3/03/2022	EF229850-EF229874	130,597.10	130,597.10		
CREDITOR PAYMENTS	VARIOUS	3/03/2022	EF229875-EF229899	84,117.06	84,117.06		
CREDITOR PAYMENTS	PETTYCSH	3/03/2022	EF229900	23,260.00	23,260.00		
CREDITOR PAYMENTS	SUPER	3/03/2022	EF229901	176,931.11	176,931.11		
CREDITOR PAYMENTS	CHEQUE	3/03/2022	518529	940.28	940.28		
CREDITOR PAYMENTS	SUNDRY	4/03/2022	518531-518535	3,667.67	3,667.67		
CREDITOR PAYMENTS	EFT	4/03/2022	EF229902-EF229907	1,092.80	1,092.80		
			Sub Totals	**1,283,429.27**	**1,283,429.27**	**0.00**	**0.00**

SCHEDULE FOR PERIOD 9 - 01/03/2022 - 31/03/2022							
PAYMENT	TRANSACTION	DATE	A/C VOUCHER NUMBERS	AMOUNT $	MUNICIPAL $	TRUST $	RESERVE $
CREDITOR PAYMENTS	VARIOUS	4/03/2022	EF229908	151,993.04	151,993.04		
CREDITOR PAYMENTS	PETTYCSH	4/03/2022	EF229909	717.55	717.55		
CREDITOR PAYMENTS	VOLUNTEER	4/03/2022	EF229910-EF229931	5,633.33	5,633.33		
CREDITOR PAYMENTS	VARIOUS	4/03/2022	EF229932-EF229955	163,563.52	163,563.52		
CREDITOR PAYMENTS	INSTANT	4/03/2022	EF229956-EF229965	44,032.12	44,032.12		
CREDITOR PAYMENTS	INVESTMENT	4/03/2022	EF229966	2,050,000.00	2,050,000.00		
CREDITOR PAYMENTS	INVESTMENT	4/03/2022	EF229967	1,200,000.00	1,200,000.00		
CREDITOR PAYMENTS	CHEQUE	8/03/2022	518536	453.54	453.54		
CREDITOR PAYMENTS	EFT	8/03/2022	EF229968-EF229985	18,106.16	18,106.16		
CREDITOR PAYMENTS	INSTANT	8/03/2022	EF229986-EF229991	22,192.86	22,192.86		
CREDITOR PAYMENTS	VARIOUS	8/03/2022	EF229992-EF230001	35,967.98	35,967.98		
CREDITOR PAYMENTS	VARIOUS	8/03/2022	EF230002	359,095.00	359,095.00		
CREDITOR PAYMENTS	VARIOUS	8/03/2022	EF230003	178,243.16	178,243.16		
CREDITOR PAYMENTS	PETTYCSH	8/03/2022	EF230004	423.45	423.45		
CREDITOR PAYMENTS	CHQ	9/03/2022	518537-518538	736.35	736.35		
CREDITOR PAYMENTS	INSTANT	9/03/2022	518539-518543	28,587.52	28,587.52		
CREDITOR PAYMENTS	SUNDRY	9/03/2022	518544-518546	5,653.00	5,653.00		
CREDITOR PAYMENTS	EFT	9/03/2022	EF230005-EF230033	21,147.03	21,147.03		
CREDITOR PAYMENTS	INSTANT	9/03/2022	EF230034-EF230039	12,206.41	12,206.41		
CREDITOR PAYMENTS	VARIOUS	9/03/2022	EF230040-EF230053	126,468.07	126,468.07		
CREDITOR PAYMENTS	VARIOUS	9/03/2022	EF230054	789,247.36	789,247.36		
CREDITOR PAYMENTS	PETTYCSH	9/03/2022	EF230055	373.70	373.70		
CREDITOR PAYMENTS	VARIOUS	9/03/2022	EF230056-EF230084	41,738.78	41,738.78		
CREDITOR PAYMENTS	VARIOUS	9/03/2022	EF230085-EF230113	55,579.48	55,579.48		
CREDITOR PAYMENTS	CHQ	10/03/2022	518547	529.21	529.21		
CREDITOR PAYMENTS	INSTANT	10/03/2022	518548	356.29	356.29		
CREDITOR PAYMENTS	SUNDRY	10/03/2022	518549-518551	1,326.15	1,326.15		
CREDITOR PAYMENTS	EFT	10/03/2022	EF230114-EF230126	13,771.40	13,771.40		
CREDITOR PAYMENTS	INSTANT	10/03/2022	EF230127-EF230133	23,354.14	23,354.14		
CREDITOR PAYMENTS	MEMBERS	10/03/2022	EF230134-EF230148	50,266.52	50,266.52		
CREDITOR PAYMENTS	VARIOUS	10/03/2022	EF230149-EF230177	147,211.97	147,211.97		
CREDITOR PAYMENTS	VARIOUS	10/03/2022	EF230178-EF230206	57,666.01	57,666.01		
CREDITOR PAYMENTS	VARIOUS	10/03/2022	EF230207-EF230231	10,381.53	10,381.53		
CREDITOR PAYMENTS	PAYROLL	10/03/2022	EF230232-EF230236	566,497.11	566,497.11		
CREDITOR PAYMENTS	PETTYCSH	10/03/2022	EF230237	11,630.00	11,630.00		
CREDITOR PAYMENTS	SUPER	10/03/2022	EF230238	378,104.42	378,104.42		
CREDITOR PAYMENTS	EFT	11/03/2022	EF230239-EF230245	12,256.94	12,256.94		
CREDITOR PAYMENTS	INSTANT	11/03/2022	EF230246-EF230251	17,107.12	17,107.12		
			Sub Totals	**7,886,047.49**	**7,886,047.49**	**0.00**	**0.00**

SCHEDULE FOR PERIOD 9 - 01/03/2022 - 31/03/2022							
PAYMENT	TRANSACTION	DATE	A/C VOUCHER NUMBERS	AMOUNT $	MUNICIPAL $	TRUST $	RESERVE $
CREDITOR PAYMENTS	VARIOUS	11/03/2022	EF230252	278,379.72	278,379.72		
CREDITOR PAYMENTS	VARIOUS	11/03/2022	EF230253	441,787.34	441,787.34		
CREDITOR PAYMENTS	VARIOUS	11/03/2022	EF230254	386,173.56	386,173.56		
CREDITOR PAYMENTS	VARIOUS	11/03/2022	EF230255-EF230274	172,176.55	172,176.55		
CREDITOR PAYMENTS	PETTYCSH	11/03/2022	EF230275	321.95	321.95		
CREDITOR PAYMENTS	CANCEL	14/03/2022	518435	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	14/03/2022	EF230116	-587.5	-587.5		
CREDITOR PAYMENTS	EFT	14/03/2022	EF230276-EF230278	2,721.24	2,721.24		
CREDITOR PAYMENTS	INSTANT	14/03/2022	EF230279-EF230288	113,736.01	113,736.01		
CREDITOR PAYMENTS	VOLUNTEER	14/03/2022	EF230289-EF230302	1,126.76	1,126.76		
CREDITOR PAYMENTS	VARIOUS	14/03/2022	EF230303-EF230330	72,259.63	72,259.63		
CREDITOR PAYMENTS	VARIOUS	14/03/2022	EF230331-EF230357	204,052.56	204,052.56		
CREDITOR PAYMENTS	VARIOUS	14/03/2022	EF230358-EF230384	276,419.74	276,419.74		
CREDITOR PAYMENTS	PETTYCSH	14/03/2022	EF230385	23,260.00	23,260.00		
CREDITOR PAYMENTS	CHQ	15/03/2022	518552	525.19	525.19		
CREDITOR PAYMENTS	INSTANT	15/03/2022	518553-518556	17,147.30	17,147.30		
CREDITOR PAYMENTS	SUNDRY	15/03/2022	518557-518560	4,567.45	4,567.45		
CREDITOR PAYMENTS	CANCEL	15/03/2022	EF230276	-500.00	-500.00		
CREDITOR PAYMENTS	CANCEL	15/03/2022	EF237277	-1,500.00	-1,500.00		
CREDITOR PAYMENTS	INVESTMENT	15/03/2022	EF230386	1,000,000.00	1,000,000.00		
CREDITOR PAYMENTS	EFT	15/03/2022	EF230387-EF230392	2,566.51	2,566.51		
CREDITOR PAYMENTS	INSTANT	15/03/2022	EF230393-EF230400	77,226.43	77,226.43		
CREDITOR PAYMENTS	VARIOUS	15/03/2022	EF230401-EF230428	386,108.49	386,108.49		
CREDITOR PAYMENTS	VARIOUS	15/03/2022	EF230429-EF230454	171,178.24	171,178.24		
CREDITOR PAYMENTS	VARIOUS	15/03/2022	EF230455-EF230481	117,686.49	117,686.49		
CREDITOR PAYMENTS	PETTYCSH	15/03/2022	EF230482	312.40	312.40		
CREDITOR PAYMENTS	CHQ	16/03/2022	518561-518562	323.76	323.76		
CREDITOR PAYMENTS	EFT	16/03/2022	EF230483-EF230490	7,341.23	7,341.23		
CREDITOR PAYMENTS	INSTANT	16/03/2022	EF230491-EF230493	8,972.63	8,972.63		
CREDITOR PAYMENTS	VARIOUS	16/03/2022	EF230494	732,130.65	732,130.65		
CREDITOR PAYMENTS	VARIOUS	16/03/2022	EF230495	158,663.30	158,663.30		
CREDITOR PAYMENTS	PAYROLL	16/03/2022	EF230496-EF230502	263,713.72	263,713.72		
CREDITOR PAYMENTS	VARIOUS	16/03/2022	EF230503-EF230525	55,382.44	55,382.44		
CREDITOR PAYMENTS	EFT	17/03/2022	EF230526-EF230537	16,562.71	16,562.71		
CREDITOR PAYMENTS	INSTANT	17/03/2022	EF230538-EF230547	38,399.74	38,399.74		
CREDITOR PAYMENTS	VARIOUS	17/03/2022	EF230548	11,110,753.20	11,110,753.20		
CREDITOR PAYMENTS	VARIOUS	17/03/2022	EF230549-EF230577	134,642.46	134,642.46		
CREDITOR PAYMENTS	VARIOUS	17/03/2022	EF230578-EF230606	96,504.02	96,504.02		
CREDITOR PAYMENTS	VARIOUS	17/03/2022	EF230607-EF230635	150,259.27	150,259.27		
			Sub Totals	**24,406,842.68**	**24,406,842.68**	**0.00**	**0.00**

SCHEDULE FOR PERIOD 9 - 01/03/2022 - 31/03/2022							
PAYMENT	**TRANSACTION**	**DATE**	**A/C VOUCHER NUMBERS**	**AMOUNT**	**MUNICIPAL**	**TRUST**	**RESERVE**
CREDITOR PAYMENTS	PETTYCSH	17/03/2022	EF230636	18,608.00	18,608.00		
CREDITOR PAYMENTS	SUPER	17/03/2022	EF230637	177,298.58	177,298.58		
CREDITOR PAYMENTS	INVESTMENT	17/03/2022	EF230638	1,450,000.00	1,450,000.00		
CREDITOR PAYMENTS	JOURNAL	17/03/2022	GJ708144	-127.44	-127.44		
CREDITOR PAYMENTS	CHQ	18/03/2022	518563	1,402.43	1,402.43		
CREDITOR PAYMENTS	SUNDRY	18/03/2022	518564-518565	883.15	883.15		
CREDITOR PAYMENTS	INSTANT	18/03/2022	EF230639-EF230639	39,378.30	39,378.30		
CREDITOR PAYMENTS	EFT	18/03/2022	EF230643-EF230650	11,890.49	11,890.49		
CREDITOR PAYMENTS	VOLUNTEER	18/03/2022	EF230651-EF230656	333.58	333.58		
CREDITOR PAYMENTS	VARIOUS	18/03/2022	EF230657-EF230682	49,957.87	49,957.87		
CREDITOR PAYMENTS	CANCEL	21/03/2022	518386	0.00	0.00		
CREDITOR PAYMENTS	SUNDRY	21/03/2022	518566-518568	12,324.34	12,324.34		
CREDITOR PAYMENTS	INVESTMENT	21/03/2022	EF230683	2,600,000.00	2,600,000.00		
CREDITOR PAYMENTS	EFT	21/03/2022	EF230684-EF230690	6,386.13	6,386.13		
CREDITOR PAYMENTS	INSTANT	21/03/2022	EF230691-EF230702	37,035.34	37,035.34		
CREDITOR PAYMENTS	VARIOUS	21/03/2022	EF230703	390,962.74	390,962.74		
CREDITOR PAYMENTS	VARIOUS	21/03/2022	EF230704-EF230713	139,699.79	139,699.79		
CREDITOR PAYMENTS	VARIOUS	21/03/2022	EF230714	169,127.75	169,127.75		
CREDITOR PAYMENTS	VARIOUS	21/03/2022	EF230715	119,394.23	119,394.23		
CREDITOR PAYMENTS	PETTYCSH	21/03/2022	EF230716	20,934.00	20,934.00		
CREDITOR PAYMENTS	CANCEL	22/03/2022	517325	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	21/03/2022	517579	0.00	0.00		
CREDITOR PAYMENTS	CHQ	22/03/2022	518569-518571	2,208.54	2,208.54		
CREDITOR PAYMENTS	INVESTMENT	22/03/2022	EF230717	800,000.00	800,000.00		
CREDITOR PAYMENTS	EFT	22/03/2022	EF230718-EF230723	5,459.23	5,459.23		
CREDITOR PAYMENTS	INSTANT	22/03/2022	EF230724-EF230729	42,067.50	42,067.50		
CREDITOR PAYMENTS	VARIOUS	22/03/2022	EF230730	117,758.03	117,758.03		
CREDITOR PAYMENTS	VARIOUS	22/03/2022	EF230731-EF230748	34,938.63	34,938.63		
CREDITOR PAYMENTS	VARIOUS	22/03/2022	EF230749-EF230776	119,715.61	119,715.61		
CREDITOR PAYMENTS	VARIOUS	22/03/2022	EF230777-EF230805	126,697.68	126,697.68		
CREDITOR PAYMENTS	VARIOUS	22/03/2022	EF230806-EF230833	145,767.43	145,767.43		
CREDITOR PAYMENTS	PETTYCSH	22/03/2022	EF230834	205.00	205.00		
CREDITOR PAYMENTS	CHEQUE	23/03/2022	518572-518573	2,600.00	2,600.00		
CREDITOR PAYMENTS	INSTANT	23/03/2022	518574-518578	27,811.52	27,811.52		
CREDITOR PAYMENTS	PAYROLL	23/03/2022	518579	500.00	500.00		
CREDITOR PAYMENTS	SUNDRY	23/03/2022	518580	85.00	85.00		
CREDITOR PAYMENTS	VARIOUS	23/03/2022	518581	186.95	186.95		
CREDITOR PAYMENTS	EFT	23/03/2022	EF230835-EF230844	9,557.30	9,557.30		
CREDITOR PAYMENTS	INSTANT	23/03/2022	EF230845-EF230850	71,392.80	71,392.80		
CREDITOR PAYMENTS	VARIOUS	23/03/2022	EF230851-EF230867	30,869.25	30,869.25		
CREDITOR PAYMENTS	VARIOUS	23/03/2022	EF230868-EF230896	104,274.42	104,274.42		
			Sub Totals	**31,294,426.85**	**31,294,426.85**	**0.00**	**0.00**

SCHEDULE FOR PERIOD 9 - 01/03/2022 - 31/03/2022							
PAYMENT	TRANSACTION	DATE	A/C VOUCHER NUMBERS	AMOUNT $	MUNICIPAL $	TRUST $	RESERVE $
CREDITOR PAYMENTS	VARIOUS	23/03/2022	EF230897-EF230924	145,576.36	145,576.36		
CREDITOR PAYMENTS	PAYROLL	23/03/2022	EF230925-EF230929	562,366.24	562,366.24		
CREDITOR PAYMENTS	PETTYCSH	23/03/2022	EF230930	321.20	321.20		
CREDITOR PAYMENTS	VARIOUS	23/03/2022	EF230931-EF230957	75,011.87	75,011.87		
CREDITOR PAYMENTS	VARIOUS	23/03/2022	EF230958	127,732.00	127,732.00		
CREDITOR PAYMENTS	INVESTMENT	23/03/2022	EF230959	1,000,000.00	1,000,000.00		
CREDITOR PAYMENTS	INSTANT	24/03/2022	518582	115.56	115.56		
CREDITOR PAYMENTS	SUNDRY	24/03/2022	518583-518588	2,918.98	2,918.98		
CREDITOR PAYMENTS	CANCEL	24/03/2022	EF230718	-130.73	-130.73		
CREDITOR PAYMENTS	CANCEL	24/03/2022	230836	-6,600.00	-6,600.00		
CREDITOR PAYMENTS	EFT	24/03/2022	EF230960-EF230980	34,373.38	34,373.38		
CREDITOR PAYMENTS	INSTANT	24/03/2022	EF230981-EF230985	25,252.75	25,252.75		
CREDITOR PAYMENTS	VARIOUS	24/03/2022	EF230986-EF230998	79,670.65	79,670.65		
CREDITOR PAYMENTS	VARIOUS	24/03/2022	EF230999	190,595.13	190,595.13		
CREDITOR PAYMENTS	VARIOUS	24/03/2022	EF231000-EF231026	49,869.24	49,869.24		
CREDITOR PAYMENTS	VARIOUS	24/03/2022	EF231027-EF231054	102,107.12	102,107.12		
CREDITOR PAYMENTS	VARIOUS	24/03/2022	EF231055-EF231069	43,050.08	43,050.08		
CREDITOR PAYMENTS	PETTYCSH	24/03/2022	EF231070	16,282.00	16,282.00		
CREDITOR PAYMENTS	SUNDRY	25/03/2022	518589-518590	1,354.70	1,354.70		
CREDITOR PAYMENTS	EFT	25/03/2022	EF231071-EF231091	26,688.95	26,688.95		
CREDITOR PAYMENTS	INSTANT	25/03/2022	EF231092-EF231098	32,353.27	32,353.27		
CREDITOR PAYMENTS	VARIOUS	25/03/2022	EF231099	121,399.50	121,399.50		
CREDITOR PAYMENTS	VARIOUS	25/03/2022	EF231100-EF231121	66,514.90	66,514.90		
CREDITOR PAYMENTS	VOLUNTEER	25/03/2022	EF231122-EF231142	4,750.04	4,750.04		
CREDITOR PAYMENTS	VARIOUS	25/03/2022	EF231143-EF231162	161,985.95	161,985.95		
CREDITOR PAYMENTS	VARIOUS	25/03/2022	EF231163-EF231182	180,050.86	180,050.86		
CREDITOR PAYMENTS	CANCEL	28/03/2022	518043	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	28/03/2022	518065	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	28/03/2022	518172	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	28/03/2022	518422	0.00	0.00		
CREDITOR PAYMENTS	INSTANT	28/03/2022	518591	100.00	100.00		
CREDITOR PAYMENTS	EFT	28/03/2022	EF231183-EF231188	5,865.00	5,865.00		
CREDITOR PAYMENTS	INSTANT	28/03/2022	EF231189-EF231196	91,921.83	91,921.83		
CREDITOR PAYMENTS	VARIOUS	28/03/2022	EF231197	415,828.50	415,828.50		
CREDITOR PAYMENTS	VARIOUS	28/03/2022	EF231198	197,207.83	197,207.83		
CREDITOR PAYMENTS	PETTYCSH	28/03/2022	EF231199	23,260.00	23,260.00		
CREDITOR PAYMENTS	INSTANT	29/03/2022	518592	114.65	114.65		
CREDITOR PAYMENTS	INVESTMENT	29/03/2022	EF231200	600,000.00	600,000.00		
			TOTALS	**35,672,334.66**	**35,672,334.66**	**0.00**	**0.00**

SCHEDULE FOR PERIOD 9 - 01/03/2022 - 31/03/2022							
PAYMENT	TRANSACTION	DATE	A/C VOUCHER NUMBERS	AMOUNT $	MUNICIPAL $	TRUST $	RESERVE $
CREDITOR PAYMENTS	EFT	29/03/2022	EF231201-EF231210	10,306.77	10,306.77		
CREDITOR PAYMENTS	INSTANT	29/03/2022	EF231211-EF231216	256,172.88	256,172.88		
CREDITOR PAYMENTS	VARIOUS	29/03/2022	EF231217	402,468.52	402,468.52		
CREDITOR PAYMENTS	VARIOUS	29/03/2022	EF231218-EF231235	156,940.21	156,940.21		
CREDITOR PAYMENTS	VARIOUS	29/03/2022	EF231236-EF231254	144,136.75	144,136.75		
CREDITOR PAYMENTS	PETTYCSH	29/03/2022	EF231255	812.30	812.30		
CREDITOR PAYMENTS	CANCEL	29/03/2022	518080	0.00	0.00		
CREDITOR PAYMENTS	CANCEL	29/03/2022	518538	-541.31	-541.31		
CREDITOR PAYMENTS	CHEQUE	30/03/2022	518593	800.00	800.00		
CREDITOR PAYMENTS	CHQ	30/03/2022	518594-518595	853.85	853.85		
CREDITOR PAYMENTS	SUNDRY	30/03/2022	518596-518602	2,697.47	2,697.47		
CREDITOR PAYMENTS	INSTANT	30/03/2022	518603-518604	932.54	932.54		
CREDITOR PAYMENTS	VARIOUS	30/03/2022	518605-518606	4,514.00	4,514.00		
CREDITOR PAYMENTS	VARIOUS	30/03/2022	EF231256	228,851.37	228,851.37		
CREDITOR PAYMENTS	SUPER	30/03/2022	EF231257	370,195.80	370,195.80		
CREDITOR PAYMENTS	EFT	30/03/2022	EF231258-EF231271	11,372.99	11,372.99		
CREDITOR PAYMENTS	INSTANT	30/03/2022	EF231272-EF231282	51,485.31	51,485.31		
CREDITOR PAYMENTS	VARIOUS	30/03/2022	EF231283-EF231294	143,009.61	143,009.61		
CREDITOR PAYMENTS	VARIOUS	30/03/2022	EF231295-EF231323	177,088.19	177,088.19		
CREDITOR PAYMENTS	VOLUNTEER	30/03/2022	EF231324-EF231353	5,806.29	5,806.29		
CREDITOR PAYMENTS	JOURNAL	30/03/2022	GJ708991	-93.27	-93.27		
CREDITOR PAYMENTS	JOURNAL	30/03/2022	GJ708992	373.06	373.06		
CREDITOR PAYMENTS	JOURNAL	30/03/2022	GJ708993	302.98	302.98		
CREDITOR PAYMENTS	CANCEL	30/03/2022	518573	-800.00	-800.00		
CREDITOR PAYMENTS	CHEQUE	31/03/2022	518607-508608	1,500.00	1,500.00		
CREDITOR PAYMENTS	INSTANT	31/03/2022	518609	1,989.75	1,989.75		
CREDITOR PAYMENTS	SUNDRY	31/03/2022	518610	768.00	768.00		
CREDITOR PAYMENTS	CANCEL	31/03/2022	EF231208	-500.00	-500.00		
CREDITOR PAYMENTS	INVESTMENT	31/03/2022	EF231354	400,000.00	400,000.00		
CREDITOR PAYMENTS	EFT	31/03/2022	EF231355-EF231361	9,659.89	9,659.89		
CREDITOR PAYMENTS	INSTANT	31/03/2022	EF231362-EF231365	22,817.91	22,817.91		
CREDITOR PAYMENTS	VARIOUS	31/03/2022	EF231366-EF231378	70,967.55	70,967.55		
CREDITOR PAYMENTS	PAYROLL	31/03/2022	EF231379-EF231385	251,586.72	251,586.72		
CREDITOR PAYMENTS	SUPER	31/03/2022	EF231386	179,292.92	179,292.92		
CREDITOR PAYMENTS	VARIOUS	31/03/2022	EF231387-EF231414	179,587.92	179,587.92		
CREDITOR PAYMENTS	VARIOUS	31/03/2022	EF231415-EF231442	161,735.42	161,735.42		
CREDITOR PAYMENTS	PETTYCSH	31/03/2022	EF231443	16,282.00	16,282.00		
CREDITOR PAYMENTS	CHQ	1/04/2022	518611	535.26	535.26		
			Sub Totals	**38,936,244.31**	**38,936,244.31**	**0.00**	**0.00**

SCHEDULE FOR PERIOD 9 - 01/03/2022 - 31/03/2022							
PAYMENT	TRANSACTION	DATE	A/C VOUCHER NUMBERS	AMOUNT $	MUNICIPAL $	TRUST $	RESERVE $
CREDITOR PAYMENTS	SUNDRY	1-Apr	518612	13,525.00	13,525.00		
CREDITOR PAYMENTS	SUPER	1-Apr	EF231444	214.51	214.51		
CREDITOR PAYMENTS	SUPER	1-Apr	EF231445	620.10	620.10		
CREDITOR PAYMENTS	EFT	1-Apr	EF231446-EF231457	10,208.83	10,208.83		
CREDITOR PAYMENTS	INSTANT	1-Apr	EF231458-EF231460	36,836.55	36,836.55		
CREDITOR PAYMENTS	VARIOUS	1-Apr	EF231461	203,883.02	203,883.02		
CREDITOR PAYMENTS	VARIOUS	1-Apr	EF231462	153,399.74	153,399.74		
CREDITOR PAYMENTS	VARIOUS	1-Apr	EF231463-EF231487	149,573.97	149,573.97		
CREDITOR PAYMENTS	SUPER	1-Apr	EF231488	752.25	752.25		
CREDITOR PAYMENTS	AR JOURNAL	1-Apr	AR056498	-214.51	-214.51		
CREDITOR PAYMENTS	AR JOURNAL	1-Apr	AR056913	-341.98	-341.98		
CREDITOR PAYMENTS	JOURNAL	1-Apr	GJ709199	-278.12	-278.12		
CREDITOR PAYMENTS	AR JOURNAL	1-Apr	AR057438	-752.25	-752.25		
CREDITOR PAYMENTS	CHQ	4-Apr	518613	1,775.29	1,775.29		
CREDITOR PAYMENTS	SUNDRY	4-Apr	518614-518616	10,747.20	10,747.20		
CREDITOR PAYMENTS	EFT	4-Apr	EF231489-EF231498	12,476.08	12,476.08		
CREDITOR PAYMENTS	INSTANT	4-Apr	EF231499-EF231503	28,960.21	28,960.21		
CREDITOR PAYMENTS	VARIOUS	4-Apr	EF231504-EF231532	100,873.35	100,873.35		
CREDITOR PAYMENTS	PETTYCSH	4-Apr	EF231533	20,934.00	20,934.00		
CREDITOR PAYMENTS	VARIOUS	4-Apr	EF231534-EF231562	58,220.05	58,220.05		
CREDITOR PAYMENTS	VARIOUS	4-Apr	EF231563-EF231591	172,904.90	172,904.90		
CREDITOR PAYMENTS	CANCEL	4-Apr	EF231355	-297.00	-297.00		
CREDITOR PAYMENTS	CANCEL	4-Apr	EF231455	-607.37	-607.37		
			TOTALS	39,909,658.13	39,909,658.13	0.00	0.00

12.1/F2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH ENDING 31 MARCH 2022

Report Information

Location:	Not Applicable
Applicant:	Not Applicable
Reporting Officer:	Manager Finance
Business Unit:	Finance Services
Ward:	Not Applicable
Suburb:	Not Applicable

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/008

Moved Councillor Hatton, seconded Councillor Sargent

That the monthly Statement of Financial Activity and other relevant Financial Reports for the month ending 31 March 2022 be RECEIVED.

The motion was put and declared CARRIED (15/0) by exception resolution.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

That the monthly Statement of Financial Activity and other relevant Financial Reports for the month ending 31 March 2022 be RECEIVED.

Officer's Recommendation

That the monthly Statement of Financial Activity and other relevant Financial Reports for the month ending 31 March 2022 be RECEIVED.

Report Purpose

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

Relevant Documents

Attachments

Attachment 1 - A Statement of Financial Activity in the form of a Rate Setting Statement - March 2022 ⇩

Attachment 2 - Net Current Asset Position Statement ⇩

Attachment 3 - An Investment Report - March 2022 ⇩

Available for viewing at meeting

Nil

Background

The City's Financial Reports are produced in accordance with the *Local Government Act 1995* and Local Government (Financial Management) Regulations 1996 as amended.

Regulation 34 of the Local Government (Financial Management) Regulations 1996 requires that local governments produce a monthly statement of financial activity and such other supporting information as is considered relevant by the local government.

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

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

Comment

Monthly Statement of Financial Activity for period ending 31 March 2022

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

An explanation of major variances between YTD Actual and YTD Budget for the period ending 31 March 2022 is as follows:

Operating Revenue

1. Grants & Subsidies

This revenue item has a positive variance of 10% of YTD Budget. This is due to grant revenue for the Domestic Violence Hub being received in the prior year and carried forward to 2021/2022 as unspent. The balance of the grant will be expended by 30 June 2022.

Non - Operating Activity

2. Profit or Loss on Disposal of Assets and Proceeds from Disposal of Assets

This variance is mainly due to the profit from the disposal of land assets located in Newcomen Road, Stirling, Leeds Street, Dianella and Bugatti Way, Balcatta. This will be transferred to the Capital Investment Reserve.

The disposal of fleet vehicles and the strong second-hand vehicle market has also contributed to the positive variance.

Investment Activity

3. Grants & Subsidies

This revenue item has a positive variance of 23% and is mainly due to Local Roads and Community Infrastructure (LRCI) Capital Grant funding received in the prior year and carried forward to 2021/2022 as unspent. The balance of the grant will be expended by 30 June 2022.

4. Capital Expenditure

This variance is mainly due to the timing of expenditure on the roads, drainage and irrigation renewals programs. Progress on these programs will accelerate and the variances are expected to be timing only. It is anticipated that current market conditions will impact in 2022/23.

Supply chain delays impacting the fleet replacement program have also contributed to this adverse variance.

Consultation/Communication Implications

Each month business units are issued detailed management reports for their review and a budget control meeting is held with the Chief Executive Officer, Executive Team and Finance to discuss significant variances and status of capital works programs.

Policy and Legislative Implications

Regulation 34 of the Local Government (Financial Management) Regulations 1996 as amended requires all local governments to prepare each month a Statement of Financial Activity reporting on the revenue and expenditure for the month in question. The Statement of Financial Activity is to be presented at an ordinary meeting of Council within two months after the end of the month to which the statement relates.

Financial Management Regulation 34 also requires this statement to be accompanied by:

a. An explanation of the composition of the net current assets, less committed assets and restricted assets;

b. An explanation of material variances; and

c. Such supporting information that is relevant to the Local Government.

Financial Implications

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

Strategic Implications

Key Result Area: Governance and leadership

Outcome G1: Good governance

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Nil.	

SOCIAL	
Issue	**Comment**
Nil.	

ECONOMIC	
Issue	**Comment**
This report demonstrates the responsible financial management in line with the City's strategic priorities to ensure that the City remains in a solid financial position.	

Conclusion

Local Government (Financial Management) Regulation 34 requires local governments to prepare each month a Statement of Financial Activity, reporting on revenue and expenditure for the month in question.

City of Stirling
Rate Setting Statement
For the Period Ending 31 March 2022

Description	Notes	YTD Actual $'000	YTD Budget $'000	Variance $'000	%	Amended Budget $'000
OPERATING ACTIVITIES						
Net surplus/(deficit) start of financial year		**27,248**	**27,248**			**27,248**
Revenue from operating activity (excluding rates)						
Other Rates Revenue		352	335	17	5	450
Underground Power Rates		5,795	5,779	17	0	5,779
Security Charge		3,066	3,049	17	1	3,060
Grants & Subsidies	(1)	11,675	10,577	1,099	10	12,035
Contributions,Reimbursements & Donations		2,579	2,798	(219)	(8)	3,753
Interest		483	524	(41)	(8)	675
Registration,Licences & Permits		3,237	3,353	(116)	(3)	4,234
Service Charges		38,808	39,044	(236)	(1)	40,169
Fees & Charges		16,133	15,295	838	5	20,241
Other		3,573	3,364	209	6	4,451
Total Operating Revenue		**85,702**	**84,117**	**1,585**	2	**94,847**
Expenditure from operating activities						
Employee Costs		(67,626)	(69,330)	1,704	2	(93,070)
Materials & Contracts Direct MTC of NCA		(17,185)	(17,087)	(99)	(1)	(25,012)
Materials & Contracts Other Works		(50,391)	(53,845)	3,455	6	(73,244)
Underground Power Expenditure		(4,503)	(4,731)	228	5	(6,009)
Utilities		(5,794)	(5,782)	(12)	(0)	(7,695)
Depreciation		(38,666)	(38,766)	100	0	(51,507)
Insurance		(1,893)	(1,872)	(21)	(1)	(1,872)
Other		(2,622)	(2,753)	131	5	(3,858)
Total Operating Expenditure		**(188,680)**	**(194,166)**	5,486	3	**(262,269)**
Sub Total Operating Result		**(102,978)**	**(110,049)**	**7,071**	6	**(167,422)**
Operating activities excluded						
Profit on disposal of assets	(2)	2,232	126	2,107	1,677	318
(Loss) on disposal of assets	(2)	678	(908)	1,586	175	(1,104)
Movement Leave Provisions & Commited Grants		7,024	0	7,024	100	0
Depreciation on Assets		(38,666)	(38,766)	100	0	(51,507)
Total Excluded from Operating Result		42,780	39,549	3,231	8	52,293
Amount attributed to operating activities		**(60,199)**	**(70,500)**	10,301	15	**(115,129)**
INVESTMENT ACTIVITIES						
Grants & Subsidies	(3)	21,051	17,227	3,824	22	**28,707**
Equity Share of Investment		2,364	1,667	697	42	3,300
Proceeds from Disposal of Assets	(2)	4,077	1,636	2,440	149	2,891
Profit / (Loss) on Disposals	(2)	2,910	(783)	3,693	472	(786)
Contribution to associated entity	(4)	(28,333)	(28,333)	0	0	(28,333)
Total Capital Expenditure	(5)	(37,705)	(51,745)	14,040	27	(94,523)
Amount attributed to investment activities		**(35,637)**	**(60,331)**	24,694	41	**(88,744)**
FINANCIAL ACTIVITIES						
Proceeds from Disposal of Assets						
Transfer to/from trust						913
Transfers to Reserves		(77)		(77)	(100)	(12,605)
Transfers to Accum Funds		29,155		29,155	100	43,719
Amount attribute to financial activities		**29,078**		**29,078**	**100**	**32,028**
Surplus/(deficient) before general rates		**(144,409)**	**(144,514)**			**(144,597)**
Total amount raised from general rates		144,409	144,514			144,597
Net current assets at end of period - suplus/(deficit)		**104,900**	**40,931**			**0**

City of Stirling

Net Current Asset Position Statement
As At 31 March 2022

	$'000
CURRENT ASSETS	
Cash and cash equivalents	165,461
Trade receivables	27,662
Other financial assets at amortised cost	198
Inventories	396
Contract assets	725
Right of use assets	120
Total Current Assets	194,561
CURRENT LIABILITIES	
Trade and other payables	22,545
Contract liabilities	792
Lease liabilities	51
Employee related provisions	18,536
Other provisions	14,445
Total Current Liabilities	56,368
Closing Funds	138,193
Restricted Assets	
Lease Liabilities	51
Restricted Investments	55,820
Total Restricted Assets	55,871
NET CURRENT ASSETS LESS RESTRICTED ASSETS	**82,322**
Add Cash Backed Leave	18,536
CLOSING FUNDS	**100,857**

CITY OF STIRLING
CASH & INVESTMENT REPORT AS AT 31 MARCH 2022

	Short term Rating	Long-term Rating	Allocation %	AV RATE %	TOTAL FUNDS $	MUNI FUNDS $	REST FUNDS $	TRUST FUNDS $	RESERVE FUNDS $
IN HOUSE INVESTMENTS									
Banks									
Bank of Queensland	A2	A-	15	0.50%	25,995,053	800,000		-	25,195,053
Bankwest	A-1+	AA-	0	0.42%	-	-		-	-
Bendigo / Adelaide Bank	A2	A-	29	0.51%	53,823,042	30,425,000	5,983,023	17,415,019	
Commonwealth Bank	A-1+	AA-	0	0.42%	-	-		-	-
ME Bank	A2	BBB+	22	0.45%	40,800,455	16,720,000	837,160	-	23,243,296
NAB	A1+	AA-	28	0.59%	50,619,917	36,594,000	6,643,818	-	7,382,099
Rural Bank	A2	A-	0	0.42%	-			-	-
Sun Corp Metway	A-1	A+	5	0.53%	9,000,000	9,000,000		-	
Westpac	A1+	AA-	2	0.48%	3,250,000	3,250,000			-
TOTAL INVESTMENTS			**100**	**0.42%**	**$ 183,488,467**	**$ 96,789,000**	**$ 13,464,001**	**$ 17,415,019**	**$ 55,820,447**

	INTEREST RECEIVED TO DATE	%	FULL YEAR AMENDED BUDGET
INTEREST EARNED			
Municipal Fund	423,842	40.35%	1,050,395
TOTAL	**423,842**	**40.35%**	**1,050,395**

INTEREST RATES

	JUL	AUG	SEP	OCT	NOV	DEC
AVGE EARNED RATE (ALL INVESTMENTS)	0.24	0.23	0.23	0.27	0.30	0.33
BENCHMARK RATE	0.25	0.25	0.25	0.25	0.25	0.25
30 DAY MARKET RATE	-	-	-	-	-	-

	JAN	FEB	MAR	APR	MAY	JUN
AVGE EARNED RATE	0.36	0.37	0.42			
BENCHMARK RATE	0.25	0.25	0.31			
30 DAY MARKET RATE	-	-	-			

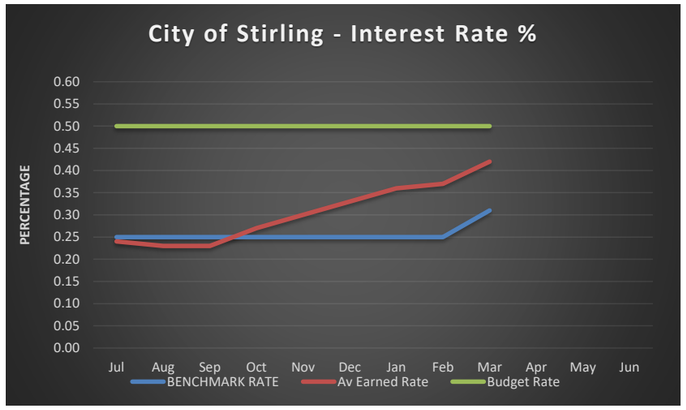
MARKET AVERAGE INTEREST RATES	At Call	30 Day	90 Day	180 Days	5 Yr Bond	YTD Av
FOR 2021-22 YEAR ONLY	0.12	-	0.02	0.13	0.36	0.42

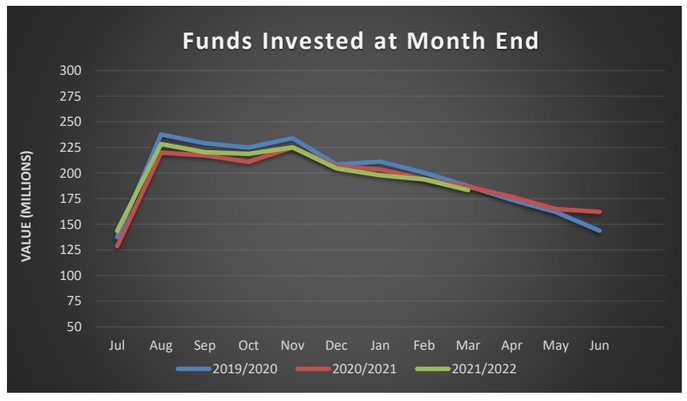
COMMENTARY

1 **The City of Stirling continues its cautious approach in managing and investing its funds and only invests funds as per the City's investment policy. To date the City only invests in approved and authorised institutions in line with the WA *Local Government Act 1995* and its Amendments 2012.**

2 **For this financial year 2021/22, the City continued its cash investments strategy with local banking institutions administrated in house. The City may also consider recommendations from approved advisors should the need arise.**

3 **This report is supported by detailed statements of borrowers of the City's funds with details thereto.**





TRUST FUND DETAILS	BALANCE $
Other Bonds	510,975
Right of Way Bonds	670,815
Payment in Lieu of Public Open Space	13,213,011
Town Planning Schemes	6,093,790
Other Trusts	- 3,073,571
FINANCE ONE	17,415,019
INVESTMENT REGISTER	17,415,019
Funds to be Transferred	**(0)**

RESERVE FUND DETAILS	BALANCE $
Asset Acquisition Reserve	2,369,971
Cash Lieu Open Space	195,689
Churchlands Lighting Reserve	40,540
Corporate Project Fund	2,314,835
Capital Investment Reserve	4,860,520
Investment Income Reserve	2,529,159
Leave Liability Reserve	13,326,337
Long Service Leave Reserve	775,168
Payment in Lieu of Parking Reserve	6,699,642
Plant Replacement Reserve	3,774,650
Public Parking Strategy Reserve	2,901,680
Road Widening Compensation Reserve	139,168
Security Service Reserve	0
Strategic Waste Development Reserve	5,928,025
Tamala Park Reserve	6,495,076
Tree Fund Reserve	1,018,156
Workers Compensation Reserve	2,508,583
FINANCE ONE	55,877,200
INVESTMENT REGISTER	55,820,447
Funds to be Transferred	**-56,753**

RESTRICTED FUND DETAILS	BALANCE $
Book Bond	315
Builders Registration Board Levy	68,020
BCITF Levy	32,349
Client Bonds	400
Development Trust	16,371
Hall Hire Bonds	2,400
Home Care Monies	824,165
Key Bonds	100
Other Rest Funds	440,942
Pay in Lieu POS	4,042,695
Payment in Adv	2,000
Performance Bonds	3,944,052
Section 152 Land	1,722,744
Street Trees Bonds	1,335,551
Unclaimed Monies	191,583
Verge Bonds	1,821,452
FINANCE ONE	14,445,141
INVESTMENT REGISTER	13,464,001
Funds to be Transferred	**981,140**

12.1/TE1 IFT45621 PLANT AND EQUIPMENT HIRE

Report Information

Location:	City of Stirling
Applicant:	Not Applicable
Reporting Officer:	Manager Engineering Services
Business Unit:	Engineering Services
Ward:	Not Applicable
Suburb:	Not Applicable

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/009

Moved Councillor Hatton, seconded Councillor Sargent

That the Tender Plant and Equipment Hire be ACCEPTED as detailed in confidential Attachment 1.

The motion was put and declared CARRIED (15/0) by exception resolution.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

That the Tender Plant and Equipment Hire be ACCEPTED as detailed in confidential Attachment 1.

Officer's Recommendation

That the Tender Plant and Equipment Hire be ACCEPTED as detailed in confidential Attachment 1.

Report Purpose

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

Relevant Documents

Attachments

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

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

Available for viewing at meeting

Nil

Background

Tender Details

IFT Number	45621
IFT Title	Plant and Equipment Hire
Recommended Tenderer(s)	As per Attachment 1

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

Contract Term	Initial:	One year
	Extension Options:	Four options to extend for one year
	Defects Liability Period:	Not Applicable
Tendered Rates/Cost	Provided in Attachment 1 to this report (confidential)	
Advertising:	Saturday 29 January 2022	The West Australian
Tender Deadline:	Wednesday 23 February 2022	1.00pm
Tender Opening:	Wednesday 23 February 2022	3.00pm

Tender Submissions

Nine tenders were received, including Alternative and non-conforming Tenders:

Tenderer	Trading Name	Stirling or Local Business?
Coates Hire Operations Pty Limited	Coates	NO
Conplant Pty Ltd		YES
Egan Civil Pty Ltd	Castle Civil	NO
Forrest Civil Pty Ltd	Hawthorn Civil and Mining Services	YES
Kee Hire Pty Ltd		NO
The Trustee for Green Hire Perth Trust	Little Diggers Rockingham	YES
Stabilco Pty Ltd		YES
The Trustee for The Dzodzos Family Trust	United Lawns and Landscaping	YES
The Trustee for The Mammo Trust	Tonca Earthmoving	YES

Contract

Commencement Date of New Contract:	30 May 2022
Reason for gap between Contracts:	Procurement process and availability of CRC meeting
Completion Date of New Contract:	29 May 2023
Price Basis of New Contract:	Schedule of Rates

Tender Evaluation Panel

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

Evaluation of Tenders

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

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

Evaluation Justification

Provided in Attachment 1 to this report.

Comment

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

It is confirmed that the following checks have been undertaken:

Has the recommended Tenderer(s) undergone Reference Checks successfully?	YES
Has the recommended Tenderer(s) undergone Probity assessment and been deemed compliant?	YES
Has the recommended Tenderer(s) undergone Financial Viability assessment and been deemed acceptable?	YES
Was a Conflict of Interest declared? If yes, please specify how it was managed	NO
Has the recommended Tenderer(s) undergone Occupational Safety and Health assessment and been deemed acceptable?	YES

Consultation/Communication Implications

The Tender was advertised in accordance with Section 1.8 of the *Local Government Act 1995* and Regulation 14(1) of the Local Government (Functions and General) Regulations 1996.

Policy and Legislative Implications

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

Financial Implications

Provided in Attachment 1 to this report

Strategic Implications

Key Result Area: Liveable neighbourhoods

Outcome B3: Built infrastructure that meets community needs

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Nil.	

SOCIAL	
Issue	**Comment**
Transport and access	The plant utilised as part of this contract assists in the City's Engineering Construction and Maintenance programs, which provides for safe and efficient roads, footpaths and drainage networks.

ECONOMIC	
Issue	**Comment**
Job creation	The plant utilised in this contract also includes the possibility of wet hire, which includes an operator being provided by the contractor.

Conclusion

The Evaluation Panel recommends that the contract for the Plant and Equipment Hire for the City of Stirling be awarded be awarded as detailed in confidential Attachment 1.

12.1/GOV1 ELECTED MEMBER AND CHIEF EXECUTIVE OFFICER ATTENDANCE AT EVENTS POLICY

Report Information

Location:	Not Applicable
Applicant:	Not Applicable
Reporting Officer:	Manager Governance
Business Unit:	Governance
Ward:	Not Applicable
Suburb:	Not Applicable

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☐	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
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☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/010

Moved Councillor Hatton, seconded Councillor Sargent

That Item GOV1 – Elected Member and Chief Executive Officer Attendance at Events Policy be REFERRED to the Council meeting to be held 24 May 2022 to allow further consideration by Elected Members.

The motion was put and declared CARRIED (15/0) by exception resolution.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

That Item GOV1 – Elected Member and Chief Executive Officer Attendance at Events Policy be REFERRED to the Council meeting to be held 24 May 2022 to allow further consideration by Elected Members.

Officer's Recommendation

That Council ADOPTS the amended 'Elected Members and Chief Executive Officer Attendance at Events' Policy as shown in Attachment 2.

Report Purpose

To respond to two Notices of Motion and requests relating to the scheduling and management of civic events held by the City.

Relevant Documents

Attachments

Attachment 1 - Recognition Events - Management Practice ⇩

Attachment 2 - Elected Member and Chief Executive Officer Attendance at Events Policy - Track Changes ⇩

Available for viewing at meeting

Nil

Background

On 29 June 2021, Councillor Elizabeth Re submitted a Notice of Motion regarding invitations to parliamentarians to City events. At its meeting held 3 November 2021, Council considered a report responding to the Notice of Motion, and resolved (Council Resolution Number 0821/017) as follows:

> *"1. That a policy be compiled and PRESENTED to the Community and Resources meeting to be held 24 August 2021 with regard to invitations to parliamentarians whose electorates are within the City of Stirling local government municipality.*
>
> *2. That the Policy INCLUDES items such as:-*
>
> *a. All parliamentarians whose electorates are within the City of Stirling municipality are to be invited to all major events such as citizenship;*
> *b. Limited of maximum of three parliamentarians per political party per event;*
> *c. If the parliamentarians cannot attend then the invitation is not transferable to staff or family or friends; and*
> *d. The definition of parliamentarian is of those persons who are elected to WA State or Federal Government in Australia."*

On 30 August 2021, an Elected Member workshop was held by the Mayor. The outcome of that workshop was that the City would make changes to its Elected Members and Chief Executive Officer Attendance at Events Policy relating to invitations and to the conduct of Community Engagement Events when the policy was next presented for review.

At its meeting held 16 November 2021, Council resolved (Council Resolution Number 1121/023) to adopt a Notice of Motion proposed by Councillor Suzanne Migdale:

1. *"That Councillors are provided with a policy on notification and attendance of Councillors at significant events, awards nights, infrastructure projects initiation and completion of new builds and refurbishments including openings, and changes in services at the City of Stirling.*

2. *That formal openings including plaques on buildings for new builds and major refurbishments be re-instated in all instances effective immediately."'*

Comment

Officers have considered the various issues raised by Elected Members relating to the Elected Members and Chief Executive Officer Attendance at Events Policy as detailed above. Changes have been proposed to several sections.

In response to Councillor Re's adopted Notice of Motion, a new section has been added regarding invitation lists for City events. This includes invitations to dignitaries. This recognises the significant protocols surrounding invitations to Parliamentary and Vice-Regal guests. The City is also bound by funding agreements entered into with State and Federal Governments when they fund projects and programs in the City. The policy changes recognise the intent of Councillor Re's Notice of Motion whilst also recognising the importance of adherence to protocol.

In response to Councillor Migdale's adopted Notice of Motion, a reference has been included to Recognition Events and the importance of ensuring officers comply with requirements. The Chief Executive Officer has also already endorsed the Recognition Events Management Practice which is now already in force. A copy of the Management Practice is attached to this report to demonstrate that the requirements within the Council resolution have been incorporated into 'business as usual' at the City.

