



Special Meeting of Electors 24 February 2021

Previous Questions and Answers from Public Question Time at Council Meetings

1 January 2014 – Present

1 JANUARY 2014 TO 31 DECEMBER 2014

No questions were received related to the Karrinyup development during Public Question Time at Council Meetings held during 1 January 2014 to 31 December 2014.

1 JANUARY 2015 TO 31 DECEMBER 2015

30 JUNE 2015

The following questions were submitted by Mr A Davies, 50 Francis Avenue, Karrinyup WA 6018 at the Council Meeting held Tuesday, 30 June 2015.

The following questions relate to Item 10.2/AP4 on the agenda.

- Q1. *"Did any employee of the City of Stirling attend near the junction of Davenport Street and Burrows Road, Karrinyup during the hours of 8.00am and 9.00am and personally observe the traffic flow and driver behaviour before reporting on the suitability of the premises at Lot 71, House Number 4, Davenport Street, Karrinyup for use as a childcare premise?"*
- A1. The Mayor advised the question would be taken on notice and a written response provided.
- Q2. *"Did any employee of the City of Stirling interview any of the persons who lodged objections against the premises at Lot 71, House Number 4, Davenport Street, Karrinyup being used as childcare premises on the basis that there was a perceived danger with the traffic using Davenport Street?"*
- A2. The Director Planning and Development advised that the City's practice, in line with most local governments, is not to interview submitters but rather the submissions are considered on their merits. In relation to the traffic impact associated with this proposal, this has been reviewed by the City's Engineering Design Business Unit and they have not raised any concerns in relation to traffic or road safety.
- Q3. *"Can you please advise me if the appropriate City of Stirling employees are aware that quite a few motorists travel south along Burrows Road and turn left into Davenport Street and then right onto Francis Avenue and later left onto Karrinyup Road each morning of the week to avoid the traffic build up at the junction of Burrows Road and Karrinyup Road?"*
- A3. The Director Planning and Development advised that City officers are required to assess the merits of the proposal against the established engineering standards. The movement of traffic in the area has formed part of that consideration and no concerns were raised in relation to this particular proposal.

The following question was submitted by Mr J McNair, 64 Dutton Crescent, Hamersley 6022 at the Council Meeting held Tuesday, 30 June 2015.

The following question relates to Item 10.2/CP4 on the agenda:-

Q1. *"Where is the new civic use if the Karrinyup Library is to be developed?"*

A1. The Director Planning and Development advised that the changes to the zoning which have been proposed do not impact on the use of the site in its current form. If Council was to decide to redevelop the library in the future that is a decision they would be able to make but at the moment it is simply a zoning change for the site.

4 AUGUST 2015

The following questions were submitted by Mr A Davies, 50 Francis Avenue, Karrinyup WA 6018, at the Council Meeting held Tuesday, 4 August 2015.

Q1. *"Are background integrity checks made of City of Stirling employees and Councillors to ensure they are not members or associated with any unlawful organisations?"*

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

Q2. *"What negotiations has the City of Stirling had during the last three years regarding the development of the Karrinyup Library site?"*

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

Q3. *"Did the Chief Executive Officer of the City of Stirling personally sign off on the suitability of the report submitted regarding the premises at Lot 71, House Number 4, Davenport Street, Karrinyup before it was deliberated on by Councillors?"*

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

13 OCTOBER 2015

The following questions were submitted by Mr A Davies, 50 Francis Avenue, Karrinyup, WA 6018 at the Council Meeting held Tuesday, 13 October 2015.

Q1. *"Has the City of Stirling Council decided to have the electors elect the Mayor for the City of Stirling, instead of 14 Councillors making the decision?"*

A1. The Mayor advised that the method of voting in a Mayor has been reviewed from time to time, over many years. He further advised that the decision was made by the current Council, and other Councils previously, and the status quo remains for the Mayor to be elected from within the Council.