A further change to the Policy has been to remove the restrictions on travel relating to COVID-19. A new requirement has been added to Non-Approved Events which states that an event is non-approved if it breaches a state of emergency declaration, a Federal travel advisory or a controlled border.

Consultation/Communication Implications

Mayor Mark Irwin was consulted on the development of both the Policy and the Management Practice; changes suggested by the Mayor were incorporated into the final draft.

Policy and Legislative Implications

Under the *Local Government Act 1995*, the City is required to adopt and regularly review its Elected Members and Chief Executive Officer Attendance at Events Policy.

Financial Implications

The proposed policy changes are likely to increase budgets for facility, service and project launches and other recognition events. These increases will be budgeted for and submitted for approval through the usual budget adoption process.

Strategic Implications

Key Result Area: Governance and leadership

Outcome G1: Good governance

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Nil.	

SOCIAL	
Issue	**Comment**
Community engagement	Providing appropriate recognition for a new project, facility or service is an important means of bringing the community together and recognising the role of the City in the life of the community.

ECONOMIC	
Issue	**Comment**
Nil.	

Conclusion

The Elected Members and Chief Executive Officer Attendance at Events Policy has been reviewed in response to recent resolutions of Council. The proposed changes endeavour to capture the intent of these resolutions in the policy as well as making a minor change to travel protocols surrounding states of emergency.

Recognition Events Management Practice

Responsible Directorate	Office of the Chief Executive Officer
Responsible BusinessUnit/s	Governance
Responsible Officer	Manager Governance
Affected Business Unit/s	All Business Units

Objective

City funds and resources are allocated by Council to deliver services, projects, and programs that the City will undertake. This Management Practice sets out the requirement to host a Recognition Event and, the importance of a consistent approach to Recognition Events.

Scope

This Management Practice applies to all employees.

Management Practice

The City should maximise its opportunities to promote the commencement or completion of services, projects, and programs (SPP) funded or delivered by the City.

A Recognition Event following the commencement or completion of a SPP will provide the opportunity for the City to showcase the work undertaken, and to thank and recognise those organisations, individuals, and Elected Members whose contributions have made a significant impact on the SPP. It also helps ratepayers to see how their rates are contributing to improving amenities within the City.

The responsibility rests with the relevant Director to identify the need for a Recognition Event well in advance.

When is a Recognition Event Required?

The City must host a Recognition Event on the commencement or completion of a SPP (including as required an in accordance with any funding obligations). It is the responsibility of the relevant Director to determine the level of event and when it is held.

The following guidance applies to determining when an event is required:

- Where third party funding has been received
- Where there is significant community impact (benefit) or level of public interest
- Level of financial investment for the project

All Recognition Events require the invitation of the Mayor, Ward Councillors and, for larger SPPs, all Elected Members.

When is a Recognition Event not required?

Generally, business as usual activities would not result in a Recognition Event. Some examples where an event would not be required include minor building refurbishment works, landscape upgrades and improvements to or insignificant new individual infrastructure items. Financial investment should not be the sole determining factor as to whether a Recognition Event should be held.

Where it is proposed to not hold a recognition event, relevant Director approval must be obtained in writing; this may be approval of a single event or standing approval for events.

Types of Recognition Events

The event categorisation guideline is as follows:

Acknowledgement Opportunity

This is the smallest form of recognition. This acknowledgement would involve the preparation of a Media Release and photo opportunity to be organised by Customer and Communications for the Mayor, Ward Councillors and relevant club or community members. It is intended to be small scale and would not involve formal speeches, catering or plaque unveiling.

Small Recognition Event

This type of event would be appropriate where external funding contributed to the project or was a new initiative or community-initiated project. Small Recognition Events are generally for under 20 guests and require a budget of approximately $1,500 for the function. An event of this nature requires at a minimum:

- To be run by the Responsible Business Unit or in collaboration with an external group or organisation.
- All invitations are to be approved by the Office of the Mayor. The Responsible Business Unit is required to notify the Office of the Mayor of the upcoming event so that invitations can be issued.
- Catering up to level 4 as per the Catering Request Form if the event is run internally or an equivalent contribution to an external organisation to cater.
- A photo opportunity, Media Release and social media content for the Mayor and Ward Councillors.
- Note: External promotion (in advance) is not recommended for a small event; it would be invitation-only.

Medium Recognition Event

Medium Recognition Events are generally expecting under 50 guests and require a budget of approximately $5,000 for the function. An event of this nature would be the responsibility of Customer and Communications, and the following minimum requirements:

- To be coordinated by the City's Arts and Events team with support from the relevant Business Unit. The event may be in collaboration with an external group or organisation.
- All invitations are to be approved by the Office of the Mayor. The Responsible Business Unit is required to notify the Office of the Mayor of the upcoming event so that invitations can be issued.
- Catering up to level 6 as per the Catering Request Form if the event is run internally or an equivalent contribution to an external organisation to cater.
- A photo opportunity, Media Release and social media content for the Mayor and Ward Councillors.Media may be invited upon request.
- If the event is open to the public, it should be promoted in advance on City-owned channels, such as the website, Facebook, Instagram, and in e-newsletters such as Stirling Scene.
- Additional paid event advertising on digital and/or printed channels may also be organised as part of the project or event budget.
- Installation of a plaque is also appropriate to acknowledge external funding or naming of a particular landmark or feature

- If the event is to be promoted internally, it should be promoted in the Friday Update, on CoSi or in Team Brief. Please note that Team Brief and Stirling Scene are monthly publications with set timeframes.
- Members of Parliament representing funding bodies may also be required to be invited and an opportunity to speak at the event.

Large Recognition Event

Large Recognition Events are generally expecting over 50 guests including invited VIP guests. A Large Event requires adequate planning time, and a significant budget for the function (budget proportionate to the SPP, scale and scope of the event). A recognition of this nature requires at a minimum:

- To be run internally by the City's Arts and Events team in consultation with the relevant Business Unit. The event may be in collaboration with an external group or organisation.
- All invitations are to be managed by the Mayoral Office. The relevant Business Unit is required to notify the Mayoral Office of the upcoming event so that invitations can be issued, and a draft guest list presented for approval by the Mayor.
- Catering is in consultation with Civic and Hospitality, if done internally.
- Customer and Communications to organise A Welcome to Country.
- Consideration to being open to the community to attend.
- Customer and Communications will liaise with the Mayoral Office to complete a request for speech form for the Mayor to deliver. Speeches should be booked at least two weeks in advance.
- Customer and Communications is responsible for ordering a plaque that commemorates the SPP. The plaque is to acknowledge the opening of the SPP, and wording of the plaque must be in accordance with the approved design and any external agencies as required to meet the terms of the Funding Agreement.
- Commemorative scissors and ribbon will be coordinated by the Mayoral Office, if required. Customer and Communications is required to notify the Mayoral Office should the commemorative scissors and ribbon be required.
- Promotion on City-owned channels, such as the website, Facebook, Instagram, Stirling Scene or internally in the Friday Update, CoSi or Team Brief. Please note that Team Brief and Stirling Scene are monthly publications with set timeframes. Paid advertising on digital and/or printed channels may also be organised
- The Communications and Content Officer in Marketing and Communications, or an external photographer, should be booked for photography.
- Members of Parliament representing funding bodies may also be required to be invited and an opportunity to speak at the event.

Responsibilities of the relevant Business Unit

- Identification of the need for a Recognition Event, including the level and timing of the event
- Liaise with the external club, group or recipient to advise that SPP announcements are embargoed until the recognition event
- Collation of the initial guest list and contact details
- Event management requirements (for Acknowledgment, Small and Medium events)
- Provision of the event budget, including catering, paid marketing and collateral, plaque production, external equipment hire and catering suppliers if required

Responsibilities of Customer and Communications

The Responsible Business Unit is required to liaise with Customer and Communications on the following:

- Level of the Recognition Event
- Event management requirements (for Large events)
- Organising a Welcome to Country
- Invitation templates and printing
- Inviting the targeted guest list (including Elected Members, Executive and VIPs), and collation of RSVPs on instruction of the Mayor's Office
- Commemorative plaque production
- Development of the marketing campaign (including both paid and organic promotion)
- Signage and collateral, such as directional signs, banners or brochures
- Photographer requirements
- Speech writing
- Notify media outlets and representatives as deemed appropriate
- Other event logistics as required

Definitions

Recognition Event means an event to celebrate the commencement or completion of a SPP.

SPP means a new service, project or program funded or delivered by the City.

Responsible Business Unit generally means the Service Area completing the SPP. Where the SPP is a building or capital project, the Business Unit occupying the premises or representing the user groups is the Responsible Business Unit. For park upgrades, this would be Parks and Sustainability.

Relevant policies/documents

Election Caretaker Policy
Funding Agreements

Legislation/local law requirements

Local Government Act 1995 and associated Regulations

Office use only

Relevant delegations	Not Applicable		
Initial executive endorsement	Date	20 April 2021	Author
Last reviewed	Date	19 April 2021	Officer
Next review due	Date	21 April 2022	

Elected Member and Chief Executive Officer Attendance at Events Policy

Responsible Directorate	**Chief Executive Officer**
Responsible Business Unit/s	**Governance**
Responsible Officer	**Manager Governance**
Affected Business Unit/s	**All Business Units**

~~**Due to the State of Emergency and Public Health Emergency declaration, attendance at Interstate travel will be approved under the following circumstances:**~~

~~**a. At the time of approval of the travel, the destination must be rated 'very low risk' by the WA Government;**~~

~~**b. At the time the travel is commenced, the destination must be rated 'very low risk' by the WA Government; and**~~

~~**c. The accommodation must not be booked in a facility that is also being used to quarantine international travellers.**~~

~~**Attendance at International Conference and Training have been suspended.**~~

Objective

The objective of this policy is:

- For Council to set the purpose of, and benefits to the community, from Elected Members and the Chief Executive Officer attending Events;
- To provide a framework for the acceptance of invitations to Events; and
- To provide transparency to the community on the acceptance and payment of tickets to Events.

Scope

This policy applies to all Elected Members and the Chief Executive Officer of the City of Stirling (the City).

Policy

Elected Members and the Chief Executive Officer attend Events to fulfil their leadership role in the community. Elected Members and/or the Chief Executive Officer will receive tickets or invitations to attend Events to represent the City on Council Business. The Event may be a paid Event or a ticket/invitation may be gifted in kind.

1. Pre-Approved Events

In order to meet the policy requirements, tickets and invitations to Events must be received by the City.

The City pre-approves attendance at the following Events, for Council Business, by the Elected Members and the Chief Executive Officer:

(a) Advocacy lobbying, Mayoral representation or Ministerial briefings;

(b) Industry and economic briefings, specifically related to the operation of local government;
(c) Community cultural and sporting Events, festivals and art exhibitions within the City;
(d) Opening or launch of an Event or Facility within the City;
(e) Professional development in accordance with the Elected Member Professional Development Policy;
(f) Networking in accordance with the Elected Member Entitlements Policy;
(g) Conference or formal representation by the Chief Executive Officer in accordance with the Employee Conference Management Practice and/or City contract;
(h) Where the Mayor or the Chief Executive Officer representation has been formally requested;

Events hosted, run or sponsored by:

i. The City;
ii. The community (including meetings), held within the City, to which the Elected Members or the Chief Executive Officer have been officially invited; and
iii. Major professional bodies associated with local government, such as WALGA and Local Government Professionals;
iv. Local, State or Federal government agencies; and
v. Educational instituitions within the City.

2. Approval Process

Where an invitation is received to an Event that is not pre-approved, it may be submitted for approval no later than three business days prior to the Event as follows:

- Events for the Mayor will be approved by the Chief Executive Officer; and
- Events for Councillors or the Chief Executive Officer will be approved by the Mayor.

Considerations for approval of the Event include any justification provided by the applicant when the Event is submitted for approval, the benefit to the City, relation to their official role, alignment to the City's Strategic Community Plan key result areas and the number of City representatives already approved to attend.

3. Ticketed Events

3.1 Gift Disclosure

Elected Members and the Chief Executive Officer must declare Gift/s received in relation to their official role at the City when a Gift is valued $300 or more (either one gift or cumulative over 12 months from the same donor). The recipient must disclose the Gift (and any other associated hospitality) within 10 days to the City.

Where an Elected Member or the Chief Executive Officer is offered a ticket, and the ticket falls under the definition of a Gift, details of the ticket is to be disclosed in accordance with the sections 5.87A – 5.87C of the Local Government Act 1995 (the Act). The disclosure information for tickets received by Elected Members and employees that are deemed a Gift, will be listed on the City's website. If there are more Elected Members than tickets provided, the Mayor shall allocate the tickets.

3.2 Declaration of Interest

Where a donor of a Gift at/over $300 has a matter before Council, the Elected Member and/or Chief Executive Officer must disclose a Conflict of Interest and remove themselves from the meeting (unless approval is granted by the Council or the Minister, depending on the value of the Gift).

A Gift is excluded from the Conflict of Interest provisions when:

- the Gift relates to attendance at a Pre-Approved Event in this policy; or
- the Gift is from the specified entities prescribed in section 20B of the Local Governance (Administration) Regulations 1996.

3.3 Payment of Tickets

Where an Elected Member attends a Pre-Approved Event and there is a Cost associated with the Event, the Cost of the attendance, including the attendance of a partner, is to be paid out of the Elected Member's related allowance in accordance with the Elected Member Entitlements Policy.

Where the Chief Executive Officer attends a Pre-Approved Event and there is a Cost associated with the Event, the Cost of the attendance, including the attendance of a partner, is to be met by the City.

If the Event is ticketed and the Elected Member or the Chief Executive Officer pays the full ticketed price from their Personal Funds and does not seek reimbursement or if the Event is a free to the public then no action is required.

4. Non-Approved Events

Any Event that is not pre-approved, is not submitted through an approval process, or is received personally is considered a non-approved Event.

All events are considered Non-Approved if attendance would breach a Local, State or Federal declaration of emergency, a controlled border or a Commonwealth travel advisory

The Cost of the following Events is not permitted to be met by City funds:

- Party political Events and fundraisers;
- Personal Social Events; and
- Cultural and sporting Events held outside of the City unless approved in accordance with section 2 of this policy.

5. Record of Attendance at Events

Elected Members and the Chief Executive Officer must:

- Inform the City of their attendance at an Event under this policy; and
- Submit any invitation and records relevant to their attendance for recording in the City's corporate record keeping management system.

6. Community Engagement Events

The City approves attendance by Elected Members and the Chief Executive Officer at the following Community Engagement Events for Council Business. The partner of each Elected Member may attend the following Community Engagement Events as one of the invited Guests.

6.1 Community Engagement By Elected Members

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The City will host lunches and dinners for Elected Members to engage with the community. These lunches and dinners will be hosted and paid for by the City, and will be held under the following conditions:

(a) Each Elected Member may host up to six dinners and two lunches each calendar year.
(b) Each Elected Member may invite up to nine Guests to each dinner and lunch.
(c) The lunches and dinners are for the purpose of allowing Elected Members to fulfill their role and advance the purposes of the City.
(d) When attending a lunch or dinner, each Elected Member must provide the name and reason how each Guest relates to their role and/or advances the purposes of the City. The hosting Elected Member must complete and submit the 'Community Engagement Event Guest Registration Form' to the City, before the conclusion of each lunch and dinner hosted.
(e) At the commencement of each calendar year, the Manager Governance is to approve a schedule of dates for the Community Engagement by Elected Members Events. Elected Members will be allocated dates within the schedule.
(f) Elected Members may request changes to their allocated dates in advance, which will be assigned according to availability and in relation to condition (a).

(g) Once every year each Elected Member is entitled to host one lunch or one dinner to which personal friends and Relatives may be invited. This is in recognition of the contribution made by people close to an Elected Member due to the public nature of their role, their prominence in the local community and the need to support Elected Members undertaking their role out of core business hours. Other than on this occasion, Guests may not include Relatives or personal friends of the Elected Member.

Guest registration forms (guest lists) from Elected Members are to be reported to the Audit Committee on a quarterly basis.

The Mayor may request to host Community Engagement By Council Events throughout the year as an alternative to hosting a lunch or dinner, that meet the strategic community engagement needs of the City. The format of the community Event is to be advised to the City in advance and with Suitable Notice. The final decision of allocation of Guests is to be made by the Mayor.

7. Invitations and Attendance by Dignitaries

Invitations to Parliamentary and Vice-Regal dignitaries must be managed in accordance with:

- the protocols of the State and Federal Government and Parliaments,
- the protocols of the Vice-Regal Offices,
- any funding agreements with State and Federal Governments, and
- the requirements of the Mayoral office to ensure appropriate Parliamentary and Vice-Regal representation.

The preparation of invitation lists at City events is a responsibility of the Mayor who may grant authorisation for another person to prepare and issue invitations.

8. Recognition Events

Recognition Events and the installation of recognition plaques must be arranged in accordance with the Recognition Events Management Practice. The management practice sets the requirement to invite Elected Members to attend the commencement or completion of a project, facility or program and the installation of recognition plaques

~~10~~9. Dispute Resolution

Any disputes under this policy are to be resolved by the Mayor and the Chief Executive Officer.

Definitions

The following terms are defined by *Local Government Act 1995* and apply to this policy: Event, Relative, Gift.

Community Engagement by Council Event/s means a function hosted by the Mayor to which all Elected Members are invited to engage with a section of the Community.

Council Business means any business where an Elected Member:

a) Represents the interests of electors, ratepayers and residents of the district;
b) Provides leadership and guidance to the community in the district;
c) Facilitates communication between the community and the Council; or
d) Performs such other functions as are given to a Councillor by the *Local Government Act 1995* or any other written law.

Cost mean an amount of money to be paid in relation to attendance at an Event.

Elected Member/s means a person elected under the *Local Government Act 1995* as a member of the Council. The City's Elected Members include the Mayor, Deputy Mayor and Councillors.

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Facility means a building, park or open space located within the City.

Guest/s means person/s who have been officially invited by an Elected Member to attend a Community Engagement Event for Council Business. Guest/s invited must relate to the role of the Elected Member and/or advances the purposes of the City. Guest/s must not include a Relative or a personal friend of an Elected Member.

Personal Funds mean a private payment of money from an individual, not the City.

Pre-Approved Event/s means Events Council has approved in advance (in accordance with this policy).

Social Events means an Event of a personal nature that has no benefit to the City and its community.

Suitable Notice means a submission to Governance with all Event details – no less than two weeks prior to the Event.

Relevant management practices/documents

Community Engagement Event Guest Registration Form
Council Election Caretaker Policy
Disclosure of Gift Form
Elected Member Professional Development Policy Elected Member Entitlements Policy

Legislation/local law requirements

City of Stirling Code of Conduct
Local Government Act 1995
Local Government (Administration) Regulations 1996

Office use only			
Relevant delegations	Not Applicable		
Initial Council adoption	19 November 2019	**Resolution #**	1119/010
Last reviewed	**Date** 27 April 2021	**Resolution #**	0421/014
Next review due	**Date** 2022		

12.1/9.1 AMENDMENTS TO THE INFORMATION AND TECHNOLOGY ACCEPTABLE USE POLICY

Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 5.23(2)(f(ii)) of the *Local Government Act 1995* , which permits the meeting to be closed to the public for business relating to the following:-

(f) a matter that if disclosed, could be reasonably expected to -
(ii) endanger the security of the local government's property

Report Information

Location	Not Applicable
Applicant:	Not Applicable
Reporting Officer:	Manager Information Communications and Technology
Business Unit:	Corporate Information Services
Ward:	Not Applicable
Suburb:	Not Applicable

Council Resolution

0522/011

Moved Councillor Hatton, seconded Councillor Sargent

That Council ADOPTS the amended 'Information and Technology Acceptable Use' Policy as shown in Attachment 2.

The motion was put and declared CARRIED (15/0) by exception resolution.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

12.2 PLANNING AND DEVELOPMENT COMMITTEE - 3 MAY 2022

Council Resolution

0522/012

Moved Councillor Proud, seconded Councillor Migdale

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 (15/0).

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Councillor Lisa Thornton disclosed an Impartial Interest in Item 12.2/DS1 as she has previously taken an interest in, and expressed views on, the proposed development in this Scheme area. This has included engaging with individuals and community groups who have views on the prospect of development in this Scheme area. She confirms that she will give genuine and appropriate consideration to this application.

12.2/DS1 LOCAL PLANNING SCHEME NO.3 - AMENDMENT NO.119 - LOT 802 HOUSE NUMBER 179 ERINDALE ROAD, HAMERSLEY - INITIATION

Report Information

Location:	Lot 802, House Number 179, Erindale Road, Hamersley
Applicant:	Rowe Group on behalf of BAI Communications Pty Ltd
Reporting Officer:	Manager Development Services
Business Unit:	Development Services
Ward:	Hamersley
Suburb:	Hamersley

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☐	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☒	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/013

Moved Councillor Proud, seconded Councillor Migdale

1. **That pursuant to Regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015, Council RESOLVES that, in its opinion, Local Planning Scheme No.3 Amendment No.119 is a Complex Amendment.**

2. **That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, Council DOES NOT PROCEED with Amendment No.119 to Local Planning Scheme No.3, to rezone Lot 802, House Number 179, Erindale Road, Hamersley from 'Public Use - Commonwealth' to 'Development' zone.**

The motion was put and declared CARRIED (15/0) by exception resolution.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

1. That pursuant to Regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015, Council RESOLVES that, in its opinion, Local Planning Scheme No.3 Amendment No.119 is a Complex Amendment.

2. That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, Council DOES NOT PROCEED with Amendment No.119 to Local Planning Scheme No.3, to rezone Lot 802, House Number 179, Erindale Road, Hamersley from 'Public Use - Commonwealth' to 'Development' zone.

Officer's Recommendation

1. That pursuant to Regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015, Council RESOLVES that, in its opinion, Local Planning Scheme No.3 Amendment No.119 is a Complex Amendment.

2. That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, Council DOES NOT PROCEED with Amendment No.119 to Local Planning Scheme No.3, to rezone Lot 802, House Number 179, Erindale Road, Hamersley from 'Public Use - Commonwealth' to 'Development' zone.

Report Purpose

To consider a Scheme Amendment to rezone Lot 802, House Number 179, Erindale Road, Hamersley from a 'Public Use - Commonwealth' reserve to 'Development' zone.

Relevant Documents

Attachments

Attachment 1 - Environmental Consultant's Report ⇩

Available for viewing at meeting

Nil

The following document is available to view online:

Proposed Scheme Amendment - Applicant's Report

Background

Current Zoning and Reservation

MRS: Urban Zone

LPS3: Public Use (Commonwealth) Reserve

Proposed Zoning

LPS3: Development Zone

Size of Site

12.39ha

On 6 October 2020, the City received an application to rezone Lot 802, House Number 179, Erindale Road, Hamersley from a 'Public Use - Commonwealth' reserve to 'Development' zone.

In accordance with the Planning and Development (Local Planning Scheme) Regulations 2015, scheme amendments are classified as either 'Basic', 'Standard' or 'Complex'. The applicant considers this Scheme Amendment to be 'Standard'. However, as outlined in this report, the City's officers consider the proposed Scheme Amendment to be 'Complex'.

The site is bound by Lennox Place and Lennox Blissett Hendon Reserve to the north, Erindale Road to the West and Vickers Street Reserve and residential properties on Vickers Street to the south as shown on Figures 1 and 2. Immediately east of the site is the Hamersley Broadcasting Tower site (Lot 803 and Lot 1), also reserved as 'Public Use – Commonwealth' and to the south-west (Lot 800) is land reserved as Primary Regional Road for the future upgrading of the Reid Highway and Erindale Road intersection as shown in Figure 3.

The site has an area of approximately 12.39 hectares and is owned by BAI Communications Australia who operate the transmission aerial on the neighbouring site. The site contains approximately 11.23 hectares of native bushland of varying quality. The owner has decided the land is surplus to its requirements for broadcasting purposes and is proposing to rezone the land to enable it to be developed for housing.

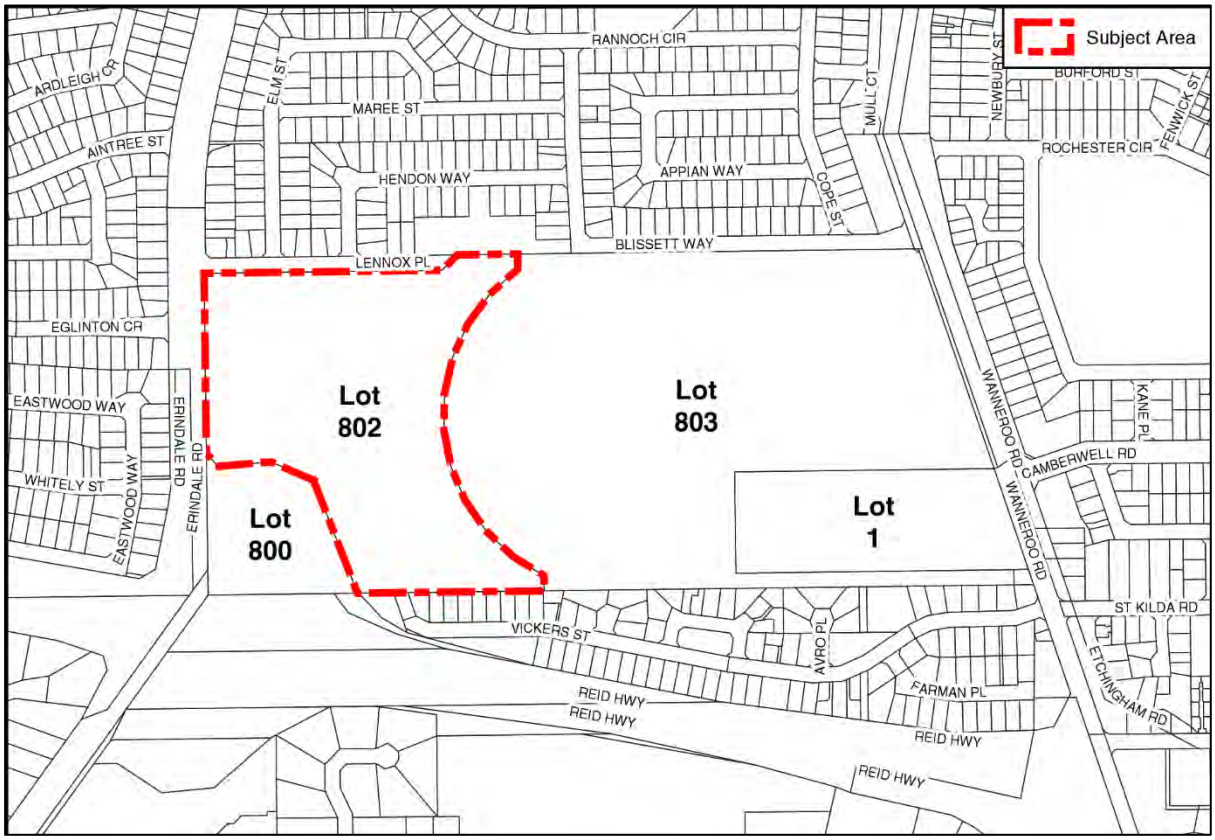


Figure 1: Location Plan.



Figure 2: Aerial Photograph

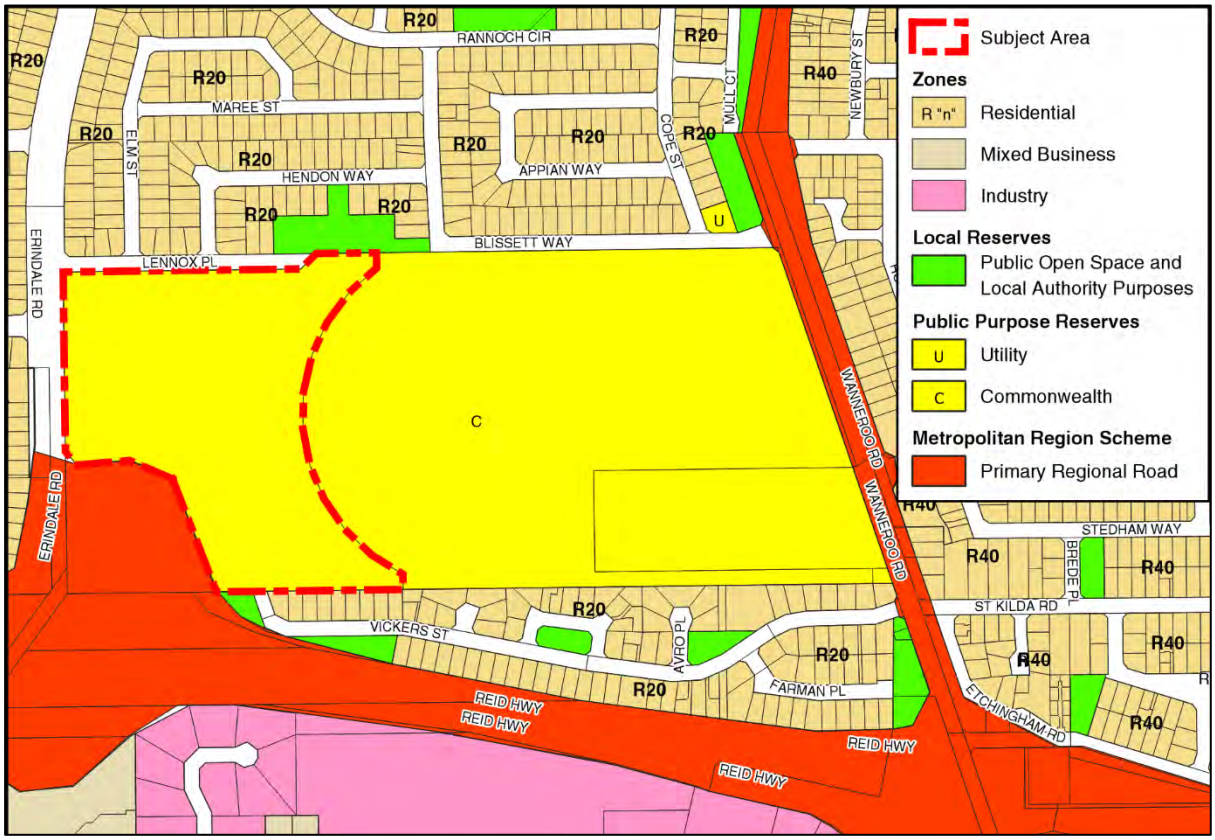


Figure 3: Zoning Map

Environmental Referrals

Approximately 90% of the subject site is covered by vegetation including Federally listed Threatened Ecological Communities (TECs). These communities include Banksia Woodland and Tuart Woodland. As such, both the Federal Department of the Environment and Energy and the State's Environmental Protection Authority (EPA) are required to provide their approval prior to any vegetation clearing.

Notwithstanding this, Council may consider an application to rezone the site.

Federal Environmental Approval

The proposal involves the clearing of identified Threatened Ecological Communities, which therefore requires the approval of the Federal Government.

In 2018, the proponent sought to gain this by way of referring a proposal to the Federal Government under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The purpose of the proposal is to facilitate urban/ residential development and the clearing of vegetation on Lot 802 and on 1.11 hectares of Lot 803 - a total area of 13.5 hectares.

On 3 June 2019, the Federal Department of the Environment and Energy determined that the proposal was a "controlled action". A "controlled action" is defined as an action that is likely to have a significant impact on a matter of national environmental significance.

For this reason, the Federal government requested further information to enable an assessment to be undertaken. Once all the information has been provided, the proposal will be published for review and comment by local authorities and members of the general public. Following the finalisation of the assessment, a report will be presented to the Federal Minister for the Environment who decides whether to:

- Approve the proposal;
- Approve the proposal with conditions; or
- Not approve the proposal.

State Environmental Approval

Ordinarily, if Council initiates a scheme amendment, there is a legislative requirement for the State's Environmental Protection Authority (EPA) to determine if an assessment is required under Section 48 of the *Environmental Protection Agency Act 1986* (EPA Act) before the local government can advertise the proposed scheme amendment.

In this instance, the proponent has elected to follow an alternative pathway for environmental assessment, by the EPA and Minister for the Environment, under Section 38 of the EPA Act. This involved submitting, on 17 April 2020, a proposal to the EPA deeming the proposal as a "significant proposal" which is likely, if implemented, to have a significant effect on the environment.

The Proposal involved developing Lot 802, House Number 179, Erindale Road Hamersley for urban development. Clearing of native vegetation was also proposed within the western portion of Lot 803 to establish an Asset Protection Zone (APZ) to meet requirements for bushfire management.

On 24 June 2020 the EPA decided it would assess the Proposal once additional information had been provided before the Proposal would be advertised for a two week public review period.

In March 2021 the proponent sought to change the Proposal it had asked the EPA to review, including offsetting the loss of vegetation from the subject site with vegetation on its own land on Lot 803, which may be worthy of retention in itself.

Regardless of whether Council supports the Amendment, advertising of the Amendment could not occur until the EPA's assessment is complete.

A copy of the proposal can be accessed via the EPA's website (https://www.epa.wa.gov.au/proposals/lots-802-and-part-803-erindale-road-hamersley).

Once the EPA has determined that the information it has requested has been provided, the Proposal will be advertised for a two week public review period.

The EPA will finalise its assessment based on the information received (including public submissions). The EPA will prepare a report and recommendation to the Minister for the Environment on the proposal to clear the land.

At the time of this report, it is understood the requested information has not yet been provided to the State or Federal agencies.

Strategic Context

Perth and Peel @ 3.5 Million Central Sub-Regional Planning Framework

The State Government's Central Sub-Regional Planning Framework seeks a more consolidated city to accommodate future population growth while aiming to protect the environment and achieve a more sustainable pattern of urban development.

The framework sets out urban growth proposals to:

"…• achieve a more consolidated urban form for development within the sub-regions…

- *encourage and guide increased connectivity between areas of conservation, open space and urban forest to support ecological systems…"*

The City of Stirling is identified to provide a minimum of 60,330 dwellings as its local government contribution to the infill housing targets for the Central sub-region, which is to be provided along urban corridors and around centres. There is sufficient capacity in the City's planned areas to accommodate this demand.

Urban corridors provide a connection between train stations, and activity and industrial centres. These corridors operate not just as roads for the movement of vehicles but provide locations, where appropriate, for increased and diversified places for people to live and work.

The spatial plan for *Perth & Peel @ 3.5 Million* identifies Erindale Road as an Urban Corridor (as depicted at Figure 4) connecting the Warwick Activity Centre to the Balcatta Industrial Area. The subject site falls within this corridor.

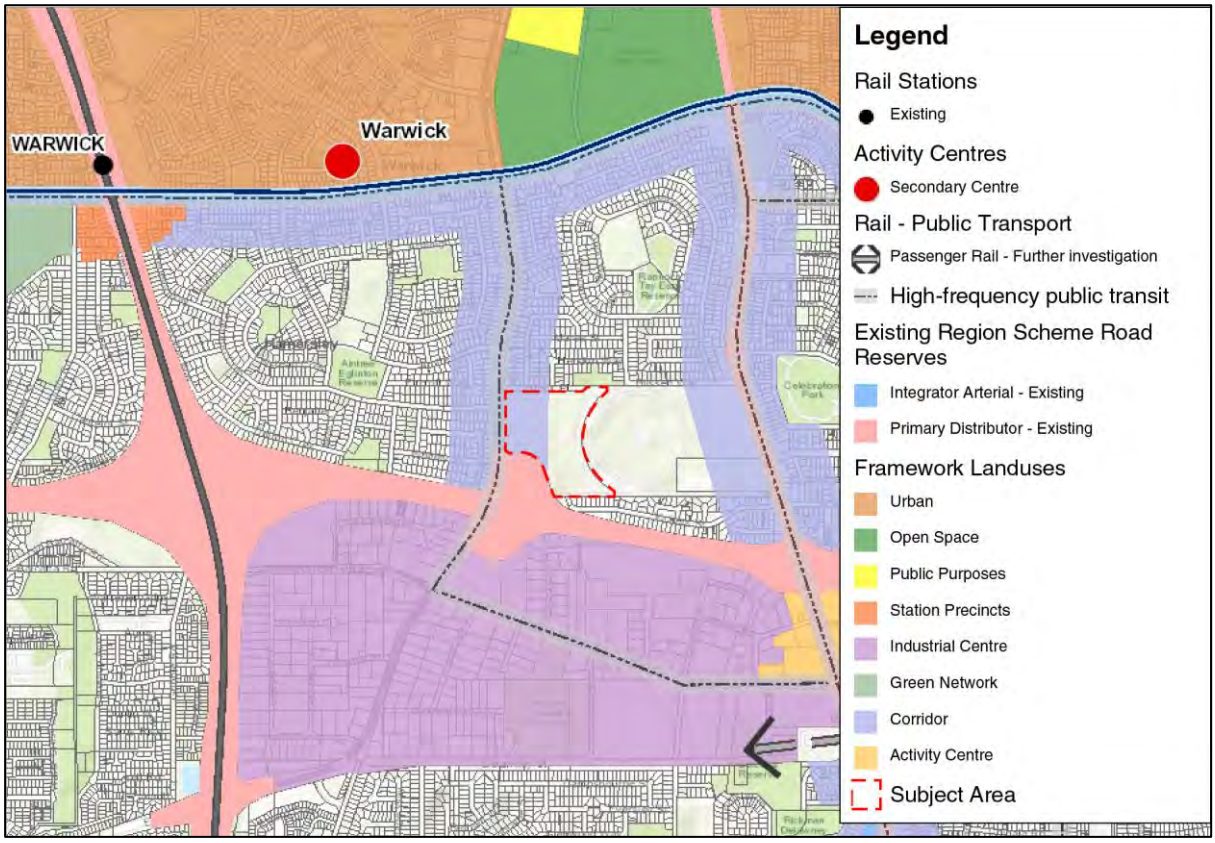


Figure 4: Sub-Regional Planning Framework

The spatial plan for *Perth & Peel @ 3.5 Million* also identifies ecological linkages and green spaces. Areas of remnant vegetation form ecological steppingstones within the urban landscape. The subject site is an 'island' of remnant vegetation in a highly developed urban area, with only a small number of protected habitats nearby and is identified at the T-junction of an ecological linkage (as depicted at Figure 5).



Figure 5: Sub-Regional Environmental Plan

State Planning Policy 2.8 – Bushland for the Perth Metropolitan Region

The aim of State Planning Policy 2.8 – Bushland for the Perth Metropolitan Region (SPP2.8) is to provide a policy and implementation framework to ensure bushland protection and management issues in the Perth Metropolitan Region are appropriately addressed and integrated with broader land use planning and decision-making.

SPP2.8 applies to Bush Forever areas and local bushland. The subject site is not a Bush Forever site but is local bushland. Accordingly, Section 5.2 of SPP2.8 provides guidance on the process to consider local bushland:

> *"Proposals or decision-making should—*
>
> *(iv) Support a general presumption against the clearing of bushland, or other degrading activities, for area's containing—*
>
> - *the environmental values identified in Appendix 2 (ix) b"*

The environmental values identified by SPP2.8 include threatened ecological communities and species listed under the Commonwealth's EPBC Act. This site contains a recognised threatened ecological community.

Any future development of the site relies on an outcome of the EPA's Section 38 process that would allow the clearing of bushland on this site. The proposal to clear the site is considered to be inconsistent with the presumption not to clear and instead proposes the provision of offsets in the first instance.

Metropolitan Region Scheme

Under the provisions of the Metropolitan Region Scheme (MRS), the subject site is zoned 'Urban'.

An underlying 'Urban' zone under the MRS requires a zone or reservation under the City's LPS3 that is consistent with the 'Urban' zone. It does not mean the site needs to be zoned to allow development.

City of Stirling Local Planning Strategy

The City's Local Planning Strategy was endorsed by the Western Australian Planning Commission on 25 October 2019. The overarching vision of the Local Planning Strategy is to *"focus investment, jobs and growth on corridors and centres around transit; improve the quality of suburbs and centres and the overall liveability of the City."*

The Local Planning Strategy envisages that population growth and State dwelling targets will be achieved in the City's Activity Centres and along planned corridors.

Activity Corridors provide a vital connection between Activity Centres along key public transport routes within the City. The Local Planning Strategy identifies Activity Corridors consistent with the Urban Corridors in *Perth & Peel @ 3.5 Million*. These are divided into three classes. Erindale Road is classified as a Class 2 Activity Corridor. Class 2 Corridors are major public transport routes which carry between 15,000 and 30,000 vehicles per day.

The City is seeking to deliver most of the Local Planning Strategy's objectives by undertaking place-based planning studies. A scheme amendment proposed by a landowner may be considered where it meets the objectives of the Local Planning Strategy.

This site is not identified in the Local Planning Strategy for future development and has not been part of a detailed planning exercise.

The Local Planning Strategy also identifies loss of biodiversity due to development as one of the environmental impacts facing the City. A short-term action sought by the Strategy to address this is to *"investigate including a 'Conservation Zone' into the Local Planning Scheme"*. The Local Planning Strategy also states *"development will not occur in important and sensitive biodiversity areas. When planning for growth, these areas will be identified and protected"*. Details of the City's Local Biodiversity Strategy are provided below.

City of Stirling Local Biodiversity Strategy

The City's Local Biodiversity Strategy was adopted in January 2010, with the overall goal to *"establish local biodiversity as a core community value."*

The Local Biodiversity Strategy has eight aims, including the *"conservation of locally significant natural areas is just as important as those that are regionally significant."*

To achieve this aim, the Local Biodiversity Strategy seeks to *"identify all locally significant natural areas and to develop and implement site-specific conservation programmes."*

Selected natural areas including all bushland reserves within the City were assessed for their biodiversity value in 2006. The Local Biodiversity Strategy established criteria to evaluate ecological attributes. This is an important part of planning for biodiversity management as it enables the classification of natural area sites (LNAs) on a graduated scale of varying biodiversity values and on-site opportunities and constraints.

The assessment of LNAs against the ecological criteria of the Local Biodiversity Strategy is to be used to determine local significance and re-classification of such sites, where warranted, as Locally Significant Natural Areas (LSNAs) and prioritisation for conservation and management.

The Local Biodiversity Strategy identifies the subject site as a *"Natural Area Managed by Other Authorities / Agencies or Privately Held"*. The Ecological Significance and Predominant Vegetation Condition of the site could not be determined at the time as the land was in private ownership and was therefore identified "*to be determined"*. An assessment to evaluate the site's ecological attributes is required to determine local significance and re-classification of the site.

The applicant has confirmed that, following its own assessment, remnant vegetation on the site has been identified as meeting the requirements to be classified as a LSNA under the Biodiversity Strategy. LSNAs are identified for priority of retention, protection, and management. However, it appears the applicant has only assessed the neighbouring sites at Lot 803 and Lot 1.

Based on the environmental information available, this site warrants re-classification to a LSNA for priority of retention, protection, and management. It is therefore recommended that the City's officers investigate appropriate legislative mechanisms to protect the biodiversity values of the site.

City of Stirling Local Planning Scheme No.3

Key aims of the City's LPS3 include:

"a) To provide for a range of housing choice in neighbourhoods with a strong community identity and high levels of amenity;

d) To protect and enhance the environmental values and natural resources of the local government area and to promote sustainable land use and development;

f) To assist in the effective implementation of regional plans and policies including the State Planning Strategy."

The purpose of the current 'Public Use - Commonwealth' reserve is to provide for Commonwealth government services. Federal government privatisation led to the sale of the broadcast site, provided the broadcasting services were maintained. A change of zoning is required to develop the site for housing.

The proponent seeks to rezone the site to 'Development' zone. The objectives of the 'Development' zone are:

"a) To provide for coordinated development through the application of a comprehensive structure plan to guide subdivision and development.

b) To avoid the development of land for purposes likely to compromise its future development for purposes, or in a manner likely to detract from the amenity or integrity of the area."

The scheme amendment request also proposes to include provisions in Schedule 10 of LPS3 for a future structure plan to guide the future subdivision and development of the site.

An assessment of the proposed rezoning against this framework is provided later in this report.

Applicant's Submission

The applicant provided the following summary of the proposed scheme amendment, and later structure planning that would be undertaken if the amendment is approved:

> *"This Scheme Amendment Request seeks the initiation of an Amendment to the City of Stirling Local Planning Scheme No.3 to rezone Lot 802 (No. 179) Erindale Road, Hamersley, from Local Reserve 'Public Use: Commonwealth' to 'Development' Zone. The Scheme Amendment request also proposes to include Lot 802 into Schedule 10 – Development (Structure Plan) Areas of LPS 3 with accompanying provisions to guide the separate Structure Plan. The City's LPS3, Clause 4.2.3 requires this Scheme Amendment and the proposed Schedule 10 provisions to 'provide for coordinated development through the application of a comprehensive structure plan to guide subdivision and development'.*
>
> *The proposed rezoning of the land is consistent with the broader planning framework and support to initiate is sought on the basis that the scheme amendment:*
>
> - *Is consistent with the State Planning Framework and Perth and Peel @ 3.5million;*
> - *Ensures the land's zoning and LPS 3 is in conformity with the Metropolitan Region Scheme 'Urban' zoning of the land;*
> - *Is being undertaken in parallel to the separate s.38 state environmental review process which will consider the environmental factors relating to the future use and of the land;*
> - *Aligns with the ten (10) governing principles of the City of Stirling Local Biodiversity Strategy, ultimately achieving a viability score of 14.55; and*
> - *Will provide an opportunity for urban use in a location that is highly accessible by public transport and the regional movement network and is serviced by existing infrastructure that has adequate capacity.*
>
> *In addition to the above, it is important to recognise that the Scheme Amendment Request is the first of two main stages in planning for the subject site. The Scheme Amendment Request proposes the rezoning of the land, with future use of the subject site to be considered via the subsequent Structure Plan process. A 'Preliminary Indicative Structure Plan' (Concept Plan) is included within this document to inform discussion and demonstrate the environmental responses to the site (including the retention of 19.66ha adjoining the Scheme Amendment site).*
>
> *As part of the preparation of the Structure Plan, a review of the relevant reporting will be undertaken, while also recognising that the site:*

- *Is capable of being serviced by normal infrastructure services;*
- *Can be serviced by extension of the local road network;*
- *Is able to be managed, having regard to Federal and State environmental approval processes to manage and mitigate potential environmental impact;*
- *Is capable of being appropriately managed to reduce the risks of bushfire; and*
- *Is able to be planned to mitigate the impacts of transportation noise."*

A copy of the applicant's report can be found via the link under 'Relevant Documents' section of this report.

Comment

Local Planning Strategy

While the site fronts an identified Activity Corridor, the Local Planning Strategy does not identify the site for a future zoning change.

The Local Planning Strategy generally supports increased density along Activity Corridors. New residential opportunities along urban corridors require clear principles derived from appropriate planning and development controls determined as a key element of detailed planning.

If the City were to propose any form of urban intensification along Erindale Road between Beach Road and Reid Highway, it would only do this following extensive community engagement and the development of a holistic planning framework for the corridor and area.

In the absence of detailed planning for the Erindale Road Activity Corridor, the City does not support rezoning the site to 'Development' zone.

The City's Local Biodiversity Strategy, which informs the Local Planning Strategy, seeks to prioritise areas of bushland classified as LSNAs for conservation and environmental management. Based on the environmental information available, this site warrants re-classification to a LSNA.

The re-classification of the site's biodiversity significance warrants the City investigating the rezoning of the site to 'Environmental Conservation' zone as supported by the City's Local Planning Strategy and Local Biodiversity Strategy.

Development Zone

Rezoning the site to 'Development' assumes that the site should be developed and requires the *"coordinated development through the application of a comprehensive structure plan"*. This is despite the proposal not aligning with the Local Planning Strategy.

The second objective of the 'Development' zone aims to *"avoid the development of land for purposes likely to compromise its future development for purposes, or in a manner likely to detract from the amenity or integrity of the area"*. Redevelopment of the site relies on the Minister for the Environment determining the site can be cleared. It is not certain that this will happen. Clearing the site would have a significant impact on local biodiversity values and a 'Development' zone is not an appropriate zone for the site.

It is therefore premature to consider rezoning the site to 'Development' zone before the Minister for the Environment has considered the environmental assessment of the site under Section 38 of the EPA Act and provided support for the clearing of the site.

Environmental Assessment

Ordinarily, if a local government resolves to advertise a scheme amendment, it is required to refer the proposal to the EPA, to enable the EPA to decide whether the proposal requires assessment.

An assessment of any scheme amendment considers the City's and the State government's strategic planning documents, as well as the surrounding context and existing site conditions.

The proponent has chosen to seek an environmental assessment of its proposal by the EPA before Council has considered a request to rezone the site with a view to expediting the process of developing the site.

A scheme amendment for the site needs to demonstrate how significant bushland on the site can be managed and protected. A blanket 'Development' zone proposed for the site is not appropriate.

To date, insufficient information has been provided to either the City or the EPA to allow a complete assessment of the environmental impacts of this proposal to be undertaken, and how significant bushland on the site can be managed and protected.

For these reasons, the proposed amendment is not supported.

Assessment of Environmental referral

The City engaged an environmental consultant (One Tree Botanical) to provide an independent technical review of the applicant's Environmental Report, including the Detailed Flora and Vegetation Survey report to determine whether sufficient information had been provided.

The technical review identified several issues in the baseline flora and vegetation survey report completed by the applicant including the following:

- The flora inventory is incomplete and has identification errors, with vegetation plots missing at least half of the expected species richness. Observations from a site visit indicate that the flora inventory has more than doubled from 81 to approximately 170 species.
- Assessments to determine the presence of State and Federally listed TEC's and Priority Ecological Communities is based on an incomplete flora inventory.
- Inconsistent methodologies were used to determine what type of Banksia Woodland was present on Lots 802 and 803, stating that State listed TEC is present on Lot 803, but not on Lot 802, despite the presence of key indicator species for this TEC on Lot 802.
- The presence of the Federally listed 'Tuart Woodlands and Forests of the Swan Coastal Plain' TEC is dismissed in the survey without a proper assessment. It is recommended this be assessed before any decision is made.
- Other flora species were observed on the site which would warrant assessing for the presence of further TEC's that are listed by the State as vulnerable.

There are, however, issues with the quality of the data and analysis completed so far. Based on the information provided, it is considered the proposed clearing of the native vegetation will have a significant impact on the overall viability of the site and on ecological connectivity at a regional scale.

A copy of the Environmental Consultant's report is provided at Attachment 1.

Amendment Type

Regulation 34 of the Planning and Development (Local Planning Schemes) Regulations 2015 identifies the various Scheme Amendment types. This Scheme Amendment is considered to be a Complex Amendment, as it is:

(a) an amendment that is not consistent with a local planning strategy for the scheme that has been endorsed by the Commission;

(b) an amendment that is not addressed by any local planning strategy;

(c) an amendment relating to development that is of a scale, or will have an impact, that is significant relative to development in the locality;

The proposed Amendment is not consistent with or recommended by the City's Local Planning Strategy and would facilitate a significant environmental impact on the site and broader locality.

Consultation/Communication Implications

If Amendment No.119 to LPS3 is initiated, consultation will be required in accordance with the Planning and Development (Local Planning Scheme) Regulations 2015 and the City's Planning Consultation Procedure.

Policy and Legislative Implications

The Scheme Amendment is to be processed in line with the requirements of the Planning and Development (Local Planning Scheme) Regulations 2015 (amended 2021). Where a local government resolves to adopt an amendment, these require:

- The local government to specify, in its opinion, the type of Amendment proposed (Basic, Standard or Complex);
- The local government (assuming Council resolve to adopt the Scheme Amendment) must forward the Amendment to the EPA and Western Australian Planning Commission before advertising the Amendment in the approved form;
- The local government to consider all submissions received within 60 days of the end of the submission period; and
- The local government, within 21 days of passing a resolution, provide specified information to the Western Australian Planning Commission.

Financial Implications

If initiated, all costs associated with the processing of Scheme Amendment No.119 will be covered by the fee paid by the applicant.

Strategic Implications

Key Result Area: Liveable neighbourhoods

Outcome B1: Places to live, work and enjoy

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Vegetation impact	The landowner is seeking to rezone the site to 'Development' zone which will ultimately result in the clearing of remnant vegetation which provides habitat for a variety of species. Information available to the City's officers at the time of this report indicate the proposal is likely to have an adverse environmental impact.

SOCIAL	
Issue	**Comment**
Amenity	Should the site be rezoned to 'Development' zone, the zoning will allow for the future development of housing on the site at the expense of significant bushland.

ECONOMIC	
Issue	**Comment**
Job creation	Rezoning the site to ultimately facilitate the construction of houses will utilise existing construction jobs.

Conclusion

The proposed rezoning of House Number 179, Erindale Road, Hamersley from a 'Public Use - Commonwealth' reserve to 'Development' zone is not supported for the following reasons:

- The amendment is not consistent with or recommended by the City's Local Planning Strategy.
- Environmental reporting of the site identifies the site contains various species of vegetation which are classified as a Threatened Ecological Communities suggesting the site should be considered for conservation and environmental management.
- The proposed amendment does not provide sufficient information to demonstrate that any impacts to the sites natural and biodiversity values can be managed appropriately.

The City's officers recommend that Council not prepare Scheme Amendment No. 119.

Lot 802 Erindale Road Hamersley

Review of Flora and Vegetation Assessment



Prepared for City of Stirling

MARCH 2022

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Project: P2104 Lot 802 Erindale Road Hamersley Review (City of Stirling)

Version History:

Draft V1.0 (**Issued**: 1st March 2022 **Prepared by:** KM **Reviewed by:** GE, MW).
Draft V1.1 (**Issued**: 30th March 2022 **Prepared by:** KM **Reviewed by:** GE, MW).
Final V1.0 (**Issued**: 3rd April 2022 **Prepared by:** KM

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1. SUMMARY

The purpose of this report is to provide a technical review (flora and vegetation) of the information provided to the City of Stirling (CoS) in the following document:

- Broadcast Australia Environmental Assessment Report (EA Report). Erindale Road Residential Development Hamersley. JBS&G Australia Pty Ltd T/A Strategen -JBS&G. 57707-130497 (Rev 4) dated 23 December 2021. (Strategen JBS&G, 2021).

Including a Detailed Flora and Vegetation Survey report that is presented in Appendix D.

The CoS requested that this review assess the suitability of the information provided in this document, to adequately enable informed decision making.

There were a number of data quality issues identified in the baseline flora and vegetation survey report (Strategen JBS&G, 2021, Appendix D)('the survey'). While the survey was guided by the methodology for a Detailed Survey in EPA (2016 p. 6), the implementation resulted in poor quality data. For example (but not limited to) the flora inventory being incomplete and containing errors. Observations made during a brief site visit more than doubled the flora inventory, from 81 to approximately 170 species. Vegetation plot data was missing at least half of the expected species richness.

Quality data would require that a timely, consistent, accurate, comprehensive survey effort is applied to both Lots 802 and 803. Two inconsistent methodologies were used with different conclusions reached about what type of Banksia Woodland was present on each. It was stated that state listed Threatened Ecological Community (TEC) SCP20a: '*Banksia attenuata* woodland over species rich dense shrublands' is present on Lot 803, however it wasn't clear how this was verified.

A ridgeline ran through Lot 802 with Tuart *Eucalyptus gomphocephala* trees present. At least some of this area would meet the patch-size thresholds of the listed 'Tuart Woodlands and Forests of the SCP' TEC (federal) and/or Priority Ecological Community (PEC)(state).

An analysis should be completed on quality plot data to establish more precisely which state and federally listed PECs and TECs are present, and their condition and extent across both lots.

Ideally which Priority Flora are present both lots should also be established and a more comprehensive local and regional significance assessment completed, particularly of *Acacia benthamii* (P2).

The significance assessment had quality, omission and interpretation issues. EPA (2016 p. 26-27) requires that an accurate and rational assessment of the significance of the flora and vegetation in a local and regional context is provided. For example, it is stated that less than 4% of the original extent of Karrakatta Complex Central and South remains in the City of Stirling, but no meaningful discussion follows on the local significance of this. This needs to be completed, including identifying more candidly any constraints and limitations.

Informed decision making in the context of flora and vegetation relies on adequate information being provided. An underpinning of quality data is fundamental to this. The data provided and some of the interpretations of it, do not provide government or the broader community adequate information to make an informed decision on what is proposed.

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2. BACKGROUND

The following technical review was commissioned by the City of Stirling (CoS).

2.1 STUDY AREA

The subject of this review is 179 (Lot 802) Erindale Road Hamersley (the 'study area').

2.2 CONTEXT

The study area is currently zoned 'Urban' under the Metropolitan Region Scheme (MRS).

Under the CoS Local Planning Scheme 3 (LPS3) it is zoned for the purpose of Local Reserve: Public Use Reserve. Broadcast Australia as the owner of the property is seeking to change the LPS3 zoning to 'Development Zone' in order to proceed with an urban development housing project. As a part of this process an Environmental Impact Assessment (EIA) process was commenced, including an assessment of the flora and vegetation values in the study area. It is approximately 12.4 hectares in size of which 11.22 hectares was described as supporting Banksia Woodland.

2.3 SCOPE

The purpose of this report is to provide a technical review (flora and vegetation) of the information provided in the following document:

- Broadcast Australia Environmental Assessment Report (EA Report). Erindale Road Residential Development Hamersley. JBS&G Australia Pty Ltd T/A Strategen -JBS&G. 57707-130497 (Rev 4) dated 23 December 2021. (Strategen JBS&G, 2021).

Including a Detailed Flora and Vegetation Survey report that is presented in Appendix D of this document.

The CoS requested that a review assess the suitability of the information provided in this document, to adequately inform decision making.

This includes decision making at the local level, to ensure council is provided adequate information in regard to a scheme amendment application. And further in the context of state and federal Environmental Impact Assessment (EIA) processes, to ensure for example that the EPA and the community have adequate information to inform decision making.

It has also been requested that where information is found to be inadequate for these purposes, that suggestions be made for what additional information would be required.

2.4 FRAMEWORKS

The Environmental Protection Authority (EPA) Technical Guidance: Flora and Vegetation Surveys for Environmental Impact Assessment (EIA) (EPA, 2016) defines what information is expected for EIA purposes in Western Australia.

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3. TECHNICAL REVIEW

3.1 GENERAL COMMENTS

EPA (2016) provides a high level of guidance for flora and vegetation surveys. It implies knowledge of many of the methods described in it.

The flora and vegetation survey (Strategen JBS&G, 2021, Appendix D) chose the correct level of assessment for the study area. A Detailed and Targeted (EPA, 2016 p. 6) flora and vegetation survey using sampling techniques of Traverses, Relevés, Quadrats (plots) and Vegetation Condition Scale (EPA, 2016 p. 7-9). This represents the most comprehensive level of assessment. However, there were issues with the implementation, in particular the quality of the data collected. A Detailed Survey incorporates a range of methodologies that are designed to answer specific questions about the conservation significance of flora and vegetation. This was only partially completed.

The survey work (Strategen JBS&G, 2021, Appendix D) was completed in 2017 and some matters have not been updated in light of new information.

There appears to be a focus on a narrow range of issues in the form of Matters of National Environmental Significance (MNES) e.g. Threatened Ecological Communities (TECs) listed under the *EPBC Act 1999*. The Western Australian EIA process covers a broader definition of 'significance' and includes many more listed matters some of which were not addressed. This project is likely to be navigating both state and federal EIA processes at some stage.

EPA (2016, Section 10) outlines the guidelines for reporting for flora and vegetation surveys for EIA. Some aspects of the report are lacking detail and some are missing.

One of the recommendations of EPA (2016) is to identify the limitations of the survey. The flora and vegetation survey report (Appendix D, Table 3, p. 13) states that there were no limitations or constraints. Due to the nature of the subject matter, all flora and vegetation surveys have limitations.

It is not feasible in this report to complete a comprehensive Quality Assurance (QA) of the document. However recurring and fundamental issues have been identified and discussed below.

The review of the Strategen JBS&G (2021) report was supplemented by a brief 1-2 hour site visit on the 13th September 2021.

3.2 FLORA

3.2.1 Identifications, Nomenclature and Species Inventory

There were omissions and errors in the flora inventory (Appendix 4 in Appendix D).

A few species in the inventory list are known from the Darling Range but not from the Swan Coastal Plain (SCP). This included *Bossiaea ornata, Conostylis setosa, Lomandra sonderi* and *Thysanotus dichotomus.* Other species were those that are rare to absent on the western SCP such as *Desmocladus fasciculata, Tetraria octandra* and *Cyathochaeta teretifolia*.

Cyathochaeta teretifolia is a Priority 3 Flora species. It is unlikely that this species exists in the study area, as it is known from wetlands and mostly on the eastern side of the SCP. It is likely to be a misidentification or a data entry error. However, there is an added implication in that if it was a *Cyathochaeta*, the most

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likely species would be *C. equitans (C. clandestina* in Gibson *et al.,* 1994). This species does occur rarely on the SCP, where it is a known indicator species for state listed TEC20a (see Section 3.3).

Many native flora species have subspecies or varieties, some of which are conservation significant. Flora species should always be checked for infra-species status. Some species were identified to this level, but it was done inconsistently.

It is stated that 72 native and nine introduced flora were recorded for the study area (81 in total). This kind of species list might be expected from a Reconnaissance Survey using Releve survey methods but not a Detailed Survey using Quadrat (plot) methodology. Entire expected groups are missing. Observations during a brief site visit of approximately 1-2hrs added 58 extra native flora and 31 weed species to these totals. These additional observations would take the total to approximately 170 species. 170 species would still not constitute a comprehensive flora species inventory of the study area.

Some of the species missing from the list were trees such as *Banksia ilicifolia, B. grandis, Eucalyptus gomphocephala, Melaleuca preissiana* and what appears to be *Callitris preissii*. These particular species may also have implications in regard to the vegetation types and ecological communities present.

A more comprehensive and accurate flora inventory for the study area is required. This would be achieved by ensuring that quality plot data is collected (Section 3.3.2) and supplemented by opportunistic observations and collections.

A Targeted Flora (EPA, 2016 p. 5) survey using Traverse Survey (EPA, 2016 p. 7) methodology recorded *Acacia benthamii* (P2) and *Jacksonia sericea* (P4). The precise methodology used (Appendix D, Section 3) was not provided to know whether this was completed at an adequate intensity. The EPA states that for South West WA, a 10m Traverse Survey is appropriate.

Jacksonia sericea was not seen during a brief site visit, although an often confused similar species *Jacksonia calcicola* was. The latter is common on shallower sand over limestone. Both may be present. It is recommended that any conservation significant species recorded in future surveys are confirmed by the WA Herbarium (WAH). It is also important and a requirement of flora collecting licences to lodge conservation significant flora with the WAH.

A more critical analysis of the conservation significance of *Acacia benthamii* needs to be completed. It is described in the report as unlikely to be locally rare. There were 10 individuals recorded in the study area, and another record 5km away (Appendix D, Section 5.1). There is little of its habitat left in a 5km radius. *Acacia benthamii* does not appear to be abundant where it does occur (K. McCreery pers. obs). There are only 31 collections in the WA Herbarium, from an unknown number of populations, at least some of which are likely to be extinct given their distribution in an urban landscape. As its known range mainly consists of the Perth Metropolitan Region (PMR) portion of the SCP, it is likely that not much of its habitat is left across most of its original range. The record in the study area therefore may on further investigation be found to have both local and regional significance.

None of the factors that might have explained these issues were identified as a constraint or limitation of the flora and vegetation survey (Appendix D Table 3 p. 13).

3.2.2 Significance Assessment

Species other than those listed under state and federal legislation and guidelines e.g. Threatened Flora (TF) may have conservation significance. These are defined by the EPA (2016) as those species that may include but not be limited to species that are:

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- Priority Flora (PF) species;
- Locally endemic or associated with a restricted habitat type;
- New species or anomalous features that indicate a potential new species;
- Representation of a species range (extensions, edges of ranges or an outlier population);
- Unusual species including restricted sub-species, varieties or naturally occurring hybrids; and/or
- Relictual status, representative of taxonomic groups no longer in the broader landscape.

Once a comprehensive flora inventory exists for the study area, a significance assessment should be completed using these criteria. In the flora inventory provided (Appendix 4 of Appendix D) there are already a number of species at the extent of their known range, range extensions and/or some species that are poorly collected on the SCP. Some of these may be significant records in what is supposedly a well-studied bioregion. While findings are not generally taken in to account in EIA processes in practice, it contributes towards an overall understanding of the significance of the ecosystems present. The process of checking also resolves quality and accuracy issues within the flora inventory.

3.3 VEGETATION

3.3.1 Regional Contextual Information

Broad scale contextual information such as vegetation communities (Beard, 1979) and vegetation complexes (Heddle *et al.,* 1980) are often used in EIA. These are not at a scale appropriate for EIA purposes. If they are to be used, they need to be used in a way that acknowledges their limitations.

Strategen JBS&G (2021, p. 15) states that 23.5% of Karrakatta Complex Central and South remains on the Swan Coastal Plain. It goes on to state that in constrained areas (which encompasses the Perth Metropolitan Region) there is a 10% threshold for retention. The implication is that any loss of the remaining 23.5% is within the 10% threshold.

In unconstrained areas the recommended retention threshold for ecological communities is 30%, the minimum required to retain ecological viability.

The Karrakatta Complex Central and South spans constrained and unconstrained areas. It occurs over a narrow band between Busselton and Gnangara. If 10% thresholds are to be used in this way, it needs to be compared to the area of the vegetation complex left within the constrained area i.e. the PMR portion of the SCP and not the total extent across the entire SCP. The amount of this complex within the Metropolitan Region Scheme (MRS) area for example is 4291.55 hectares or 12.4% (Government of WA, 2019).

Additionally, vegetation complexes are not one ecological community but many, all of which are less well represented than the complex as a whole. This is particularly relevant for a long narrow linear complex like Karrakatta Complex Central and South, as it spans a significant climatic gradient and the vegetation would change across that gradient. The figures also do not take fully into account the condition of vegetation remaining.

Used without context these figures can overestimate the amount of vegetation remaining locally and regionally.

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Strategen JBS&G (2021,Table 4.1 p. 15) then states that in the LGA, under 4% of this complex remains. The discussion of this was not equal to its significance. Where the CoS is now located was once one of the broadest original extents of this complex. According to Government of WA (2019) 5,458 hectares was originally present in the CoS, of which 210.28 hectares or 3.85% remains.

The lack of quality contextual information at an appropriate scale for EIA is a standard limitation for all assessments of vegetation in WA. This was not identified in the limitations and constraints exercise (Appendix D Table 3 p. 13).

The purpose of the plot-based (quadrat) survey is to assess the representation of vegetation at a more appropriate scale for EIA.

3.3.2 Quality of Plot Data

Many of the Priority (PEC) and Threatened (TEC) Ecological Communities on the Swan Coastal Plain (SCP) were originally defined on the basis of the plot based surveys, subsequent statistical analysis and Floristic Community Type (FCT) assignation by Gibson *et al.* (1994). Forty-three (43) FCTs were identified in this study. Some of these were found to be geographically or otherwise restricted. These were later listed as PECs and TECs that are now listed under state and federal legislation and guidelines.

Because of this history, the established methodology to determine PEC or TEC status of vegetation on the SCP is based on using the same methodology as the original Gibson *et al.* (1994) study. Plot data is compared statistically to the original Gibson *et al.* (1994) plot dataset to establish which FCT the vegetation at a particular site represents.

The analysis works on the basis of a comparison of species composition, therefore the species richness and composition of plot data is very important in determining the outcome of a FCT analysis. Particularly between closely related Banksia Woodland FCTs for example.

Strategen JBS&G (Appendix D, p. 11) stated that there were eight plots established and surveyed in the study area. Their statistical analysis determined that these represented FCT28, clustering with plots from Kings Park, Warwick Open Space and Shenton Park bushland (Appendix D, p. 27). This is feasible, however there were some issues with the quality of the plot data used to come to this conclusion.

Strategen JBS&G (Appendix D, Appendix 5) indicates that a mean species richness of 26 species was recorded from their 10x10m plots. This is significantly lower than the 55.2 species Gibson *et al.* (1994) recorded for FCT28. Such a large difference in data completeness may have compromised the analysis. This was not described as a limitation in Table 3 (Strategen JBS&G, 2021, Appendix D p. 13). The other source of noise in the plot data are some flora misidentifications (see Section 3.2).

One of the plots was in Good condition, two were Good to Very Good, and the remainder were Very Good to Excellent condition. This indicates that the condition was not a reason for the low species richness.

By way of rationale the authors state that Gibson *et al.* (1994) plots had more species because they were the cumulation of surveys across multiple seasons. However upland communities in Gibson *et al.* (1994) were generally only surveyed twice, an initial survey in late August to mid-September to record early flowering flora, and a revisit in mid to late October to capture late developing species such as native grasses. Regardless an experienced SCP botanist should be able to do a single survey in late September for example, and still exceed the number of species that Gibson *et al.* (1994) recorded.

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Plots in Banksia Woodland mostly in Very Good condition should contain between 65 and 90 species (including weeds). If it turns out that FCT20a: *'Banksia attenuata woodlands over species rich dense shrublands'* is present, then it would be expected that the species richness would be at the upper end of that range. It may be more difficult for vegetation in Good condition to obtain Gibson *et al.* (1994) species richness counts, however at least 40 species would still be expected.

Unfortunately poor quality plot data cannot be fixed, it can only be recollected.

Survey Timing and Seasonality

It appears that the plot based survey was completed on the 21st November 2017 and the Targeted Flora (Traverse) (EPA, 2016) survey on 4th September 2018.

As the Targeted Flora (Traverse) survey was focussing on perennial species, timing was less critical.

The timing of the plot based surveys were more critical. While late November is described as 'spring' on the SCP in EPA (2016), it isn't peak flowering for the purposes of a plot survey in the Perth Metropolitan Region. It might be appropriate for example in Dunsborough further south. Peak flowering in the Perth region in Banksia Woodland is late August to the end of October (depending on seasonal conditions).

November is too late for many ephemeral herbs, and these make up a substantial proportion of the species richness in plots in Banksia Woodland. Surveying once in mid to late November is likely to be a part of the reason the species richness was so low. If only a single season plot-based survey is planned, it should be conducted in mid to late September.

In spite of the late timing, more species still should have been recorded in plots and in the species list.

To ensure that plot data is collected using methodology consistent with Gibson *et al.* (1994), plots should be established and surveyed early September, with a follow up revisit survey in October. It is possible to do a single survey in late September and get similar results, but only if sufficient time and expertise is dedicated to it.

3.3.3 Vegetation Types

Three vegetation types were defined in the flora and vegetation survey (Strategen JBS&G, 2021, Appendix D p. 23), all of which were described as variants of Banksia Woodland:

1. BaDdSc: *Banksia attenuata* and B*. menziesii* isolated low to mid woodland over *Xanthorrhoea preissii, Hakea prostrata, Hibbertia hypericoides, Daviesia divaricata* subsp. *divaricata* and *Grevillea vestita* subsp. *vestita* open mid heathland over *Thysanotus dichotomus* (a Darling Range species)*, Scaevola canescens* and *Ptilotus polystachyus* herbland.

2. BaXpHh: *Banksia attenuata* and *B. menziesii* low woodland with some areas of *Eucalyptus marginata* mid open woodland over *Xanthorrhoea preissii,* with scattered *Macrozamia riedlei, Hakea prostrata* and *Jacksonia furcellata* tall sparse to open shrubland over *Hibbertia hypericoides, Petrophile macrostachya, Daviesia nudiflora* var. *nudiflora* heathland.

3. BpTrJs: *Banksia prionotes* low woodland over *Templetonia retusa* sparse mid shrubland over *Jacksonia sericea, Daviesia nudiflora* subsp. *nudiflora* and **Avena barbata* mixed open heathland/ tussock grassland

While vegetation types can be subject to interpretation, a number of observations were made.

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Vegetation type **2: BaXpHh** is clearly classic Jarrah-Banksia Woodland on the deeper sands on slopes of dunes. However **1: BaDdSc** and **3: BpTrJs** have dominant species in them that are indicative of shallower limestone soils.

1. BaDdSc: *'Banksia attenuata* and B*. menziesii* isolated low to mid woodland' appears to be transitional vegetation. The Banksia overstorey becoming increasingly sparse upslope towards what appears to be a ridgeline on shallower sand over limestone. Many of the species listed for **1. BaDdSc** have a limestone preference more typical of a Tuart community than a Banksia community e.g. *Templetonia retusa, Grevillea vestita*.

Banksia prionotes can be a discrete plant community. It can also often grow as a disturbance species or within other vegetation types. *Banksia prionotes* can be typical of both Tuart and Banksia communities. **3. BpTrJs:** *'Banksia prionotes* low woodland' appears to also be transitional, including species typical of both Banksia Woodland i.e. *Daviesia nudiflora* and limestone i.e. *Templetonia retusa*.

During the brief site visit, an alternative interpretation of the vegetation types present was developed:

Vegetation Type A. Dune Slopes on deeper sand: Jarrah-Banksia Woodland. Appears to occur around elevations of 20-30m. The trees become sparser towards what appears to be a transition area at around 30m (mapped as **1. BaDdSc:** '*Banksia attenuata* and B*. menziesii* isolated low to mid woodland') to Vegetation Type B. Previously determined to represent FCT28 but there are some indications that it might also include FCT20a particularly towards the eastern extent of Lot 802).

Vegetation Type B. Ridgeline on shallower sand over limestone: Tuart *Eucalyptus gomphocephala* open woodland to isolated clumps of trees on a ridge running from the south-west corner to the north-east corner of the study area. Appears to occur across elevations of approximately 30-40m. Limestone is likely to be close to the surface here, as many limestone species (*Grevillea vestita, Eucalyptus gomphocephala, Jacksonia calcicola* etc) were present. The condition in this vegetation appeared to be very patchy.

Vegetation Type C. Dampland: *Melaleuca preissiana* over Closed Sedgeland of what appears to be *Machaerina (Baumea) juncea* but would need to be confirmed. This vegetation was located in the south-east corner, associated with an elevation of 18-20m. Most of this area is in Good to Degraded condition but there is an area perhaps 20m x 20m in size that appeared to be in Very Good or better condition. This wetland appears to be missing from the 2017 report.

Additionally, there was a stand of what appeared to be mature *Callitris preissii* on the north boundary of the study area. This species is an indicator of Western Australian TEC FCT30a: *'Callitris preissii (or Melaleuca lanceolata) Forests and Woodlands'*. These may on further investigation only represent isolated plants within another vegetation type. This can be a problematic TEC to identify in some ways. It was one of those originally defined by Gibson *et al.* (1994), so if an area suitable for a plot can be found, the statistical analysis may provide the best clarity. FCT30a has previously been recorded from Trigg Reserve which is approximately 5km to the south-west of the study area.

There was only a brief mention of Tuart *Eucalyptus gomphocephala* in the flora and vegetation report (Strategen JBS&G 2021, Appendix D p. 28) and none in the main report. It was stated that it was present as isolated trees within the study area and on this basis it was dismissed as not representing the *'Tuart woodlands and forests of the Swan Coastal Plain'* TEC. At the time of the survey in 2017, this was pending listing as a TEC (Critically Endangered) under the federal *EPBC Act 1999*. At this time however, it was already listed as a state Priority Ecological Community (PEC)(Priority 3).

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The diagnostic criteria for this TEC (DotEE, 2017) states that to qualify as a 'patch', Tuart need as a minimum to be present as three trees with their canopy extent less than 40m apart. At least one 'patch' of Tuart in the study area fits this criterion.

The diagnostic criteria also state that *'Tuart woodlands and forests of the Swan Coastal Plain'* TEC and the *'Banksia Woodlands of the Swan Coastal Plain'* TEC often co-occur and a transition occurs between the two. Where Banksia is still dominant in the overstorey the criteria state that the Banksia Woodland TEC prevails. There are areas along the ridgeline in the study area where Banksia is often sparse or absent and Tuart occurs.

The diagnostic criteria can be difficult and open to interpretation for borderline cases. All criteria may be met except one. However depending which criteria, this could be seen to constitute an arbitrary exclusion. Criteria are based on patch size and condition amongst other features. Ultimately to weigh up these factors, quality data needs to be collected and then applied against the full list of diagnostic criteria.

A more recent Threatened Species and Communities Branch database search would provide a current distribution of known occurrences of *'Tuart woodlands and forests of the Swan Coastal Plain'* TEC/PEC in or around the study area. The database search results from the 2017 survey (Appendix D, Figure 5) appear to not have included this particular ecological community at the time, even though it was already listed as a PEC.

Strategen JBS&G (2021) states that the FCT20a: *'Banksia attenuata woodlands over species rich dense shrublands'* TEC (WA) is present in Lot 803 Erindale Road Hamersley. This is the lot immediately to the east of the study area that is proposed as a conservation area. There is no explanation of how this conclusion was reached. Some of the species recorded in the Natural Area Assessment (Appendix G) do appear to be indicators of FCT20a, however some of these species were also recorded in Lot 802 (the study area).

If FCT20a has been verified in Lot 803, this is further west than this usually occurs. If FCT20a is present in Lot 803, it is quite possible that it is also in Lot 802. There is only approximately 100-200m distance between data points used to indicate FCT28 (Lot 802) and FCT20a (Lot 803), over what appears to be contiguous Banksia woodland.

There were species recorded in the study area that are more typical of FCT20a than FCT28, such as *Desmocladus fasciculatus* and *Tetraria octandra*. These species are also rare on the SCP, especially that far west. The closest record of *D. fasciculatus* for example is from Koondoola Bushland four kilometres to the north-east of the study area, from a known occurrence of TEC20a.

FCT20a tends to occur in transitional zones. For example between vegetation complexes e.g. on the boundary of Spearwood and Bassendean Dunes or on the transition of uplands and wetlands. A small dampland occurs in the south-east corner of Lot 802 (the study area). The Banksia woodlands just upslope of this dampland may be the most likely candidate for FCT20a. Collection and analysis of quality plot data from this area would be required to clarify this.

The federal process regards what are rarer subtypes of the *'Banksia Woodlands of the Swan Coastal Plain'* TEC in the following way:

> *"A number of vegetation communities or floristic community types are encompassed within the Banksia Woodlands ecological community. Some of these sub-communities within the Banksia Woodlands are highly restricted and listed as Threatened or Priority ecological communities in*

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Western Australia. These have higher significance than sub-types known to be more common and should be provided specific or additional protection, particularly where assigned a higher threat rank than the Banksia Woodlands listing." (DoEE, 2016).

FCT20a as a state listed TEC qualifies as one of this sub-communities.

Such a divergence of opinion on what vegetation types were present in the study area, indicate that this question has not been resolved adequately. Only a quality plot based survey followed by statistical and other analyses will be needed to resolve this question.

Survey Effort

As discussed, appropriate survey effort would be evidenced by the species richness recorded from plots equalling or exceeding that in Gibson *et al.* (1994) for the relevant FCT and for vegetation in Good to Very Good or better condition.

The EPA (2016) requests that species area curve calculations be included in plot based vegetation surveys, to demonstrate the adequacy of survey effort. One was completed in the flora and vegetation report (Strategen JBS&G, 2021, Appendix D p. 22). Based on the plot data collected this estimated that the study area adequately covered would yield 110.08 species (81 were recorded or 74% of expected species). On these results the statement was made that 'an appropriate percentage of the flora has been sampled'. What wasn't discussed is that the species curve also is designed to show is whether the number of plots established were adequate, not just the number of species recorded.

EPA (2016) states that a minimum of 3 plots per vegetation type should be sampled. Some of the smaller vegetation types present in the study area will not accommodate three, while it may be necessary to put more than three in Banksia Woodland. Plot placement should avoid transitional vegetation, this is a fundamental principle of vegetation science.

The patch of *Callitris preissii* should also be assessed to see if a plot is warranted. The patch is roughly between the two main vegetation types. It may be that a releve is more appropriate.

A new statistical analysis should be completed using quality plot data. Due to legacy issues, plots should be analysed one at a time against the Gibson *et al.* (1994) dataset.

3.3.4 Conservation Significance Assessment

Vegetation other than that listed under state and/or federal legislation and guidelines e.g. TECs, may have conservation significance. This is defined by the EPA (2016) that which may include but not be limited to vegetation that:

- Represents a Priority Ecological Community (PEC);
- Has a restricted distribution;
- Has implications due to historical impacts;
- Has a role as a refuge; and/or
- Provides a function required to maintain the ecological integrity of a significant ecosystem.

Once quality data is available, a comprehensive significance assessment should be completed for vegetation.

A recent DBCA Threatened Species and Communities database search needs to be completed.

Once quality data is available, the Jarrah-Banksia and the Tuart vegetation types should be assessed against the diagnostic criteria for TECs under the *EPBC Act 1999*.

3.4 MANAGEMENT AND MITIGATIONS

The mitigations proposed (Strategen JBS&G, 2021, Section 5 p. 29) do not address the primary issue of loss of native vegetation. Management recommendations in the report(s) rely on the provision of 10% Public Open Space (POS). The study area is already small and reducing native vegetation to 10% of that and adding all the pressures of an urban environment will result in little to no retention of ecological values in the long run. Revegetation or planting native plants in a landscaping context does not mitigate the loss of complex native vegetation. Linkages are not only corridors for wildlife, they are habitat for complex ecological communities. Planting trees and landscaping do not compensate for loss of complex plant communities.

This leaves offsets, which were always intended only to be a last resort. The like-for-like requirements are becoming problematic, as it is becoming difficult to find similar vegetation to offset against.

Lot 803 is proposed to be protected as a conservation area under a conservation covenant (Strategen JBS&G, 2021, Section 5 p. 29). It doesn't elaborate on the nature of the covenant proposed. If this refers to conservation covenants under the *Biodiversity Conservation Act 2016*, these were written in such a way that they offer very little protection. There appear to be ordinary covenants and 'permanent covenants' both of which can be cancelled by the same process of a written agreement between the CEO of Department of Biodiversity Conservation and Attractions and the people bound by the covenant (usually the land owner). This might be something to be aware of, in addition to all the implications of who would be responsible for managing the land and how.

3.5 REPORTING

EPA (2016 p. 26) outlines what is expected in a flora and vegetation survey report. Any further surveys should include these requirements. A number of these are missing in the flora and vegetation survey report (Appendix D). For example but not limited to a species by site matrix (EPA, 2016 p. 28).

Information will need to be updated to reflect new information, including but not limited to vegetation type mapping and more recent species and communities search results etc.

The points in relation to quality and accuracy discussed in this review should be addressed.

A more critical and objective constraints and limitations exercise needs to be completed for any future work. EPA (2016 p. 26) states that:

> *"All reports should contain a section outlining the scope of the survey, the methods used and limitations of the survey. Justification of the type of survey conducted and the survey design, including any deviation from this guidance, should be provided. Any survey-specific issues/limitations should be addressed in the limitations section."*

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4. CONCLUSION

Informed decision making in the context of flora and vegetation relies on adequate information being provided. An underpinning of quality data is fundamental to this. The data provided and some of the interpretations of it, do not provide government or the broader community adequate information to make an informed decision on what is proposed.

Quality data would require that a timely, consistent, accurate, comprehensive survey effort is applied to both Lots 802 and 803. Two inconsistent methodologies were used, with different conclusions reached about what kind of vegetation was present on each. Future surveys should be guided by the methodology for a Detailed Survey in EPA (2016 p. 6) and conducted by experienced practitioners.

This data should then be used to establish which state and federally listed Threatened and/or Priority Ecological Communities are present, and their condition and extent across both lots.

The methodology used in the Targeted Flora (Traverse) surveys was not described in detail. If the methodology used was not consistent with EPA (2016), these may also need to be resurveyed. These ideally should confirm which Priority Flora are present and their extent across both lots.

An accurate and rational assessment of the significance of the flora and vegetation in a local and regional context should be conducted as per the requirements of EPA (2016 p. 26-27).

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12.2/DS2 LOCAL PLANNING SCHEME NO.3 - SCHEME AMENDMENT NO.113 AND LOCAL PLANNING POLICY 6.17 - PROTECTED TREE REGISTER - INITIATION

Report Information

Location:	City Wide
Applicant:	Not Applicable
Reporting Officer:	Manager Development Services
Business Unit:	Development Services
Ward:	City Wide
Suburb:	City Wide

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☐	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☒	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/014

Moved Councillor Proud, seconded Councillor Migdale

1. **That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, Council PREPARES (for the purpose of advertising) Scheme Amendment No.113 to Local Planning Scheme No.3 to introduce a Protected Tree Register as shown in Attachment 1.**

2. **That pursuant to Regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015, Council RESOLVES that, in its opinion, Local Planning Scheme No.3 Amendment No.113 is a Standard Amendment.**

3. **That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, Council PREPARES 'Local Planning Policy 6.17 - Protected Tree Register' as shown in Attachment 2 and that it be advertised for public comment concurrently with Local Planning Scheme No.3 Amendment No.113.**

The motion was put and declared CARRIED (15/0) by exception resolution.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

1. That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, Council PREPARES (for the purpose of advertising) Scheme Amendment No.113 to Local Planning Scheme No.3 to introduce a Protected Tree Register as shown in Attachment 1.

2. That pursuant to Regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015, Council RESOLVES that, in its opinion, Local Planning Scheme No.3 Amendment No.113 is a Standard Amendment.

3. That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, Council PREPARES 'Local Planning Policy 6.17 - Protected Tree Register' as shown in Attachment 2 and that it be advertised for public comment concurrently with Local Planning Scheme No.3 Amendment No.113.

Officer's Recommendation

1. That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, Council PREPARES (for the purpose of advertising) Scheme Amendment No.113 to Local Planning Scheme No.3 to introduce a Protected Tree Register as shown in Attachment 1.

2. That pursuant to Regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015, Council RESOLVES that, in its opinion, Local Planning Scheme No.3 Amendment No.113 is a Standard Amendment.

3. That pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, Council PREPARES 'Local Planning Policy 6.17 - Protected Tree Register' as shown in Attachment 2 and that it be advertised for public comment concurrently with Local Planning Scheme No.3 Amendment No.113.

Report Purpose

To consider a Scheme Amendment and associated Local Planning Policy 6.17 - Protected Tree Register to enable a Protected Tree Register for trees on private land to be adopted.

Relevant Documents

Attachments

Attachment 1 - Local Planning Scheme No.3 Amendment 113 ⇩

Attachment 2 - Local Planning Policy 6.17 - Protected Tree Register (Draft) ⇩

Attachment 3 - Summary of Protected Tree Register Provision ⇩

Available for viewing at meeting

Nil

Background

There has been considerable depletion of tree canopy cover in the metropolitan area due to development. The City has recognised that canopy cover and a resilient urban forest are essential for the wellbeing of its residents and the liveability of its suburbs. However, tree loss is becoming more significant and is increasing each year.

To help address tree loss, Council adopted its Urban Forest Plan (the Plan) on 16 April 2019. A key action of the Plan, as it relates to trees on private land, is to:

> *"Enable residents to voluntarily register trees on their land. Assist residents to maintain, manage and care for registered trees."*

On 27 October 2020, Council considered a report relating to the protection of trees on private land, and resolved (Council Resolution Number 1020/030):

"1. That an Amendment to Local Planning Scheme No.3 and an associated Local Planning Policy for a Voluntary Significant Tree Register be PREPARED.

2. That the Amendment to Local Planning Scheme No.3 for a Voluntary Significant Tree Register ALLOWS trees to be both added to and removed from the Voluntary Significant Tree Register."

This report addresses these resolutions, and proposes the establishment of a tree register for trees on private land only.

Other Local Government Approaches

Without a consistent approach by the State Government to limit tree canopy loss, local governments are developing individual approaches, including establishing various types of tree registers.

Some local governments have established a tree register without planning controls to protect the tree. Other local governments with a tree register protect trees through their planning scheme. Details of the tree registers of other local governments are summarised in Table 1 below.

Local Government	Planning Protection	Trees protected on Private Land	Trees protected on Public Land
Bayswater	No	N/A	23
Joondalup	No	N/A	103
Victoria Park	No	25	195
Cockburn	Heritage Survey – No	6	21
	Heritage List – Yes	0	0
Mosman Park	Proposed	Yes	Yes
Canning	Proposed	Yes	Yes
Subiaco	Yes	1	23
Belmont	Yes	2	N/A
Vincent	Yes	6	21
Fremantle	Yes	7	N/A
South Perth	Yes	9	259
Armadale	Yes	13	5
Mandurah	Yes	26	56
Bassendean	Yes	26	82
Total	**-**	**121**	**788**
Stirling (Proposed)	Yes	Yes	N/A

Table 1 - Different Local Government Approaches to Registration of Trees

At the time this table was complied, there were 909 trees on a tree register of some form. Approximately 13% of these – 121 were on private land. Almost half of the trees on private land are located in Bassendean and Mandurah. Approximately a third of trees on a register have no planning protection.

It is not proposed at this stage to register City trees on the Protected Tree Register, as these are managed with existing policies, schemes and programs. Council has resolved that Local Planning Policy 6:11 - Trees and Development will be reviewed in the 2022/2023 financial year. This review will involves ensuring there are sufficient considerations, protections and management for large significant City trees adjacent to development, subdivision and demolition applications.

Comment

In order to establish a voluntary tree register, the following planning instruments have been prepared:

- Scheme Amendment No.113; and
- Local Planning Policy 6.17 - Protected Tree Register.

The proposed changes are summarised below:

Scheme Amendment No.113

The main components of Scheme Amendment No.113 are:

- Allowing the establishment of a Protected Tree Register through the Local Planning Scheme;
- Providing a mechanism allowing only an owner to nominate a tree to be included on the Protected Tree Register;
- Prohibiting works that would affect the health and viability of the protected tree;
- Requiring development applications to identify any protected trees contained in the register, and provide, where necessary, an arborist report to demonstrate the ongoing health and viability of the tree;
- Requiring a development application for works in proximity to a protected tree; and
- Replacing the term to 'Significant Tree' with 'Established Tree' for existing trees with a minimum height of 4m.

Local Planning Policy 6.17 - Protected Tree Register

The main components of draft Local Planning Policy 6.17 - Protected Tree Register are:

- Identifying the process for considering nominations to add trees to the Protected Tree Register;
- Requiring an arborist report demonstrating the nomination is appropriate;
- Identifying the criteria against which nominations will be assessed;
- Allowing for a tree to be removed from the register, only in limited circumstances; and
- Identifying the obligations for owners of properties who nominate trees.

A detailed summary of these aspects is contained in Attachment 3. The key requirements are described below.

Only an owner can nominate a tree to be included on the Protected Tree Register

The recommended process allows for only a property owner to nominate a tree to be added to the register.

While other local governments have considered an approach where anyone can nominate a tree on private land, this approach does not appear to have been successful. The support of landowners is fundamental to the protection of trees on private land, and City officers do not consider it reasonable that a landowner is burdened by a nomination by another person.

Requiring a development application for works in proximity to a protected tree

In order to protect the ongoing health of trees, it is recommended that works that would normally be exempt from requiring development but are located within the Tree Protection Zone of a registered tree, require development approval.

The purpose of this requirement is to carefully control works close to a registered tree.

Detail the process for considering nominations to add trees to the Protected Tree Register

The process for considering adding a tree to the Register is shown in Figure 1 below. Before a nomination is assessed, landowners must commit to certain undertakings detailed further in this report.

This recommended approach involves an initial assessment to consider whether a tree should be protected. City officers will assess the species and health of the tree before commissioning an arborist report.

For a tree to be protected, an arborist report will need to confirm the tree is healthy, has at least a 15 years life expectancy and is of sound form and structure without major faults.

Additionally, the arborist report will contain a 'Tree Management Plan' identifying works that will need to be carried out to the tree to ensure its health and viability. An owner will need to agree at the nomination stage to abide by this plan.

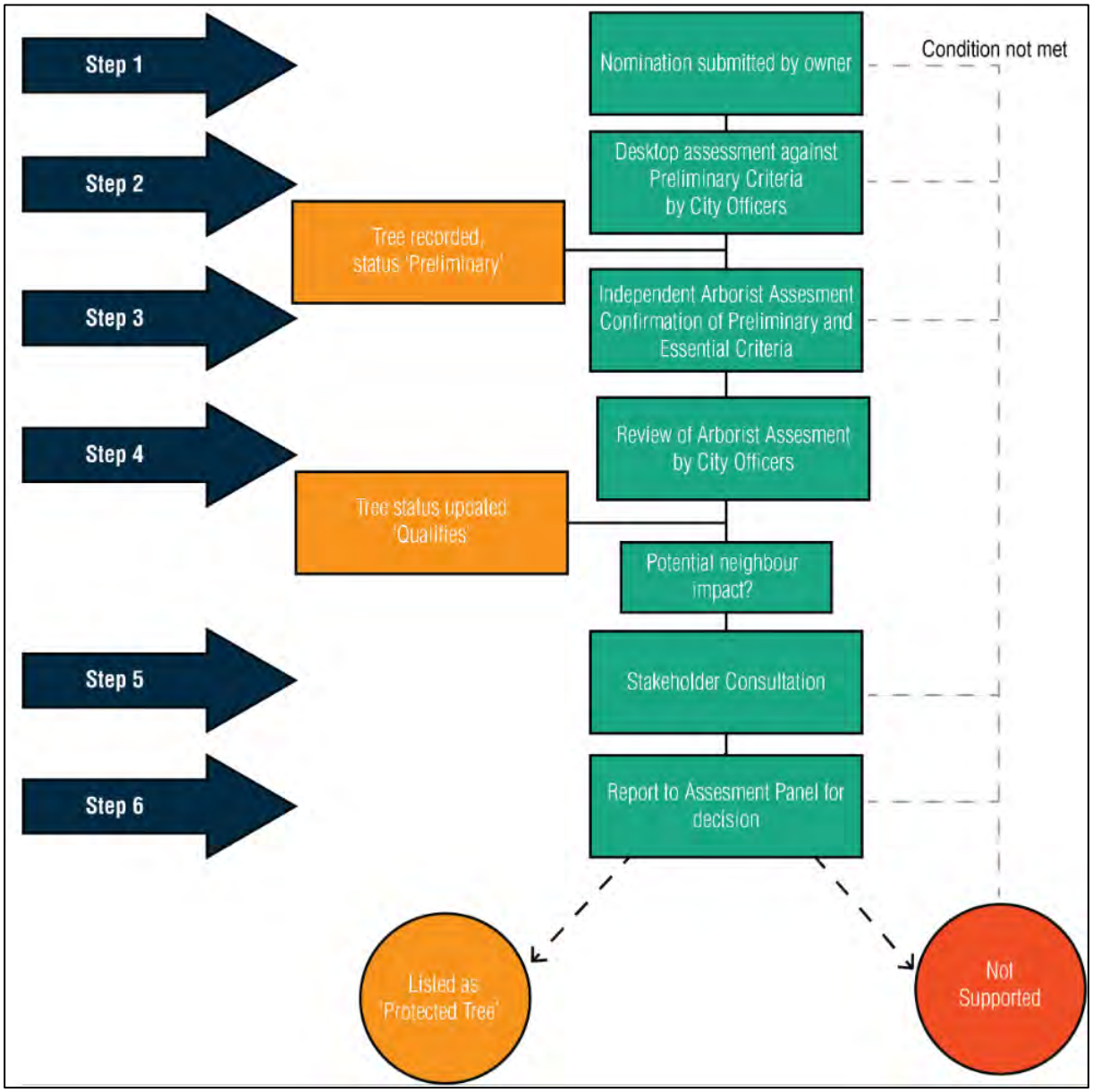


Figure 1: Process Flowchart for Registering a Trees

Depending on how close a nominated tree is to an adjacent property, the City may need to consult with neighbouring land owners. This will be determined on a case by case basis following the preparation of an arborist report.

The City will only consult with neighbouring property owners where parts of the tree encroach into an adjoining property. This is particularly important as any works undertaken on an adjoining lot have the potential to impact on the health and future viability of a protected tree.

As a rule, the closer a tree is to a boundary with an adjoining property, the more likely it is that neighbouring property owners will be asked to comment. The arborist report will provide the definitive answer to this, as this report will identify the Structural Root Zone and Tree Protection Zone for each tree.

If a tree's Structural Root Zone encroaches onto an adjoining property, any damage to that part of the tree will impact its future. For this reason, the only way of ensuring the ongoing health of the tree is to ensure the adjoining owners support retention of the tree, and are aware that doing so has implications for them.

For this reason, all properties that have a protected tree's Structural Root Zone on their property will need to agree to protect the tree and have a notification placed on the property title letting future owners know the tree is to be protected.

In the circumstance where a neighbour does not agree to register the tree or have a notification placed on their property title, the tree will not be able to be included on the register.

Identify the criteria against which nominations will be assessed

Once an initial assessment has determined a nominated tree has merit to be considered for the register, the following criteria will be used to determine if a tree should be included:

a) *Be appearing to be, or is of good health and form with no obvious signs of decline;*
b) *Be of a significant size for the species typically meeting one or more of the following:*
    (i) *Diameter at Breast Height of at least 250mm or;*
    (ii) *Canopy diameter spread of at least 10m or;*
    (iii) *Height of at least 5m. Grass trees will be considered from a height of at least 1.2m.*

Identify that removal of a tree from the register will be supported in limited circumstances

The purpose of the 'Protected Tree Register' is to identify trees that the City will assist residents to maintain, manage and care for. For this reason, where a tree has been added to the register, its removal will only be permitted in limited circumstances.

This presumption that trees on the register should be retained does not extend to circumstances where the health of the tree is substantially declining, and its ongoing viability is in doubt. In these circumstances, removal from the register will be considered by the Tree Assessment Panel, with the landowner responsible for demonstrating removal is required.

Withdrawal of the support of any owner (or subsequent owner) of the land will not be considered sufficient reason to remove the Protected Tree. Future purchasers of a site with a protected tree will be made aware by way of notification on the property title.

Identify the obligations for owners (or adjoining property owners) where trees are placed on the register

Prior to undertaking an assessment of a nominated tree, landowners will need to agree to meet the following obligations, should the tree be placed on the register:

- A Section 70A Notification being placed on the Certificate of Title for any property that contains the Structural Root Zone advising future owners of the tree's protection. The City will pay costs associated with adding (not removing) the notification to the title.
- Consent to abide by the Tree Management Plan and care for the health and viability of the tree.

These obligations are necessary to ensure that all owners of properties are aware of their obligation to protect the registered tree. Without affected landowners agreeing to these obligations, there is a risk the tree will not be protected.

Tree Assessment Panel

A Tree Assessment Panel, comprising the Manager of Development Services and the Manager Parks and Sustainability will be established to consider proposals related to the Protected Tree Register.

Appeal Rights

Should the City's Tree Assessment Panel refuse to remove a tree from the register, landowners will have the right to appeal the decision to the State Administrative Tribunal.

Amendment Type

Regulation 34 of the Planning and Development (Local Planning Schemes) Regulations 2015 identifies the various Scheme Amendment types. This Scheme Amendment is considered to be a Standard Amendment, as:-

i. It is an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission.

The proposed Amendment is consistent with actions identified within the City's Local Planning Strategy, in particular to *"Develop and implement an Urban Forest Strategy (including a planning framework) which addresses both public and private tree preservation."*

Consultation/Communication Implications

If Council resolves to proceed with the proposed Amendment, consultation will be required in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 and the City's Planning Consultation Procedure. It is anticipated a report detailing the outcomes of advertising of the proposed Amendment will be presented at the Council meeting to be held 30 August 2022.

Policy and Legislative Implications

The proposed Scheme Amendment will be processed in line with the requirements of the Planning and Development (Local Planning Scheme) Regulations 2015. Where a local government resolves to prepare an amendment, the following legislative requirements apply:

- The local government is to, in its resolution specify (in its opinion) the type of Amendment proposed (Basic, Standard or Complex);
- The local government is to (assuming Council resolve to prepare the Scheme Amendment) advertise the Amendment in the approved form;
- The local government is to consider all submissions received within 60 days of the end of the submission period; and
- The local government, within 21 days of passing a resolution, provide specified information to the Western Australian Planning Commission.