Q2. *"Can I be advised why the community has not been given detailed plans for the development, or proposed development, for the Karrinyup Library situated at Lot 2, House Number 13, Davenport Street, Karrinyup, so they can be properly informed of the actual changes which will take place before the submission date of 27 October 2015?"*

- A2. The Mayor advised that there are no proposed drawings or plans at this point in time for Karrinyup Library.
- Q3. *"Did the CEO for the City of Stirling instruct the Coordinator Governance on the structure of the letter to me, dated 18 August 2015, regarding my question asked on 4 August 2015? The letter did not clearly show whether there had been such negotiations; it just stated that a written report would be made when negotiations were made. It didn't say whether there had previously been negotiations"*.
- A3. The Mayor advised this question would be taken on notice and a written response provided.

1 JANUARY 2016 TO 31 DECEMBER 2016

16 FEBRUARY 2016

The following questions were submitted by Mr A Davies, Karrinyup WA 6018, at the Council Meeting held Tuesday, 16 February 2016.

The following questions relate to Item 10.1/CP1 on the agenda:-

- Q1. *"What negotiations has the City of Stirling had, prior to August 2015, for the previous three years regarding the development of the Karrinyup Library site?"*
- A1. The Mayor advised that the question would be taken on notice, and a written response provided.
- Q2. *"What negotiations has the City of Stirling carried out since August 2015 regarding the Karrinyup Library development site?"*
- A2. The Mayor advised that the question would be taken on notice, and a written response provided.
- Q3. *"Have any proposed building plans for the Karrinyup Library site been submitted by any developers? If so, why hasn't the local community been kept in touch with that information?"*
- A3. The Mayor advised that there have been no plans submitted for any development on the library site.

Additional Information

- A1. No negotiations have been undertaken prior regarding the potential redevelopment of the Karrinyup Library site.
- A2. No negotiations have been undertaken since regarding the potential redevelopment of the Karrinyup Library site.

Should the City choose to enter into negotiations regarding the potential redevelopment of the Karrinyup Library site, the City's options will be the subject of a report to Council.

1 MARCH 2016

The following questions were submitted by Mr A Davies, Karrinyup WA 6018, at the Council Meeting held Tuesday, 1 March 2016.

- Q1. *"Will the Council consult ratepayers before any sale, or before the development is finalised, regarding the Karrinyup library site?"*
- A1. The Director Corporate Services advised that as part of the overall planning process, public consultation would occur.
- Q2. *"How much money does the City raise in rates on property in the City of Stirling area, excluding rubbish removals and security patrols?"*
- A2. The Mayor advised that the question would be taken on notice, and a written response provided.
- Q3. *"Will the Council now remove the payment of bonuses to senior City of Stirling employees, now that the mining industry is in a downturn? This will save ratepayers over \$300,000 per year."*
- A3. The Mayor advised that the question would be taken on notice, and a written response provided.

Additional Information

- A2. The City has budgeted to raise \$125 million from rates on property in the 2015/2016 financial year.
- A3. Given the current market conditions, the City has removed the payment of bonuses for senior City employees. The City continually monitors the market and economic conditions in relation to employee remuneration and will review the remuneration packages for senior positions as appropriate.

15 MARCH 2016

The following questions were submitted by Mr A Davies, Karrinyup WA 6018, at the Council Meeting held Tuesday, 15 March 2016.

- Q1. *"Can you advise me where, when and how ratepayers can have access to the records of the discussions held by City of Stirling Council employees, Councillors, or persons acting on their behalf or the behalf of the City of Stirling, regarding the development of the Karrinyup Library site during the past four years?"*
- A1. The Mayor advised that the question would be taken on notice, and a written response provided.

Additional Information

- A1. A request can be made in accordance with the Freedom of Information Act 1992 which gives the public a right to apply for access to documents held by the City of Stirling. Thereafter what is released is subject to the provisions of the Act. The application form, fees and further information on freedom of information can be found on the City's website via the following link:-

(<http://www.stirling.wa.gov.au/Council/Pages/Freedom-of-information-FOI.aspx>)

5 APRIL 2016

The following questions were submitted by Mr A Davies, Karrinyup WA 6018, at the Council Meeting held Tuesday, 5 April 2016.