In relation to proposed Local Planning Policy 6.17 – Protected Tree Register, where a local government resolves to prepare a Local Planning Policy, the Regulations require local governments to:

- Advertise the Policy in a manner consistent with the Regulations and Local Planning Policy 6.18 – Planning Consultation;
- Review the Policy in light of the submissions made after the submission period closes;
- Resolve to proceed with the Policy with or without modifications, or not proceed with the amended Policy; and
- Publish a notice on the City's website to give effect to the Policy.

A consequential amendment will be required to Local Planning Policy 6.11 - Trees and Development as a result of this scheme amendment. The term 'Significant' tree will need to be replaced with 'Established' tree. This is considered a minor change that does not alter the intent of the policy, as the change removes any conflicting understanding of the term Significant tree.

This minor change to Local Planning Policy 6.11 - Trees and Development will be considered by Council when outcomes of advertising of the Protected Tree Register are considered by Council.

Financial Implications

The costs associated with advertising the Scheme Amendment and Local Planning Policy are covered within the Development Services Business Unit budget.

The level of maintenance and assistance provided by the City to each tree on the Protected Tree Register, which would be ongoing costs to the City, is likely to increase as more trees are added.

As a new body of work (private tree protection), City officer time assessing, reviewing arborists reports, consulting with neighbours and preparing the application for the Tree Assessment Panel is estimated at 10 hours per application. Officer time of two hours per Protected Tree per year for on-going tree support and assistance will also be needed. As private trees placed on the register will typically be well cherished tree specimens, it is expected that owners will be interested, inquisitive and responsive in their dealings with the City.

Employee time to prepare, lodge and register the Landgate application for Section 70A Notification on the Certificate of Title, is estimated at three hours.

A modest suite of financial support will be proposed for owners of a Protected Tree on the register; this is to be detailed after any public consultation, and reported to Council. These measures need to balance providing support and encouragement, while not taking on liability and responsibility for the private tree.

The City has submitted a 2022/2023 budget request to implement the Protected Tree Register Financial Support and this includes funds for arborist reports, financial incentives for works on or around protected trees and for property title changes. It does not include new FTE as this will be dependent on application numbers. The current Urban Forest program, the City tree planting program and the Protected Tree Register will need to be appropriately resourced in order for the City to achieve intended outcomes of our Urban Forrest Plan.

Strategic Implications

Key Result Area: Sustainability

Outcome N2: Greener City

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Vegetation impact	The Protected Tree Register would provide protection for trees worthy of retention.

SOCIAL	
Issue	**Comment**
Cultural and heritage value	The Protected Tree Register would provide protection for trees worthy of retention.

ECONOMIC	
Issue	**Comment**
Business innovation	The Protected Tree Register will allow development standards to be varied where creative building designs allow trees to be retained.

Conclusion

Council, through its Urban Forest Plan, has resolved that a Voluntary Significant Tree Register be established.

An Amendment to the City's LPS3 to include a Protected Tree Register for trees on private property has been prepared to achieve this. Additionally, a new Local Planning Policy is proposed to outline the process for implementing the Protected Tree Register.

The proposed Amendment is consistent with City's Local Planning Strategy and helps to achieve the City's Urban Forest Plan, by encouraging the retention of existing tree canopy.

It is recommended that Council prepares Scheme Amendment No.113, as shown in Attachment 1 and Local Planning Policy 6.17, as shown in Attachment 2, for the purpose of advertising.

PLANNING & DEVELOPMENT ACT 2005

CITY OF STIRLING

LOCAL PLANNING SCHEME NO 3 - AMENDMENT NO. 113

Resolution to prepare Amendment to Local Planning Scheme No.3

Resolved that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by amending the Scheme Text by:

1. Amending the following clauses as follows:

1.1 In Clause 5.5.5 replacing the term 'signficant tree' with '**registered tree or established tree**';

1.2 In Clause 5.13.1 replacing the term 'significant' with '**established**';

1.3 In Clause 5.13.2.a replacing the term 'significant' with '**established**';

1.4 In Clause 5.13.2.b replacing the term 'significant' with '**established**';

1.5 In Clause 5.13.2.c replacing the term 'significant' with '**established**';

1.6 In Clause 5.13.3.a replacing the term 'significant' with '**established**';

1.7 In Clause 5.13.3.b twice replacing the term 'significant' with '**established**';

1.8 In Clause 5.13.3.c replacing the term 'significant' with '**established**';

1.9 In Clause 10.3.2.h replacing the term 'significant' with '**established**'; and

1.10 In 'Schedule 1: Dictionary of Defined Words and Expressions – General Definitions' inserting the new defined term of '**Established Tree**' with the following definition:

"**means a woody plant at a height of at least four (4) metres above ground level and meets one of the following criteria:**
a) for a single trunk species, a trunk circumference of at least 500mm at a height of one (1.0) metre above ground level; or
b) for a multi trunk species, a trunk circumference of at least 250mm at a height of one (1.0) metre above ground level."

1.11 In 'Schedule 1: Dictionary of Defined Words and Expressions – General Definitions' inserting the new defined term of '**Registered Tree**' with the following definition:

"**means vegetation that is identified in the local governments Protected Tree Register.**"

1.12 In 'Schedule 1: Dictionary of Defined Words and Expressions – General Definitions' deleting the defined term of '**Significant Tree**'.

2. Inserting Schedule A before Schedule 1 as follows:

"**Schedule A - Supplemental provisions to the deemed provisions**
These provisions are to be read in conjunction with the Deemed Provisions (Schedule 2) contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Part 3A – Protected Tree Register

Cl. 13B. Terms used

In this Part –
arborist report means a report produced by a person who has obtained a minimum of Australian Qualification Framework Level 5 Certification in Arboriculture (AQF5 Arborist) or equivalent qualification. The arborist report has information that concerns the health, value and general state of the tree, the structural root zone and tree protection zone, and a Tree Management Plan that outlines the methodology to preserve the tree;
protected tree means a tree that is included in the Protected Tree Register;
protected tree register means a Protected Tree Register established under clause 13C;
structural root zone means an area specified in Australian Standard 4970-2009 Protection of Trees on Development Sites, around the base of a tree required for the tree's stability in the ground;
tree means an individual perennial tree;
tree protection zone means an area specified in Australian Standard 4970-2009 Protection of Trees on Development Sites. This is the area above and below ground for the protection of a tree's roots and crown from development, to provide for the viability of a tree that is to be retained.

Cl. 13C. Establishing a Protected Tree Register

(1) The local government may establish and maintain a Protected Tree Register to identify trees within the scheme area that are worthy of protection.

(2) The Protected Tree Register –
(a) must set out
(i) a description of each tree;
(ii) the tree protection zone of each tree;
(iii) the structural root zone of each tree;
(iv) the location of each tree;
(v) the address of all properties that contain the structural root zone of the tree;
(vi) special conditions that apply (such as where pruning is expected from Western Power lines etc);
(b) must be available with the scheme documents where they are available for public inspection during business hours at the offices of the local government; and
(c) must be published on the website of the local government.

Cl. 13D. Adding and removing trees to the Protected Tree Register

(1) The local government must not enter a tree in or remove a tree from the Protected Tree Register, or modify the entry of a tree in the Protected Tree Register unless the local government –
   (a) notifies in writing each owner and occupier of any land which contains the tree, any branches of the tree and the tree protection zone;
   (b) provides each notified owner and occupier with a description of the tree and the reason for its proposed entry, removal or modification;
   (c) invites each owner and occupier to make submissions on the proposal within 21 days of the day on which the notice is served or within a longer period specified in the notice;
   (d) carries out any other consultation the local government considers appropriate; and
   (e) following any consultation and consideration of the submissions made on the proposal, resolves that the tree be entered onto or modified in the Protected Tree Register with or without modifications, or that the tree be removed from the Protected Tree Register.

(2) If the local government enters a tree onto the Protected Tree Register or modifies an entry of a tree in the Protected Tree Register, the local government must give notice of the entry or modification to each owner and occupier of any land which contains the tree and tree protection zone.

Cl. 13E. Works to, or near, a Protected Tree

A Protected Tree, its branches and any roots within the tree protection zone are prohibited to have works undertaken, except in the following circumstances –
   (a) works on a neighbouring property, which contains branches and roots of the Protected Tree, but does not contain the structure root zone; or
   (b) pruning to the Protected Tree that involves –
      (i) removal of dead wood; or
      (ii) treatment of disease; or
   (c) works to the Protected Tree identified in a City issued arborist report; or
   (d) works to the Protected Tree approved by the City's Tree Assessment Panel; or
   (e) works to the Protected Tree that are urgently necessary for public safety; or
   (f) development approval for building works has been granted, which identifies works (but does not require removal of) the Protected Tree; or
   (g) subdivision approval has been granted by the Western Australian Planning Commission which identifies works (including removal of) the Protected Tree; or
   (h) approval has been granted for works to the tree following a Commonwealth or State environmental assessment and decision.

Cl. 13F. Accompanying material where development relates to a Protected Tree

Prior to the determination of an application for development approval or subdivision, for land which contains a Protected Tree, the decision maker may require the applicant to submit an arborist report. The arborist report is to specify –

(a) the condition of the tree;
(b) the proposed work;
(c) matters that minimise the impact to the tree to ensure its viability; and
(d) the methodology to preserve the tree (Tree Management Plan).

Cl. 13G. Variation to site and development requirements

(1) Where development is proposed on land and the preservation of a Protected Tree would otherwise unduly restrict the reasonable development of the land the local government may grant by way of development approval, a variation to any development provision (except related to site area) of the Scheme, Local Planning Policy, State Planning Policy 7.3 – Residential Design Codes, Local Development Plan or Structure Plan where desirable to facilitate the preservation of the Protected Tree.

(2) The local government is not to grant development approval that requires a variation under subclause (1) which might, in the local government's opinion, significantly affect an adjoining property or a property in the locality unless –

(a) the application seeking the variation is advertised in accordance with clause 64 of the Deemed Provisions; and
(b) any submissions received in response to that advertising, are duly considered by the local government.

Cl. 13H. Duty of care

(1) The owner, occupier or other person in control of land affected by a tree or the tree protection zone listed or nominated for listing on the Protected Tree Register shall preserve the tree from injury or death through neglect or malicious intent.

Cl. 61. Development for which development approval not required

(6A) Despite subclause (1) and (2), an exemption under those subclauses does not apply to development if there is an impact to a Protected Tree as per Part 3A, its branches or its roots in the tree protection zone. Development approval is not required in the instances outlined in Clause 13E."

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6.17 PROTECTED TREE REGISTER

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

The City has introduced planning control to establish a Protected Tree Register to protect trees worthy of retention. The Protected Tree Register is contained in Appendix A of this policy. The location of Protected Tree is to be identified on the City's publicly available geographic information system

2. PURPOSE

This Policy guides implementation of the Protected Tree Register of Local Planning Scheme No. 3. Its main purpose is to identify the process for considering nominations for adding trees to the Protected Tree Register.

3. DEFINITIONS

Unless otherwise provided for in this Policy, definitions have the same meaning as the Local Planning Scheme No. 3 and the *Planning and Development (Local Planning Schemes) Regulations 2015*. The following definitions are identified in Local Planning Scheme No. 3 Schedule A Part 3A.

Arborist Report	means a report produced by a person who has obtained a minimum of Australian Qualification Framework Level 5 Certification in Arboriculture (AQF5 Arborist) or equivalent qualification. The arborist report has information that concerns the health, value and general state of the tree, the structural root zone and tree protection zone, and a Tree Management Plan that outlines the methodology to preserve the tree.
Protected Tree	means a tree that is included in the Protected Tree Register.
Protected Tree Register	means a Protected Tree Register established under Local Planning Scheme No. 3 Schedule A clause 13C.
Structural Root Zone	means an area specified in Australian Standard 4970-2009 Protection of Trees on Development Sites (and it's successive Australian Standards updates), around the base of a tree required for the tree's stability in the ground.
Tree	means an individual perennial tree.
Tree Protection Zone	means an area specified in Australian Standard 4970-2009 Protection of Trees on Development Sites (and it's successive Australian Standards updates). This is the area above and below ground for the protection of a tree's roots and crown from development, to provide for the viability of a tree that is to be retained.

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4. PRELIMINARY CRITERIA FOR ASSESSING NOMINATIONS

The following 'Preliminary Criteria' are to be met when considering adding a tree to the Protected Tree Register.

4.1 LAND OWNERS OBLIGATION

Before the City commissions an arborist report when considering a nomination, the owners of the land that contain the structural root zone of the tree must agree that:

a) A Section 70A notification being placed on the Certificate of Title for any property that contains the structural root zone of the tree; and

b) The owner will ensure the care of the tree, and limit works to actions in a City issued Arborist Report and Tree Management Plan.

4.2 SPECIES

To be considered for nomination, Trees must:

a) Be a woody perennial or vegetation of interest (i.e. Grass Tree); and

b) Not be a species identified as a weed by the *Biosecurity and Agriculture Management Act 2007*.

4.3 DIMENSION AND HEALTH

Before the City commissions an Arborist Report, the City's officer will assess the tree to ensure it:

a) Is of good health and form with no obvious signs of decline;

b) Is of a significant size for the species typically meeting one or more of the following:

   (i) Diameter at Breast Height of at least 250mm or;

   (ii) Canopy diameter spread of at least 10m or;

   (iii) Height of at least 5m. Grass trees will be considered from a height of at least 1.2m.

5. ESSENTIAL CRITERIA

Once the City's officer is satisfied the preliminary Criteria are met, an Arborist Report will be commissioned to ensure the following 'Essential Criteria' is met.

5.1 ASSESSMENT OF HEALTH AND ONGOING VIABILITY OF THE TREE

Trees must:

a) Have a natural life expectancy of greater than 15 years based on the current age and species of tree;

b) Have a 'Tolerable' Quantified Tree Risk Assessment rating at the time of assessment;

c) Be of sound form and structure without major faults; and

d) Not be hosting significant pests or disease, to an untreatable level or a level likely to cause decline.

Note - If minor remedial works can be carried out by a qualified arborist to achieve a 'Tolerable' rating with evidence provided, then a reinspection may be waived.

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6. ARBORIST REPORT

a) When a tree is nominated for the Protected Tree Register, the City will obtain an Arborist Report to determine the suitability of the tree and what work to the tree is required to preserve it. A copy will be provided to the land owner.

b) An Arborist Report for a Protected Tree will be updated at the City's cost every 5 years, with a copy of the report provided to the land owner of the relevant tree.

c) The City may arrange an inspection of a Protected Tree upon receiving a written request by a land owner, no more than once each year and will arrange for an Arborist Report if deemed necessary by the City.

d) A City obtained Arborist Report is to identify:

(i) Whether the tree is worthy of retention;

(i) Any matters contributing a threat to the tree;

(ii) Specify a timeframe in which any amelioration work will need to be undertaken to ensure its preservation;

(iii) Any ongoing works that may be necessary over a 5 year maintenance program; and

(iv) Any works to the tree that could be undertaken, whilst ensuring the trees viability.

7. TREE ASSESSMENT PANEL

All nominations to add a tree to the Protected Tree Register will be considered by a Tree Assessment Panel. This Tree Assessment Panel will also consider requests to remove a tree from the Protected Tree Register, and works to a Protected Tree that is greater than specified as being acceptable in the Arborist Report.

7.1 MEMBERSHIP OF TREE ASSESSMENT PANEL

The Tree Assessment Panel will comprise of the Manager of Development Services and the Manager of Parks and Sustainability (or their proxy).

7.2 CONSIDERATION OF TREE ASSESSMENT PANEL

When applications to add, remove or modify a tree on the Register, or to undertake works to a Protected Tree beyond the scope outlined in a City provided Arborist Report, the Tree Assessment Panel shall consider the following:

a) position of the tree in relation to proposed development/building;

b) significance of the tree in terms of physical state, rarity, variety and community value;

c) presents an unacceptable level of risk;

d) potential fire hazard;

e) structural soundness of the tree;

f) whether the tree forms a part of or is a remnant of indigenous vegetation;

g) whether the property where the tree is located is on the Heritage List; and

h) whether works can retain the natural height, form and character of the tree.

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8. ADDING A TREE TO THE REGISTER

a) Only trees that meet the Preliminary and Essential Criteria of this process will warrant inclusion to the Protected Tree Register.

b) A land owner may request the City investigate adding a tree on their property to the Protected Tree Register. The City shall not add a tree to the Protected Tree Register without the consent of the land owner of any land which contains the trees structural root zone.

c) Where a tree is added to the Protected Tree Register, the land owner is obliged to having a Section 70A notification placed on the Certificate of Title of any property that contains the structural root zone of the tree, and to care for the Protected Tree.

9. REMOVING A TREE FROM THE REGISTER

a) Requests to remove a tree from the Protected Tree Register will be considered by the Tree Assessment Panel. Protected Trees that are dead or dying may be considered for removal from the Protected Tree Register.

b) Withdrawal of support of any owner of the land (or subsequent owner of the land) is not sufficient reason to remove a Protected Tree from the Protected Tree Register. Restrictions to potential development of land is not sufficient reason to remove a Protected Tree from the Protected Tree Register.

c) Requests must demonstrate that the Protected Tree no longer meets or can not be restored to ensure its health and ongoing viability to meet the Essential Criteria. Costs associated with obtaining evidence that the Protected Tree no longer meets the criteria are the responsibility of the applicant.

d) The cost of removing a Section 70A Notification from a Certificate of Title shall be borne by the land owner.

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10. WORKS AND SUBDIVISION

10.1 EMERGENCY WORKS

Emergency works to a Protected Tree required for the safety of people and property, or maintenance of essential services can be undertaken without approval from the City. These works must be undertaken by a Qualified Arborist to the satisfaction of the City. Owners are to notify the City in writing within five working days following the emergency work having been undertaken and notification must include a report by the Qualified Arborist who carried out the work.

10.2 ACCOMPANYING MATERIAL

a) Where works are proposed, site plans are to identify Protected Trees. Details will also need to be submitted of proposed measures to protect Protected Trees as outlined in the Australian Standard 4970-2009: Protection of Trees on Development Sites.

b) A Tree Management Plan prepared by a Qualified Arborist which states the condition of the tree against the Essential Criteria, must be provided during the assessment of an application for development approval where the City is concerned about possible impacts to a tree. The Tree Management Plan is to outline building options that reduce the impact to the tree.

10.3 IMPACTS TO A PROTECTED TREE

a) A Protected Tree is not to be approved to be removed, whilst the tree is on the Protected Tree Register.

b) All efforts are to be taken to avoid impacts, or limit impacts to a Protected Tree as a result of development. Applicants are encouraged to engage with the City prior to designing a development, for assistance to design around a tree.

c) Proposed development, strata titling and/or subdivision of private land shall be designed to account for the ongoing viability of a Protected Tree, with consideration of the potential impacts and growth habits of a tree throughout its life cycle. All works adjacent to Protected Trees are to be undertaken as outlined in the Australian Standard 4970-2009: Protection of Trees on Development Sites.

10.4 VARIATION TO SITE AND DEVELOPMENT REQUIREMENTS

As outlined by Local Planning Scheme No. 3 Schedule A Clause 13G, the City may vary the development standards for proposed works to prevent or limit the modification to a Protected Tree.

10.5 CONDITION OF DEVELOPMENT APPROVAL

Where works are approved in the vicinity of a Protected Tree, a Tree Management Plan prepared by a Qualified Arborist is to be required as a condition of Development Approval. Development works are to be undertaken as outlined in the Australian Standard 4970-2009: Protection of Trees on Development Sites.

OFFICE USE ONLY:

Local Planning Scheme No.3 - Local Planning Policy History:

Action	*Council Date*	*Resolution No.*	*Effective Date*
Draft	*08/04/2022*		
Adopted	*dd/mm/yyyy*	*xxxx/yyy*	*dd/mm/yyyy*

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APPENDIX A. PROTECTED TREE REGISTER (AS AT DD MONTH YYYY)

Tree ID	Property Address			Helliwell Value	
	Type of Tree	Date Added	Tree Location	Structural Root Zone	Tree Protection Zone
	Conditions Related to the Tree				
	Picture of Tree				
x	Suburb, Street, HN x, Lot x			$x,xxx	
	Species	DD Month YYYY	LONG 0.00 LAT 0.00	x.xm	x.xm
	Conditions Related to the Tree – x				
	Picture				
x	Suburb, Street, HN x, Lot x			$x,xxx	
	Species	DD Month YYYY	LONG 0.00 LAT 0.00	x.xm	x.xm
	Conditions Related to the Tree – x				
	Picture				

Summary of Protected Tree Register provisions

Allow the establishment a Protected Tree Register through the Local Planning Scheme

The main purpose of the scheme amendment is to protect trees where the landowner voluntarily nominates the tree to be added to a tree register.

Although the resolution of Council calls for the preparation of a 'Significant Tree Register', the City's officers recommend the creation of a 'Protected Tree Register'. The reason for this is due to the industry understanding of the term 'significant tree', which differs from what this scheme amendment proposes.

The outcome remains the same and trees meeting the specific criteria will be added to the register.

Establishing a Protected Tree Register through the local planning scheme ensures that trees on the register are afforded the protection of the scheme.

Only an owner can nominate a tree to be included on the Protected Tree Register

The recommended process only allows for a property owner to nominate a tree to be added to the register.

While other local governments have considered an approach where anyone can nominate a tree, this approach does not appear to have been successful and is not considered reasonable that a landowner is burdened by a nomination by another.

Requiring a development application for works in proximity to a protected tree;

In order to protect the ongoing health of trees, it is recommended that works that would normally be exempt from requiring development, but are located within the Tree Protection Zone of a registered tree, require development approval.

The purpose of this requirement is to carefully control works close to a protected tree.

Prohibit works that would affect the health and viability of the protected tree

The scheme amendment contains controls to maintain the health and viability of protected trees. It will achieve this by limiting works to trees to those works that have been identified in a Tree Management Plan prepared as part of the Arborist report.

The process referred to later in this report allows landowners to ask for an annual arborist report prior to other works to the tree being undertaken. The process also requires landowners to agree at the nomination stage that they will abide with the requirements of the Tree Management Plan.

Require development applications to identify protected trees, and provide, where necessary, an arborist report to manage the ongoing health and viability of trees

In order to ensure that protected trees are safeguarded, the only works permitted to be undertaken to the tree are those that are listed in the Tree Management Plan that will be contained in the arborist report.

Replacing reference to 'Significant Tree' with 'Established Tree' for existing trees.

The arboriculture industries understanding of a 'Significant Tree' refers to trees which are, in their own right, significant - usually as they are over a certain height, rarity and or cultural importance. This differs from the City's Scheme definition of 'Significant Trees', which means a tree over 4m in height.

To avoid confusion existing references to 'Significant Tree' are recommended to be replaced with 'Established Tree' (in addition to creating a 'Protected Tree Register' rather than a 'Significant Tree Register').

This will require the City's existing Trees and Development Policy to be amended. As the amendment is minor, it can be made without public consultation where Council resolves the amendment is minor.

It is not recommended that Local Planning Policy 6.11 - Trees and Development be modified until Council considers the outcomes of advertising for the scheme amendment.

Details the process for considering nominations to add trees to the Protected Tree Register

Before a nomination is assessed, landowners must commit to certain to undertakings detailed further in this report.

This recommended approach involves an initial two-step assessment process that identifies whether a tree should be protected. Firstly, the City's officers will assess the species and health of the tree to identify whether the City should commission a detailed arborist report.

Following the preliminary assessment, the City's officers will commission an arborist report. In order to be protected, the arborist report will need to confirm the tree, is healthy, has at least a further 15 years life expectancy and is of sound form and structure without major faults.

Additionally, the arborist report will contain a 'Tree Management Plan' that identifies works that will need to be carried out to the tree to ensure its health and viability.

Depending on how close a nominated tree is to an adjacent property, the City may need to consult with neighbouring land owners. This will be determined on a case by case basis following the preparation of an arborist report.

The City will only consult with neighbouring property owners where parts of the tree encroach into an adjoining property.

Identify the obligations for owners of properties who nominate trees

Prior to undertaking an assessment of a nominated tree, landowners will need to agree to meet the following obligations, should the tree be placed on the register:

- *A Section 70A Notification being placed on the Certificate of Title advising future owners of the tree's protection. The City will pay costs associated with adding the notification to the title.*
- *Consent to abide by the Tree Management Plan and care for the health and viability of the tree.*

Requiring an arborist report

The City will engage an arborist to assess any nominated tree that passes an initial assessment, which will address the following:

a) *Does the tree have a natural life expectancy of greater than 15 years based on the current age and species of tree;*
b) *Does the tree have a 'Tolerable' Quantified Tree Risk Assessment rating at the time of assessment;*
c) *Is the tree of sound form and structure without major faults; and*
d) *Does the tree host significant pests or disease, to an untreatable level or a level likely to cause decline.*

In addition, the arborist report will contain a Tree Management Plan. The purpose of this is to identify works required to the tree to ensure it's health and future viability.

Identify the criteria against which nominations will be assessed

The draft policy proposes 'Preliminary', and 'Essential' criteria for assessing nominated trees. The initial assessment is to ensure the City only commissions an arborist report for trees appropriate to be considered for the register.

The criteria for a tree to be included on the register are:

a) *Be appearing of good health and form with no obvious signs of decline;*
b) *Be of a significant size for the species typically meeting one or more of the following:*
    (i) *Diameter at Breast Height of at least 250mm or;*
    (ii) *Canopy diameter spread of at least 10m or;*
    (iii) *Height of at least 5m. Grass trees will be considered from a height of at least 1.2m.*

While allowing for a tree to be removed from the register, identify that removal will only be supported in limited circumstances

The purpose of the 'Protected Tree Register' is to maintain existing tree canopy in the City. For this reason, where a tree has been added to the register, it's removal should only be considered in limited circumstances.

This presumption that trees should be retained where on the register does not extend to circumstances where the health of the tree sustainability is declining, and its ongoing viability is in doubt. In these circumstances, removal from the register will be considered by the Tree Assessment Panel, with the landowner responsible for demonstrating removal is required.

Withdrawal of the support of any owner of the land (or subsequent owner of the land) will not be considered sufficient reason to remove the Protected Tree.

All Protected Trees will be listed in as appendix to the policy (as well as on the City's website).

To allow all information relating to protected trees to be located in one document, any registered trees will be listed in an Appendix to the policy.

Councillor Felicity Farrelly disclosed an Impartial Interest in Item 12.2/DS3 as she is member of JDAP as elected by Council.

Councillor Suzanne Migdale disclosed an Impartial Interest in Item 12.2/DS3 as she is a member of JDAP.

Councillor Bianca Sandri disclosed an Impartial Interest in Item 12.2/DS3 as she is an alternate member of JDAP.

12.2/DS3 DEVELOPMENT ASSESSMENT PANELS REFORM - CITY OF STIRLING SUBMISSION

Report Information

Location:	Not Applicable
Applicant:	Not Applicable
Reporting Officer:	Manager Development Services
Business Unit:	Development Services
Ward:	City Wide
Suburb:	City Wide

Authority/Discretion

Definition

☒	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☐	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/015

Moved Councillor Proud, seconded Councillor Migdale

That Council ENDORSES the City of Stirling submission, as shown in Attachment 3, on the 'Development Assessment Panels Reform' suite of documents prepared by the Department of Planning, Lands and Heritage, as shown in Attachments 1 and 2.

The motion was put and declared CARRIED (15/0) by exception resolution.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

That Council ENDORSES the City of Stirling submission, as shown in Attachment 3, on the 'Development Assessment Panels Reform' suite of documents prepared by the Department of Planning, Lands and Heritage, as shown in Attachments 1 and 2.

Officer's Recommendation

That Council ENDORSES the City of Stirling submission, as shown in Attachment 3, on the 'Development Assessment Panels Reform' suite of documents prepared by the Department of Planning, Lands and Heritage, as shown in Attachments 1 and 2.

Report Purpose

To consider the City's submission on the 'Development Assessment Panels Reform' suite of documents prepared by the Department of Planning, Lands and Heritage (DPLH).

Relevant Documents

Attachments

Attachment 1 - Development Assessment Panel Reform document prepared by Department of Planning, Lands and Heritage (previously circulated to Elected Members under separate cover)

Attachment 2 - Draft Amendments to the Planning and Development (Development Assessment Panels) Regulations 2011 - Consultation Draft (previously circulated to Elected Members under separate cover)

Attachment 3 - Planning Reform Consultation (Development Assessment Panels Regulations) - City of Stirling Submission (previously circulated to Elected Members under separate cover)

Available for viewing at meeting

Nil

Background

In 2017, the Minister for Transport, Planning and Lands commissioned an independent review of the Western Australian planning system to identify ways to make it more efficient, streamlined, open and understandable. The review process involved consultation with a broad range of stakeholders as well as a review of the planning systems in other jurisdictions.

Planning Reform – Green Paper

The first phase of reform was the Green Paper. Released for public consultation in May 2018, the document summarised the initial review findings, outlined the challenges in the planning system, and proposed that the planning system should be reformed focusing on the following five key reform areas:

- Strategically-led – make strategic planning the cornerstone of the planning system.
- Legible – make the planning system easy to understand.
- Transparent – open the planning system and increase community engagement in planning.
- Efficient – make the planning system well-organised and more efficient.
- Delivering smart growth – refocus the planning system to deliver quality urban infill.

The Green Paper stated that the planning system had become overly complex and was not focussing on the outcomes that users of the system are seeking to achieve. It also stressed that planning efforts needed to shift from a development-led to a strategically-led system in which strategic planning is the centrepiece.

At its meeting held 7 August 2018, Council considered an officer report on the Green Paper. Most proposals in the Green Paper were supported, as they were considered to improve the planning system for all users in Western Australia. However, Council did not support several proposals, or only conditionally supported proposals, due to concerns about the impacts on local government through the application of their local planning schemes (Council Resolution Number 0818/005).

The outcomes of consultation on the Green Paper were intended to inform the preparation of a White Paper, however this was abandoned by the Western Australian Planning Commission (WAPC) in favour of the current Action Plan for Planning Reform approach.

Action Plan for Planning Reform

In August 2019, the Minister for Planning released the Action Plan for Planning Reform report. This report was the State Government's response to the previous Green Paper. The action plan has 19 initiatives, organised under three overarching goals:

1. Planning creates great places for people;
2. Planning is easier to understand and navigate; and
3. Planning systems are consistent and efficient.

Phase Two

The Phase Two reform proposals presented a broad range of opportunities for further reform beyond those already initiated and/or implemented since the release of the Action Plan for Planning Reform. The DPLH consulted on the Planning Reform Phase Two suite of documents in August 2021.

At its meeting held 31 August 2021, Council considered an officer report on Phase Two of the Planning Reform (Council Resolution Number 0821/075).

At the time, the DPLH stated that feedback sought as part of this consultation process would inform the drafting of a second round of legislative reforms to the *Planning and Development Act 2005* to be considered by Parliament in 2022. Feedback received would also inform changes to the Planning and Development (Local Planning Schemes) Regulations 2015 to support the three overarching goals and 19 initiatives of the Action Plan for Planning Reform.

Part 3 – Development Assessment Panels of the *Planning and Development Amendment Act 2020* (assented to 7 July 2020) made changes to the current Development Assessment Panel (DAP) system by introducing the ability for:

- A District DAP to be established for one or more districts; and
- A Special Matters DAP to be created to determine matters of State and regional importance.

The State Government has committed to these key reforms through the Action Plan and the Amendment Act and stated that the changes to the DAP system are anticipated to be implemented at the beginning of 2023.

Comment

The Development Assessment Panel (DAP) Reforms are one of the initiatives of the Phase Two reform proposals.

The DAP Reform documents prepared by DPLH, provides an overview of the proposed changes to the DAP system (Attachment 1).

The Draft Amendments to the Planning and Development (Development Assessment Panels) Regulations 2011 document, prepared by the DPLH, is contained within Attachment 2.

The DAP reform proposals are associated with the following reform initiatives:

- (C7) Development assessment processes are streamlined and outcomes-focussed; and
- (C8) DAP processes are more consistent and transparent.

Reform initiatives (C7) and (C8) relate to one of the three overarching goals for the Action Plan for Planning Reform, being Planning Systems are Consistent and Efficient.

The City's submission (Attachment 3) includes specific comments and recommendations on each of the reform measures proposed by the DPLH, with these measures separated into four parts as follows:

- Part A: General Process and Administrative Reforms
- Part B: District DAPs
- Part C: Special Matters DAP
- Part D: General Feedback

A high-level overview of the proposed planning reform measures is provided below.

Planning Systems are Consistent and Efficient

The Action Plan for Planning Reform states the following:

> *"A more efficient, consistent and simple planning system will deliver benefits such as reduced timeframes and more clarity and certainty for all stakeholders, including the wider community."*

Significant reforms to the DAP system have already been introduced in recent years. DPLH have proposed further reform measures to the DAP system, as follows:

- Reducing the number of DAPs from five to three geographically grouped panels, which are proposed to be known as 'District DAPs'. Currently the City of Stirling is in the Metro Inner-North Joint Development Assessment Panel (JDAP). Under the proposed changes, the City of Stirling will be in the Metro Inner JDAP, along with the City of Perth Local DAP and the Metro Inner-South JDAP.
- Several changes to Specialist Panel membership. No changes are proposed to Local Government Panel membership representation.
- The creation of a Special Matters DAP, which will consider and determine significant projects of State or regional importance.
- Various general administrative and process reforms intended to improve transparency, consistency and efficiency – specifically clarification to delegations, additional 'excluded developments' and meeting arrangements.

The City's submission identifies its conditional support for the majority of the reform measures, with suggested improvements.

However, the City's submission does not support most of the measures relating to the Special Matters DAP as the core questions of the purpose of this Panel, and how it's role will provide a better and more efficient pathway to the existing DAP system, remains unclear. In absence of this clarity, it is difficult to support the suggested measures relating to this new Panel.

The current processes and pathways are already complex, and the introduction of an additional and separate State decision-making Panel would contribute to the complication of the planning system contrary to the Planning Reform agenda. The City raised these concerns in its previous submission to the DPLH in August 2021.

The proposed reform measures are detailed in the City's submission (Attachment 3).

Consultation/Communication Implications

The formal consultation period for providing feedback on the DAP Reform documents closed on 22 April 2022.

On 21 April 2022, the City provided its officer submission, as contained in Attachment 3, to the DPLH and advised that the Council submission will be provided following the Planning and Development Committee meeting and Ordinary Council meetings held in May 2022.

The DPLH has provided the City with a short extension to the consultation period until 6 May 2022. The City will forward the recommendation of the Planning and Development Committee meeting held 3 May 2022 and the resolution of Council at its Ordinary Meeting held 10 May 2022 to the DPLH. However, it is noted that the DPLH may not be able to consider the late Council resolution submission.

Policy and Legislative Implications

There are no direct policy and legislative implications from the City making a submission on the Development Assessment Panels Reform documents.

The implementation of the Development Assessment Panels Reform measures is likely to have an impact on the local government planning framework. However, the exact implications will only be understood once the State Government finalise the scope of these reforms, and following their implementation.

Financial Implications

There are no direct financial implications from the City making a submission on the Development Assessment Panels Reform documents.

The proposed changes to the DAP system, specifically the creation of the Special Matters DAP, will have financial implications for the City with application fees to be paid directly to the DPLH and no local government fees.

Strategic Implications

Key Result Area: Governance and leadership

Outcome G4: Capable and efficient organisation

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Nil.	

SOCIAL	
Issue	**Comment**
Community engagement	A key aim of the reform agenda is to make the planning system more consistent, understandable and to increase engagement in planning.

ECONOMIC	
Issue	**Comment**
Job creation	A key reform proposal is to make the planning system more efficient. However the Special Matters DAP does not propose that any fees will go to local governments but does rely on local government for condition clearance and enforcement.

Conclusion

The State Government is seeking public comment on the reform of DAPs in Western Australia. The reform proposals relate to two of the 19 initiatives, being (C7) 'Development assessment processes are streamlined and outcomes-focussed' and (C8) 'DAP processes are more consistent and transparent'.

Initiatives (C7) and (C8) relate to the one of the three overarching goals for the Action Plan for Planning Reform, being Planning Systems are Consistent and Efficient, and includes proposals that, if implemented, will impact the operation and functions of Development Assessment Panels as well as the associated role of local governments in this system.

It is recommended that Council endorse the City's submission on the DAP reform proposals, as outlined in this report and in Attachment 3.

12.2/PRSE1 ACQUISITION OF RIGHT OF WAY 28038, BEING LOT 67, HOUSE NUMBER 21R, COODE STREET, MOUNT LAWLEY AS CROWN LAND MANAGED BY THE CITY

Report Information

Location:	Right of Way 28038, House Number 21R, Coode Street, Mt Lawley
Applicant:	Not Applicable
Reporting Officer:	Director Infrastructure
Business Unit:	Property Services
Ward:	Lawley
Suburb:	Mount Lawley

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/016

Moved Councillor Proud, seconded Councillor Migdale

1. That Council AUTHORISES advertising of the proposed acquisition of Right of Way 28038 being Lot 67 on Diagram 4169, House Number 21R, Coode Street, Mount Lawley in accordance with Section 52 of the *Land Administration Act 1997*.

2. That, subject to no objection being received from advertising the proposal, the Minister for Lands be REQUESTED to acquire Right of Way 28038 being Lot 67, House Number 21R, Coode Street, Mount Lawley pursuant to Section 52(1)(b) of the *Land Administration Act 1997* and to:

a. Create the land as a Crown Reserve for the purpose of 'Right of Way'; and

b. Grant a Management Order to the City of Stirling for the care, control and management of the Crown Reserve.

3. That the Minister for Lands be INDEMNIFIED against any claims arising from the acquisition action.

The motion was put and declared CARRIED (15/0) by exception resolution.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

1. That Council AUTHORISES advertising of the proposed acquisition of Right of Way 28038 being Lot 67 on Diagram 4169, House Number 21R, Coode Street, Mount Lawley in accordance with Section 52 of the *Land Administration Act 1997*.

2. That, subject to no objection being received from advertising the proposal, the Minister for Lands be REQUESTED to acquire Right of Way 28038 being Lot 67, House Number 21R, Coode Street, Mount Lawley pursuant to Section 52(1)(b) of the *Land Administration Act 1997* and to:

   a. Create the land as a Crown Reserve for the purpose of 'Right of Way'; and

   b. Grant a Management Order to the City of Stirling for the care, control and management of the Crown Reserve.

3. That the Minister for Lands be INDEMNIFIED against any claims arising from the acquisition action.

Officer's Recommendation

1. That Council AUTHORISES advertising of the proposed acquisition of Right of Way 28038 being Lot 67 on Diagram 4169, House Number 21R, Coode Street, Mount Lawley in accordance with Section 52 of the *Land Administration Act 1997*.

2. That, subject to no objection being received from advertising the proposal, the Minister for Lands be REQUESTED to acquire Right of Way 28038 being Lot 67, House Number 21R, Coode Street, Mount Lawley pursuant to Section 52(1)(b) of the *Land Administration Act 1997* and to:

   a. Create the land as a Crown Reserve for the purpose of 'Right of Way'; and

   b. Grant a Management Order to the City of Stirling for the care, control and management of the Crown Reserve.

3. That the Minister for Lands be INDEMNIFIED against any claims arising from the acquisition action.

Report Purpose

To seek Council's approval to acquire private Right of Way 28038 being Lot 67, House Number 21R, Coode Street, Mount Lawley pursuant to the provisions of Section 52 of the *Land Administration Act 1997* and to grant a Management Order for the resultant Crown reserve to the City.

Relevant Documents

Attachments

Attachment 1 - Locality Plan (ROW28038) ⇩

Attachment 2 - Aerial Plan (ROW 28038) ⇩

Available for viewing at meeting

Nil

Background

At its meeting held on 10 November 2009, Council resolved (Council Resolution Number 1109/014) as follows:

> *"1. That the revised funding approach for the Rights of Way Management Strategy using City Funds and Development Contributions be ENDORSED in light of the advice from the Department of Regional Development and Lands (Local Government) in relation to the use of Differential General rates and the difficulty associated with administering a rating-based system of funding on strata properties.*
>
> *2. That a 10 year program for upgrading and dedication of Categories 1, 2 and 3 Rights of Way and acquisition of Categories 4 and 5 Rights of Way be ENDORSED.*
>
> *3. That the draft Rights of Way Management Strategy as modified and updated (reflecting the revised funding approach using only City Funds and Development Contribution) be ADOPTED."*

To implement Council's resolution and the objectives of the Rights of Way Management Strategy, the City has commenced an annual program in 2016/2017 to progressively acquire privately-owned Categories 4 and 5 Rights of Way (ROWs) under Section 52 of *the Land Administration Act 1997* to Crown ownership where closure of these ROWs has not been able to be achieved and the owner of the ROW cannot be located.

Comment

ROW 28038, being Lot 67 on Diagram 4169 at House Number 21R, Coode Street, Mount Lawley (as shown on the Locality Plan in Attachment 1 and Aerial Plan in Attachment 2) is contained in Certificate of Title Volume 653 Folio 11. The certificate of title is held in the name of a deceased individual.

ROW 28038 is unmade and is 3.04m wide and 26.8m long. It is only open and accessible from Coode Street.

ROW 28038 is designated as a Category 5 ROW under the Rights of Way Management Strategy which reflects the constraints posed by its narrow width and dead-end. Category 5 ROWs are not intended for upgrading for future access to adjoining developments under the Strategy. The preferred long-term outcome for a Category 5 ROW is closure and disposal of the land to form part of the adjoining lots where there is consensus from all abutting landowners to close the ROW. Where closure is not able to be achieved, the acquisition of a privately-owned Category 5 ROW to Crown ownership would enable its management and maintenance by the City as an unsealed lane.

For a ROW closure application to be considered, the Department of Planning, Lands and Heritage requires unanimous consent from all owners of land abutting a ROW. The City has not received the necessary consensus from lot owners abutting ROW 28038 to initiate closure proceedings to date.

To enable ROW 28038 to be brought under the City's management and control as envisioned in the Rights of Way Management Strategy, it is proposed to request the Minister for Lands to acquire the ROW as Crown land pursuant to the provisions of Section 52(1)(b) of the *Land Administration Act 1997*. Upon acquisition of the ROW to Crown ownership, a Management Order could be granted to the City for the care, control and management of this land for Right of Way purposes.

The acquisition of ROW 28038 as Crown land would not preclude closure of the lane in the future should abutting owners' consensus be reached.

Consultation/Communication Implications

The Rights of Way Management Strategy was advertised for public comment and consultation with adjoining owners prior to adoption in its final form by Council on 10 November 2009. All submissions received during the advertising period were considered by Council before adoption of the Strategy.

If Council endorses the recommendation of this report, the City will give notice of the intent to acquire ROW 28038 as Crown land as prescribed under the *Land Administration Act 1997*.

Policy and Legislative Implications

Section 52(1)(b) of the *Land Administration Act 1997* provides that a local government may request the Minister for Lands to acquire as Crown land any private road (or private ROW) within the local government's district that is shown on a plan of survey registered with the Registrar of Titles.

Financial Implications

Upon acquisition of the ROW as Crown land and grant of a Management Order to the City, the City will be responsible for all ongoing maintenance of the ROW. Funds for this purpose will be required to be allocated in future operating budgets.

Strategic Implications

Key Result Area: Liveable neighbourhoods

Outcome B2: Accessible and connected City

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Vegetation impact	Upon acquisition into Crown ownership, the ROW will be managed by the City as an unconstructed ROW. Periodic pruning of overhanging trees from adjoining properties and removal of weeds to prevent nuisance would be undertaken by the City.

SOCIAL	
Issue	**Comment**
Health, wellbeing and safety	Acquisition of the ROW to Crown ownership will provide authority for the City to carry out periodic maintenance including removal of overgrown vegetation and rubbish and addressing any potential hazards, which will contribute to improved health, wellbeing and safety of the community.

ECONOMIC	
Issue	**Comment**
Nil.	

Conclusion

ROW 28038 is classified as a Category 5 ROW under the City's Rights of Way Management Strategy. Closure and disposal of a Category 5 ROW is the preferred long-term outcome. However, there is no consensus from the adjoining owners to initiate closure proceedings for ROW 28038 to date. It is therefore recommended that the Minister for Lands be requested to acquire ROW 28038 as Crown land pursuant to Section 52 of the *Land Administration Act 1997* and to grant a Management Order to the City for the care, control and management of the land for the purpose of Right of Way.

Attachment 1 – Locality Plan (ROW 28038)



Attachment 2 – Aerial Plan (ROW 28038)



12.2/PRSE2 ACQUISITION OF RIGHT OF WAY 28039, BEING LOT 60, HOUSE NUMBER 25R, COODE STREET, MOUNT LAWLEY AS CROWN LAND MANAGED BY THE CITY

Report Information

Location:	Right of Way 28039, House Number 25R Coode Street, Mount Lawley
Applicant:	Not Applicable
Reporting Officer:	Director Infrastructure
Business Unit:	Property Services
Ward:	Lawley
Suburb:	Mount Lawley

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/017

Moved Councillor Proud, seconded Councillor Migdale

1. That Council AUTHORISES advertising of the proposed acquisition of Right of Way 28039 being Lot 60 on Diagram 4851, House Number 25R, Coode Street, Mount Lawley in accordance with Section 52 of the *Land Administration Act 1997*.

2. That, subject to no objection being received from advertising the proposal, the Minister for Lands be REQUESTED to acquire Right of Way 28039 being Lot 60, House Number 25R, Coode Street, Mount Lawley pursuant to Section 52(1)(b) of the *Land Administration Act 1997* and to:

a. Create the land as a Crown Reserve for the purpose of 'Right of Way'; and

b. Grant a Management Order to the City of Stirling for the care, control and management of the Crown Reserve.

3. That the Minister for Lands be INDEMNIFIED against any claims arising from the acquisition action.

The motion was put and declared CARRIED (15/0) by exception resolution.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

1. That Council AUTHORISES advertising of the proposed acquisition of Right of Way 28039 being Lot 60 on Diagram 4851, House Number 25R, Coode Street, Mount Lawley in accordance with Section 52 of the *Land Administration Act 1997*.

2. That, subject to no objection being received from advertising the proposal, the Minister for Lands be REQUESTED to acquire Right of Way 28039 being Lot 60, House Number 25R, Coode Street, Mount Lawley pursuant to Section 52(1)(b) of the *Land Administration Act 1997* and to:

   a. Create the land as a Crown Reserve for the purpose of 'Right of Way'; and

   b. Grant a Management Order to the City of Stirling for the care, control and management of the Crown Reserve.

3. That the Minister for Lands be INDEMNIFIED against any claims arising from the acquisition action.

Officer's Recommendation

1. That Council AUTHORISES advertising of the proposed acquisition of Right of Way 28039 being Lot 60 on Diagram 4851, House Number 25R, Coode Street, Mount Lawley in accordance with Section 52 of the *Land Administration Act 1997*.

2. That, subject to no objection being received from advertising the proposal, the Minister for Lands be REQUESTED to acquire Right of Way 28039 being Lot 60, House Number 25R, Coode Street, Mount Lawley pursuant to Section 52(1)(b) of the *Land Administration Act 1997* and to:

   a. Create the land as a Crown Reserve for the purpose of 'Right of Way'; and

   b. Grant a Management Order to the City of Stirling for the care, control and management of the Crown Reserve.

3. That the Minister for Lands be INDEMNIFIED against any claims arising from the acquisition action.

Report Purpose

To seek Council's approval to acquire private Right of Way 28039, being Lot 60, House number 25R, Coode Street, Mount Lawley pursuant to Section 52 of the *Land Administration Act 1997* and to grant a Management Order for the resultant Crown Reserve to the City.

Relevant Documents

Attachments

Attachment 1 - Locality Plan (ROW 28039) ⇩

Attachment 2 - Aerial Plan (ROW 28039) ⇩

Available for viewing at meeting

Nil

Background

At its meeting held on 10 November 2009, Council resolved (Council Resolution Number 1109/014) as follows:

"1. That the revised funding approach for the Rights of Way Management Strategy using City Funds and Development Contributions be ENDORSED in light of the advice from the Department of Regional Development and Lands (Local Government) in relation to the use of Differential General rates and the difficulty associated with administering a rating-based system of funding on strata properties.

2. That a 10 year program for upgrading and dedication of Categories 1, 2 and 3 Rights of Way and acquisition of Categories 4 and 5 Rights of Way be ENDORSED.

3. That the draft Rights of Way Management Strategy as modified and updated (reflecting the revised funding approach using only City Funds and Development Contribution) be ADOPTED."

To implement Council's resolution and the objectives of the Rights of Way Management Strategy, the City has commenced an annual program in 2016/2017 to progressively acquire privately-owned Categories 4 and 5 Rights of Way (ROWs) under Section 52 of the *Land Administration Act 1997* to Crown ownership where closure of these ROWs has not been able to be achieved and the owner of the ROW cannot be located.

Comment

ROW 28039 being Lot 60 on Diagram 4851 at House Number 25R, Coode Street, Mount Lawley (as shown on the Locality Plan in Attachment 1 and Aerial Plan in Attachment 2) is contained in Certificate of Title Volume 159 Folio 172. The certificate of title is held in the name of a deceased individual.

ROW 28039 is unmade and is 3.04m wide and 26.8m long. It is only open and accessible from Coode Street.

ROW 28039 is designated as a Category 5 ROW under the Rights of Way Management Strategy which reflects the constraints posed by its narrow widths and dead-end. Category 5 ROWs are not intended for upgrading for future access to adjoining developments under the Strategy. The preferred long-term outcome for a Category 5 ROW is closure and disposal of the land to form part of the adjoining lots where there is consensus from all abutting landowners to close the ROW. Where closure is not able to be achieved, the acquisition of a privately-owned Category 5 ROW to Crown ownership would enable its management and maintenance by the City as an unsealed lane.

For a ROW closure application to be considered, the Department of Planning, Lands and Heritage requires unanimous consent from all owners of land abutting a ROW. The City has not received the necessary consensus from the owners abutting ROW 28039 to initiate closure proceedings to date.

To enable ROW 28039 to be brought under the City's management and control as envisioned in the Rights of Way Management Strategy, it is proposed to request the Minister for Lands to acquire the ROW as Crown land pursuant to the provisions of Section 52(1)(b) of the *Land Administration Act 1997*. Upon acquisition of the ROW to Crown ownership, a Management Order could be granted to the City for the care, control and management of this land for Right of Way purposes.

The acquisition of ROW 28039 as Crown land would not preclude closure of the lane in the future should abutting owners' consensus be reached.

Consultation/Communication Implications

The Rights of Way Management Strategy was advertised for public comments and consultation with adjoining owners prior to adoption in its final form by Council on 10 November 2009. All submissions received during the advertising period were considered by Council before adoption of the Strategy.

If Council endorses the recommendation of this report, the City will give notice of the intent to acquire ROW 28039 as Crown land as prescribed under the *Land Administration Act 1997*.

Policy and Legislative Implications

Section 52(1)(b) of the *Land Administration Act 1997* provides that a local government may request the Minister for Lands to acquire as Crown land any private road (or private ROW) within the local government's district that is shown on a plan of survey registered with the Registrar of Titles.

Financial Implications

Upon acquisition of the ROW as Crown land and grant of a Management Order to the City, the City will be responsible for all ongoing maintenance of the ROW. Funds for this purpose will be required to be allocated in future operating budgets.

Strategic Implications

Key Result Area: Liveable neighbourhoods

Outcome B2: Accessible and connected City

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Vegetation impact	Upon acquisition into Crown ownership, the ROW will be managed by the City as an unconstructed ROW. Periodic pruning of overhanging trees from adjoining properties and removal of weeds to prevent nuisance would be undertaken by the City.

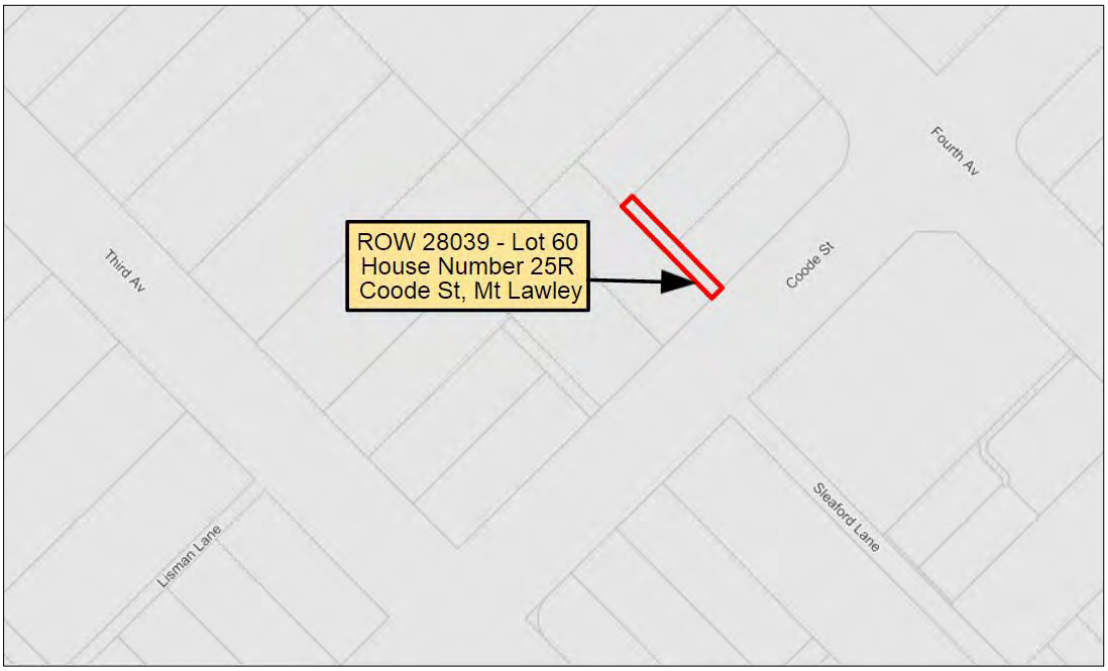
SOCIAL	
Issue	**Comment**
Health, wellbeing and safety	Acquisition of the ROW into Crown ownership will provide authority for the City to carry out periodic maintenance including removal of overgrown vegetation and rubbish and addressing any potential hazards, which will contribute to improved health, wellbeing and safety of the community.

ECONOMIC	
Issue	**Comment**
Nil.	

Conclusion

ROW 28039 is classified as a Category 5 ROW under the City's Rights of Way Management Strategy. Closure and disposal of a Category 5 ROW is the preferred long-term outcome. However, there is no consensus from the adjoining owners to initiate closure proceedings for ROW 28039 to date. It is therefore recommended that the Minister for Lands be requested to acquire ROW 28039 as Crown land pursuant to Section 52 of the *Land Administration Act 1997* and to grant a Management Order to the City for the care, control and management of the land for the purpose of Right of Way.

Attachment 1 – Locality Plan (ROW 28039)



Attachment 2 – Aerial Plan (ROW 28039)



12.2/PRSE3 ACQUISITION OF RIGHT OF WAY 28046, BEING LOT 55, HOUSE NUMBER 9R, JOHN STREET, MOUNT LAWLEY AS CROWN LAND MANAGED BY THE CITY

Report Information

Location:	Right of Way 28046, House Number 9R, John Street, Mount Lawley
Applicant:	Not Applicable
Reporting Officer:	Director Infrastructure
Business Unit:	Property Services
Ward:	Lawley
Suburb:	Mount Lawley

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
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☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/018

Moved Councillor Proud, seconded Councillor Migdale

1. That Council AUTHORISES advertising of the proposed acquisition of Right of Way 28046 being Lot 55 on Diagram 4658, House Number 9R, John Street, Mount Lawley in accordance with Section 52 of the *Land Administration Act 1997*.

2. That, subject to no objection being received from advertising the proposal, the Minister for Lands be REQUESTED to acquire Right of Way 28046 being Lot 55, House Number 9R, John Street, Mount Lawley pursuant to Section 52(1)(b) of the *Land Administration Act 1997* and to:

a. Create the land as a Crown Reserve for the purpose of 'Right of Way'; and

b. Grant a Management Order to the City of Stirling for the care, control and management of the Crown Reserve.

3. That the Minister for Lands be INDEMNIFIED against any claims arising from the acquisition action.

The motion was put and declared CARRIED (15/0) by exception resolution.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

1. That Council AUTHORISES advertising of the proposed acquisition of Right of Way 28046 being Lot 55 on Diagram 4658, House Number 9R, John Street, Mount Lawley in accordance with Section 52 of the *Land Administration Act 1997*.

2. That, subject to no objection being received from advertising the proposal, the Minister for Lands be REQUESTED to acquire Right of Way 28046 being Lot 55, House Number 9R, John Street, Mount Lawley pursuant to Section 52(1)(b) of the *Land Administration Act 1997* and to:

   a. Create the land as a Crown Reserve for the purpose of 'Right of Way'; and

   b. Grant a Management Order to the City of Stirling for the care, control and management of the Crown Reserve.

3. That the Minister for Lands be INDEMNIFIED against any claims arising from the acquisition action.

Officer's Recommendation

1. That Council AUTHORISES advertising of the proposed acquisition of Right of Way 28046 being Lot 55 on Diagram 4658, House Number 9R, John Street, Mount Lawley in accordance with Section 52 of the *Land Administration Act 1997*.

2. That, subject to no objection being received from advertising the proposal, the Minister for Lands be REQUESTED to acquire Right of Way 28046 being Lot 55, House Number 9R, John Street, Mount Lawley pursuant to Section 52(1)(b) of the *Land Administration Act 1997* and to:

   a. Create the land as a Crown Reserve for the purpose of 'Right of Way'; and

   b. Grant a Management Order to the City of Stirling for the care, control and management of the Crown Reserve.

3. That the Minister for Lands be INDEMNIFIED against any claims arising from the acquisition action.

Report Purpose

To seek Council's approval to acquire private Right of Way 28046 being Lot 55, House Number 9R, John Street, Mount Lawley pursuant to the provisions of Section 52 of the *Land Administration Act 1997* and to grant a Management Order for the resultant Crown reserve to the City.

Relevant Documents

Attachments

Attachment 1 - Locality Plan (28046) ⇩

Attachment 2 - Aerial Plan (28046) ⇩

Available for viewing at meeting

Nil

Background

At its meeting held 10 November 2009, Council resolved (Council Resolution Number 1109/014) as follows:

"1. That the revised funding approach for the Rights of Way Management Strategy using City Funds and Development Contributions be ENDORSED in light of the advice from the Department of Regional Development and Lands (Local Government) in relation to the use of Differential General rates and the difficulty associated with administering a rating-based system of funding on strata properties.

2. That a 10 year program for upgrading and dedication of Categories 1, 2 and 3 Rights of Way and acquisition of Categories 4 and 5 Rights of Way be ENDORSED.

3. That the draft Rights of Way Management Strategy as modified and updated (reflecting the revised funding approach using only City Funds and Development Contribution) be ADOPTED."

To implement Council's resolution and the objectives of the Rights of Way Management Strategy, the City has commenced an annual program in 2016/2017 to progressively acquire privately-owned Categories 4 and 5 Rights of Way (ROWs) under Section 52 of the Land Administration Act 1997 to Crown ownership where closure of these ROWs has not been able to be achieved and the owner of the ROW cannot be located.

Comment

ROW 28046, being Lot 55 on Diagram 4658 at House Number 9R, John Street, Mount Lawley (as shown on the Locality Plan in Attachment 1 and Aerial Plan in Attachment 2) is contained in Certificate of Title Volume 391 Folio 30. The certificate of title is held in the name of a deceased individual.

ROW 28046 is unmade and is 2.82m wide and 26.8m long. It is only open and accessible from John Street.

ROW 28046 is designated as a Category 5 ROW under the Rights of Way Management Strategy which reflects the constraints posed by its narrow width and dead-end. Category 5 ROWs are not intended for upgrading for future access to adjoining developments under the Strategy. The preferred long-term outcome for a Category 5 ROW is closure and disposal of the land to form part of the adjoining lots where there is consensus from all abutting landowners to close the ROW. Where closure is not able to be achieved, the acquisition of a privately-owned Category 5 ROW to Crown ownership would enable its management and maintenance by the City as an unsealed lane.

For a ROW closure application to be considered, the Department of Planning, Lands and Heritage requires unanimous consent from all owners of land abutting a ROW. The City has not received the necessary consensus from lot owners abutting ROW 28046 to initiate closure proceedings to date.

To enable ROW 28046 to be brought under the City's management and control as envisioned in the Rights of Way Management Strategy, it is proposed to request the Minister for Lands to acquire the ROW as Crown land pursuant to the provisions of Section 52(1)(b) of the *Land Administration Act 1997*. Upon acquisition of the ROW to Crown ownership, a Management Order could be granted to the City for the care, control and management of this land for Right of Way purposes.

The acquisition of ROW 28046 as Crown land would not preclude closure of the lane in the future should abutting owners' consensus be reached.

Consultation/Communication Implications

The Rights of Way Management Strategy was advertised for public comment and consultation with adjoining owners prior to adoption in its final form by Council on 10 November 2009. All submissions received during the advertising period were considered by Council before adoption of the Strategy.

If Council endorses the recommendation of this report, the City will give notice of the intent to acquire ROW 28046 as Crown land as prescribed under the *Land Administration Act 1997*.

Policy and Legislative Implications

Section 52(1)(b) of the *Land Administration Act 1997* provides that a local government may request the Minister for Lands to acquire as Crown land any private road (or private ROW) within the local government's district that is shown on a plan of survey registered with the Registrar of Titles.

Financial Implications

Upon acquisition of the ROW as Crown land and grant of a Management Order to the City, the City will be responsible for all ongoing maintenance of the ROW. Funds for this purpose will be required to be allocated in future operating budgets.

Strategic Implications

Key Result Area: Liveable neighbourhoods

Outcome B2: Accessible and connected City

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Vegetation impact	Upon acquisition into Crown ownership, the ROW will be managed by the City as an unconstructed ROW. Periodic pruning of overhanging trees from adjoining properties and removal of weeds to prevent nuisance would be undertaken by the City.

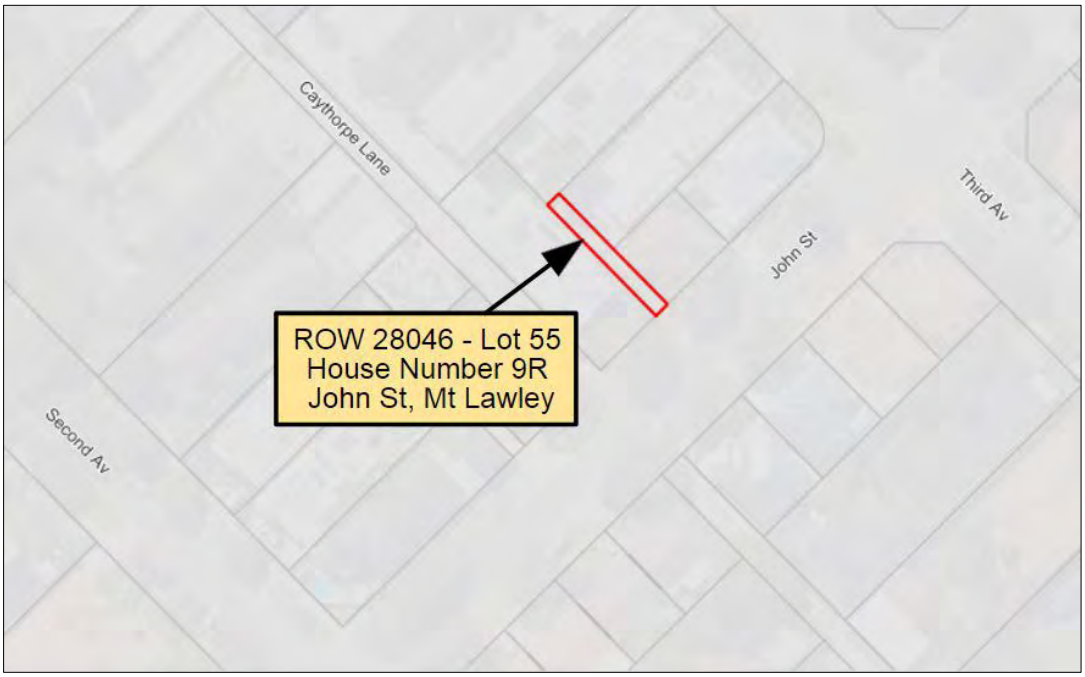
SOCIAL	
Issue	**Comment**
Health, wellbeing and safety	Acquisition of the ROW to Crown ownership will provide authority for the City to carry out periodic maintenance including removal of overgrown vegetation and rubbish and addressing any potential hazards, which will contribute to improved health, wellbeing and safety of the community.

ECONOMIC	
Issue	**Comment**
Nil.	

Conclusion

ROW 28046 is classified as a Category 5 ROW under the City's Rights of Way Management Strategy. Closure and disposal of a Category 5 ROW is the preferred long-term outcome. However, there is no consensus from the adjoining owners to initiate closure proceedings for ROW 28046 to date. It is therefore recommended that the Minister for Lands be requested to acquire ROW 28046 as Crown land pursuant to Section 52 of the *Land Administration Act 1997* and to grant a Management Order to the City for the care, control and management of the land for the purpose of Right of Way.

Attachment 1 – Locality Plan (ROW 28046)



Attachment 2 – Aerial Plan (ROW 28046)



12.2/PRSE4 ACQUISITION OF RIGHT OF WAY 28047, BEING LOT 66, HOUSE NUMBER 5R, JOHN STREET, MOUNT LAWLEY AS CROWN LAND MANAGED BY THE CITY

Report Information

Location:	Right of Way 28047, House Number 5R, John Street, Mount Lawley
Applicant:	Not Applicable
Reporting Officer:	Director Infrastructure
Business Unit:	Property Services
Ward:	Lawley
Suburb:	Mount Lawley

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/019

Moved Councillor Proud, seconded Councillor Migdale

1. That Council AUTHORISES advertising of the proposed acquisition of Right of Way 28047 being Lot 66 on Diagram 4621, House Number 5R, John Street, Mount Lawley in accordance with Section 52 of the *Land Administration Act 1997*.

2. That, subject to no objection being received from advertising the proposal, the Minister for Lands be REQUESTED to acquire Right of Way 28047 being Lot 66, House Number 5R, John Street, Mount Lawley pursuant to Section 52(1)(b) of the *Land Administration Act 1997* and to:

a. Create the land as a Crown Reserve for the purpose of 'Right of Way'; and

b. Grant a Management Order to the City of Stirling for the care, control and management of the Crown Reserve.

3. That the Minister for Lands be INDEMNIFIED against any claims arising from the acquisition action.

The motion was put and declared CARRIED (15/0) by exception resolution.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

1. That Council AUTHORISES advertising of the proposed acquisition of Right of Way 28047 being Lot 66 on Diagram 4621, House Number 5R, John Street, Mount Lawley in accordance with Section 52 of the *Land Administration Act 1997*.

2. That, subject to no objection being received from advertising the proposal, the Minister for Lands be REQUESTED to acquire Right of Way 28047 being Lot 66, House Number 5R, John Street, Mount Lawley pursuant to Section 52(1)(b) of the *Land Administration Act 1997* and to:

   a. Create the land as a Crown Reserve for the purpose of 'Right of Way'; and

   b. Grant a Management Order to the City of Stirling for the care, control and management of the Crown Reserve.

3. That the Minister for Lands be INDEMNIFIED against any claims arising from the acquisition action.

Officer's Recommendation

1. That Council AUTHORISES advertising of the proposed acquisition of Right of Way 28047 being Lot 66 on Diagram 4621, House Number 5R, John Street, Mount Lawley in accordance with Section 52 of the *Land Administration Act 1997*.

2. That, subject to no objection being received from advertising the proposal, the Minister for Lands be REQUESTED to acquire Right of Way 28047 being Lot 66, House Number 5R, John Street, Mount Lawley pursuant to Section 52(1)(b) of the *Land Administration Act 1997* and to:

   a. Create the land as a Crown Reserve for the purpose of 'Right of Way'; and

   b. Grant a Management Order to the City of Stirling for the care, control and management of the Crown Reserve.

3. That the Minister for Lands be INDEMNIFIED against any claims arising from the acquisition action.

Report Purpose

To seek Council's approval to acquire private Right of Way 28047 being Lot 66, House Number 5R, John Street, Mount Lawley pursuant to the provisions of Section 52 of the *Land Administration Act 1997* and to grant a Management Order for the resultant Crown reserve to the City.

Relevant Documents

Attachments

Attachment 1 - Locality Plan (ROW 28047) ⇩

Attachment 2 - Aerial Plan (ROW 28047) ⇩

Available for viewing at meeting

Nil

Background

At its meeting held 10 November 2009, Council resolved (Council Resolution Number 1109/014) as follows:

"1. That the revised funding approach for the Rights of Way Management Strategy using City Funds and Development Contributions be ENDORSED in light of the advice from the Department of Regional Development and Lands (Local Government) in relation to the use of Differential General rates and the difficulty associated with administering a rating-based system of funding on strata properties.

2. That a 10 year program for upgrading and dedication of Categories 1, 2 and 3 Rights of Way and acquisition of Categories 4 and 5 Rights of Way be ENDORSED.

3. That the draft Rights of Way Management Strategy as modified and updated (reflecting the revised funding approach using only City Funds and Development Contribution) be ADOPTED."

To implement Council's resolution and the objectives of the Rights of Way Management Strategy, the City has commenced an annual program in 2016/2017 to progressively acquire privately-owned Categories 4 and 5 Rights of Way (ROWs) under Section 52 of the Land Administration Act 1997 to Crown ownership where closure of these ROWs has not been able to be achieved and the owner of the ROW cannot be located.

Comment

ROW 28047, being Lot 66 on Diagram 4621 at House Number 5R, John Street, Mount Lawley (as shown on the Locality Plan in Attachment 1 and Aerial Plan in Attachment 2) is contained in Certificate of Title Volume 668 Folio 82. The certificate of title is held in the name of a deceased individual.

ROW 28047 is unmade and is 2.82m wide and 26.8m long. It is only open and accessible from John Street.

ROW 28047 is designated as a Category 5 ROW under the Rights of Way Management Strategy which reflects the constraints posed by its narrow width and dead-end. Category 5 ROWs are not intended for upgrading for future access to adjoining developments under the Strategy. Local Planning Policy No. 6.5 'Developments and Subdivisions Abutting Rights of Way' does not support the use of Category 5 ROW for access. The preferred long-term outcome for a Category 5 ROW is closure and disposal of the land to form part of the adjoining lots where there is consensus from all abutting landowners to close the ROW.

Nevertheless, on 6 October 2017, the Western Australian Planning Commission gave approval to the owner of the adjoining Lot 1, House Number 54, Second Avenue, Mount Lawley to subdivide and create a new survey-strata lot with sole vehicle access from ROW 28047. The subdivision was subject to a condition requiring the applicant to construct the whole of the ROW between Lot 1 and John Street at their costs to the City's satisfaction. Construction of the ROW was completed at the end of 2021.

Given that ROW 28047 has been constructed to provide vehicle access to the subdivision at abutting Lot 1, House number 54, Second Avenue, Mount Lawley, closure of the ROW would only be feasible if unanimous agreement is available from all abutting land to close the ROW and for the resultant land to be included into Lot 1 in its entirety. The Department of Planning, Lands and Heritage also requires unanimous consent from all owners of land abutting a ROW in order for a ROW closure proposal to be considered. At this time the City has not received the necessary consensus from lot owners abutting ROW 28047 to initiate closure proceedings.

Where closure is not able to be achieved, the acquisition of a privately-owned Category 5 ROW to Crown ownership would enable its management and maintenance by the City.

To enable ROW 28047 to be brought under the City's management and control as envisioned in the Rights of Way Management Strategy, it is proposed to request the Minister for Lands to acquire the ROW as Crown land pursuant to the provisions of Section 52(1)(b) of the *Land Administration Act 1997*. Upon acquisition of the ROW to Crown ownership, a Management Order could be granted to the City for the care, control and management of this land for Right of Way purposes.

The acquisition of ROW 28047 as Crown land would not preclude closure of the lane in the future should abutting owners' consensus be reached.

Consultation/Communication Implications

The Rights of Way Management Strategy was advertised for public comment and consultation with adjoining owners prior to adoption in its final form by Council on 10 November 2009. All submissions received during the advertising period were considered by Council before adoption of the Strategy.

If Council endorses the recommendation of this report, the City will give notice of the intent to acquire ROW 28047 as Crown land as prescribed under the *Land Administration Act 1997.*

Policy and Legislative Implications

Section 52(1)(b) of the *Land Administration Act 1997* provides that a local government may request the Minister for Lands to acquire as Crown land any private road (or private ROW) within the local government's district that is shown on a plan of survey registered with the Registrar of Titles.

Financial Implications

Upon acquisition of the ROW as Crown land and grant of a Management Order to the City, the City will be responsible for all ongoing maintenance of the ROW. Funds for this purpose will be required to be allocated in future operating budgets.

Strategic Implications

Key Result Area: Liveable neighbourhoods

Outcome B2: Accessible and connected City

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	**Comment**
Nil.	

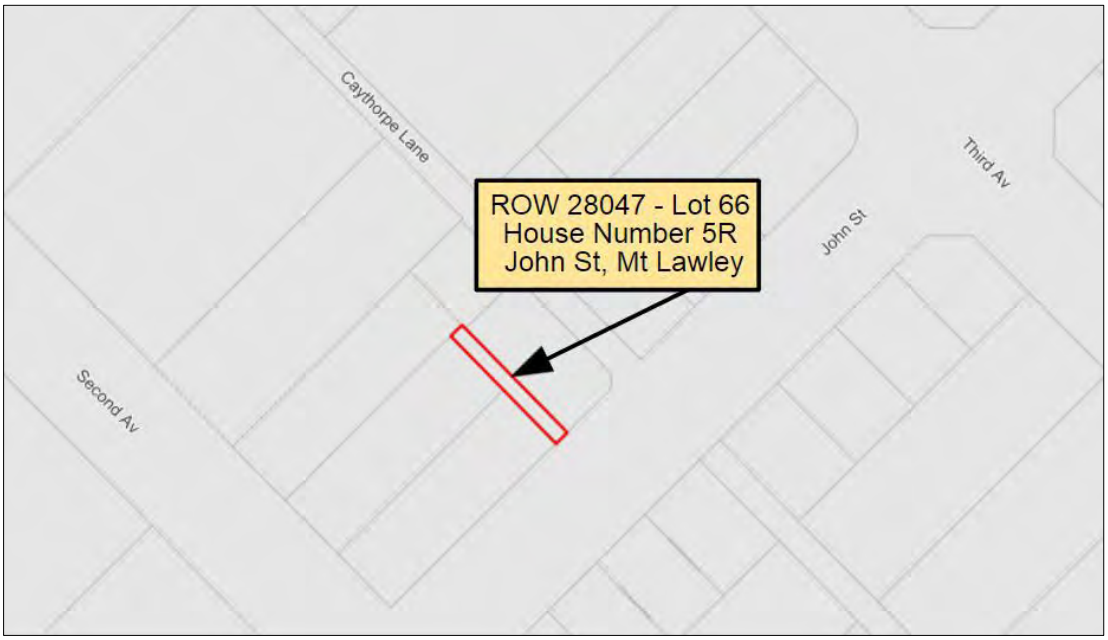
SOCIAL	
Issue	**Comment**
Health, wellbeing and safety	Acquisition of the ROW to Crown ownership will provide authority for the City to carry out periodic maintenance including pruning of any tree branches overhanging from the abutting properties and rubbish and addressing any potential hazards, which will contribute to improved health, wellbeing and safety of the community.

ECONOMIC	
Issue	**Comment**
Nil.	

Conclusion

ROW 28047 is classified as a Category 5 ROW under the City's Rights of Way Management Strategy. Closure and disposal of a Category 5 ROW is the preferred long-term outcome. However, there is no consensus from the adjoining owners to initiate closure proceedings for ROW 28047 to date. It is therefore recommended that the Minister for Lands be requested to acquire ROW 28047 as Crown land pursuant to Section 52 of the *Land Administration Act 1997* and to grant a Management Order to the City for the care, control and management of the land for the purpose of Right of Way.

Attachment 1 – Locality Plan (ROW 28047)



Attachment 2 – Aerial Plan (ROW 28047)



12.2/PRSE5 ACQUISITION OF RIGHTS OF WAY 29019 AND 29020, BEING LOT 166, HOUSE NUMBERS 29R AND 47R, YORK STREET, INGLEWOOD AS CROWN LAND MANAGED BY THE CITY

Report Information

Location:	Rights of Way 29019 and 29020, House Numbers 39R and 47R, York Street, Inglewood
Applicant:	Not Applicable
Reporting Officer:	Director Infrastructure
Business Unit:	Property Services
Ward:	Inglewood
Suburb:	Inglewood

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/020

Moved Councillor Proud, seconded Councillor Migdale

1. That Council AUTHORISES advertising of the proposed acquisition of Rights of Way 29019 and 29020, being Lot 166 on Plan 1658, House Numbers 39R and 47R, York Street, Inglewood in accordance with Section 52 of the *Land Administration Act 1997*.

2. That, subject to no objection being received from advertising the proposal, the Minister for Lands be REQUESTED to acquire Rights of Way 29019 and 29020 being Lot 166, House Numbers 39R and 47R, York Street, Inglewood pursuant to Section 52(1)(b) of the *Land Administration Act 1997* and to:

a. Create the land as a Crown Reserve for the purpose of 'Right of Way'; and

b. Grant a Management Order to the City of Stirling for the care, control and management of the Crown Reserve.

3. That the Minister for Lands be INDEMNIFIED against any claims arising from the acquisition action.

The motion was put and declared CARRIED (15/0) by exception resolution.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

1. That Council AUTHORISES advertising of the proposed acquisition of Rights of Way 29019 and 29020, being Lot 166 on Plan 1658, House Numbers 39R and 47R, York Street, Inglewood in accordance with Section 52 of the *Land Administration Act 1997*.

2. That, subject to no objection being received from advertising the proposal, the Minister for Lands be REQUESTED to acquire Rights of Way 29019 and 29020 being Lot 166, House Numbers 39R and 47R, York Street, Inglewood pursuant to Section 52(1)(b) of the *Land Administration Act 1997* and to:

   a. Create the land as a Crown Reserve for the purpose of 'Right of Way'; and

   b. Grant a Management Order to the City of Stirling for the care, control and management of the Crown Reserve.

3. That the Minister for Lands be INDEMNIFIED against any claims arising from the acquisition action.

Officer's Recommendation

1. That Council AUTHORISES advertising of the proposed acquisition of Rights of Way 29019 and 29020, being Lot 166 on Plan 1658, House Numbers 39R and 47R, York Street, Inglewood in accordance with Section 52 of the *Land Administration Act 1997*.

2. That, subject to no objection being received from advertising the proposal, the Minister for Lands be REQUESTED to acquire Rights of Way 29019 and 29020 being Lot 166, House Numbers 39R and 47R, York Street, Inglewood pursuant to Section 52(1)(b) of the *Land Administration Act 1997* and to:

   a. Create the land as a Crown Reserve for the purpose of 'Right of Way'; and

   b. Grant a Management Order to the City of Stirling for the care, control and management of the Crown Reserve.

3. That the Minister for Lands be INDEMNIFIED against any claims arising from the acquisition action.

Report Purpose

To seek Council's approval to acquire private Rights of Way 29019 and 29020 being Lot 166, House Numbers 39R and 47R, York Street, Inglewood pursuant to the provisions of Section 52 of the *Land Administration Act 1997* and to grant a Management Order for the resultant Crown reserve to the City.

Relevant Documents

Attachments

Attachment 1 - Locality Plan (ROWs 29019 and 29020) ⇩

Attachment 2 - Aerial Plan (ROWs 29019 and 29020) ⇩

Available for viewing at meeting

Nil

Background

At its meeting held 10 November 2009, Council resolved (Council Resolution Number 1109/014) as follows:

"1. That the revised funding approach for the Rights of Way Management Strategy using City Funds and Development Contributions be ENDORSED in light of the advice from the Department of Regional Development and Lands (Local Government) in relation to the use of Differential General rates and the difficulty associated with administering a rating-based system of funding on strata properties.

2. That a 10 year program for upgrading and dedication of Categories 1, 2 and 3 Rights of Way and acquisition of Categories 4 and 5 Rights of Way be ENDORSED.

3. That the draft Rights of Way Management Strategy as modified and updated (reflecting the revised funding approach using only City Funds and Development Contribution) be ADOPTED."

To implement Council's resolution and the objectives of the Rights of Way Management Strategy, the City has commenced an annual program in 2016/2017 to progressively acquire privately-owned Categories 4 and 5 Rights of Way (ROWs) under Section 52 of the Land Administration Act 1997 to Crown ownership where closure of these ROWs has not been able to be achieved and the owner of the ROW cannot be located.

Comment

ROWs 29019 and 29020, being Lot 166 on Plan 1658 at House Numbers 39R and 47R, York Street, Inglewood (as shown on the Locality Plan in Attachment 1 and Aerial Plan in Attachment 2) is contained in Certificate of Title Volume 73 Folio 28. The certificate of title is held in the name of a deceased individual.

ROW 29019 is unmade and is 4.02m wide and 247.32m long.

ROW 29020 is mostly unmade and is 4.02m wide and 296.08m long. Approximately 30% of the ROW has been sealed by the adjoining owners from the Beaufort Street end of the ROW.

ROWs 29019 and 29020 are designated as Category 5 ROWs under the Rights of Way Management Strategy which reflects the constraints posed by the narrow widths of the ROWs. Category 5 ROWs are not intended for upgrading for future access to adjoining developments under the Strategy. The preferred long-term outcome for a Category 5 ROW is closure and disposal of the land to form part of the adjoining lots where there is consensus from all abutting landowners to close the ROW. Where closure is not able to be achieved, the acquisition of a privately-owned Category 5 ROW to Crown ownership would enable its management and maintenance by the City as an unsealed or partially sealed lane.

For a ROW closure application to be considered, the Department of Planning, Lands and Heritage requires unanimous consent from all owners of land abutting a ROW. The City has not received the necessary consensus from lot owners abutting ROWs 29019 and 29020 to initiate closure proceedings to date.

To enable ROWs 29019 and 29020 to be brought under the City's management and control as envisioned in the Rights of Way Management Strategy, it is proposed to request the Minister for Lands to acquire the ROWs as Crown land pursuant to the provisions of Section 52(1)(b) of the *Land Administration Act 1997*. Upon acquisition of the ROWs to Crown ownership, a Management Order could be granted to the City for the care, control and management of this land for Right of Way purposes.

The acquisition of ROWs 29019 and 29020 as Crown land would not preclude closure of the lane in the future should abutting owners' consensus be reached.

Consultation/Communication Implications

The Rights of Way Management Strategy was advertised for public comment and consultation with adjoining owners prior to adoption in its final form by Council on 10 November 2009. All submissions received during the advertising period were considered by Council before adoption of the Strategy.

If Council endorses the recommendation of this report, the City will give notice of the intent to acquire ROWs 29019 and 29020 as Crown land as prescribed under the *Land Administration Act 1997.*

Policy and Legislative Implications

Section 52(1)(b) of the *Land Administration Act 1997* provides that a local government may request the Minister for Lands to acquire as Crown land any private road (or private ROW) within the local government's district that is shown on a plan of survey registered with the Registrar of Titles.

Financial Implications

Upon acquisition of the ROWs as Crown land and grant of a Management Order to the City, the City will be responsible for all ongoing maintenance of the ROW. Funds for this purpose will be required to be allocated in future operating budgets.

Strategic Implications

Key Result Area: Liveable neighbourhoods

Outcome B2: Accessible and connected City

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Vegetation impact	Upon acquisition into Crown ownership, the ROWs will be managed by the City as unsealed or partially sealed ROW as they are. Periodic pruning of overhanging trees from adjoining properties and removal of weeds to prevent nuisance would be undertaken by the City.

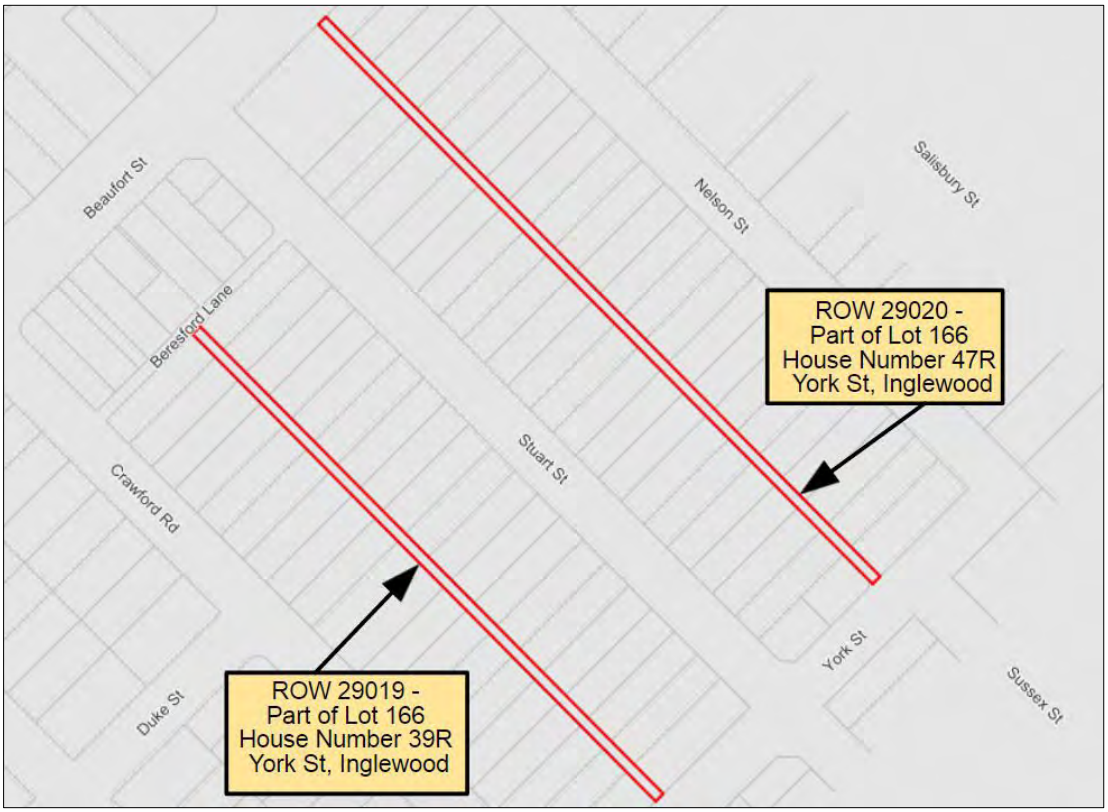
SOCIAL	
Issue	**Comment**
Health, wellbeing and safety	Acquisition of the ROWs to Crown ownership will provide authority for the City to carry out periodic maintenance including removal of overgrown vegetation and rubbish and addressing any potential hazards, which will contribute to improved health, wellbeing and safety of the community.

ECONOMIC	
Issue	**Comment**
Nil.	

Conclusion

ROWs 29019 and 29020 are classified as a Category 5 ROWs under the City's Rights of Way Management Strategy. Closure and disposal of a Category 5 ROW is the preferred long-term outcome. However, there is no consensus from the adjoining owners to initiate closure proceedings for ROWs 29019 and 29020 to date. It is therefore recommended that the Minister for Lands be requested to acquire ROWs 29019 and 29020 as Crown land pursuant to Section 52 of the *Land Administration Act 1997* and to grant a Management Order to the City for the care, control and management of the land for the purpose of Right of Way.
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Attachment 1 – Locality Plan (ROWs 29019 and 29020)



Attachment 2 – Aerial Plan (ROWs 29019 and 29020)



12.2/PRSE6 DEDICATION OF PEDESTRIAN ACCESSWAY LOTS 400 AND 56, HOUSE NUMBERS 48 AND 17P, CHESTERFIELD ROAD, MIRRABOOKA AS ROAD - MIRRABOOKA TOWN ACTIVITY CENTRE PLAN

Report Information

Location:	Lots 400 and 56, House Numbers 48 and 17P, Chesterfield Road, Mirrabooka
Applicant:	Not Applicable
Reporting Officer:	Director Infrastructure
Business Unit:	Property Services
Ward:	Balga
Suburb:	Mirrabooka

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/021

Moved Councillor Proud, seconded Councillor Migdale

1. That the Minister for Lands be REQUESTED to dedicate the Pedestrian Accessway comprising:

a. Crown Reserve 51034 being Lot 400 on Deposited Plan 65590 and being the whole of the land contained in Crown Land Title Volume LR3160 Folio 898; and

b. Lot 56 on Diagram 71060 and being the whole of the land contained in Certificate of Title Volume 2821 Folio 271,

as road pursuant to Section 56(1)(a) of the *Land Administration Act 1997*.

2. That Council RELINQUISHES the Management Order for Crown Reserve 51034.

3. That the Minister for Lands be INDEMNIFIED from any claims arising from the dedication action.

The motion was put and declared CARRIED (15/0) by exception resolution.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

1. That the Minister for Lands be REQUESTED to dedicate the Pedestrian Accessway comprising:

    a. Crown Reserve 51034 being Lot 400 on Deposited Plan 65590 and being the whole of the land contained in Crown Land Title Volume LR3160 Folio 898; and

    b. Lot 56 on Diagram 71060 and being the whole of the land contained in Certificate of Title Volume 2821 Folio 271,

    as road pursuant to Section 56(1)(a) of the *Land Administration Act 1997*.

2. That Council RELINQUISHES the Management Order for Crown Reserve 51034.

3. That the Minister for Lands be INDEMNIFIED from any claims arising from the dedication action.

Officer's Recommendation

1. That the Minister for Lands be REQUESTED to dedicate the Pedestrian Accessway comprising:

    a. Crown Reserve 51034 being Lot 400 on Deposited Plan 65590 and being the whole of the land contained in Crown Land Title Volume LR3160 Folio 898; and

    b. Lot 56 on Diagram 71060 and being the whole of the land contained in Certificate of Title Volume 2821 Folio 271,

    as road pursuant to Section 56(1)(a) of the *Land Administration Act 1997*.

2. That Council RELINQUISHES the Management Order for Crown Reserve 51034.

3. That the Minister for Lands be INDEMNIFIED from any claims arising from the dedication action.

Report Purpose

To seek authority to request the Minister for Lands to dedicate a Pedestrian Accessway as a public road to facilitate implementation of the objectives of the Mirrabooka Town Activity Centre Plan.

Relevant Documents

Attachments

Attachment 1 - Mirrabooka Town Activity Centre: Fixed Future Road Reserve ⇩

Attachment 2 - Concept Plan - For New Road and Public Car Park ⇩

Attachment 3 - Locality Plan ⇩

Available for viewing at meeting

Nil

Background

The Mirrabooka Town Activity Centre Plan was given final approval by the Western Australian Planning Commission on 19 November 2021. The Activity Centre Plan (ACP) sets out a future planning framework for the creation of a new mixed use urban centre for the region, including the creation of a new road network within the town centre as re-development occurs.

One of the new Fixed Future Road Reserve alignments prescribed in the ACP is situated over the existing pedestrian accessway (PAW) that runs between Chesterfield Road and Mirrabooka Avenue. Owners of land adjacent to a Fixed Future Road Reserve alignment are required to cede land for the creation and/or widening of the new road as a condition of development. The Fixed Future Road Reserve between Chesterfield Road and Mirrabooka Road is shown on the Plan in Attachment 1.

Lot 61, House Number 2, Milldale Way, Mirrabooka abuts the existing PAW and the prescribed Fixed Future Road Reserve. The owner of Lot 61, the WA Land Authority, is working with the City on a plan to establish a public car park on the site which will be accessed via the Fixed Future Road. A Concept Plan of the proposed car park is in Attachment 2.

As a condition of the development of the car park, the owner of Lot 61 will cede a 7.5m wide area for amalgamation with the PAW land to form the required new 12.5m wide road reserve.

Comment

The PAW located between Chesterfield Road and Mirrabooka Avenue, Mirrabooka, shown on the Locality Plan in Attachment 3, is 5m wide and comprised of two parcels of land:

1. Crown Reserve 51034, being Lot 400 on Deposited Plan 65590, House Number 48, Chesterfield Road, Mirrabooka contained in Crown Land Title Volume LR3160 Folio 898.
   Area: 597m2
   Custodianship: Management Order granted to the City for the purpose of “Recreation, Drainage and Pedestrian Access”

2. Lot 56 on Diagram 71060, House Number 17P, Chesterfield Road, Mirrabooka contain in Certificate of Title Volume 2821 Folio 271
   Area: 343m2
   Ownership: State of WA

To facilitate creation of the new road reserve, it is proposed to dedicate the PAW as a public road to enable the subsequent ceding of the 7.5m wide road widening from Lot 61 to form the ultimate 12.5m wide road reserve shown in the Mirrabooka Town ACP.

Section 56(1)(a) of the *Land Administration Act 1997* provides that where land is acquired or reserved for use by the public as a road and is described on a plan of survey, the local government may resolve to request the Minister for Lands to dedicate that land as a public road.

The current Management Order for Crown Reserve 51034 will need to be relinquished by the City and cancelled by the Department of Planning, Lands and Heritage concurrent with the dedication of the PAW land as a road.

Upon dedication of the PAW as road, construction of the new road alignment will be undertaken by the Department of Communities along with its construction of the car park on Lot 61.

Consultation/Communication Implications

As pedestrian access will be preserved along the new road reserve via a 2.5m footpath on completion of the planned works, advertising of the proposed dedication is not required.

The Department of Planning, Lands and Heritage has advised that it will consult internally with its Land Use Planning team on the proposed dedication of the PAW on receipt of the request for dedication from the City as part of its road dedication process.

Policy and Legislative Implications

Section 56(1)(a) of the *Land Administration Act 1997* enables a local government to request the Minister for Lands to dedicate certain land as road. The land comprised in the PAW meet the requirements for a dedication request to be made to the Minister.

Financial Implications

The cost of undertaking a request for dedication by the City is administrative in nature and no significant expenditure is anticipated to be incurred. Upon completion of the road dedication, the cost of constructing the new road and associated footpath within the road reserve will be borne by the Department of Communities. The new road will be managed as part of the City's road network and future maintenance cost will be budgeted as part of the City's road maintenance budgets.

Strategic Implications

Key Result Area: Liveable neighbourhoods

Outcome B2: Accessible and connected City

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Nil.	

SOCIAL	
Issue	**Comment**
Amenity	Dedication of the PAW will enable the creation of a new road connection between Chesterfield Road and Mirrabooka Avenue, Mirrabooka that will include a new footpath and on-street parking bays within the future road reserve.
Transport and access	Dedication of the PAW will enable the creation of a new road connection between Chesterfield Road and Mirrabooka Avenue, Mirrabooka that supports pedestrian, cyclist, vehicle and other motorised modes of transport.

ECONOMIC	
Issue	**Comment**
Transport and infrastructure	Dedication of the PAW will enable the creation of a new road connection between Chesterfield Road and Mirrabooka Avenue, Mirrabooka that will contribute to improving permeability and accessibility through the town centre as well as new road access to furture developments on the adjoining lands.
Dvlpmt of key business sectors	Dedication of the PAW to enable creation of a new road connection between Chesterfield Road and Mirrabooka Ave, Mirrabooka supports the Mirrabooka Town Activity Centre Plan objectives to promote development of a vibrant mixed use urban centre.

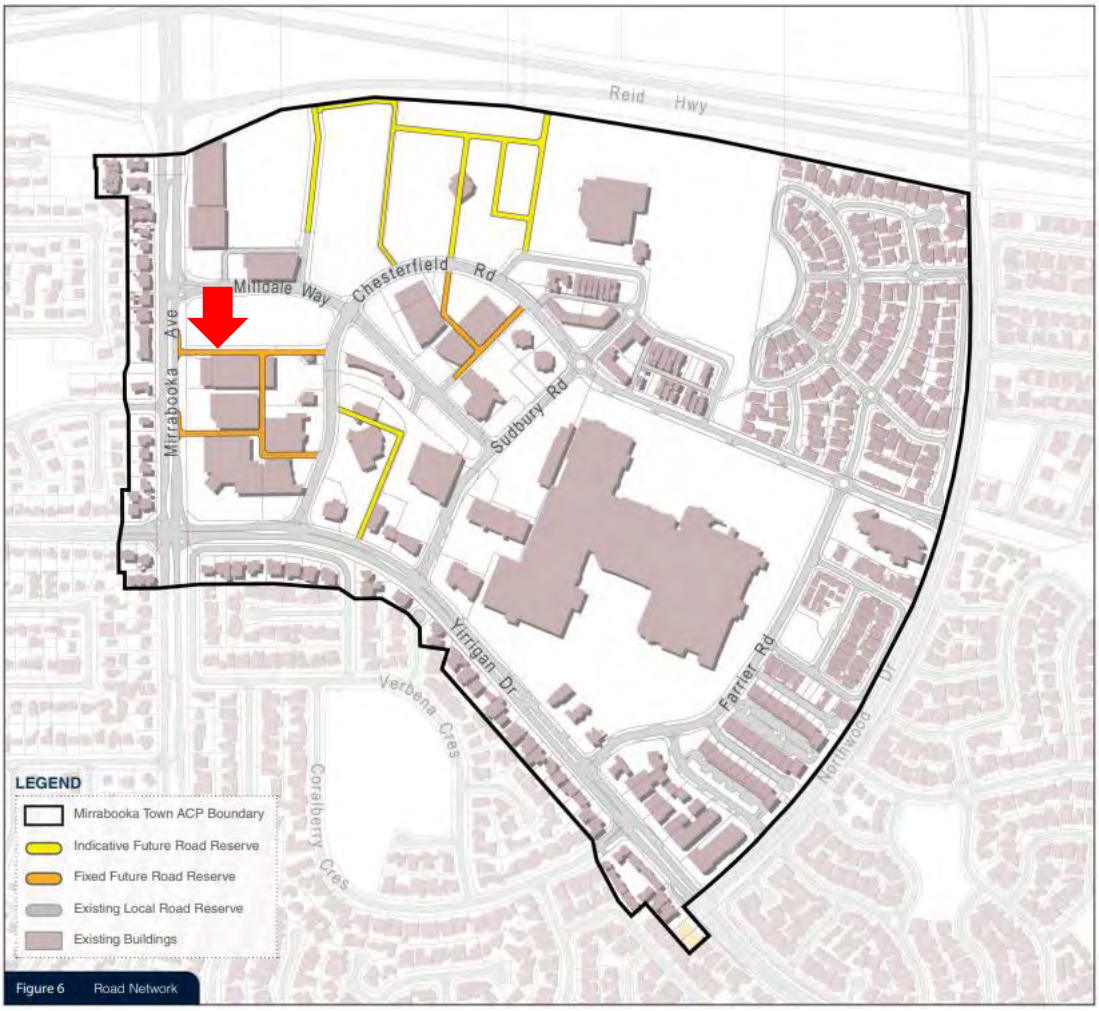
Conclusion

A future road connection along the existing PAW alignment between Chesterfield Road and Mirrabooka Avenue, Mirrabooka is prescribed in the Mirrabooka Town Activity Centre Plan. The property adjoining the PAW is being proposed for development as a public car park and will be required to cede 7.5m road widening alongside the 5.0m wide PAW to create the new 12.5m wide road connection as a condition of development approval.

To enable the creation of the new road, it is necessary to dedicate the PAW land as a public road under the provisions of Section 56 of the *Land Administration Act 1997*.

It is therefore recommended that approval be given by Council to initiate a request to the Minister for Lands to dedicate the PAW as a road.

Attachment 1 – Mirrabooka Town Activity Centre: Fixed Future Road Reserve



Attachment 2 - Concept Plan for New Road and Public Car Park



Vehicle Class	# Bays
Standard	216
Accessible	4
Motorcycle	7
Mini Bus + Trailer	2
Total	**229**

Street Parking	# Bays
Standard	21
Total	**21**

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Phone: +61 (08) 7978 7740
ACN 009 436 140

Date	No.	Revision	By
03.02.22	A	PRELIMINARY	CDC
18.02.22	B	10m SETBACK + COMMUNITY STREET	CDC

MIRRABOOKA CAR PARK
Milldale Way, Mirrabooka

DEPARTMENT OF FINANCE

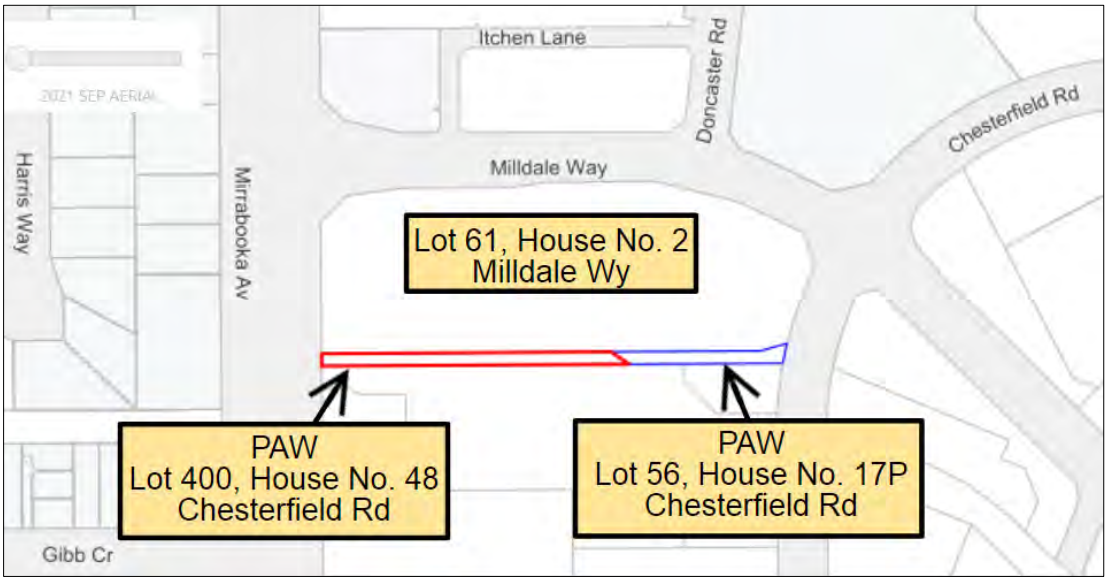
PROPOSED CARPARK PLAN

N

Approved:

Designed:	Drawn:	Checked:	Scale :
CDC	CDC		1: 750 (A3)
Job No: 21248	Drawing No: SK-01		Revision: B

Attachment 3 – Locality Plan



Mayor Mark Irwin disclosed an Impartial Interest in Item 12.2/PRSE7 as he is a social member.

Councillor Joe Ferrante disclosed an Impartial Interest in Item 12.2/PRSE7 as he is a current social member.

Councillor David Lagan disclosed an Impartial Interest in Item 12.2/PRSE7 as he is a social member.

Councillor Suzanne Migdale disclosed an Impartial Interest in Item 12.2/PRSE7 as she is a current committee member.

Councillor Bianca Sandri disclosed an Impartial Interest in Item 12.2/PRSE7 as she was a non-financial board member and is a current social club member.

12.2/PRSE7 NEW LEASE TO INGLEWOOD BOWLING AND SPORTS CLUB INC.

Report Information

Location:	Crown Reserve 26132 Being Lot 7366, House Number 1, Stancliffe Street, Mount Lawley
Applicant:	Inglewood Bowling and Sports Club Inc.
Reporting Officer:	Property Services
Business Unit:	Infrastructure Administration
Ward:	Inglewood
Suburb:	Mount Lawley

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/022

Moved Councillor Proud, seconded Councillor Migdale

1. **That Council APPROVES a new lease over portion of Crown Reserve 26132 being Lot 7366, House Number 1, Stancliffe Street, Mount Lawley to Inglewood Bowling and Sports Club Inc. with the following essential terms:**

   a. **A term of five years;**

   b. **Annual rent at the commencement of the lease be set at $1,000 plus GST per annum; and**

   c. **Rent to be reviewed annually on the anniversary of the commencement date by CPI.**

2. **That AUTHORITY be given to the Mayor and Chief Executive Officer to sign and affix the Common Seal to the necessary documentation to effect this lease.**

3. **That Council APPROVES that the Chief Executive Officer be granted delegated authority to enter into a new lease and any variation or extension of lease between the City and Inglewood Bowling and Sports Club Inc.**

NB: Absolute Majority Vote required at Council.

The motion was put and declared CARRIED (15/0) by exception resolution by an Absolute Majority.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

1. That Council APPROVES a new lease over portion of Crown Reserve 26132 being Lot 7366, House Number 1, Stancliffe Street, Mount Lawley to Inglewood Bowling and Sports Club Inc. with the following essential terms:

    a. A term of five years;

    b. Annual rent at the commencement of the lease be set at $1,000 plus GST per annum; and

    c. Rent to be reviewed annually on the anniversary of the commencement date by CPI.

2. That AUTHORITY be given to the Mayor and Chief Executive Officer to sign and affix the Common Seal to the necessary documentation to effect this lease.

3. That Council APPROVES that the Chief Executive Officer be granted delegated authority to enter into a new lease and any variation or extension of lease between the City and Inglewood Bowling and Sports Club Inc.

NB: Absolute Majority Vote required at Council.

Officer's Recommendation

1. That Council APPROVES a new lease over portion of Crown Reserve 26132 being Lot 7366, House Number 1, Stancliffe Street, Mount Lawley to Inglewood Bowling and Sports Club Inc. with the following essential terms:

    a. A term of five years;

    b. Annual rent at the commencement of the lease be set at $1,000 plus GST per annum; and

    c. Rent to be reviewed annually on the anniversary of the commencement date by CPI.

2. That AUTHORITY be given to the Mayor and Chief Executive Officer to sign and affix the Common Seal to the necessary documentation to effect this lease.

3. That Council APPROVES that the Chief Executive Officer be granted delegated authority to enter into a new lease and any variation or extension of lease between the City and Inglewood Bowling and Sports Club Inc.

NB: Absolute Majority Vote required at Council.

Report Purpose

To seek Council’s approval of a Lease to Inglewood Bowling and Sports Club Inc. on Crown Reserve 26132, being Lot 7366, House Number 1, Stancliffe Street, Mount Lawley.

Relevant Documents

Attachments

Nil.

Available for viewing at the meeting

Nil.

Background

At its meeting held 12 September 2017, Council resolved (Council Resolution Number 0917/010) as follows:

> *"That Council ADOPTS the revised standard Lease document as detailed in Confidential Attachment 3 for Sporting, Recreational, Community and Cultural Clubs."*

The City will progress a three year lease term for the Inglewood Sport and Bowling Club utilising the City's adopted lease document and terms and conditions. Entering into a lease provides the Club with exclusive use of the facility during the approved term, meaning the City would not have access to the property for its use. Any decision on a further term should be considered in line with holistic and integrated planning through the Hamer Park and Inglewood Oval Development Plan including building redevelopment plans.

Comment

The City has engaged with the Inglewood Bowling and Sports Club Inc. (the Club) during the intervening years to assist the Club with improving its sustainability including ongoing support and access to an external Financial Consultant.

The City has also invested in the facility with improvements to the building including carpet and vinyl replacement, bar tiling and external works. The Club has improved the premises through installation of solar panels and new shade structures.

The Club provides a range of sporting, recreational and leisure opportunities for the local area including both competition and social bowls with roughly 200 club members. The Club also supports a number of recreational groups including darts and pool and has a number of affiliate clubs including the Mount Lawley Futsal Club (there is often 80 plus futsal participants across the mid-week playing times), Inglewood Mt Lawley Community Garden, 4WD Club of WA, Perth Folk and Roots Club and the ECU Chequers Volleyball Club.

The facilities are also available to the community for hire to support a range of local social activities. The facilities include two natural turf floodlight bowling greens and an outdoor Astro turf court currently utilised for futsal.

A new five year lease is being offered to the Club and the City will continue to support the club through proactive club development support during this period.

The following essential terms have been agreed:

Lessee	Inglewood Bowling and Sports Club Inc.
Lease purpose	Bowling Club and purposes ancillary to the operation of a Bowling Club
Annual Commencing Rent	$1,000 plus GST
Initial Term	Five years
Further Term	No further term
Rent Review	Annually on each anniversary of the commencement date.
Outgoings	The Club is to pay all rates and taxes (if any) and all outgoings including, but not limited to: • ESL (Emergency Services Levy); • Water Rates; • Water, Gas, Electricity consumption; • Fuel; • Telephone; • Waste; • Insurance.
Maintenance	The Club is liable for all repair and maintenance obligations in line with the terms of the City's standard lease agreements.

The above conditions are in line with the current standard lease terms offered to similar community groups. The current rent paid by the Club for the premises is $1,000 plus GST the same as the current proposed rent.

Consultation/Communication Implications

Nil.

Policy and Legislative Implications

A local government may dispose of property, including by way of a lease, in accordance with Section 3.58 of the *Local Government Act 1995*.

Leasing of Crown Land is to be undertaken in accordance with Section 18 of the *Land Administration Act 1997*.

Financial Implications

Nil.

Strategic Implications

Key Result Area: Thriving communities

Outcome S2: Active and healthy City

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Nil.	

SOCIAL	
Issue	**Comment**
Amenity	The Lease to Inglewood Bowling and Sports Club will ensure that the existing amenity of the facility is maintained for the community.
Community engagement	The community will continue to have opportunities to engage with cultural, leisure and recreational activities provided by the Club and other associated organisations that use the venue and facilities.

ECONOMIC	
Issue	**Comment**
Dvlpmt of key business sectors	A five year lease will provide the Club with security of tenure and support the objectives of the Club.

Conclusion

It is considered appropriate to enter into a new lease agreement over portion of Crown Reserve 26132 being Lot 7366, House Number 1, Stancliffe Street, Mount Lawley to Inglewood Bowling and Sports Club Inc. as the new lease:

- Will allow the Club to continue providing a service to its current and future members; and
- Will secure tenure for the Club for the next five year period.

12.2/PRSE8 SUB LEASE BETWEEN INNALOO SPORTSMENS CLUB INCORPORATED AND SPORTIES FC PTY LTD.

Report Information

Location:	Portion of Crown Reserve 24643 being Lot 6160, House Number 75, Birdwood Street, Innaloo
Applicant:	Innaloo Sportsmen's Club Incorporated
Reporting Officer:	Director of Infrastructure
Business Unit:	Property Services
Ward:	Doubleview
Suburb:	Innaloo

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/023

Moved Councillor Proud, seconded Councillor Migdale

1. That Council APPROVES a sub-lease between the Innaloo Sportsmen's Club Incorporated and Sporties FC Pty Ltd over portion of Crown Reserve 24643 being Lot 6160, House Number 75, Birdwood Street, Innaloo with the following essential terms:

- **a. An initial term expiring on 31 August 2024;**
- **b. A further term of three years commencing on 1 September 2024;**
- **c. Annual Rent to be set at $10,000 plus GST; and**
- **d. Rent to be reviewed at the end of the first term.**

2. That AUTHORITY be given to the Mayor and Chief Executive Officer to sign and affix the Common Seal to the necessary documentation to effect the new sub-lease between Innaloo Sportsmen's Club Inc. and Sporties FC Pty Ltd.

3. That Council APPROVES for the Chief Executive Officer to be granted delegated authority to approve any renewal of the sub-lease and any variation or extension between Innaloo Sportsmen's Club Incorporated and Sporties FC Pty Ltd for the premises known as Lot 6010, House Number 75, Birdwood Street, Innaloo.

NB: Absolute Majority Vote required at Council.

The motion was put and declared CARRIED (15/0) by exception resolution by an Absolute Majority.

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Committee Recommendation

1. That Council APPROVES a sub-lease between the Innaloo Sportsmen's Club Incorporated and Sporties FC Pty Ltd over portion of Crown Reserve 24643 being Lot 6160, House Number 75, Birdwood Street, Innaloo with the following essential terms:

    a. An initial term expiring on 31 August 2024;

    b. A further term of three years commencing on 1 September 2024;

    c. Annual Rent to be set at $10,000 plus GST; and

    d. Rent to be reviewed at the end of the first term.

2. That AUTHORITY be given to the Mayor and Chief Executive Officer to sign and affix the Common Seal to the necessary documentation to effect the new sub-lease between Innaloo Sportsmen's Club Inc. and Sporties FC Pty Ltd.

3. That Council APPROVES for the Chief Executive Officer to be granted delegated authority to approve any renewal of the sub-lease and any variation or extension between Innaloo Sportsmen's Club Incorporated and Sporties FC Pty Ltd for the premises known as Lot 6010, House Number 75, Birdwood Street, Innaloo.

NB: Absolute Majority Vote required at Council.

Officer's Recommendation

1. That Council APPROVES a sub-lease between the Innaloo Sportsmen's Club Incorporated and Sporties FC Pty Ltd over portion of Crown Reserve 24643 being Lot 6160, House Number 75, Birdwood Street, Innaloo with the following essential terms:

    a. An initial term expiring on 31 August 2024;

    b. A further term of three years commencing on 1 September 2024;

    c. Annual Rent to be set at $10,000 plus GST; and

    d. Rent to be reviewed at the end of the first term.

2. That AUTHORITY be given to the Mayor and Chief Executive Officer to sign and affix the Common Seal to the necessary documentation to effect the new sub-lease between Innaloo Sportsmen's Club Inc. and Sporties FC Pty Ltd.

3. That Council APPROVES for the Chief Executive Officer to be granted delegated authority to approve any renewal of the sub-lease and any variation or extension between Innaloo Sportsmen's Club Incorporated and Sporties FC Pty Ltd for the premises known as Lot 6010, House Number 75, Birdwood Street, Innaloo.

NB: Absolute Majority Vote required at Council

Report Purpose

To seek Council's approval of a new sub-lease of the Futsal Court at portion of Crown Reserve 24643, Lot 6010, House Number 75, Birdwood Street, Innaloo (shown on Attachment 1) between Innaloo Sportsmen's Club Inc. ('ISC') and Sporties FC Pty Ltd ('Sporties FC').

Relevant Documents

Attachments

Attachment 1 - Sub Lease Plan ⇩

Available for viewing at meeting

Nil

Background

Crown Reserve 24643, Lot 6010, House Number, 75 Birdwood Street, Innaloo (Crown Reserve 24643) is owned by the State of Western Australia and is managed by the City of Stirling for the purpose of recreation with power to lease for periods up to 21 years subject to approval from the Minister for Lands.

The City currently leases portion of Crown Reserve 24643 to the ISC for the purpose of a Bowling Club.

Details of the terms and conditions of the lease between the City and the ISC are as follows:

Initial Term	Five years
Further Term	Five years
Commencement Date	1 September 2019
Rent	$1,000 (plus GST) per annum payable annually in advance
Outgoings	Water consumption, Gas, Electricity, Fuel, Telephone, Waste Removal and any other services to the Premises.

The City has received a request from ISC seeking approval to enter into a sub-lease over part of ISC's leased premises. The area proposed to be sub-leased is the futsal courts located on one of ISC's bowling greens (as shown in Attachment 1). The proposed sub-lessee is Sporties FC Pty Ltd who are proposing to operate a commercial Futsal business from the premises.

Comment

ISC previously had a hire agreement in place with a Futsal Organisation which terminated on 18 March 2021, with them vacating the futsal courts in April 2021. The proposed sub-lease of the Futsal Courts to Sporties FC will enable ISC to continue to provide space for additional recreational and sporting amenities and assist with increasing projected social membership as well as contributing towards the ISC becoming a self-sufficient and sustainable club.

Sporties FC is a family-owned business that intends to provide a world-class FIFA approved Astroturf surface, fully enclosed netting and bounce back perimeter. It hopes to be situated within the ISC complex, and join a well-equipped community hub which includes a licensed bar with TAB facilities, pool tables, locker rooms, ample parking, lawn bowls greens and tennis courts.

As Innaloo locals, the directors of Sporties FC plan to help revitalise the ISC complex by converting an unutilised piece of land into a premium sporting surface, whilst simultaneously providing an outlet for the local community to increase physical activity and social engagement.

Whilst their primary target market is senior social soccer competitions, Sporties FC will provide activities for people of all ages, including but not limited to toddler soccer, junior competitions, senior walking sports, coaching clinics, private court hire, and other sports suited to the surface - e.g. spikeball and netball, which will maximise court usage throughout the year. Small-sided soccer has grown in popularity in recent years with multiple astroturf venues popping up across the country. Sporties FC intends to capitalise on this trend and will separate itself from competitors with a premium surface that is approximately 10% larger than competitors, longer playing times, cheaper fees and player benefits.

Sporties FC is proudly owned and operated by three brothers. Each of the directors of Sporties FC have played soccer at a high level and have a thorough understanding of the Perth soccer community, which is underpinned by a passion for improving the game. Creating Sporties FC is an exciting opportunity to differentiate from the existing facilities in Perth and enhance the ISC sporting hub to benefit the local community. In-turn, ISC will enjoy increased patronage and bar revenue. Sporties FC have a range of marketing ideas to explore with ISC to increase member benefits for both parties. Sporties FC also intends to explore partnerships with other community clubs such as Stirling Panthers Soccer Club (within the neighbouring Yulumba Park), Gwelup Soccer Club and Stirling Lions Soccer Club to name a few.

ISC has requested the City's approval of the new sub-lease arrangement as required under their lease with the City. ISC is proposing the following sub-leasing terms which have been negotiated with Sporties FC:

Head Lessor	City of Stirling
Lessor	Innaloo Sportsmen's Club
Lessee	Sporties FC Pty Ltd
Sub-Lease Purpose	Futsal
Annual Commencing Rent	$10,000 plus GST per annum
Initial Term	Up to 31 August 2024 (in line with the head lease)
Further Term	Further term of three years
Rent Review	Rent to be reviewed at the commencement of the further term.
Maintenance Contribution	$1,000 plus GST per annum (to be reviewed annually) to cover additional maintenance expenses regarding the ISC amenity.

Sporties FC will also pay a fee of $1,000 per annum for temporary social membership to ISC. Temporary social membership provides Sporties FC players and supporters with access to ISC while using the Futsal facility.

The City has reviewed the new sub-lease terms which comply with the current lease that ISC hold with the City. The further term of three years will be subject to ISC exercising its option. Based on the above, the City considers it appropriate to approve the sub-lease.

Consultation/Communication Implications

Nil.

Policy and Legislative Implications

A local government may dispose of property, including by way of a sub-lease, pursuant to Section 3.58 of the *Local Government Act 1995*.

Sub-leasing of Crown Land requires the consent of the Minister for Lands of the sub-lease document pursuant to Section 18 of the *Land Administration Act 1997*.

Financial Implications

Approval of the sub-lease will provide a rental income to ISC of at least $10,000 plus GST annually.

The City will prepare the sub-lease document in-house. Should legal review or substantial amendments be required as part of the City's preparation of the sub-lease, ISC will be responsible for these costs. They may choose to recoup part or all of these costs from Sporties F.C.

Strategic Implications

Key Result Area: Thriving communities

Outcome S2: Active and healthy City

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

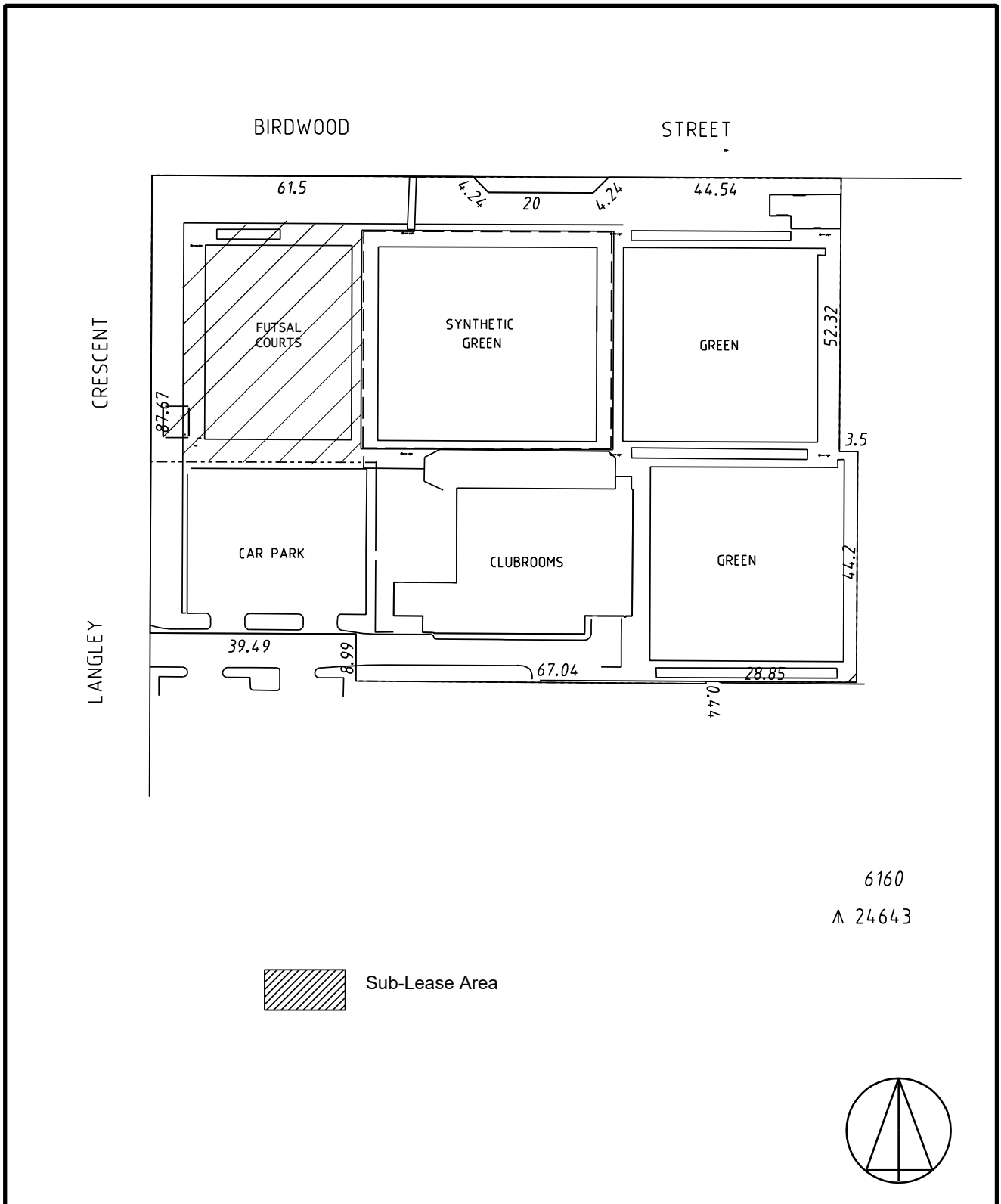
ENVIRONMENTAL	
Issue	**Comment**
Nil.	

SOCIAL	
Issue	**Comment**
Amenity	Providing further amenity to Innaloo Sportsmen's Club thus enhancing the offering for the local community.
Community services	Integrating and providing additional sporting opportunities for the local community and encourage partnerships with other community clubs

ECONOMIC	
Issue	**Comment**
Dvlpmt of key business sectors	The addition of a new Futsal operation will enable ISC to provide additional recreation and sporting amenities and assist in increasing projected social membership.

Conclusion

The proposed new sub-lease over portion of Crown Reserve 24643, Lot 6010, House Number 75, Birdwood Street, Innaloo to Sporties FC Pty Ltd. will ensure provision of additional sporting recreation facilities and promote self-sufficiency through income generated from the sub-lease. It is therefore recommended to approve a new sub-lease between Innaloo Sportsmen's Club and Sporties FC Pty Ltd.


BIRDWOOD
STREET
CRESCENT
LANGLEY
61.5
4.24
20
4.24
44.54
FUTSAL COURTS
SYNTHETIC GREEN
GREEN
52.32
87.67
3.5
CAR PARK
CLUBROOMS
GREEN
44.2
39.49
8.99
67.04
28.85
0.44
6160
24643
Sub-Lease Area
City of Stirling
LEASE PLAN
INNALOO SPORTSMANS CLUB INCORPORATED
75 BIRDWOOD STREET INNALOO
PART OF LOT 6160 PORTION OF RESERVE 24643 ON PART OF PLAN 6739
ON PART OF CERTIFICATE OF TITLE VOLUME LR3153 FOLIO 765
SCALE 1:1000 @A4
APPROVED
DRAWING NUMBER ISC1
DRAWN 28 - 09 - 2010
SURVEY ION SERVICES PTY LTD
SHEET 1 OF 3
6021_leaseplan_2010.dgn 09/28/2010 04:47:23 PM

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.

Councillor Felicity Farrelly disclosed an Impartial Interest in Item 13.1 – Elector Motion 8 as she knows the electors who have moved and seconded this motion and has spoken with them of their concerns of parking on suburban roads in the Coastal Ward.

13.1 ELECTORS' GENERAL MEETING 2020/2021

Report Information

Location:	Not Applicable
Applicant:	Not Applicable
Reporting Officer:	Manager Governance
Business Unit:	Governance
Ward:	City Wide
Suburb:	City Wide

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☒	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/024

Moved Councillor Farrelly, seconded Councillor Re

1. **That the minutes of the Electors' General Meeting 2020/2021 (as shown in Attachment 2) held Monday 28 March 2022, be RECEIVED.**

2. **That Council PROCEEDS with the recommendations as outlined in Attachment 1, with the exception of Elector Motions 2, 8 and 16.**

The motion was put and declared CARRIED (15/0).

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Reason for Motion

Council considered all motions carried at the Electors' General Meeting held 28 March 2022.

Elector Motions 2, 8 and 16 were agreed to be further considered.

NB: Council urgently considered Elector Motions 3, 17 and 18 at its meeting held 5 April 2022.

With the agreement of the Presiding Member, the following motion was put separately after further consideration of Elector Motion 8:

Council Resolution

0522/025

Moved Councillor Farrelly, seconded Councillor Re

That a report be PRESENTED to Council providing an overview of on-road parking in the built up areas of Scarborough, Trigg, Karrinyup Shopping Precinct and along West Coast Drive including options on what short, medium and long term measures can be taken to improve the access on these roads enabling free-flowing traffic to be possible.

The motion was put and declared CARRIED (9/6).

For: Councillors Creado, Farrelly, Hatton, Krsticevic, Olow, Perkov, Re, Thornton and Mayor Irwin.
Against: Councillors Ferrante, Lagan, Migdale, Proud, Sandri and Sargent.

Reason for Motion

A report presented to Council on this matter will enable it to consider the options available to improve the access of roads in of Scarborough, Trigg and the Karrinyup Shopping precinct to enable free flowing traffic to be possible.

With the agreement of the Presiding Member, the following motion was put after further consideration of Elector Motion 2:

Moved Councillor Re, seconded Councillor Farrelly

That a report be PRESENTED to Council to review and consider the convening of a new Heritage Advisory Group.

The motion was put and declared LOST (2/13).

For: Councillors Farrelly and Re.
Against: Councillors Creado, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Sandri, Sargent, Thornton and Mayor Irwin.

During debate, the Officer Recommendation for Elector Motion 2 was foreshadowed by Councillor Suzanne Migdale.

Council Resolution

0522/026

Moved Councillor Migdale, seconded Councillor Lagan

That Council NOTES Elector Motion 2 and the following decision resolved at its meeting held 7 December 2021 (Council Resolution Number 1221/031):

> ***"That Council DISBANDS the Heritage Advisory Group, and the City continues to ENGAGE with the community on heritage matters in a targeted way as required."***

The motion was put and declared CARRIED (13/2).

For: Councillors Creado, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Councillors Farrelly and Re.

With the agreement of the Presiding Member, the following motion was put after further consideration of Elector Motion 16:

Moved Councillor Re, seconded Councillor Perkov

That Council affirms its commitment to the retention of the name Stirling and that Council acknowledges the receipt of the petitions signed by ratepayers to this end.

The motion was put and declared LOST (4/11).

For: Councillors Farrelly, Olow, Perkov and Re.
Against: Councillors Creado, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Proud, Sandri, Sargent, Thornton and Mayor Irwin.

During debate, the Officer Recommendation for Elector Motion 16 was foreshadowed by Councillor Bianca Sandri.

Council Resolution

0522/027

Moved Councillor Sandri, seconded Councillor Sargent

That Council NOTES Elector Motion 16 and the following decision resolved at its meeting held 8 June 2021 (Council Resolution Number 0621/009):

"7. That Council REAFFIRMS its commitment to the actions and deliverables within the recently adopted Innovate Reconciliation Action Plan (July 2021 – June 2023)."

The motion was put and declared CARRIED (11/4).

For: Councillors Creado, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Proud, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Councillors Farrelly, Olow, Perkov and Re.

Recommendation

1. That the minutes of the Electors' General Meeting 2020/2021 (as shown in Attachment 2) held Monday 28 March 2022, be RECEIVED.

2. That Council PROCEEDS with the recommendations as outlined in Attachment 1.

Report Purpose

To allow Council to consider the outcome of the Electors' General Meeting 2020/2021 (EGM) held 28 March 2022.

Relevant Documents

Attachments

Attachment 1 - Electors' General Meeting 2020/2021 - Motions and Officer Comment ⇩

Attachment 2 - Electors' General Meeting 2020/2021 Minutes - 28 March 2022 ⇩

Available for viewing at meeting

Nil

Background

Due to some delays outside of the City's control relating to its Financial Statements, the EGM was rescheduled from December 2021 to March 2022. This was due to a delay in information from Mindarie Regional Council that is required for the City's Financial Statements to be signed off by the Office of the Auditor General. This information was received on 23 December 2021.

The EGM was held at 6.00pm on Monday 28 March 2022 at the City of Stirling's Main Administration Building in Council Chambers. There were 28 members of the public in attendance together with the Mayor, Elected Members, City officers and representatives of the Office of the Auditor General and Ernst and Young. The minutes from the EGM are shown in Attachment 2.

Comment

In accordance with Section 5.33 of the *Local Government Act 1995*, Council is required to consider any decisions that result from the Electors' General Meeting.

There were 18 motions moved by electors. Each elector's motion has been considered by the City, with a comment addressing each motion provided by relevant officers (refer to Attachment 1). For each motion, an officer's recommendation is also included for Council's consideration.

Each member of the public who moved or seconded a motion at the EGM has been contacted to advise them that their motions will be considered as part of this report, and that the report is being presented at the Council meeting to be held 10 May 2022. Three motions (Elector Motion 3 - D Allen, Elector Motion 17 - T Poggiolo, Elector Motion 18 -T Poggioli) were deemed urgent and considered at the Council Meeting held 5 April 2022. The movers and seconders of these motions were advised accordingly.

Consultation/Communication Implications

In accordance with Section 5.29 of the *Local Government Act 1995* there is a statutory obligation to advertise the date, place, time and purpose of the meeting. The EGM was advertised in community newspapers and an advertisement was also placed on noticeboards at City of Stirling Libraries, on the City of Stirling website, and via the City's social media accounts.

Policy and Legislative Implications

Section 5.27 of the *Local Government Act 1995* states that a general meeting of electors is to be held once every financial year to consider the contents of the Annual Report for the previous year, and to consider other general business.

Section 5.29 of the *Local Government Act 1995* states that local public notice must be given.

Section 5.33 of the *Local Government Act 1995* states that all decisions made at an Electors' meeting are to be considered at a Council meeting.

Financial Implications

The approximate cost of advertising and holding the EGM was $4,750.

Strategic Implications

Key Result Area: Governance and leadership

Outcome G3: Customer-focussed organisation

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Nil.	

SOCIAL	
Issue	**Comment**
Community Engagement	The Electors' General Meeting provides an opportunity for members of the public to attend and contribute to issues, projects, and strategies within Stirling.

ECONOMIC	
Issue	**Comment**
Nil.	

Conclusion

It is recommended that Council receives the minutes of the EGM held Monday 28 March 2022 and considers the elector motions carried at this meeting.

	ELECTORS' MOTIONS AT THE 2020/2021 ELECTORS' GENERAL MEETING HELD 28 MARCH 2022	*OFFICER COMMENT*	*RECOMMENDATION*
Motion 1	**Moved Hessel De Jong, seconded Diedre Allen** **Stirling is one of the largest Councils in Western Australia. Seek and undertake urgent discussions with the Local Government Association, Western Power and the State Government on its massive failure to implement a cost effective and efficient execution of the 1996, 15 year underground power program. In particular, focus on the following:** • **Unacceptable high costs to rate payers. And for those not aware, all the rate payers via Council, contribute to any underground power program. Currently around $10,000 per resident.** • **The unacceptable high additional costs to the recipient rate payers. I'd like the Council to consider the discarding of the cost plus mentality of Western Power. Without due regard to some of the following, Synergy with its pole replacement program based on sites with say three pole replacements and the required 10 pole stretch, within the next three to five years should get a cost reduction of at least 30%. Roughly $3,000.** • **No discount of its upgrade of a low voltage (reference the AS3000 standard).** • **The aerial infrastructure replacement of new plant.** • **The decreased compensation payments by reduced power outages largely due to the failure of aerial plant. Often happening during our storms.**	The Mayor, CEO and City officers met with the Minister for Energy on 6 May 2019 to discuss several of these issues. The Minister acknowledged the concerns but reiterated that it was a program that local governments were invited to participate in on a voluntary basis. Since that meeting the State Government has introduced the Network Renewal Underground Power Program which is aimed at addressing network efficiency and which requires a greater contribution from the State Government, reducing the contribution required from residents. The City believes that it is unable to influence these issues further and, as a State Government initiative, it is suggested that Mr De Jong contact his local member of Parliament to assist.	**That Council NOTES Elector Motion 1.**

	ELECTORS' MOTIONS AT THE 2020/2021 ELECTORS' GENERAL MEETING HELD 28 MARCH 2022	*OFFICER COMMENT*	*RECOMMENDATION*
	• **Redesign of the underground power distribution using nodal joints and directional t-pipe instead of the additional fits and joints, which had a large proportion of the current cost their charging.** • **An improvement in public safety with less opportunity for power lines.** • **Use contractor underground fast boring techniques to install this pipe. Rather than Western Power.** • **Smaller installation teams, less traffic disruption and traffic management requirements.** • **Remove the aerial lighting and street signs and replace them with Council implemented off grid LED streetlights and signs.** • **Request the State Government to return to the initial $160 million per annum, instead of the low amounts of about $50 million currently provided to the program.** **The motion was put and declared CARRIED**.		

	ELECTORS' MOTIONS AT THE 2020/2021 ELECTORS' GENERAL MEETING HELD 28 MARCH 2022	*OFFICER COMMENT*	*RECOMMENDATION*
Motion 2	**Moved Daniela Ion, seconded Paul Collins** **That the City of Stirling to reinstate the Heritage Advisory Group.** **The motion was put and declared CARRIED**.	The role of the Heritage Advisory Group was considered by Council at its meeting on 7 December 2021, following a resolution of Council to do so. That report noted the statutory protection that has been purposely introduced into Local Planning Scheme No.3 to support the preservation and protection of heritage places. For the reasons provided to Council at that meeting, it was the City's officers' view that the Group was not achieving its purpose. Council subsequently resolved to disband the Group.	**That Council NOTES Elector Motion 2 and the following decision resolved at its meeting held 7 December 2021 (Council Resolution Number 1221/031):** ***"That Council DISBANDS the Heritage Advisory Group, and the City continues to ENGAGE with the community on heritage matters in a targeted way as required."***

	ELECTORS' MOTIONS AT THE 2020/2021 ELECTORS' GENERAL MEETING HELD 28 MARCH 2022	*OFFICER COMMENT*	*RECOMMENDATION*
Motion 4	**Moved Paul Collins, seconded David Brown** **1. That Council acknowledges the inadequacies in the performance, maintenance, cleaning, hygiene and utility of two free standing unisex public toilet modules located adjacent to the Yokine Reserve Playground.** **2. That Council budgets to replace the existing toilets with a purpose-built facility comparable in standard to that provided at Charles Riley Memorial Reserve in North Beach to address cross contamination from a toilet, for users who require basic hand washing; wash basin use (i.e. contact lens replacement or cup washing, changing clothes or changing nappies); shelter from rain and heat when waiting for use of the toilet; the separate needs of males and females; and the high demand for the use of the public open space.** **The motion was put and declared CARRIED**.	Following adoption of the draft Public Open Space Strategy, it is anticipated that a report on public toilets in Public Open Space will be presented in June 2022.	**That Council NOTES Elector Motion 4 and that a report on this Item is anticipated to be presented in June 2022.**
Motion 5	**Moved Marie Giorgi, seconded Simon Wheeler** **That Council supports the protection and preservation of the 42 hectares of banksia woodland threatened ecological community on the Swan Coastal Plain at Lot 802 and 803 Erindale Road, Hamersley for current and future generations.** **The motion was put and declared CARRIED**.	On 10 May 2022 Council will consider a report regarding Lot 802, Erindale Road, Hamersley. Council will consider Elector Motion 5 when it reviews this report.	**That Council NOTES Elector Motion 5 and that the Item will be considered by Council at this meeting.**

	ELECTORS' MOTIONS AT THE 2020/2021 ELECTORS' GENERAL MEETING HELD 28 MARCH 2022	*OFFICER COMMENT*	*RECOMMENDATION*
Motion 6	**Moved Marie Giorgi, seconded Charlotte Kelly** **That Council advises the City to make a submission to the Environment Protection Authority (EPA) supporting the protection of the banksia woodland threatened ecological community at Lots 802 and 803 Erindale Road, Hamersley during the forthcoming EPA public submission period.** **The motion was put and declared CARRIED**.	The EPA is currently assessing a proposal to clear this land and has requested additional information from the proponent before the proposal is advertised for a two-week public review period. It is understood the public review period will occur later this year. Once the proposal is advertised, the City will prepare a submission based on the evidence available. On 10 May 2022 Council will consider a report regarding Lot 802 Erindale Road, Hamersley. Council will consider Elector Motion 6 when it reviews this report.	**That Council NOTES Elector Motion 6 and that the Item will be considered by Council at this meeting.**

	ELECTORS' MOTIONS AT THE 2020/2021 ELECTORS' GENERAL MEETING HELD 28 MARCH 2022	*OFFICER COMMENT*	*RECOMMENDATION*
Motion 7	**Moved Kerry Hill, seconded Carol Clarey** **That no more trees be removed from the Mount Lawley Golf Club, which is an A class reserve, until such time that the course masterplan (draft) and the 15 year tree maintenance plan (draft) has been publicly disclosed and endorsed by the Council.** **The motion was put and declared CARRIED**.	The City has placed a halt on any further tree removals until such time as the Golf Club's draft Master Plan and consequential Tree Management Plan is presented to Council for its consideration. The exception is that any tree that is recommended by a suitably qualified arborist for urgent attention for safety reasons – will be considered by the City on a case by case basis.	**That Council NOTES Elector Motion 7 and that the Mount Lawley Golf Course Masterplan and Tree Management Plan will be presented to a future Council meeting.**

	ELECTORS' MOTIONS AT THE 2020/2021 ELECTORS' GENERAL MEETING HELD 28 MARCH 2022	*OFFICER COMMENT*	*RECOMMENDATION*
Motion 8	**Moved Kieran Kelly, seconded Simon Wheeler** **That Council undertakes a study and outcome solutions to overcome the problem of on-road parking and its preventing of free-flowing traffic on suburban roads.** **The motion was put and declared CARRIED**.	It is acknowledged that on-street parking can impose a degree of constraint to vehicular movements. However, many local roads are capable of safely supporting on-street parking on one or both sides of the road, and still allow sufficient width for passing traffic. Parked vehicles can provide a passive form of traffic management, in that motorists are generally required to slow down to pass stationary vehicles. The City would only consider removing the ability to park on-street where safety may be compromised by bends or crests, or where there is insufficient passing width. As infill development increases and verge space becomes constrained, on-street parking will become increasingly common, particularly in areas of high-density residential streets.	**That Council NOTES Elector Motion 8.**

	ELECTORS' MOTIONS AT THE 2020/2021 ELECTORS' GENERAL MEETING HELD 28 MARCH 2022	*OFFICER COMMENT*	*RECOMMENDATION*
Motion 9	**Moved David Brown, seconded Robert Mitchell** **That the Councillors of the City of Stirling recommence this particular project, in relation to the Hector Street cycleway, and ensure that every resident and building occupier, sporting club, emergency services and large government provider such as Western Power are fully aware of what is proposed in this particular activity.** **The motion was put and declared CARRIED**.	The City has ensured that all residents and property owners along the route have been notified of the proposed project and will make other relevant agencies aware as and when required.	**That Council NOTES Elector Motion 9 and that the City will communicate further with the community and agencies as required.**

	ELECTORS' MOTIONS AT THE 2020/2021 ELECTORS' GENERAL MEETING HELD 28 MARCH 2022	*OFFICER COMMENT*	*RECOMMENDATION*
Motion 10	**Moved Leisha Jack, seconded Simon Wheeler** **That all sporting clubs' strategic long-term masterplans go to Council for approval in the future.** **The motion was put and declared CARRIED**.	Council's standard lease documentation already includes a clause requiring the Tenant (such as sporting clubs) to ensure any building works carried out are in accordance with plans and specifications approved by the City before any of those works are commenced. Further clauses require the Tenant to obtain consent prior to making any alterations, improvements, additions or other structural works to the Premises and prior to cutting down or damaging any trees, plants, shrubs or other vegetation from or surrounding the Premises.	**That Council NOTES Elector Motion 10 and that the City will continue to work closely with Clubs to develop masterplans where appropriate.**

	ELECTORS' MOTIONS AT THE 2020/2021 ELECTORS' GENERAL MEETING HELD 28 MARCH 2022	*OFFICER COMMENT*	*RECOMMENDATION*
Motion 11	**Moved Leisha Jack, seconded Kieran Kelly** **That the City review and update the urgency level to act immediately on mitigating the urban heat island effect in the City of Stirling's 2013 Climate Adaptation Plan and amplify the warnings on the City's health and safety page to include encouraging people to retain and grow strategically positioned shade trees to reduce temperatures in their homes and gardens in case of blackouts and air conditioning failures during heatwaves.** **The motion was put and declared CARRIED**.	Officers can undertake a review of the City's website to include more content to further encourage residents to plant shade trees and reduce urban heat island effect.	**That Council NOTES Elector Motion 11 and that a review of the City's website will be conducted to include more content encouraging residents to plant shade trees and reduce urban heat island effect.**

	ELECTORS' MOTIONS AT THE 2020/2021 ELECTORS' GENERAL MEETING HELD 28 MARCH 2022	*OFFICER COMMENT*	*RECOMMENDATION*
Motion 12	**Moved Leisha Jack, seconded Rhonda Andrews** **That the City create a draft scheme amendment for the town planning scheme to protect trees above five metres tall or one metre in diameter on privately owned land to halt the destruction of urban forest, to mitigate against rising temperatures.** **The motion was put and declared CARRIED**.	Council, through its Urban Forest Plan, has adopted a strategic approach to managing trees on private land. That approach resulted in Council resolving, on 27 October 2020, that '*an Amendment to LPS3 and an associated Local Planning Policy for a Voluntary Significant Tree Register be prepared*'. Council will consider a report recommending a Scheme Amendment to establish a Voluntary Significant Tree Register at its meeting on 10 May 2022. Council will consider Elector Motion 12 when it reviews this report.	**That Council NOTES Elector Motion 12 and that the Item will be considered by Council at this meeting.**

	ELECTORS' MOTIONS AT THE 2020/2021 ELECTORS' GENERAL MEETING HELD 28 MARCH 2022	*OFFICER COMMENT*	*RECOMMENDATION*
Motion 13	**Moved Leisha Jack, seconded Simon Wheeler** **That officers provide Elected Members with better information going forward so that they can make better informed decisions.** **The motion was put and declared CARRIED**.	The City's reports provide relevant information to enable Elected Members to make informed decisions. The City is developing a new agenda report template to make better use of technology and improve the way information is provided in Council reports. The new agenda report template will be implemented in 2022.	**That Council NOTES Elector Motion 13 and the proposed improvements to Council reports.**

	ELECTORS' MOTIONS AT THE 2020/2021 ELECTORS' GENERAL MEETING HELD 28 MARCH 2022	*OFFICER COMMENT*	*RECOMMENDATION*
Motion 14	**Moved Leisha Jack, seconded Rhonda Andrews** **That the City plant species of trees on verges that will provide 150% of canopy cover within 20 years of planting and that property owners be forced to pay a hefty fine and the replacement cost of street trees that die from not being watered.** **The motion was put and declared CARRIED**.	The selection of tree species is guided by the Urban Forest Plan principles and site-specific physical, environmental and horticultural conditions. These include the likes of the presence of overhead powerlines, soil conditions, available physical space (for roots and canopy), and tree characteristics including shade and resilience. The City places a bond on development / building applicants using an adjacent verge, including where that includes the presence of a street tree. The recent record hot summer has affected some street trees across Perth metropolitan region, including Stirling trees. The next Street and Reserve Trees Policy review will consider whether current provisions regarding damage and neglect need to change.	**That Council NOTES Elector Motion 14 and continues to implement the Urban Forrest Plan.**

	ELECTORS' MOTIONS AT THE 2020/2021 ELECTORS' GENERAL MEETING HELD 28 MARCH 2022	*OFFICER COMMENT*	*RECOMMENDATION*
Motion 15	**Moved Leonie Carroll-Viana, seconded Kieran Kelly** **That the City ensures that this land [Lots 802 and 803 Erindale Road, Hamersley] is preserved as is in situ.** **The motion was put and declared CARRIED**.	On 10 May 2022 Council will consider a report regarding Lot 802 Erindale Road, Hamersley. Council will consider Elector Motion 15 when it reviews this report.	**That Council NOTES Elector Motion number 15 and that the Item will be considered by Council at this meeting.**
Motion 16	**Moved Melanie Anderson, seconded Daniela Ion** **That Council affirms its commitment to the retention of the name Stirling and that Council acknowledges the receipt of the petitions signed by ratepayers to this end.** **The motion was put declared CARRIED**.	In June 2021, following an Electors Meeting motion, Council determined that it would not pursue renaming of the City of Stirling. Petitions seeking to retain the name City of Stirling have been tabled at the Council Meetings on 28 September 2021, 12 October 2021 and 15 February 2022. The City has responded to each petition. Given that renaming is not being contemplated by Council it is not considered necessary to reaffirm retention of the name Stirling.	**That Council NOTES Elector Motion 16 and the following decision resolved at its meeting held 8 June 2021 (Council Resolution Number 0621/009):** ***"7. That Council REAFFIRMS its commitment to the actions and deliverables within the recently adopted Innovate Reconciliation Action Plan (July 2021 – June 2023)."***

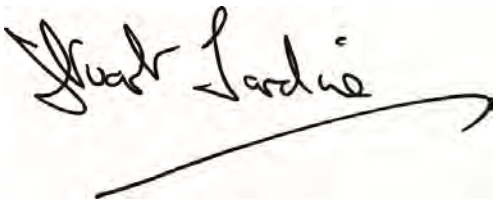
Electors' General Meeting 2020/2021

28 March 2022

MINUTES

To: The Mayor and Councillors

Here within the Minutes of the Electors' General Meeting 2020/2021 of the City of Stirling held Monday 28 March 2022 in the City of Stirling Parmelia Room, 25 Cedric Street, Stirling.



Stuart Jardine PSM | Chief Executive Officer

Our Vision, Mission and Values

Vision

The City of Stirling will be a place where people choose to live, work, visit and invest. We will have safe and thriving neighbourhoods with a range of housing, employment and recreational opportunities. We will engage with our diverse community to help shape our future into the City of Stirling - City of Choice.

Mission

To serve the City's diverse community through delivering efficient, responsive and sustainable services.

Values

The City of Stirling's core values are:

- Agile
- Approachable
- Inclusive
- Innovative
- Inspiring
- Respectful
- Transparent

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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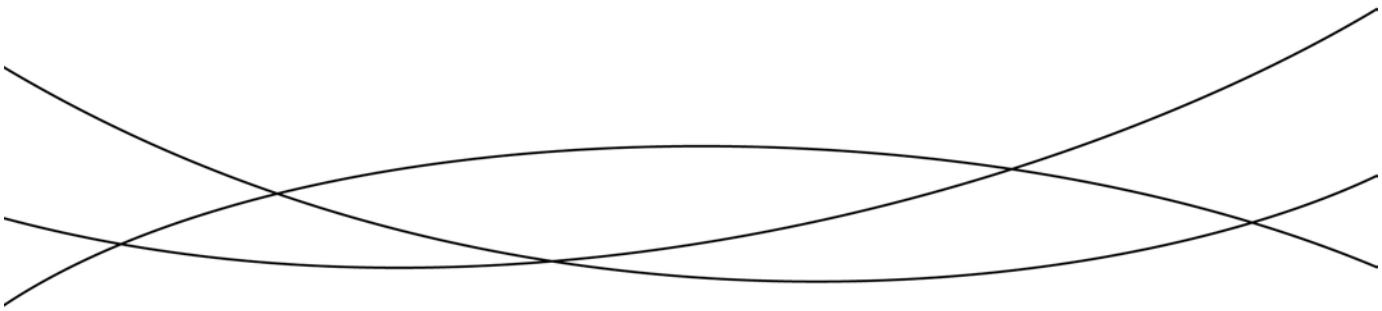


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MINUTES OF THE ELECTORS' GENERAL MEETING OF MONDAY 28 MARCH 2022 HELD IN THE CITY OF STIRLING COUNCIL CHAMBER, 25 CEDRIC STREET, STIRLING

1. OFFICIAL OPENING

The Mayor welcomed the public and attendees to the City of Stirling Electors' General Meeting 2020/2021 and declared the meeting open at 6.00pm.

2. ATTENDANCE AND APOLOGIES

ATTENDANCE

Mayor	Mark Irwin
Deputy	Councillor Stephanie Proud JP (remote attendance)
Councillors	Councillor Andrea Creado (remote attendance) Councillor Felicity Farrelly Councillor Joe Ferrante (remote attendance) Councillor Chris Hatton Councillor Tony Krsticevic (remote attendance) Councillor David Lagan Councillor Suzanne Migdale (remote attendance) Councillor Teresa Olow Councillor Karlo Perkov Councillor Elizabeth Re Councillor Bianca Sandri (remote attendance) Councillor Keith Sargent (remote attendance) Councillor Lisa Thornton
Employees	Chief Executive Officer - Stuart Jardine PSM (remote attendance) Acting Chief Executive Officer - Michael Littleton Director Community Development - Michael Quirk Director Corporate Services - Ingrid Hawkins Director Planning and Development - Stevan Rodic (remote attendance) Manager Development Services - Amanda Sheers Manager Finance - Dan Richards Acting Manager Customer & Communications - Peter Mullins Manager Governance - Jamie Blanchard Service Lead - Strategy and Policy - Michelle Wolsoncroft Senior Governance Officer - Regan Clyde Senior Governance Officer - Jackson Mawby Communications & Content Officer - Scott Stirling Governance Officer - Kate Koh
Guests	Office of the Auditor General - Renuka Venkatraman Ernst & Young - Fiona Drummond Ernst & Young - Stephen Gwynn

Public	28
Press	0

APOLOGIES

Nil.

3. APPROVED LEAVE OF ABSENCE

Nil.

4. MAYOR'S REPORT

His Worship the Mayor, Mark Irwin read the Mayor's report for the year ended 30 June 2021.

5. ANNUAL REPORT INCORPORATING ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2021

The Director Corporate Services presented the following extract to the meeting regarding the Annual Financial Statements for the year ended 30 June 2021.

Summary Overview

Where we collect the money from	$'m
Rates	138.4
Operating revenue	87.5
Capital grants	19.8
Proceeds from disposal of assets	6.7
Share of profit and equity of associates	2.4
Revenue	**254.8**

Where we spend the money	$'m
Operating expenditure excluding non-cash amounts	(188.1)
Capital expenditure	(52.3)
Expenditure	**(240.4)**

Reserves, Town Planning Scheme, Trust monies and other movements	$'m
Net transfers to Reserves, Town Planning Scheme and Trust	(5.9)
Other balance sheet movements	(3.4)
Net movement	**(9.3)**

Net opening and closing funds	**(5.1)**
Balanced Bottom line	**0.0**

Service and Project Delivery in 2020/21

Thriving communities – Service & Project Summary

- Community Development
- Libraries and Lifelong Learning
- Multicultural Engagement
- Environmental Health
- Leisure Services
- Recreation Services
- Aged & Disability Care Services
- Family Services
- Youth & Children Development
- Emergency Management
- Parking Services
- Ranger and Security Services

- $425,000 in grants provided to more than 70 sporting groups
- Over $270,000 was distributed via 81 grants to local community groups
- The Naala Djookan Healing Centre opened in December 2020
- Council endorsed the City's first Homelessness Strategy in August 2020
- The City's new Innovate Reconciliation Action Plan was endorsed by Council in May 2021

7

Service and Project Delivery in 2020/21

Vibrant economy – Service & Project Summary

- Arts & Activation
- Economic Development

- 57 recipients received over $800,000 as part of the City's Community Arts and Events Fund and Community Creativity Fund
- The City also distributed $250,000 to 51 small businesses
- The City ramped up support for small businesses via hotline and other initiatives

8

Service and Project Delivery in 2020/21

Liveable neighbourhoods – Service & Project Summary

- Building Service
- Planning Services
- Planning Schemes & Policies
- Planning Projects
- Swimming Pool Inspections
- Verge & Crossover Service
- Construction Services
- Design Services
- Transport Services
- Asset Management

- Facility Management
- Maintenance Services
- Project Management
- Property Services

- $52.3M capital program
- Stephenson Avenue Extension (State and Federal funded)
- Bina parkland opened in April 2021

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Service and Project Delivery in 2020/21

Sustainability – Service & Project Summary

- Resource Recovery
- Sustainability
- Waste Collection
- City Trees
- Natural Areas
- Open Space & Parks Development
- Parks Reserves & Streetscapes

- Container Deposit Scheme service was launched in October 2020
- The City budgeted to spend $11.5 million on Parks and Reserves.

10

Service and Project Delivery in 2020/21

Governance & leadership – Service & Project Summary

- Compliance, Risk & Information Management
- Council Governance
- Executive Services
- Customer Service
- Marketing & Communications
- Financial Accounting
- Financial Planning
- Fleet Services
- Human Resources
- Occupational Safety & Health
- Project Management Office & Business Solutions
- Purchasing, Procurement and Contracts
- Rates & Receivables
- Strategic & Business Planning
- Technology Services

- $11 million in election commitments secured for the City
- The City naturalised 2,197 new Australians over a total of 26 citizenship ceremonies.
- The City conducted 19 ordinary council meetings and 18 committee meetings

11

COVID-19

- $43.7 million Economic Stimulus and Community Recovery Package
- $250,000 to 51 small businesses – generating $2.38 in local business spend for every dollar granted by the City
- Small business support including hotline, business counselling, networking support and a business mastermind program
- Service delivery challenges including intermittent facility closures – direct impact on financial performance
- With the growing demand for information and services to be delivered digitally due to COVID-19, the City saw growth in all digital channels
- The City will continue to chart a course out of the COVID-19 recession by encouraging investment, delivering crucial infrastructure, upgrading important and ageing facilities, and continuing to lead the sector in performance and service delivery

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Rates

- When COVID-19 hit Western Australia, it resulted in huge challenges for many family and business budgets
- The City immediately responded, launching a more comprehensive response than any other local government in the state, which included both spending increases on essential community support as well as rates relief
- The response was complex and dynamic and full of flexible solutions to get around complicated problems, but one simple principle lay at the heart of everything we decided to do: **no ratepayer should be asked to pay more during a pandemic**
- To achieve this the City implemented a one-off COVID-19 concession for ratepayers who had been impacted by changes to the Gross Rental Value (GRV) of their property

6. AUDITOR'S REPORT

Ranuka Venkatraman from the Office of the Auditor General provided a summary of the Auditor General's Report regarding the City of Stirling Annual Financial Report for the year ended 30 June 2021.

7. CHIEF EXECUTIVE OFFICER'S REPORT

The Chief Executive Officer's report was included within the 'Year in Review' DVD presentation, outlining the City's achievements and projects for the 2020/2021 financial year.

8. ACCEPTANCE OF THE ANNUAL REPORT INCORPORATING ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2021

His Worship the Mayor advised that no written questions had been received in relation to the 2020/2021 Annual Report or Financial Statements.

His Worship the Mayor then called for any questions relating to the Annual Report and Financial Statements.

8.1 D BROWN

The following questions were put forward by D Brown, of Yokine WA 6060 at the Electors' General Meeting held 28 March 2022.

Mr Brown: Very interesting report, and thanks for the staff who put it all together. My first question is related to the auditor's report. In the report it notes on page 49 that the Council is in a solid financial position. But in the auditor's report, and it's been mentioned by the audit representative tonight, that we don't meet two particular standards which are on page 3 of 3, I think it is, no 2 of 3 of the auditor's report in relation to sustainability and operating surplus. Can someone advise me what is the department's industry standard for both of those because it's not much use saying we aren't meeting the standard if we don't know what the standard is.

Mr Mayor: Yes, an explanation for and the reasons for both of those will be provided as well.

Director Corporate Services: Thank you Mr Mayor, thank you Mr Brown, good to see you. The asset sustainability ratio standard for that is greater than 0.9, so you'll see that this year the City has 0.63 or 0.6254. With regards to operating surplus ratio the standard is between 0.01 and 0.15, and you'll see with that one the City is actually -0.06. Key for both of them, but key for the sustainability ratio, the Council made a decision not to fund as much renewal as it normally would when considering the COVID-19 package and stimulus package, and that's a reason why that ratio is lower, but there has been an increase in that ratio for 2021/2022.

With regards to the operating surplus ratio, again, that's about the ability to cover the City's operational costs with the money that is available. What has been done is, again with the economic stimulus package, the City has pulled down from the reserves, and reduced operating revenue, for example the rates revenue with having a freeze, and Council made a determination to pull more

money from reserves that was originally planned for in the City's long-term financial plan. So that's the reason for that ratio to not be as good as it was.

Mr Brown: I've got no problem with what you've decided to do because I think it was important that we did take some from reserves and we're one of the few Councils that are totally without any debt around the metropolitan area. So I think that's still worth a congratulations to the Council.

Sadly, in the news today, a young child lost their life in a swimming pool in the City of Melville. And I noticed in the report on page 122 that 48 inspections were not carried out in the year end of the 2020/2021 financial year, and that there were some people who refused to receive an inspection. What action is the Council taking in relation to those people who refuse to have inspectors check their pools and whether or not the Council can take legal action against them in relation to their refusal? And also what has happened in relation to the other inspections that weren't carried out?

Manager Development Services: Through you Mr Mayor, and to answer your question, Mr. Brown, the swimming pools team suffered quite a significant staffing loss during that period. It is on their list to pick up, so they are making a recovery on all those inspections now. In terms of the inspections where officers weren't able to attend those properties, officers still try and pursue that. It was largely due to COVID-19 at the time and the concern that the community had around that. So officers are still pursuing those inspections.

Mr Brown: But are we getting any success because it is now nine months? Isn't it, near nine months since the end of the financial year? Are there any of those people who refused to see you then, still refusing to see you?

Manager Development Services: Through you Mr Mayor, the actual numbers would need to be checked. This question will be taken on notice and a written response provided.

Additional Information

The remaining 48 properties were placed on a priority list and have all been inspected.

Mr Brown: I'd appreciate that. Thank you very much indeed. The third question, in relation to page 58 on performance reviews. I've asked this similar question before. I notice where you indicate that 90% of your staff have undertaken a performance review in the previous financial year, and I appreciate that some of them may not have been at work and accessible. But you also state that you've got an FTE of 1,074.3. How many actual staff has the Council…did the Council employ at the 30th of June 2021 so that there's some comparison-ship between the 90% and your FTE? Because I don't think the 90% relates to the FTE, I think it relates to each human being that the Council employees.

Director Corporate Services: Thank you Mayor, thank you Mr Brown. Yes you're correct, with the 90% it would be on the number of people, because every person other than casual employees are required to have a performance review. With regards to the number at the end of the year the City has around 1,400 employees in total, in terms of headcount rather than FTE, so the 90% would be against that less the casual numbers. More information on the exact number will be provided in writing after checking the casuals.

Mr Brown: If you wouldn't mind, because that's quite a significant difference of some 300. But I think it's also great to note that the Council has 16% of ethnic employees, with their backgrounds, which I think is very, very important in this multicultural day. Thank you, Mr. Mayor.

Additional Information

The total headcount was 1,402, including 384 casual employees. The total number of employees required to undertake a performance review was 1,018, of which 917 employees completed.

8.2 P COLLINS

The following questions were put forward by P Collins, Dianella WA 6059 at the Electors' General Meeting held 28 March 2022.

Mr Collins: To the independent auditor, you mentioned on two occasions that the report you made was 'unmodified'. Did you receive any requests for modification? And if so, what was the nature of those requests?

Ms Venkatraman: An unmodified opinion just means it is a clear opinion, there were no issues in the audit and the financial report.

Mr Collins: You made a point, for example, that your opinion on making the notation of the payment to the Mindarie Regional Council of $28 million, you made the point that that opinion was unmodified. Was there a request made by the City of Stirling to modify that opinion before issuing your final report?

Ms Venkatraman: No, there was no request from the City of Stirling to modify. Under the auditing standards, an emphasis of matter is included in the audit opinion just to draw the attention of the reader to anything unusual that's happened during the financial year. It is just to draw the attention of the user to those two matters. It does not have any impact on our audit opinion on the annual financial report.

Mr Collins: What do you mean when you say…I understand what you mean when you say you have an opinion, what do you mean when you say you have an unmodified opinion?

Mr Mayor: It is the same as a clear opinion. An unqualified opinion.

Ms Venkatraman: It just means that it is a clear opinion.

Mr Collins: I refer to the financial statements. I refer to page 218, with regards to leave liability. This has been a concern of mine for some time. To give an example, the staff's annual leave liability went from $7 million or $6.959 million to $9.2 million. It went up $2.24 million in annual leave. Yet the City is only using $972,000. Why is there such a discrepancy? Why is our annual leave liability, on rate payers, increasing at such a dramatic rate of nearly 20% per year?

Mr Mayor: I can assure you that Council has indicated their concern with that too. And it has been put up several times at Audit. A lot of that has to do with the fact that during COVID, people would not take their leave.

Director Corporate Services: The City has seen an increase in leave liability during the time of this Audit. This was something that the Auditors raised with the City. As the Mayor says, the Audit Committee and Council are also focused on that. There has been concerted effort to reduce that. As the Mayor said, people were very reluctant to take leave during the COVID period, which is why there has been a large increase. There has been a reduction of over 10% in that recently. The February 2022 figures for example were about $18.3 million for both annual leave and long service leave, particularly in annual leave, there has been around a $600,000 reduction on that.

Mr Collins: But you will be accruing over those nine months. Is that after accrual, that $600,000 reduction?

Director Corporate Services: Yes, that's correct. This has accrued and the $600,000 reduction is on the total. This is something that the City continues to focus on through the Audit Committee, and report on regularly to the Executive Team, certainly the City is very focused on it.

Mr Collins: Another interesting aspect is that your long service leave is accruing at a very similar rate to your annual service leave. Which is quite an unusual anomaly for a large organisation of 1,000 employees. For instance, in the annual report it says that the annual leave liability accrued $2.2 million and your long service leave liability accrued at $2.2 million. Could you explain why that is the case?

Director Corporate Services: In terms of the liability, there is no correlation between annual leave and long service leave. With regards to the long service leave, that becomes due after a 10-year period. There has not been the same reduction with long service leave as that has been accruing, people have taken leave but additional accruals have been coming through though. There is not a direct correlation between the two.

Mr Collins: In relation to the long service leave, the accrual there at $2.2 million for this year, or the previous year, is that only taking into account employees who have been employed full time or part time in the City longer than seven years? Is that correct?

Director Corporate Services: Yes, it is after seven years long service leave begins to accrue.

Mr Collins: The City would have given that annual leave is accruing at the same rate of long service leave, yet long service leave is only counted for employees who have been here longer for seven years. What percentage of your fulltime employees have been here longer than seven years?

Director Corporate Services: That is a good question, this will be taken on notice and a written response provided.

Additional Information

51.5% of full time employees have been at the City for seven years or longer.

Mr Collins: The City has a reserve fund for its annual leave and we notice that we have now well exceeded that reserve fund. Our federal government is fully covered now with its reserve fund because of the future fund, for its annual leave liability, it is more than well covered. What strategy is the City of Stirling doing to address, for instance, the staff reserve at the moment is $13.2 million, but your liability is more than $20 million. What is the City of Stirling doing as an organisation to address that extraordinarily large gap?

Director Corporate Services: With regards to the reserves that the City has for liability that covers the long service leave liability, there is adequate provision in there to cover that leave.

Mr Collins: So, the staff liability reserve is not for annual leave, it is only for the long service leave?

Director Corporate Services: Yes, the leave liability that sits in the reserve is for both annual and long service leave in terms of the non-current leave, or at least that element of it. So, there is certainly adequate provision in the reserve to cover leave liability. This is adjusted every month based on the figures that come through from the payroll system and that leave accrual.

Mr Collins: Mr Mayor, I was wondering if the Finance Director could please look at page 219, because the figure that I see for the staff liability reserves is listed on that page. And I see that there's only like $14 million, $700,000 plus $13 million. But if we go to the previous page, the total at the end of 30 June, the total leave liability annual and long service for the City is $20.2 million. So this seems to be a $6 million gap.

Director Corporate Services: More details will be provided in writing in terms of the timing of that leave and the length of the leave.

Additional Information

The *Local Government Act 1995* (*the Act*) allows the establishment of a Reserve to segregate funds for a specific purpose. Many local government's hold specific Reserves for the funding of employee leave entitlements. This is not a requirement of *the Act* but is viewed by local governments as financially prudent. The City holds two Reserves (the Current Staff Leave Liability Reserve and the Previous Employees Long Service Leave Liability Reserve) which held a combined balance of $14 million at 30 June 2021.

The City has seen an increase in leave provisions over the last two years as a direct result of the COVD-19 pandemic. This increase is viewed as temporary and the liability has already reduced in the current financial year. When the 2020/2021 Budget was adopted by Council, the pandemic response was prioritised over other funding requirements and as a result, the employee leave entitlements provision was only partially funded from reserves. At 30 June 2021, 74% of the current leave liability was funded by the two reserves. From prior year analysis, the City believes that this level is adequate, and prevents the quarantining of ratepayers' funds unnecessarily.

Mr Collins: Would you acknowledge that the City's leave liability reserve does not meet its leave liability?

Director Corporate Services: With regards to the reserve, there is adequate provision in the reserve for the liability but more detail will be provided in writing.

Additional Information

As noted above, the City does not look to match the liability fully to prevent unnecessary quarantining of ratepayers' funds. This approach has been long standing and prior years indicate that it is appropriate.

Mr Collins: My final question, what strategies are in place taken by, you mentioned the Audit Committee is aware of it, the Finance Director is aware of it, what strategies are in place to reduce the annual leave and the long service leave liability?

Director Corporate Services: The City does have provisions with its workforce agreements, where an employee that has eight weeks or more of annual leave they can be required to take leave. Similarly with long service leave, there's requirements to take that after six months that it has become due. So the City has provisions in its workforce agreements and also in the Local Government long service legislation provisions. A report is provided to each of the people leaders to help them manage that. A quarterly report is provided to the Executive Team and the Audit Committee, so there are provisions.

Mr Collins: And the Audit Committee meets how often, Mr Mayor?

Mr Mayor: Quarterly.

Mr Collins: And it receives the leave liability reports?

Mr Mayor: Yes.

There being no further questions relating to the Annual Report and Financial Statements, His Worship the Mayor called for a mover and seconder to accept the 2020/2021 Annual Report.

Moved Councillor David Lagan, seconded Mr David Brown

That the Annual Report for the City of Stirling for the year 2020/2021 incorporating the 2020/2021 Annual Financial Statements and the 2020/2021 Auditor's Report, be ACCEPTED.

The motion was put and declared CARRIED.

9. GENERAL BUSINESS

His Worship the Mayor called for any items of general business from the floor.

His Worship the Mayor also advised that while any motions moved by electors are non-binding on the Council, the City will ensure that each motion is addressed within a report for the Elected Members' consideration.

9.1 J MEAKINS

The following questions were put forward by Mr J Meakins, of Wembley WA 6018 prior to the Electors' General Meeting held 28 March 2022.

Mr Meakins:

What framework / incentive is there in the CEO's KPI's to drive out costs and eliminate waste? Every year we hear about the debt free status of the City, yet our rates keep increasing year on year, unlike some neighbouring Councils. Rather than wasting money on thought bubble projects like painting grants and scooter pathways, how about focussing on some of the core elements, just look at the Wembley area, broken kerbing, subsided footpaths and verges creating trip and fall hazards, and verges that look like third world countries.

Director Corporate Services:

The CEO is responsible for implementing the City's four year Corporate Business Plan which details how the City's long-term strategies and objectives from the Strategic Community Plan will be delivered. The current Corporate Business Plan focusses on supporting the local community and Stirling businesses through the COVID-19 pandemic.

The City's annual budget process establishes the funding available for the next year to implement the Corporate Business Plan. This will include funding the services requested by the community, new developments, projects, and initiatives identified in the Strategic Community Plan. Existing assets must also be maintained which is planned for and prioritised based on current asset condition. There is a strong focus on cost control in the budget process to ensure the City is able to fund the requirements of an expanding City.

The annual rates charges are also set as part of the budget process. Recent rate increases have been modest and below the level of CPI since 2016. The City's average residential rates charge has increased by only 0.9% over the last two years.

The Annual Report being presented tonight also highlights the City's commitment to managing costs, with operating costs for the year to June 2021 being $5.8m below budget.

Mr Meakins:	How much money has been spent on the tram project? This seems like another thought bubble project that will deliver nothing to the ratepayers other than enormous expense when there is a perfectly good bus service (#990) in existence that is grossly underutilised. Perhaps you could explain why transport is a local government issue when the State Government is responsible for, and provides, all the existing public transport and infrastructure.
Director Infrastructure:	The Federal Government allocated $2 million to the City to fund the preparation of a business case to understand the opportunities and barriers to establishing and operating Trackless Trams in the Activity Corridor along Scarborough Beach Road from Glendalough to Scarborough Beach. The City has spent $516,943 of an anticipated $1.5 million project spend. The project will be completed by 30 June 2022. The State Government is responsible for the provision and operation of public transport. The current focus for the State, however, is its Metronet project. The City has been a long standing advocate for the importance of a mid-tier transit system and also believes that, if proven to be a viable alternative, that Trackless Trams can meet the need for mid-tier in the short to medium term. The benefit to the City will be in the urban uplift and economic development that it will bring to the corridor. The City is working hard to shape the future for the ultimate benefit of Stirling and its community.
Mr Meakins	When is the City going to ban donations? A look at your register shows examples of possible / perceived conflicts of interest and can you explain the value to ratepayers. For example: 23/01/2022 and again 07/02/2022 – complimentary green fee $75.00 / $139.00 – WA Golf Club / recipient General Manager Hamersley Golf Course; 17/12/2021 - one bottle of Moet Champagne $63.00, one bottle of Pipe - Heidsieck Champagne $70.00 - CU Building Group Pty Ltd, Belmont / recipients Senior Building Surveyor and Client Liaison Officer, Development Services; 30/11/2021 - Luxury gift hamper $115.00 - Alayacare, New South Wales, recipient Service Lead Stirling Community Care; 20/10/2021 - Bottle of champagne and box of chocolates $100.00 and other gift $150.00 - Lotus Development Company, Iluka – recipient Senior Building Surveyor; and 14/09/2021 - Lunch at Windsor Hotel South Perth $100.00 - Suez Contracting, Welshpool, recipient Service Lead Waste Operations.

The list goes on. It about time these were banned and any gifts either refused, returned, or donated to charity.

Manager Governance

The City of Stirling Code of Conduct for Employees sets out the requirements for employees in relation to gifts they receive in the course of their duties. Gifts with a value of over $300 are banned in accordance with the *Local Government Act 1995.* The City's Code of Conduct for employees not only complies with these *Local Government Act 1995* requirements, it also places additional requirements for employees to disclose gifts with a value of between $50 and $300. These are the gifts that are disclosed and recorded on the City's register. Similar requirements apply to Elected Members.

The City's requirements meet and exceed the legislative requirements, and provide an appropriate level of integrity control.

9.2 H DE JONG

The following motion was put forward by H De Jong, of Karrinyup WA 6018 at the Electors' General Meeting held 28 March 2022.

Mr De Jong:

I would like to thank you for the opportunity, Mr Mayor, Councillors and electors. I had a question, but due to me rediscovering the benefits of search in PDF documents, I've found half the answers already. And it relates to the underground power program. I would like to see Council make mention of the underground power program. I know it's not as appealing as the other things, it's a bit like the sewage program, but they are vitally important. So I reserve the rest of the question and I don't need a response now at all because I would like to move a motion which relates to the same matter.

MOTION

Moved Hessel De Jong, seconded Dierdre Allen.

Stirling is one of the largest Councils in Western Australia. Seek and undertake urgent discussions with the Local Government Association, Western Power and the State Government on its massive failure to implement a cost effective and efficient execution of the 1996, 15 year underground power program. In particular, focus on the following:

- **Unacceptable high costs to rate payers. And for those of you not aware, all the rate payers via Council, contribute to any underground power program. Currently around $10,000 per resident.**
- **The unacceptable high additional costs to the recipient rate payers. I'd like the Council to consider the discarding of the cost plus mentality of Western Power. Without due regard to some of the following, Synergy with its pole replacement program based on sites with say three pole replacements and the required 10 pole stretch, within the next three to five years should get a cost reduction of at least 30%. Roughly three grand.**
- **No discount of its upgrade of a low voltage (reference the AS3000 standard).**
- **The aerial infrastructure replacement of new plant.**
- **The decreased compensation payments by reduced power outages largely due to the failure of aerial plant. Often happening during our storms.**
- **Redesign of the underground power distribution using nodal joints and directional t-pipe instead of the additional fits and joints, which had a large proportion of the current cost they're charging.**
- **An improvement in public safety with less opportunity for power lines.**
- **Use contractor underground fast boring techniques to install this pipe. Rather than Western Power.**
- **Smaller installation teams, less traffic disruption and traffic management requirements.**
- **Remove the aerial lighting and street signs and replace them with Council implemented off grid LED streetlights and signs.**
- **Request the State Government to return to the initial $160 million per annum, instead of the low amounts of about $50 million currently provided to the program.**

That Motion was put and declared CARRIED.

9.3 C KELLY

The following questions were put forward by C Kelly, of Innaloo WA 6018 at the Electors' General Meeting held 28 March 2022.

Ms Kelly: Good evening everyone. I'm happy to be on Whadjuk Noongar land this evening. I had a question regarding the homelessness situation within the City of Stirling. I can see online that you've got a strategy which outlines some very pertinent points, some very good focus points, but what I wanted to ask, and I did submit this online albeit slightly wordier, I'll keep this brief, what I wanted to ask is when can we expect to see a more comprehensive report of the actual policies and activities that the City will be undertaking?

Director Community Development: Thank you for the question. When the Homelessness Strategy was adopted by Council in July 2020, an Implementation Plan was actually adopted at the same time. So if you refer to those Council minutes, you will see that it has 11 actions and 32 activities within that Implementation Plan. And indeed, in August 2021 the City reported progress against those actions within the Implementation Plan.

Ms Kelly: Excellent, I'll go hunting and look those ones up. Thank you very much for your time.

9.4 D ION

The following questions and motion were put forward by D Ion, of Nollamara WA 6061 at the Electors' General Meeting held 28 March 2022.

Ms Ion: Good evening everyone. I want to move a motion tonight. It is about the heritage.

Heritage is what we inherit from previous generations and recognise as something that we want to pass onto future generations. Heritage plays an important role in understanding where we have come from, the way we live and the traditions we hold dear. Heritage is a valuable resource, but once lost it is gone forever. Heritage plays an integral part of the urban environment and helps to create value and local distinctiveness.

City of Stirling has three heritage protected suburbs. It is important to have a heritage services advisory group to review, recommend and raise public awareness, appreciation and understanding of the City's heritage through education and promotion. So why would local Councillors and the City of Stirling staff not support our history and our culture to be preserved and retained? Was there an omission with processes and procedures of the report to Council that did not show the benefit and the need to have a heritage advisory group, especially when priority has been given to developers over history and common sense?

Additional Information

Council has demonstrated over several decades its commitment to supporting the preservation and retention of the City's heritage.

The role of the Heritage Advisory Group was considered by Council at its meeting on 7 December 2021, following a resolution of Council to do so. That report noted the statutory protection that has been purposely introduced into Local Planning Scheme No. 3 to support the preservation and protection of heritage places. That report also noted the changing function of the Group in recent years, and considered how the City could engage with community members interested in heritage in a more meaningful way.

For the reasons provided to Council at that meeting, it was the City's officers view that the Group was not achieving its purpose. Council subsequently resolved to disband the Group.

MOTION

Moved Daniela Ion, seconded Paul Collins.

I would like to ask the City of Stirling to reinstate the Heritage Advisory Group.

That Motion was put and declared CARRIED.

9.5 D ALLEN

The following motion was put forward by D Allen, of Coolbinia WA 6050 at the Electors' General Meeting held 28 March 2022.

Ms Allen: Mayor, Councillors, Electors. I'd like to put a motion before the electors and I have my seconder here, Anastasios Tzortzis.

MOTION

Moved Deirdre Allen, seconded Anastasios Tzortzis.

1. **That the City of Stirling not proceed with a proposed footpath on Carnarvon Crescent until after review of the City's policy on footpath installation.**

2. **That the City of Stirling review its policy on footpath installation with a view to:**

    a. **Greatly improving the consultation for affected residents, taking into account the City's heritage areas and suburbs designed under the Ebenezer Howard Gardens suburb movement;**
    b. **Limit impact on vehicle crossovers, address safety and risk assessments for projects, and consider global warming consequences, cool cities initiatives, relevant to the extensive use of concrete hard surfaces.**

3. **That the City of Stirling undertake the following for Carnarvon Crescent, and the design thereof:**

    a. **Examine limiting the impact on people's vehicle crossovers, streetlights and signs, street trees and irrigated verges of the proposals versus use of a route on the opposite uninterrupted Council verge;**
    b. **Provide residents with evidence in support of the most cost effective and safe location for the footpath;**
    c. **Consult all affected residents individually about the proposed route and explain the implication of the works, including the demolition of all existing driveways across a 1.8m width, the subsequent loss of parking amenity outside their homes and safety considerations.**

The Motion was put and declared CARRIED.

Ms Allen: Electors, I've worked in a government design, construction, landscaping and environmental workplace for the past 30 years in WA and NT, so I have a bit of background in this sort of thing. The motion is in regard to the City of Stirling construction of footpaths, consultation, environmental concerns and keeping, or not, the ratepayers informed.

We acknowledge it's really important that appropriate footpaths be provided to improve the safety of pedestrians, that's not in doubt. However, it is reported and recorded in the media that fatal case fatalities injuries occur in crossover driveways. If you remember, children are getting run over and this footpath designed for Coolbinia on Carnarvon Crescent cuts 33 driveways on one side of the street, or only three if it's constructed in a more appropriate location, it seems to me, on the other side which has continuous verges, Council maintained parks and will in the future provide a better connection to the future footpaths on interconnecting streets, which as yet don't have footpaths.

We are concerned that if, in the City of Stirling, there's an opportunity to improve safety of the crossover driveways versus a continuous footpath, then provision for this should be included in the footpath policy. They should be delivered at a reasonable cost to ratepayers, but without compromising safety. Also, a one size fits all footpath policy for general suburban streets is not appropriate with the winding, curvy streets and parks in the historic Garden City designed streetscape of Menora and Coolbinia, and the footpaths need to be sensibly designed.

The affected residents have only just been formally notified by the Council by a letter that the footpath construction is to start. The letter was dated 18 March. It was received by myself and my neighbours on 24 March, saying construction is to start in approximately two weeks. Would that be 8 April and not before? And also it gives the person's name that you can contact. But he's the construction manager, not the designer. He's the person that implements what's on the drawings, and you can ring him for information and feedback before and after the project. However, once the concrete sets, there's not a lot of room for manoeuvre. But I actually fortunately found out this was happening by seeing Council workers measuring up last October on the verge opposite me and I asked them what was going on. I informed all the neighbours, organised the meeting and the neighbours signed a petition that I initiated. And as yet, as far as I know, there has been no formal letters or feedback to these other neighbours from the Council. And of course, I've been liaising with the Council, so I know a bit more than everybody else.

But I'm not a community representative; I've just kept my neighbours informed. I'm not running around doing more of that. I mean, dear ratepayers, this could happen to you, your average Carnarvon Crescent residents will only become aware of the extent of the footpath policy and what is actually happening when construction starts. I bet they don't know they're going to lose 1.8m of their driveways, grass verges that they mow and driveways they pay for and in future could be fined if they park in their driveways and the vehicle obstructs the new footpath or…and resulting in…this all results in a loss of amenity at the front of these people's houses, and a negative effect, I believe, people have said this, on property values. Seems like consultation has been very lacking throughout this.

Throughout the City of Stirling's latest Annual Report it prides itself on its consultation with ratepayers, and there is a consultation policy. It's not being demonstrated in this case. In fact, unfortunately, if I hadn't seen the workers on the verge, two weeks' notice would have been all we got and the whole thing appears to be a fait accompli, because there's no time for ratepayers to challenge it. So electors, please vote for my motion and be aware any day, if you're a ratepayer and you own property, this could happen to you. Thank you.

9.6 P COLLINS

The following motion was put forward by P Collins, of Dianella WA 6059 at the Electors' General Meeting held 28 March 2022.

Mr Collins: I have a motion in two parts, Mr Mayor.

MOTION

Moved Paul Collins, seconded David Brown.

1. **That Council acknowledges the inadequacies in the performance, maintenance, cleaning, hygiene and utility of two free standing unisex public toilet modules located adjacent to the Yokine Reserve Playground.**

2. **That Council budget to replace the existing toilets with a purpose-built facility comparable in standard to that provided at Charles Riley Memorial Reserve in North Beach to address cross contamination from a toilet, for users who require basic hand washing, wash basin use (i.e. contact lens replacement or cup washing, changing clothes or changing nappies), shelter from rain and heat when waiting for use of the toilet, the separate needs of males and females and the high demand for the use of the public open space.**

That Motion was put and declared CARRIED.

Mr Collins:

Yokine Reserve is a multifunctional area of wonderful regional open space and a significant asset of the City of Stirling, with extremely high numbers of active, passive and disabled users seven days a week. From daybreak until sunset, and beyond. The removal of external public toilet facilities from Coolbinia No.2 Oval Clubrooms during the recent upgrade of that facility for park users (in other words, we can no longer use those change rooms as a park user) has resulted in excessive use of the two stainless steel modules adjacent to the universal playground. These toilets have had a history of malfunctions, poor cleaning regimes, a lack of consumables, all of which have been reported over time to the City from multiple sources.

The City of Stirling has a wonderful facility there similar to Charles Riley Reserve in that it is a universal playground. Unlike Charles Riley Reserve, there have been food stalls at the event that started in October last year through to March this year. That event provided no additional toilet facilities. There were queues to the two toilet facilities. On days that are wet, there is no shelter for someone waiting to use the toilet. In heat there is no shade for someone waiting to use the toilet. And there is an issue with basic cross contamination. I spoke to a lady there who had difficulty with her contact lenses and she felt disgusting going in there with a very small mirror, and changing contact lenses not at a basin that is separated from the urinals and the toilet, but actually right in the toilet.

We are in 2022, and during public holidays there are jazz shows, it is right next door to a coffee van that is space leased by the City of Stirling. That coffee van is a meeting place where people stay. And these toilets are beyond their use-by-date. I recall that when I was a Councillor, there was a proposal at some stage (I'm not sure if it happened on the plan because the plan was not finalised until after I left) for a proper public toilet facility. The use-by-date of these standalone modules has passed. And I urge the electors to support the motion if they use the toilets at Yokine Reserve.

Additional Information

The City has assessed the Coolbinia Oval Public Toilet to be in good condition and operationally sound. The facility also meets the service standards for the reserve type.

In 2021, the Coolbinia Oval Public Toilet had experienced several issues such as blockages and door lock and soap dispenser faults. These have all been rectified and the City continues to monitor the facility and take any necessary maintenance action when required.

Events are reviewed and additional toilets are requested by the City when it is determined the provision is inadequate. The provision of toilets had been considered adequate to service the recent events held at the Yokine Regional Open Space.

In addition, there are also male, female, and universal access public toilets available external to the clubrooms approximately 500m west of the Coolbinia Oval Public Toilet.

The City believes the current public toilet provision is adequate and has not budgeted a replacement at this stage.

9.7 M GIORGI

The following motions were put forward by M Giorgi, of Hamersley WA 6022 at the Electors' General Meeting held 28 March 2022.

Ms Giorgi: Thank you, Mr. Mayor, Councillors and electors for the opportunity to speak tonight. I'll get you to hold on to the one that I've sent through because I've got two motions. And the first that I'd like to raise is:

MOTION

Moved Marie Giorgi, seconded Simon Wheeler.

That the electors of the City of Stirling request the Council to support the protection and preservation of the 42 hectares of banksia woodland threatened ecological community on the Swan Coastal Plain at Lot 802 and 803 Erindale Road, Hamersley for current and future generations.

That motion was put and declared CARRIED.

Ms Giorgi: I call upon the Council to support this important remnant bushland in Hamersley that was previously Crown land reserved for communications until the Federal Government privatised it in 1998. Since then, the land and the facility has changed hands and is now majority owned by the Canada Pension Fund and operated by BAI Communications, a global company with headquarters in Toronto who are proposing that 13.55 hectares of the 42 hectares of bushland be cleared and sold for residential housing.

The bushland has been recognised for its importance as a banksia woodland threatened ecological community on the Swan Coastal Plain by both State and Commonwealth environmental laws. It also has tuart trees which under the Commonwealth EPBC Act are critically endangered.

The bushland is an important habitat for native animals and is a foraging and breeding habitat for the endangered Carnaby's black cockatoo. It provides a biolink with other remnant banksia woodlands in the northern suburbs. There are social and health values associated with this bushland area, including opportunities for nature-based education, shade and cooling, cleaning of the air through removal of air pollutants, mental and physical health benefits. Its clearing would result in the significant loss of tree canopy in the surrounding area. Hamersley experienced 5.2% canopy loss last year alone.

Councillor Thornton has identified the loss of this bushland as resulting in tree canopy cover in Hamersley dropping to 13.9% from its existing 15.2%. It can take 30 plus years to replace canopy lost when mature trees are removed, as known from the City of Stirling's Urban Forest Plan. Protection of this bushland would assist in helping the City to work towards its canopy target of 18% rather than to move farther away from it. Inadequate assessment of the values of the bush to the Moora-Noongar people has been carried out by the proponents.

The City has a responsibility to ensure that the First Nations people have access to the bushland to enable them to assess its importance as one of the few remaining areas of bush in the area that pre-dates European settlement, with many old trees present and significant other vegetation increasingly rare on the Swan Coastal Plain.

I am seeking your support in protecting this remnant important bushland for its environmental, cultural and social values. Thank you.

Ms Giorgi: Thank you, Mr Mayor. I do have a second motion to raise:

MOTION

Moved Marie Giorgi, seconded Charlotte Kelly.

That the electors of the City of Stirling request the Council to advise that that City make a submission to the Environment Protection Authority supporting the protection of the banksia woodland threatened ecological community at lots 802 and 803 Erindale Road, Hamersley during the forthcoming EPA public submission period.

That motion was put and declared CARRIED.

Ms Giorgi:

I am seeking the Council's support when the EPA public comment is open, and that the City will make a submission in favour of protection of the banksia woodland for the following reasons. These being the continuing decline in the City of Stirling's tree canopy, in particular Hamersley as I mentioned experiencing 5.2% loss last year alone, with the City moving further away from being able to achieve its 18% canopy cover by 2040. Food and habitat for local native fauna species, particularly the endangered Carnaby's black cockatoo, local amenity for residents, the importance of urban forest, its mitigation of urban heat, and its growing role in the City of Stirling's climate change policy. The benefits that these trees provide, such as cooling, shade and removal of air pollutants.

I am aware that the City is proactive in its protection for the natural environment, and so believe that the protection for this 42 hectares bushland at Erindale Road should be supported by the City of Stirling in being consistent with this. The City should be a major stakeholder in the assessment of the environmental importance of the 42 hectares of bushland at lot 802 and lot 803 Erindale Road. To date, to my knowledge, the only environmental assessment of the land proposed to be sold for housing development has been done by the proponent.

My view is that the City should undertake a flora and fauna survey to assess the importance of this remnant bushland to the residents of the City of Stirling, and that such a survey should be provided to the EPA either during its assessment or when the opportunity arises under the public comment assessment period. I look forward to the Council's support for this motion. Thank you.

9.8 K HILL

The following motion was put forward by K Hill, of Menora WA 6050 at the Electors' General Meeting held 28 March 2022.

Ms Hill: Good evening Mayor and Councillors. I wish to put forward a motion.

MOTION

Moved Kerry Hill, seconded Carol Clarey.

That no more trees be removed from the Mount Lawley Golf Club, which is an A class reserve, until such time that the course masterplan (draft) and the 15 year tree maintenance plan (draft) has been publicly disclosed and endorsed by the Council.

That Motion was put and declared CARRIED.

Ms Hill: The reason why Mount Lawley Golf Club planned to remove 554 trees is to implement a 15 year tree maintenance plan (draft) and a course masterplan (draft). Neither has been ratified by Councillors or members of the golf club. This and, I say again, is an A class reserve. Due to the lack of transparency, Councillors were unaware of the detail of the above drafts until it was brought to their attention as recently as February 2022. It will take between 30 and 50 years for the existing tree canopy to be replaced. In the last two years, trees have been removed purely by City of Stirling officers with delegated authority without the Councillors' knowledge.

9.9 R MITCHELL

The following questions were put forward by R Mitchell, Karrinyup WA 6018 at the Electors' General Meeting held 28 March 2022.

Mr Mitchell:

Good evening, Mayor, Councillors, council officers and fellow ratepayers. I'm not asking any questions tonight, really. What I'm going to allude to is Scarborough…Scarborough and coming into what was the elephant in the room, the Stevenson highway. First of all, Scarborough as the two coastal Councillors know, I sent them a letter and also to the local politicians, about the trouble in Scarborough. Now, I've been retired for 12 years but I worked under the Liquor Act and some of the things that happened out there then were just shocking. I had one occasion where I…well I wrote to the Councillors in relation to three police officers being bashed out there…excuse me…three police officers being bashed out there in a, er, licensed place that, er, didn't conform in any manner to the Liquor Act and the conditions on their license, which were there to see, was not adhered to.

The conditions were put there, to grant the license, by the City of Stirling. I had a call from a detective in Mirrabooka and he asked me, he said 'Mitch, what's going on?', he said 'we had three police officers bashed here last night', and I said 'well I was out there a while ago because I didn't know…I didn't actually work in that area', but I got out there and what I saw was disgusting. It was a license that was to have one bar and 10 food facilities. I got out there…nothing…a change had been made, there were two bars and one food facility. Now I couldn't do anything. I came to the Council one night…and I…as a ratepayer I just put up my thoughts about it and I was absolutely castigated. At any rate, I went back to work and I wrote a report out about what I saw out there, and then here's six months later I get this call about these people being bashed and I said to the detective 'in there, behind the bar, there should be the license conditions. Now you go and read them'. So he did, and he said 'that's not like here', I said 'exactly'. He said 'can I get a copy of that?', I said 'with pleasure, I'll email to you' and then he said to me 'I'm leaving here and I'm going straight to the Council and I'm going to have this place closed'. He did that, but what annoyed me about this Council was the way they treat ratepayers.

Now, that's just an incident, there's a very good friend of mine who's a restauranteur out there, I don't think he's got a place there now, he was asked by some people who had some tourists come out from England, could he arrange to set up his restaurant so that these tourists, friends of theirs, could go there. So Nick sets the place up, gets it all right. Lo and behold, as they walk in and sit down, some idiot came along, poured oil all over the road and then they did a burnout. Well, he had to close the restaurant, it was just chock-a-block full of smoke. You know these are the things that go on there, and he said to me…an officer from the City of Stirling says 'we're sorting out the parking there', he said 'we're going to put 26 motorcycle bays down on the northern side' and he said 'ah, thanks very much. So either the Coffin Cheaters or the Hells Angels can all park there and walk past my restaurant'. Now, I hear all these things and just recently all the bashings out there, you know, bikies fighting, and with the response, which I wrote to the Councillors, I said first response out there is from the City of Stirling security. They can't do anything. A previous member of parliament, I went out there with Councillor Stewart about problems with people's cars being broken into and things stolen, and I said 'look, during the summertime we should have police officers out here on bikes, you know, ride around and they're stationed there, you know'. They don't come from places like…well I had one in my street in Karrinyup from Armadale out to Karrinyup and that's in their shift, at 3 o'clock in the morning…

Mr Mayor: They do station themselves there now, Mr Mitchell. The police do station themselves there now.

Mr Mitchell: Have they got an office for people to go to?

Mr Mayor: Yes, the front of the surf club building.

Mr Mitchell: Well, I'm glad to hear that. Okay, well that's, that's a good thing, I'm glad that's happened. The next thing in Scarborough is over the years we've had all this hoo-ha about high-rise and everything like that, but there's that thing there that goes from north to south called West Coast Highway, well what a mess. You know, this has been going on for years…you know they were going to put a flyover, and the latest now is they're going to have a contra sunken road, you know…so what's happened? There will probably be another committee set up and it'll go on for a couple of years and finish up, nothing will be done.

Yet as I said before, the elephant in the room, which is situated down here was first enunciated 61 years ago. That's before a lot of people here were born. I'm 81, I remember it when I was 21 and studied about Professor Gordon Stevenson. It's not just that, all around Perth he put in roads, ring roads. There was a total system. Most of it's been put in, but this obstinate, idiotic business about not taking that from the freeway down, is just ridiculous. It sits there, the Wembley golf course, the eastern side course is set aside for the freeway to go through there. Nothing's been done. Town of Cambridge are rubbing their fingers, they don't mind. Look at the inconvenience, you know, we've all been out on West Coast Highway in the morning and the evening, it's not going to get any better, there's nothing planned and all we do is…

Mr Mayor: The West Coast Highway plan will be coming back to Council shortly. The West Coast Highway plan is out for consultation by the State Government and should be coming back to the next Council meeting, so there will be an item coming with an update on that.

Mr Mitchell: Well, as I said before it continues.

Mr Mayor: Now, Mr Mitchell would you like to put a motion forward regarding Stevenson?

Mr Mitchell: No, no I just said I don't have to put a motion, I'm not asking a question, I'm just telling you what are facts of life, and it's not getting any better, its just not and I just want to bring it everybody's attention, you know. And the other thing before I finish, well that one I will leave till last, but um…

Mr Mayor: You have gone over time Mr Mitchell, so you're welcome to continue for a little bit longer but if you just wrap it up.

Mr Mitchell: Yeah. Alright. One thing, just before I finish the other one because it will go too long. This here, a couple of years ago Mr Brown raised a question about the glossiness of the paper, well that's been removed but the size has got bigger. I notice it's the 50 years, but I just want to put on record that next year's financial years I really hope that this thing is in a half the width it is now, without all the flowery rubbish that's in it. Only what's necessary, that's business. Okay?

Mr Mayor: Thank you Mr Mitchell.

Mr Mitchell: Thank you.

9.10 K KELLY

The following question and motion were put forward by K Kelly, of Scarborough WA 6019 at the Electors' General Meeting held 28 March 2022.

Mr Kelly: I have a motion and the motion is.

MOTION

Moved Kieran Kelly, seconded Simon Wheeler.

Will the Council undertake a study and outcome solutions to overcome the problem of on-road parking and its preventing of free-flowing traffic on suburban roads?

That Motion was put and declared CARRIED.

Mr Kelly: With the amount of in-fill housing mushrooming in the suburbs, in particular throughout the coastal wards, particularly the Scarborough region outside the Scarborough redevelopment zone, does the Council have a strategy to stop the on-road parking in many of these suburban roads? It is not uncommon when driving down these suburban roads that an each-way road turns into a single lane due to the cars being parked on both sides, a problem that is directly related to the in-fill policy.

Additional Information

The City does not have (and would not support) a strategy to stop on-road parking on local roads, as it can be accommodated safely in most scenarios.

9.11 R HADLEY

The following questions were put forward by R Hadley, Woodlands WA 6018 at the Electors' General Meeting held 28 March 2022.

Mr Hadley: Good evening. I'll just have a little drop of the old perfume if you don't mind. Question 1, payments of $97,000 and $159,000 were paid to SMEC Australia and defined as consulting services. Apparently they refer to the proposed trackless tram project. What do the reports say?

Mr Mayor: Thank you for that question Mr Hadley, SMEC is a global engineering firm, the money isn't ratepayers money, it's through the Federal money that has been given to the City of Stirling and it is for the comprehensive business case. The business case has not been received from SMEC yet, the City is due to receive this in about two months' time and you will be advised when this has occurred.

Mr Hadley: So what you are saying is that you've paid the money but have got no reports?

Mr Mayor: SMEC will be getting a lot more than that Mr Hadley and the money paid so far would be a part payment.

Mr Hadley: On the 23 December, Deloitte Consulting were paid $741,804. The brief description stated it was business and management consulting services. I know that the City is reluctant to provide comprehensive information, but what do the ratepayers get for this trivial amount?

Director Corporate Services: Thanks Mr Hadley. With regards to that payment, it is for the configuration and development of the Relation Management System for the City. That is our Customer Experience, Customer Requests Management System.

Mr Hadley: I have requested on numerous occasions that the City provide fuller details in the invoice details and now I ask Councillors if they could persuade the Administration to tackle this matter on our behalf and at the same time, ascertain why Geared Construction was paid $795,003 on the 17th of January, thank you.

Mr Mayor: Thank you Mr Hadley and Councillors did ask the same questions at the last Audit Committee meeting, Councillor Farrelly put that up and requested that information.

Additional Information

The payment to Geared Construction for an amount of $795,003.54 was related to two invoices – one for $491,853.78 for the redevelopment of the Hamer Park Clubroom and one for $303,149.76 for the redevelopment of the Inglewood Oval (Moyle Pavilion).

9.12 D BROWN

The following questions were put forward by D Brown, Yokine WA 6060 at the Electors' General Meeting held 28 March 2022.

Mr Brown:

Thank you Mr Mayor and Council. I'd first like to comment on the issue of the proposed Hector Street bicycle way and the closing off of a number of streets from Main Street right through to Dianella, as far as I am aware, and the way in which the Council is starting to implement this supposed consultation process. I've had a letter back recently from one of your officers, and copies were sent to a number of Councillors who I sent an original email to, who cover the local government areas including the electorates, including yourself.

I don't believe that the Council has included all possible people who will have their lives interfered with in relation to this consultation process. I myself received two letters about it, one to my Post Office Box and one to my home address. But I do know that business owners, who lease premises have not received anything, and I would presume that all HomesWest tenants, which would number at least 100 people, in Hector Street in Yokine, have not received any advice of this. And I also wonder whether or not you've consulted the sporting clubs, who use Reid Reserve just to name one of the reserves that's going to be affected by this.

You say that further information will come out when you receive feedback from the ratepayers who are able to send responses by internet, not by mail, by internet. And without providing them with sufficient information in the first instance, I myself could not provide you with what I would believe was necessary, or was going to be disadvantageous to the local area. Because all you give is concept designs of what could happen at intersections.

I understand that all Councillors have been consulted on this, and this is a 2015, I think it was, proposal. And I would not believe that Councillors are very happy…would be very happy, to see a whole lot of changes occurring, without real consultation with the community. And I think real consultation is getting the community together, which includes everybody in HomesWest houses and lessees of buildings in the areas concerned.

As far as Hector Street is concerned, it's only going to throw more traffic onto other streets, such as Wynyard Street, which is the one I live in, and other little streets because people will work out their three to five second change out time. In relation to the area concerned also, is that Hector Street carries very, very high Western Power powerlines, and some of you won't be aware Western Power has recently spent millions of dollars upgrading their Yokine substation, which is right at the back of the bottle shop and the flower shop, which has access from Flinders Street.

One of the suggestions is the traffic to go to the bottle shop and the flower shop should in actual fact go down a narrow two lane laneway, make a sharp left hand turn to access the bottle shop car parking area if they want to get to it from Flinders Street. How ridiculous is that, before someone gets killed, and it is against a very, very hard new concrete fence, that's about fifteen feet tall with barb wire on it put up by Western Power. I'd like to move:

MOTION

That the City of Stirling cease all activity in relation to this particular, this activity at this present time, and…

Mr Mayor: Mr Brown, sorry to interrupt you. Before you put your motion would you like a brief run-down of that program?

Mr Brown: Yes, you could.

Mr Mayor: It is an important perspective as at the end there where you mentioned that Councillors would have endorsed this, Councillors wouldn't know about this project yet. Councillors endorsed the State Shared Pathway and Cycling Strategy to go out for consultation, but they haven't seen what the project will look like, just as you haven't.

This is really very early to the point where this would have to come back to Council before it goes out for any further spend, for full consultation. This is really early stages trying to show that if the City does something like this, is there a general support for shared cycleways through those sort of roads, like the Moreland Street Bicycle Boulevard. It is very early stages, and it would be anticipated that if there was general support from the community to do something and investigate it, then there would be a full report come back to Council. There are not even plans for that cycleway yet.

You're still welcome to put your motion, but you can be assured the project is not that advanced. In actual fact this is probably one of those unintended consequences of trying to carry out extra consultation. People want a lot of consultation to go out really early, but it's not at the stage that the City is going to implement this cycleway, if that makes sense. Has that made it clearer?

Mr Brown: With all due respect, I don't think the documentation that you've produced so far has in actual fact indicated that, and I don't believe that it's actually been advertised in the correct manner, even in the local newspaper, so that local residents, who live in houses which they don't own, and the properties they don't own as lessees are aware of this situation, and I think that the Council could do a far better job in letting all those people know what's likely to happen. I'll leave it at that then.

Mr Mayor: So, you're welcome to still put the motion, it won't hurt to put it because it will bring it up to an agenda item.

Mr Brown: I just read here, that all Councillors have been involved in adopting the Integrated Cycling Strategy 2015 and the LTCN Stage 1 Implementation Plan 2020.

Mr Mayor: Yes. So that's a very general strategy about the framework sitting over the whole of the City, it's not about programs.

Mr Brown: Alright, well I'd still like to move the following motion.

MOTION

Moved David Brown, seconded Robert Mitchell.

That the Councillors of the City of Stirling recommence this particular project, in relation to the Hector Street cycleway and ensure that every resident and building occupier, sporting club, and also emergency services and large government providers such as Western Power are fully aware of what is proposed in this particular activity.

That motion was put and declared CARRIED.

9.13 L JACK

The following questions and motions were put forward by L Jack, Karrinyup WA 6018 at the Electors' General Meeting held 28 March 2022.

Ms Jack:	Good evening Mayor, Councillors, staff and ratepayers. On the subject of the CEO I did have a question, which is, could the Mayor please explain to us in the gallery where the CEO, Mr Jardine is at the moment and why he isn't at the Electors' meeting, and is he on City business and if so what is he doing?
Mr Mayor:	The CEO is at home isolating Ms Jack, he has been ordered to stay at home and isolate. That is the same reason why several Councillors are not here and another director. Mr Jardine is always very keen to attend these meetings and I know he will be watching at home.
Ms Jack:	Hi Humphrey, sorry Stuart. Sorry Freudian slip. Right, I have a question about the Mount Lawley Golf Club and then I have a motion that is related. The Mount Lawley Golf Club has been implementing their 2015 Masterplan for years, including the removal of many healthy canopy trees and bushland and trees to create a 19th hole. The strategic plan did not go to Council for approval, officers say they haven't seen the Masterplan, so my question is this, did the Mount Lawley Golf Club conceal the 2015 Masterplan from City officers?

Mr Mayor:	Thank you. It is important to keep this perspective. The Council wouldn't see a masterplan of any of the clubs or groups throughout the City of Stirling as they develop strategic plans or anything like those necessarily in a draft form. For the City, the masterplan probably isn't the issue, it is the Tree Management Plan that certainly this Council would expect to see. The Director Infrastructure can provide further information.
Director Infrastructure	Thank you Mr Mayor. The masterplan is not necessarily the issue that the Council should adopt, but where it relates to tree removal, that is the thing that will need to come to Council. As the conversation has been had, the issue is that it is appreciated that they are currently revising their masterplan that will require a tree management plan to reference it and once that tree management plan is presented, it will be presented to Council for endorsement. Logically the masterplan that would reference the tree management plan would be provided as a supporting document. That is where the current situation is at. It is not known that the 2015 Masterplan that you have referenced has been hidden per se, but it is not something that the City has necessarily needed to reference.
Ms Jack:	Who approved the creation of the 19th hole at the Mount Lawley Golf Club?
Director Infrastructure:	The City endorsed the application to DPLH for the clearing permit for the 19th hole, the approval process was conducted in 2017 and it was endorsed by the City. It has been discussed as to whether that 2017 application came to Council, and this is yet to be confirmed, but it is likely that it did not.
Ms Jack:	Why did the Yokine Golf Club Masterplan go to Council?
Director Infrastructure:	Thank you Mr Mayor. I am not exactly sure what happened with the WA Golf Club Masterplan, this question will be taken on notice and a written response provided.

Additional Information

A check of City records over the past 20 years indicates that the issue of the WA Golf Course (Yokine) Masterplan has not been presented to Council for consideration.

Ms Jack: I have a motion relating to that and that motion is:

MOTION

Moved Leisha Jack, seconded Simon Wheeler.

Could all sporting club strategic long-term masterplans go to Council for approval in the future.

That motion was put and declared CARRIED.

Ms Jack: A second motion is:

MOTION

Moved Leisha Jack, seconded Kieran Kelly.

That the City review and update the urgency level to act immediately on mitigating the urban heat island effect in the City of Stirling's 2013 Climate Adaptation Plan and amplify the warnings on the City's health and safety page to include encouraging people to retain and grow strategically positioned shade trees to reduce temperatures in their homes and gardens in case of blackouts and air conditioning failures during heatwaves.

Ms Jack: I think it is really important that the City begin to acknowledge the serious public health issues related to rising temperatures and deadly heatwaves as I keep saying kill more people than natural disasters, bushfires and road accidents combined in Perth.

That motion was put and declared CARRIED.

Ms Jack: Also in relation to that, another motion.

MOTION

Moved Leisha Jack, seconded Rhonda Andrews.

That the City create a draft scheme amendment for the town planning scheme to protect trees above five metres tall or one metre in diameter on privately owned land to halt the destruction of urban forest, to mitigate against rising temperatures.

That motion was put and declared CARRIED.

Ms Jack: And I also have another motion, and that motion is:

MOTION

Moved Leisha Jack, seconded Simon Wheeler.

That officers provide elected members with better information going forward so that they can make better informed decisions.

That motion was put and declared CARRIED.

Mr Mayor: Did you want to make that more specific?

Ms Jack: Well I've just noticed lately, well I've noticed a lot that a lot of the reports are lacking, they tend to promote developer greenwash or golf club greenwash and then looking at the lease for example of the Mount Lawley Golf Club that was approved by Council in August last year, and I don't think that Councillors were given the full picture of the relevant information regarding the way that club had been looking after the land, the way the club neglected the bushland, they were painted as being fabulous managers of the land and in fact we are finding more and more that wasn't the case. And you know, just other things, where I just notice that Councillors really hadn't been given a full picture or a balanced report on all the facts that would help you all make better and informed decisions.

Ms Jack: Sorry I do actually have one more motion. I didn't realise we could make so many.

MOTION

Moved Leisha Jack, seconded Rhonda Andrews.

That the City plant species of trees on verges that will provide 150% of canopy cover within 20 years of planting and that property owners be forced to pay a hefty fine and the replacement cost of street trees that die from not being watered.

That motion was put and declared CARRIED.

9.14 L CARROLL-VIANA

The following motion and questions were put forward by L Carroll-Viana, Hamersley WA 6018 at the Electors' General Meeting held 28 March 2022.

Ms Carroll-Viana:

Good evening Mayor and Councillors. The electors of the City of Stirling request the Council to advise the City that no further work should be carried out towards the rezoning of banksia woodland threatened ecological community at lot 802 and 803 Erindale Road, Hamersley for residential or any other purpose other than conservation of that land. The Friends of Erindale Road Bushland are seeking to conserve the established trees and understory plants on the land commonly known as the ABC Aerial Bushland situated on the corner of Erindale Road and Reid Highway, Hamersley.

This land was crown land owned by the Federal Government until they sold it in 1999. The land is now owned by BAI Communications, a communications company based in Toronto, Canada and majority owned by the Canadian Pension Plan Investment Board. BAI Communications have lodged an application with the City of Stirling to amend the local planning scheme and rezone the site to a development. This scheme amendment will require approval by the Minister for Planning once it has been advertised.

We are seeking an assurance that the City of Stirling and Councillors will only advertise an amendment to the local planning scheme to rezone this land in question to conservation and recreation only, for the purposes of preserving this valuable bushland consisting of established marris and threatened banksias, xanthurias and a biodiverse understory. We request this land be preserved for current and future generations, kept as part of the green corridor following on from the City of Joondalup, Warrick Open Space, and also be kept to ensure current and future foraging habitat for the endangered Carnaby cockatoo after the temporary loss of food sources at the Warrick Open Space due to a fire a couple of months ago. We seek assurance the City will not proceed with any structure plans now or in the future that conflicts with this conservation and recreation zoning.

So in regards to that, my motion would be:

MOTION

Moved Leonie Carroll-Viana, seconded Kieran Kelly.

That the City would ensure that this land is preserved as is in situ.

That motion was put and declared CARRIED.

Ms Carroll-Viana:	The City's Million Trees Project saw 9,000 trees planted and 8,000 shrubs planted in the last year, as witnessed on the earlier video. I would like to know how many of the plants were indigenous to the area they were planted in and in the last year, how many established trees were lost in the City due to clearing of private land for subdivision or removal from Council land for infrastructure requirements or due to dieback or disease?
Mr Mayor	The question will be taken on notice and a written response provided.

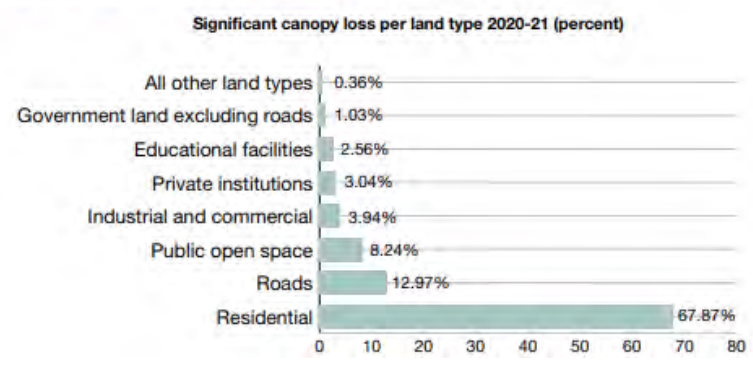
Additional Information

Of the City trees planted last year, 70% were Australian native species. Of the 58,500 Million Trees (and shrubs) planted last season, approximately 90% were endemic native species.

The City does not track the number of individual trees lost due to clearing on private land or City land. The City does however undertake aerial monitoring of tree canopy cover loss which is detailed in its annual reports. Canopy cover details can be found in the latest annual report starting on p154 - https://www.stirling.wa.gov.au/your-city/documents-and-publications/your-city/about-council/governance-and-transparency/annual-reports-and-financial-statements/annual-report-2020-2021

The latest annual report shows that 250,980 square metres of significant tree canopy cover was lost between 2020-2021 in Stirling. Approximately 68% of this loss was from residential land. Canopy loss on roads accounted for around 13% of total losses, and this includes loss of canopy from the City's street trees and losses of canopy due to roadworks from the State Government's Main Roads department. Canopy losses on Public Open Space accounts for around 8% of total canopy losses across the City. It should be noted that all these figures are based upon significant canopy cover which has a minimum of 20 square metres of contiguous canopy. These figures also do not take into account canopy gain, only canopy loss. The City calculates canopy gain every five years.

Figure 51: Significant loss per land type



Ms Carroll-Viana:	The City also advised on the video that there is 758 hectares of bushland, can the City please clarify what is their definition of bushland and what areas of Council land come under the heading of bushland?
Mr Mayor	The question will be taken on notice and a written response provided.

Additional Information

There is approximately 758Ha of natural areas/ bushland in the City. This includes 411Ha of City managed bushland located in areas such as the coastal zone, Star Swamp, Trigg Bushland and Dianella Regional Open Space. The remaining 347Ha are non-City managed bushland located in areas such as Herdsman Lake Regional Park, Mirrabooka Bushland, Erindale Bushland and the Dianella Media Precinct.

9.15 M ANDERSON

The following motion was put forward by M Anderson, of <no address provided> at the Electors' General Meeting held 28 March 2022.

Ms Anderson:	Mr Mayor, Councillors, electors, I would like to put forward a motion.

MOTION

Moved Melanie Anderson, seconded Daniela Ion.

That the Council affirm its commitment to the retention of the name Stirling and that the Council acknowledge the receipt of the petitions signed by ratepayers to this end.

That motion was put and declared CARRIED.

9.16 T POGGIOLI

The following motions were put forward by T Poggioli, of Wembley Downs WA 6019 at the Electors' General Meeting held 28 March 2022.

Ms Poggioli: Good evening Mr Mayor, Councillors, staff and electors.

MOTION

Moved Tonia Poggioli, seconded Leisha Jack.

1. **That Councillors and the Mayor write to the Minister of Planning, Rita Saffioti, to review the approval of the Wembley Downs Hale Road Childcare Centre for a number of reasons related to not following policy and procedures.**
    a. **The information provided to the Council and the Development Assessment Panel was not complete, in that the City of Stirling had approved a childcare centre, another one, in such close proximity on Hale Road to the other approved one on Hale Road. Effectively, two childcare centres within a really close range of each other.**
    b. **The planning application to Council was called in June 2021 and was not called in, and the refusal was made in October, which did not allow the residents the right to comment on the proposal or allow Councillors to discuss the application. The evening of when the Mayor called it as caretaker, when in actual fact the Mayor told us that evening that it would be discussed by Councillors.**
    c. **Discretionary powers were used to support the developer and not used to support the interests of an estimated 1,000 residents who signed various petitions.**

The Motion was put and declared CARRIED.

Ms Poggioli: I have another motion.

Moved Tonia Poggioli, seconded Simon Wheeler.

That the City of Stirling adopt Joondalup's policy proposing daycare centres in residential areas, as it does affect residents who have actually bought homes in residential areas, not commercial areas.

The Motion was put and declared CARRIED.

10. CLOSURE

The Mayor declared the meeting closed at 8.15pm.

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

……/……/ 2022

SIGNED:

Presiding Member Name: ……..

_____

PRESIDING MEMBER

FOOTNOTES:

Voting

- Each elector present at the meeting is entitled to one vote on each matter to bedecided, but does not have to vote.
- All decisions are to be made by a simple majority vote.
- Voting is to be conducted so that no electors' vote is secret.

Definition of Elector

The *Local Government Act 1995* states that an elector may be one of the following:

- A resident, owner or occupier enrolled to vote at State elections within the City of Stirling;
- An owner of rateable property (e.g. an absentee land owner or an owner of business premises, vacant land or other non-residential property) within the City of Stirling; or
- An occupier of rateable property (e.g. a tenant of business premises or other non-residential property) within the City of Stirling.

Speaking at Electors' Meetings

When addressing the meeting, please use the public microphone, and state your name and suburb for minute taking purposes.

13.2 COUNCIL MEETING JUNE 2022 - CHANGE OF DATE

Report Information

Location:	Not Applicable
Applicant:	Not Applicable
Reporting Officer:	Manager Governance
Business Unit:	Governance
Ward:	Not Applicable
Suburb:	Not Applicable

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/028

Moved Councillor Lagan, seconded Councillor Hatton

That Council:

a. RESCHEDULES the Ordinary Council meeting to be held Tuesday 21 June 2022;

b. RESCHEDULES the Planning and Development Committee meeting to be held Tuesday 14 June 2022;

c. CALLS an Ordinary Council meeting to be held Tuesday 14 June 2022; and

d. CALLS a Planning and Development Committee meeting to be held Tuesday 7 June 2022.

The motion was put and declared CARRIED (15/0).

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Recommendation

That Council:

a. RESCHEDULES the Ordinary Council meeting to be held Tuesday 21 June 2022;

b. RESCHEDULES the Planning and Development Committee meeting to be held Tuesday 14 June 2022;

c. CALLS an Ordinary Council meeting to be held Tuesday 14 June 2022; and

d. CALLS a Planning and Development Committee meeting to be held Tuesday 7 June 2022.

Report Purpose

To arrange for the rescheduling of Council and Committee meeting dates to avoid a conflict with the Australian Local Government Association National General Assembly to be held in Canberra from Sunday 19 June to Wednesday 22 June 2022.

Relevant Documents

Attachments

Nil.

Available for viewing at the meeting

Nil.

Background

At its meeting held 3 August 2021, Council resolved (Council Resolution Number 0821/012) to set the dates for Ordinary Council and Committee meetings for the 2022 calendar year. At that time, there was no certainty as to the scheduling of the Australian Local Government Association National General Assembly and the ability of City representatives to attend due to COVID-19.

Comment

The Mayor and the Chief Executive Officer are both attending the Australian Local Government Association National General Assembly to be held in Canberra from 19 to 22 June 2022.

This is the pre-eminent national local government event on the annual calendar. Other Elected Members are entitled to attend under the City's Elected Member and Chief Executive Officer Attendance at Events Policy.

The visit to Canberra will also enable the Mayor and the Chief Executive Officer to engage with relevant Government Ministers following the 21 May 2022 Federal Election. Attendance at a Council meeting by remote technology is not available in these circumstances under the *Local Government Act 1995.*

It is anticipated that several significant matters will be scheduled for decision at the June 2022 Council meeting. As there is only one Council meeting in June 2022, and no meeting scheduled for 7 June 2022, it is open to Council to reschedule the Council meeting to a date where both the Mayor and Chief Executive Officer are able to attend. This would be as per the following table:

Current Schedule	Proposed Schedule
Monday 6 June – Public Holiday	Monday 6 June – Public Holiday
Tuesday 7 June – No Meeting	Tuesday 7 June – P&D Committee
Tuesday 14 June – P&D Committee	Tuesday 14 June – Council Meeting
ALGA Conference – Sunday 19 June – Wednesday 22 June	
Tuesday 21 June – Council Meeting	Tuesday 21 June – No meeting

No statutory planning requirements will be affected by the change of the Council or Planning and Development Committee meeting dates.

Consultation/Communication Implications

Any change of Council and Committee dates will be advertised in accordance with the legislative requirements. The City will ensure that the community is informed of the date change through advertising on social media, the City's website and through announcements at Council meetings.

Policy and Legislative Implications

Changing the date of an ordinary Council meeting requires a decision of Council under the *Local Government Act 1995*.

Financial Implications

The costs of advertising the change in date of the Council meeting are minimal and will be accommodated within existing budgets.

Strategic Implications

Key Result Area: Governance and leadership

Outcome G1: Good governance

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Nil.	

SOCIAL	
Issue	**Comment**
Nil.	

ECONOMIC	
Issue	**Comment**
Nil.	

Conclusion

To enable the Mayor and the Chief Executive Officer to attend the June 2022 ordinary Council meeting, it is proposed to change the dates of the June 2022 Planning and Development Committee meeting and Ordinary Council meeting as set out in this report.

13.3 COUNCIL SUBMISSION ON STATUTORY REVIEW OF THE FOOD ACT 2008

Report Information

Location:	Not Applicable
Applicant:	Not Applicable
Reporting Officer:	Manager City Future
Business Unit:	Environmental Health
Ward:	Not Applicable
Suburb:	Not Applicable

Authority/Discretion

Definition

☒	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☐	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

Council Resolution

0522/029

Moved Councillor Re, seconded Councillor Migdale

That Council ENDORSES the City of Stirling formal submission on the Statutory Review of the Western Australian *Food Act 2008* Consultation Paper to the Department of Health as shown in Attachment 1.

The motion was put and declared CARRIED (15/0).

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Recommendation

That Council ENDORSES the City of Stirling formal submission on the Statutory Review of the Western Australian *Food Act 2008* Consultation Paper to the Department of Health as shown in Attachment 1.

Report Purpose

To seek Council's endorsement of the City's submission to the WA Department of Health on the Statutory Review of the *Food Act 2008* (the Act).

Relevant Documents

Attachments

Attachment 1 - City of Stirling Submission on the Statutory Review of the Western Australian Food Act 2008 ⇩

Attachment 2 - Consultation Paper on the Statutory Review of the Western Australian Food Act 2008 ⇩

Available for viewing at meeting

Nil

Background

The handling and sale of food in Western Australia is governed by the Act, Food Regulations 2009 and the Australia New Zealand Food Standards Code. Under Section 8 of the Act, local governments are considered enforcement agencies.

The Act is the principal legislation for food safety management in Western Australia and is subject to a statutory review every five years. The purpose of the review is to examine the operation and effectiveness of the Act in meeting its objectives to ensure food for sale is both safe and suitable for human consumption, to prevent misleading conduct in connection with the sale of food, and to provide for the application in this State of the Food Standards Code.

The intent of the review is to identify, through analysis of stakeholder submissions, any issues with the operation and effectiveness of the Act and make recommendations that will strengthen and support the objectives of the Act being met and promote greater regulatory effectiveness. The last review of the Act was carried out in 2016.

A review of the Act has been undertaken by the City Future Business Unit - Environmental Health Team. As part of the review the WA Department of Health prepared a consultation paper (Attachment 2). The WA Department of Health has requested all local government submissions be Council endorsed prior to submission. A response has been prepared for Council's endorsement (see Attachment 1).

Within the scope of the Act, the role of the City of Stirling's Environmental Health Services includes:

- Enforcing food safety standards through undertaking inspections, conducting food sampling and monitoring food business;
- Maintaining registers and managing notifications, registrations and cancellations of food businesses;
- Verifying food safety programs, reviewing food safety audit reports and setting audit frequencies;
- Investigating and responding to food safety complaints and food safety referrals;
- Educating food business and promote food safety; and
- Appointing authorised officers.

The City's review has considered the operation and effectiveness of different parts of the Act. Other food related external documents, including guidelines, Australian Standards and policies were not considered as part of the review.

The Consultation Paper is broad in scope, though essentially seeks to answer:

1. What is working well with the Act?
2. What, if any, changes should be made to the Act?

The City's submission is contained in Attachment 1.

Comment

The City's submission highlights the benefits of the Act for both local governments and food businesses. The implementation of the Act has improved the regulation of food businesses and provided greater flexibility for both local governments and food businesses. The outcome-based legislation has provided greater flexibility for local governments and food businesses and the link to the national food standards has improved consistency.

The City's response also includes the following suggestions to improve the current legislation:

- Provide clarity for issuing of prohibition orders where a serious danger to public health exists;
- Expand the scope of Notices and Orders to address food safety risks associated with food packaging;
- Improve the clarity and consistency of the application of priority and risk-based classifications of food businesses;
- Expand the registration requirements for food businesses to ensure operators have the appropriate skills and knowledge relevant to food safety;
- Improve the administration of food business registrations and expand cancellation options available to enforcement agencies; and
- Extend the timeframe for issuing infringement notices to allow consideration of laboratory results.

Consultation/Communication Implications

The consultation period for providing feedback on the Act closed on 5 May 2022.

On 5 May 2022, the City provided its officer submission, as contained in Attachment 1, to the Western Australian Department of Health, and advised that the Council submission would be provided following the Council Meeting held in May 2022.

The City will forward Council's resolution regarding this Item to the Western Australian Department of Health.

Policy and Legislative Implications

Under Section 146 of the Act, the Minister for Health must carry out a review of the operation and effectiveness of the Act every five years. The outcome of this review may result in changes to the Act. Any subsequent changes to the Act may require amendments to current policies and will be reviewed as required.

Financial Implications

There are no financial or budget implications as a result of this review.

Strategic Implications

Key Result Area: Governance and leadership

Outcome G4: Capable and efficient organisation

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	**Comment**
Nil.	

SOCIAL	
Issue	**Comment**
Health, wellbeing and safety	The City's submissions, if endorsed, will improve the City's ability to respond to significant public health issues related to food safety.

ECONOMIC	
Issue	**Comment**
Nil.	

Conclusion

The City's recommended submission acknowledges what is working well with the Act and also outlines specific areas which could be improved. The measures proposed by the City will improve clarity around addressing serious public health risks and improve the City's ability to register, regulate and assist food business within the City of Stirling.

4 May 2022

Review of the *Food Act 2008*
Environmental Health, Public and Aboriginal Health Division
Department of Health
PO Box 8172
PERTH BUSINESS CENTRE WA 6849

Dear Sir/Madam

REVIEW OF THE FOOD ACT 2008 – CITY OF STIRLING SUBMISSION

I write on behalf of the City of Stirling in response to the Statutory Review of the Western Australian *Food Act 2008.* In response to the Department of Health's consultation questions the City provides the below comment.

1. What is working well with the Act?

The implementation of the *Food Act 2008* has greatly improved the regulation of food businesses and provided greater flexibility for both local governments and food businesses. The outcome-based legislation and link to the national food standards provides flexibility and also ensures greater consistency. Specifically the following areas are considered to be working well:-

- Enforcement options available to manage non-compliances, enables LGAs to take a graduated and proportionate response with consideration to the severity of offences.
- Significant penalties for serious offences with greater penalties and to larger corporations and repeat offenders.
- The food safety plan requirements and auditing process is effectively managing food safety risks in aged care and childcare industries to protect vulnerable populations.

2. What, if any, changes should be made to the Act? If you have suggested improvements, please include any examples and studies that support your suggestions.

Section 65 – Prohibition Order

The Act currently specifies the grounds for which a Prohibition order can be issued and requires that a food business either has not complied with an Improvement notice in the time required or that the issuing of the order is necessary to prevent or mitigate a serious danger to public health. There is currently no definition provided for what constitutes a "Serious Danger to Public Health". Given the implications the issuing of a Prohibition Order can have for a food business and for public health, greater clarity with regard to what constitutes a Serious Danger will improve the implementation of this section of the Act.

Section 71 – Scope of Notices and Orders

Section 71 of the Act currently specifies the scope with which an Improvement Notice or Prohibition Order can be issued; specifically Notices and Orders can be issued with respect to Food, Food Equipment, Food Premises and Food Vehicles. There is currently no provision for Orders or Notices to be issued with respect to Food Packaging. Given the public health risks of improperly packaged or labelled food, the ability to issues Orders and Notices with respect to food packaging would assist enforcement agencies in addressing potential food safety issues.

Section 100 – Priority Classification System and Frequency of Audits

Section 100 of the Act requires enforcement agencies to determine priority classifications of food businesses, the requirements for food safety plans and the frequency of auditing food safety programs Local governments are also required to categorise food business based on risk and set annual inspection frequencies and surveillance fees based on these risk categories. Given the lack of clarity around the risk and priority classification processes, local governments have interpreted these requirements differently. A consequence of this is there is inconsistency between local governments in how this section of the Act is applied and how risk and priority classifications are applied.

Section 110 – Registration of Food Businesses

Section 110 of the Act contains provisions with respect to the registration of food businesses and specifies what must be included in an application for registration by enforcement agencies. Currently these requirements are limited to information relating to the structural fit-out of the food premise and the priority classification of the food business. Given the significant food safety issues that can arise as a result of failures in process and a lack of skills and knowledge, it would be valuable to be able to require applicants to demonstrate that they have the skills and knowledge to manage food safety.

Section 112 – Variation of Conditions or Cancellation of Registration of Food Businesses

Section 112 of the Act specifies that the registration of a food business may only be cancelled for one of the following reasons: -

- Any annual or other fee imposed by the enforcement agency that relates to the registration of the food business in respect of those premises has not been paid;
- The food business has ceased to be conducted at those premises; or
- At the request of the holder of the registration certificate with respect to the food premises.

The City recommends that greater discretion be provided to enforcement agencies to cancel food business registrations, such as repeated non-compliances, unpaid infringement notices or where a serious public health risk exists.

Section 126 – Infringement Notices

Section 126 of the Act contains provisions for the issuing of infringement notices for specific offences. Currently infringement notices can only be issued within 28 days of an alleged offense occurring. In instances where enforcement agencies are waiting on laboratory results or on comments from food businesses in order to establish if an offense has occurred, the requirement that infringement notices be issued within 28 days of an alleged offence limits the enforcement option available to enforcement agencies. It would be beneficial to extend the timeframe in which infringement notices can be issued to

allow for delays external to enforcement agencies and to ensure enforcement action is graduated and proportionate to the offence.

Should you have any questions or wish to discuss any of the above points further please contact the City of Stirling's Coordinator Environmental Health, Mr Jason Jenke on 9205 8785.

Yours sincerely

Stevan Rodic
Director Planning & Development

Government of Western Australia
Department of Health

Statutory Review of the Western Australian *Food Act 2008*

Consultation Paper 2021

health.wa.gov.au

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1.0 Introduction

The *Food Act 2008* (the Act) provides for the safety and suitability of food for human consumption and related purposes. The Act is the key initiative in achieving national consistency in the regulation of food incorporating model provisions agreed to by the Commonwealth, States and Territories in the Food Regulation Agreement. The purpose of the Act is to improve the food regulatory system by providing for a risk-based approach to the management of the handling and sale of food for human consumption, together with robust enforcement tools to protect Western Australia's food chain.

1.1 Why are we conducting a review?

The Minister is required to carry out a review of the operation and effectiveness of the Act and prepare a report for tabling in the Parliament. Interested persons are invited to make written submissions on the operation and effectiveness of the Act.

1.2 What will the statutory review cover?

The statutory review shall -

1. Examine the operation and effectiveness of the Act in meeting its objects to:

    a) ensure food for sale is both safe and suitable for human consumption
    b) prevent misleading conduct in connection with the sale of food
    c) provide for the application in this State of the Food Standards Code.

2. Identify, including through analysis of stakeholder submissions, any issues with the operation and effectiveness of the Act, including:

    - interpretation
    - offences related to food
    - emergency powers
    - powers of entry
    - inspection and seizure
    - improvement notices and prohibition orders
    - taking and analysis of samples
    - auditing
    - registration of food businesses
    - administration
    - procedural and evidentiary provisions
    - any other relevant matter.

3. Make recommendations that will:

    - strengthen and support the objects of the Act being met; and
    - promote greater regulatory effectiveness.

The review will not capture documents outside of the Parts of the Act, including any external documents such as the Australian Standards, guidelines or policies.

1.3 The review process

The review commences on 1 December 2021. Interested persons and organisations are invited to provide their written submissions before the deadline of 14 March 2022.

1.4 Background to the *Food Act 2008*

In Australia, the three levels of government operate under a Joint Food System which incorporates elements of policy and food standards development, implementation and enforcement, and incident response to ensure food in Australia is safe to eat.

At the federal level, the Food Ministers from New Zealand and each Australian Minister for Commonwealth, State and Territory governments meet to develop food policy guidelines.

In 2000 the Food Regulation Agreement (FRA) became the basis of a national approach to food regulation and included Model Food Provisions Annex A and Annex B for State and Territory legislation[1]. State and Territory governments, including Western Australia, committed to implement the cooperative national regulatory requirements and adopt the Model Food Provisions. In 2002 the FRA was amended to commit the Commonwealth, State and Territory Governments to national food regulation.[2]

To implement the requirements of the FRA, the *Food Bill 2005* (the Bill) was read into the Western Australian Parliament on 23 November 2005.

The Second Reading Speech and the Explanatory Memorandum here explains the intent of the Bill.

The Bill was referred to the Standing Committee on Uniform Legislation and Statutes Review. The report of the Standing Committee can be found here.

The Western Australian *Food Act 2008* came into effect in 2009. During that time the provisions have been applied to all food businesses and specific primary production and processing activities. The administration and enforcement of the Act is carried out by the Department of Health and Local Government agencies.

The *Food Act 2008* can be located here.

[1] Food Regulation History, https://foodregulation.gov.au/internet/fr/publishing.nsf/Content/history-and-governance.
[2] Ibid.

Food Act 2008

The Act is divided into Parts 1-14. [Note that Part 13 was omitted under the *Reprints Act 1984* section 7(4)(e).]



Questions

1. What is working well with the Act?
2. What, if any, changes should be made to the Act to make it less ambiguous or unclear?

   If you have suggested improvements to make the legislation simpler or easier to enforce, please include any examples or studies which would support your suggestions.

2.0 How to make a submission

Written submissions are invited from interested persons, organisations, and local government. **For those working in local government, please ensure that your submission is Council endorsed. If you are responding on behalf of an organisation, please ensure the submission has your organisation's endorsement and authorisation. Please allow time for the approval process of your organisation before the submission deadline.**

Any relevant evidence-based research or studies that inform your submission are welcomed.

Written submissions can address any aspect of the Act and you are not required to comment on all parts of the Act.

Your submission will be part of a public consultation process and it may be quoted in the final report. Individuals or organisations who wish their comments to be treated confidentially should indicate this on their submission. Please note submissions may be subject to release under the *Freedom of Information Act 1992*.

Anonymous submissions will not be accepted. Submissions that address matters outside the scope of this Review will not be accepted.

Submission can be made –

Online	Complete the Food Act Review comments section on the Consultation Hub
Email	Submit your written response and email to reviewfoodact@health.wa.gov.au
Post	Post your submission to - Review of the *Food Act 2008* Environmental Health, Public and Aboriginal Health Division Department of Health PO Box 8172 Perth Business Centre WA 6849

3.0 What happens next?

At the close of the consultation period on 14 March 2022, submissions will be analysed, and a report prepared for the Minister.

The Minister will consider and table the report of the Review in the Parliament at a date to be set.

This document can be made available in alternative formats on request for a person with disability.

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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 STEPHANIE PROUD JP - NATURAL SHADE FOR THE ADMINISTRATION CENTRE FORECOURT

Report Information

Location:	City of Stirling Administration Centre
Applicant:	Not Applicable
Reporting Officer:	Manager Parks and Sustainability
Business Unit:	Parks and Sustainability
Ward:	Osborne
Suburb:	Stirling

Council Resolution

0522/030

Moved Councillor Proud, seconded Councillor Sandri

That a report be PREPARED to Council on a proposal to provide natural shade to the Administration Centre front forecourt, and review associated landscaping, for consideration in the 2022/2023 budget deliberations.

The motion was put and declared CARRIED (15/0).

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Notice of Motion Recommendation

That a report be PREPARED to Council on a proposal to provide natural shade to the Administration Centre front forecourt, and review associated landscaping, for consideration in the 2022/2023 budget deliberations.

Background

Background Information/Reason for Motion *(provided by Councillor Stephanie Proud)*

"The City has a strong commitment to our urban forest tree canopy and undertakes extensive tree planting on City land, including surrounding the Administration Centre. However, the concrete entrance forecourt (behind Lena sculpture) remains hot and treeless. There is an opportunity to plant trees and renovate the associated landscaping. "

Comment

The City has previously undertaken conceptual design work to provide shade trees to the Administration Centre forecourt and has also investigated revamping the planting to the landscaped areas within the forecourt. This work will be reviewed and information included in the report to Council.

Additionally, in fulfilling the City's Reconciliation Action Plan, the Community Services Business Unit has been developing plans for the installation of an Acknowledgement Artwork / Yarning Circle in the garden bed to the left of the main entrance into the Administration Centre. Specifically, this project addresses Action 7 of the Reconciliation Action Plan – *Demonstrated respect for Aboriginal and Torres Strait Islander peoples by public displays of recognition of Traditional Custodians.* As the Administration Centre is the City's main place of business, this project aims to demonstrate the City's commitment to recognising Traditional Custodians.

Financial Implications

The current estimate for the shade tree planting and landscaping upgrade to the Administration Centre forecourt is $110,000. If Council wishes to proceed with this project next financial year then this amount will need to be listed on the Parks and Sustainability 2022/2023 capital works budget. Alternatively, the project could be considered for Budget Review March 2023 or in the 2023/2024 budget discussions.

Community Services currently has $20,000 budgeted for the Acknowledgement Artwork / Yarning Circle which will be carried forward to next financial year. An additional $30,000 is to be listed for this project on the 2022/2023 budget for consideration by Council.

Strategic Implications

Key Result Area: Liveable neighbourhoods

Outcome B3: Built infrastructure that meets community needs

14.2 PROPOSED NOTICE OF MOTION - COUNCILLOR ELIZABETH RE - WASTE MANAGEMENT AND CLOTH NAPPY REBATE INITIATIVES

Report Information

Location:	Not Applicable
Applicant:	Not Applicable
Reporting Officer:	Manager Waste and Fleet
Business Unit:	Infrastructure
Ward:	Not Applicable
Suburb:	Not Applicable

Moved Councillor Re, seconded Councillor Thornton

That a report be PRESENTED to Council about the following matter:

That the City IMPLEMENTS a modern cloth nappy education and rebate program. The City will need to prepare a report covering the Modern Nappy Education and Rebate program to fully explore the financial implications.

The motion was put and declared LOST (7/8).

For: Councillors Creado, Farrelly, Krsticevic, Migdale, Olow, Re and Thornton.
Against: Councillors Ferrante, Hatton, Lagan, Perkov, Proud, Sandri, Sargent and Mayor Irwin.

Notice of Motion Recommendation

That a report be PRESENTED to Council about the following matter:

That the City IMPLEMENTS a modern cloth nappy education and rebate program

Background

Background Information/Reason for Motion (*provided by Councillor Elizabeth Re)*

"One child will use between 4,000 to 6,000 disposable nappies in their lifetime, contributing to the estimated 800 million disposable nappies that end up in Australian landfills each year. Conventional disposable nappies are estimated to take up to 150 years to break down in the landfilling process and are considered to significantly contribute to environmental impacts."

Presently, there are limited options for consumers to purchase biodegradable nappies on the market and no current composting outlets within Western Australia that will process this specific waste stream. It is considered that switching to a modern cloth nappy is an affordable and environmentally sustainable solution to the disposable nappy issue within the supply chain.

Comment

The Notice of Motion requests that the City implement a modern cloth nappy education program and associated rebate structure to support the ongoing participation. To support the motion, all current avenues available from community groups, local businesses and fellow local government programs should be explored prior to any form of implementation.

The Cities of Bayswater, Melville and Vincent currently offer Modern Cloth Nappy Rebate programs. These programs are supported by local business, The Nappy Guru and the Switch your Thinking program, and endorsed by multiple West Australian local governments.

To support the Notion of Motion, it is recommended that a full report be prepared and presented to the Community and Resources Committee meeting to be held in August 2022.

Financial Implications

The City will need to prepare a report covering the Modern Nappy Education and Rebate program to fully explore the financial implications. The future report can be undertaken by City Officers within normal duties, with no additional budget required.

Strategic Implications

Key Result Area: Sustainability

Outcome N2: Greener City

14.3 PROPOSED NOTICE OF MOTION - COUNCILLOR FELICITY FARRELLY - E-SCOOTER TRIAL AMENDMENT

Report Information

Location:	City Wide
Applicant:	Not Applicable
Reporting Officer:	Manager Engineering Services
Business Unit:	Engineering Services
Ward:	City Wide
Suburb:	City Wide

Council Resolution

0522/031

Moved Councillor Farrelly, seconded Councillor Krsticevic

1. That the City WORK with NEURON and affected community representatives to identify problem areas where health, safety and well-being concerns are prevalent by:

a. Implementing night time curfews.
b. Slower speed restrictions in certain areas

2. That a quantitative and qualitative analysis be COMPLETED highlighting the benefits or issues associated with the introduction of the restrictions to inform the outcomes of the trial and report to Council.

The motion was put and declared CARRIED (15/0).

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Notice of Motion Recommendation

That a report be PREPARED to Council regarding the eScooter Neuron Trial IMPLEMENTING a curfew on eScooter use from 10.00pm to 5.00am as a matter of priority.

Background

Background Information/Reason for Motion *(provided by Councillor Felicity Farrelly)*

"The use of the e-Scooters after 10.00pm to 5.00am is leading to night-time activities which are causing health, safety and well-being concerns to residents in the trial area.

Reducing the trial area is not regarded as the answer as many of the concerns have come from the beachside residential areas where the noise, the night-time activities, the lack of surveillance of e-Scooter riders complying with the terms and conditions of the hire are the many concerns."

Comment

The City can prepare a report in response to the proposal to impose a curfew on e-Scooter use between 10.00pm and 5.00am. The report will provide Council with sufficient information to enable a decision to be made regarding the validity of the requested actions.

To assist in the preparation of the report, information will be sought from the current operator – Neuron – and will include the following:

- Safe riding framework and strategies.
- Current rider trends, including average hourly trip start times and average speeds.
- Operational updates.
- Safety and late-night noise strategy.
- Impact of curfews in other cities.
- Addressing curfew concerns.

It is important to note that any curfew imposed by Council would only apply to those e-scooters controlled and managed by Neuron. Privately owned e-scooters and other e-rideable devices will still be able to operate freely as there is no legislation to restrict their use to certain hours of the day.

Financial Implications

The preparation of the requested report can be undertaken by City officers within normal working duties and does not require an additional budget to be provided by Council. Any financial implications of the proposed curfew will be considered in the requested report.

Strategic Implications

Key Result Area: Thriving communities

Outcome S2: Active and healthy City

14.4 PROPOSED NOTICE OF MOTION - COUNCILLOR TONY KRSTICEVIC - PEDESTRIAN SAFETY ALONG WEST COAST DRIVE

Report Information

Location:	West Coast Drive
Applicant:	Not Applicable
Reporting Officer:	Manager Engineering Services
Business Unit:	Engineering Services
Ward:	Coastal
Suburb:	Watermans Bay, North Beach, Trigg

Council Resolution

0522/032

Moved Councillor Krsticevic, seconded Councillor Farrelly

That a report be PRESENTED to Council providing an overview of pedestrian safety along West Coast Drive including options on what short, medium and long term measures can be taken to improve pedestrian safety.

The motion was put and declared CARRIED (15/0).

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Notice of Motion Recommendation

That a report be PRESENTED to Council providing an overview of pedestrian safety along West Coast Drive including options on what short, medium and long term measures can be taken to improve pedestrian safety.

Background

The City has been made aware of concerns for pedestrians utilising the footpaths and recreational shared paths along West Coast Drive, and understands that measures are being sought to improve safety for all road users.

Comment

The City can prepare a report to discuss options to improve safety for pedestrians along West Coast Drive. The report will cover physical (infrastructure) changes to the roads and paths, as well as changes to signage, including consideration of a potential speed zone reduction on West Coast Drive.

Based on the current workload of the City's Engineering Services business unit, this report can be prepared and presented to Council by August 2022.

Financial Implications

The preparation of the requested report can be undertaken by City officers within normal working duties and does not require an additional budget to be provided by Council. The financial implication of any proposed options will be included in the requested report.

Strategic Implications

Key Result Area: Liveable neighbourhoods

Outcome B3: Built infrastructure that meets community needs

14.5 PROPOSED NOTICE OF MOTION - COUNCILLOR TONY KRSTICEVIC - CLOSED BEACH ACCESS PATHS / STAIRS

Report Information

Location:	Coastal Beach Accesses
Applicant:	Not Applicable
Reporting Officer:	Manager Engineering Services and Manager Parks and Sustainability
Business Unit:	Engineering Services and Parks and Sustainability
Ward:	Coastal
Suburb:	Coastal Suburbs

Council Resolution

0522/033

Moved Councillor Krsticevic, seconded Councillor Farrelly

That a report be PRESENTED to Council providing an overview on all the currently closed beach access paths/stairs along the coastal strip, noting the following:

a. When was each path/stair closed.
b. Why was the path/stair closed (giving specific details of the event and damage caused).
c. When will the path/stair be opened again (giving indicative dates).
d. What is the cost of repairing each of the paths/stairs.

The motion was put and declared CARRIED (15/0).

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Notice of Motion Recommendation

That a report be PRESENTED to Council providing an overview on all the currently closed beach access paths/stairs along the coastal strip, noting the following:

a. When was each path/stair closed.
b. Why was the path/stair closed (giving specific details of the event and damage caused).
c. When will the path/stair be opened again (giving indicative dates).
d. What is the cost of repairing each of the paths/stairs

Background

Concerns and comments have been raised by members of the community regarding the provision and maintenance of safe and accessible paths and stairs to the beach.

Comment

The City can prepare a report to respond to the specific questions raised in the Notice of Motion regarding beach access. Based on the level of information being sought, this report can be prepared and presented to the Council Meeting to be held 24 May 2022.

Financial Implications

The preparation of the requested report can be undertaken by City officers within normal working duties and does not require an additional budget to be provided by Council. The financial implication of any proposed options will be included in the requested report.

Strategic Implications

Key Result Area: Liveable neighbourhoods

Outcome B3: Built infrastructure that meets community needs

14.6 PROPOSED NOTICE OF MOTION - COUNCILLOR KRSTICEVIC - SCARBOROUGH BEACH ENTERTAINMENT PRECINCT SAFETY MEASURES

Report Information

Location:	Scarborough Beach Entertainment Precinct
Applicant:	Not Applicable
Reporting Officer:	Manager Community Safety
Business Unit:	Community Safety
Ward:	Coastal
Suburb:	Scarborough

Council Resolution

0522/034

Moved Councillor Krsticevic, seconded Councillor Farrelly

That an Elected Member Workshop be HELD to provide an overview of recent anti-social behaviour issues within the Scarborough Beach Entertainment Precinct, the effectiveness of preventative measures implemented by the City and WA Police, and what further actions are required to ensure it remains a safe place for the community including (but not limited to) consideration of a permanent Police post.

The motion was put and declared CARRIED (15/0).

For: Councillors Creado, Farrelly, Ferrante, Hatton, Krsticevic, Lagan, Migdale, Olow, Perkov, Proud, Re, Sandri, Sargent, Thornton and Mayor Irwin.
Against: Nil.

Notice of Motion Recommendation

That a report be PRESENTED to Council providing an overview of recent anti-social behaviour issues within the Scarborough Beach Entertainment Precinct, the effectiveness of preventative measures implemented by the City and WA Police, and what further actions are required to ensure it remains a safe place for the community including (but not limited to) consideration of a permanent Police post.

Background

The Scarborough Beach Entertainment Precinct is a popular location that attracts many visitors to its beach, public spaces, community amenities, entertainment and hospitality venues.

Comment

With a diverse and large number of visitors, from time to time the area does experience some antisocial behaviour. In response to these behaviours, a number of strategies have been implemented by the City of Stirling, often in partnership with WA Police, including:

- Dedicated patrols by the City's Security Services and contracted Security Officers;
- Increased WA Police presence during peak periods;
- Live monitoring of CCTV during peak periods;
- Ongoing review and expansion of the CCTV network based on identified hotspots;
- Key Community Safety messages communicated through roadside signage;
- Parking enforcement through dedicated patrols and CCTV;
- Provision of onsite accommodation for WA Police and direct access to CCTV footage;
- Scarborough Liquor Accord chaired by WA Police; and
- Party Bus Code of Conduct and Registration System by WA Police.

Most recently, the City also implemented 'Operation Clearwater' throughout January and February 2022 to further assist with ensuring a safe and family friendly atmosphere within the Scarborough precinct. This included an increased presence by City Rangers, Security Officers and Parking Officers to proactively address anti-social behaviour and Local Law breaches.

Preliminary discussions have also been held with WA Police regarding other initiatives that may assist with addressing anti-social behaviour and improving community safety, including:

- CPTED (Crime Prevention Through Environmental Design) assessment to identify opportunities that further improve safety within public areas;
- Crowded Places assessment to identify opportunities and abilities for vehicles to enter pedestrian areas and protect people from terrorism type activities;
- Options to improve the management of private buses, taxis, ride share vehicles and food delivery vehicles within the precinct;
- Options for a more permanent Police presence in the precinct to support Scarborough Police Station; and
- Trial closure of a section of The Esplanade, directly adjacent to licenced premises, during peak periods to reduce person versus vehicle conflicting peak periods.

City Officers will further examine the abovementioned options and their potential effectiveness for improving safety within the area noting that these actions will require support from WA Police and other key agencies.

This Notice of Motion is supported and a more detailed report can be prepared for Council identifying key statistics, current safety measures and opportunities for improvement within the Scarborough Beach Entertainment Precinct. Consultation with a range of stakeholders will be required to inform the report; as such, it is proposed that this report be presented to the Community and Resources Committee Meeting to be held 9 August 2022.

Financial Implications

Nil

Strategic Implications

Key Result Area: Thriving communities

Outcome S4: Safer City

This Notice of Motion supports the Strategic Outcome to improve the safety and feeling of safety of the community within the City of Stirling.

15. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

16. NEW BUSINESS OF AN URGENT NATURE

Nil.

17. MATTERS BEHIND CLOSED DOORS

Nil.

18. CLOSURE

The Presiding Member declared the meeting closed at 7.57pm.

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

……/……/ 2022

SIGNED:

Presiding Member : ……..

PRESIDING MEMBER