Q1. *"Under what section of the Freedom of Information Act has the City of Stirling used to refuse to give ratepayers access to the records of discussions held by the City of Stirling Council employees, Councillors and persons acting on the behalf of the City of Stirling regarding the development of the Karrinyup Library site during the past four years?"*

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

Additional Information

A1. There are no records to be provided as neither the City of Stirling, nor any person acting on behalf of the City of Stirling, has undertaken any negotiations in regard to the Karrinyup Library site.

At the Council Meeting held 4 August 2015 you asked the following question:-

"What negotiations has the City of Stirling had during the last three years regarding the development of the Karrinyup Library site?"

The response to the question appeared as follows in the Council Agenda dated 18 August 2015 (page 8) and the Council Minutes dated 18 August 2015 (page 9):-

"The City is currently reviewing options for the potential redevelopment of the Karrinyup Library site? Should the City enter into negotiations regarding this site it will be the subject of a report to Council."

At the Council Meeting held 13 October 2015 you asked the following question:-

"Can I be advised why the community has not been given detailed plans for the development, or proposed development, for the Karrinyup Library situated at Lot 2, House Number 13, Davenport Street, Karrinyup, so they can be properly informed of the actual changes which will take place before the submission date of 27 October 2015?"

The response to the question appeared as follows in the Council Minutes dated 13 October 2015 (page 13):-

"The Mayor advised that there are no proposed drawings or plans at this point in time for Karrinyup Library."

At the Council Meeting held 13 October 2015 you also asked the following question:-

"Did the CEO for the City of Stirling instruct the Coordinator Governance on the structure of the letter to me, dated 18 August 2015, regarding my question asked on 4 August 2015? The letter did not clearly show whether there had been such negotiations; it just stated that a written report would be made when negotiations were made. It didn't say whether there had previously been negotiations".

The response to the question appeared as follows in the Council Agenda dated 17 November 2015 (page 9) and the Council Minutes dated 17 November 2015 (page 8):-

"The CEO did not instruct the Coordinator Governance on the structure of the letter dated 18 August 2015. *The response provided by the City in the letter dated 18 August 2015 outlines the City's position on this matter, and this remains the situation.*"

At the Council Meeting held 16 February 2016 you asked the following questions:-

- Q1. *"What negotiations has the City of Stirling had, prior to August 2015, for the previous three years regarding the development of the Karrinyup Library site?"*
- Q2. *"What negotiations has the City of Stirling carried out since August 2015 regarding the Karrinyup Library development site?"*
- Q3. *"Have any proposed building plans for the Karrinyup Library site been submitted by any developers? If so, why hasn't the local community been kept in touch with that information?"*

The response to Question 3 appeared as follows in the Council Minutes dated 16 February 2016 (page 11):-

- A3. "The Mayor advised that there have been no plans submitted for any development on the library site."

The response to questions 1 and 2 appeared as follows in the Council Agenda dated 1 March 2016 (page 8) and the Council Minutes dated 1 March (page 8):-

- A1. "No negotiations have been undertaken prior regarding the potential redevelopment of the Karrinyup Library site."
- A2. "No negotiations have been undertaken since regarding the potential redevelopment of the Karrinyup Library site."

Should the City choose to enter into negotiations regarding the potential redevelopment of the Karrinyup Library site, the City's options will be the subject of a report to Council."

At the Council Meeting held 1 March 2016 you asked the following question:-

"Will the Council consult ratepayers before any sale, or before the development is finalised, regarding the Karrinyup library site?"

The response to the question appeared as follows in the Council Minutes dated 1 March 2016 (page 11):-

"The Director Corporate Services advised that as part of the overall planning process, public consultation would occur."

At the Council Meeting held 15 March 2016 you asked the following question:-

"Can you advise me where, when and how ratepayers can have access to the records of the discussions held by City of Stirling Council employees, Councillors, or persons acting on their behalf or the behalf of the City of Stirling, regarding the development of the Karrinyup Library site during the past four years?"

The response to the question appeared as follows in the Council Agenda dated 5 April 2016 (page 14) and the Council Minutes dated 5 April 2016 (page 14):-

"A request can be made in accordance with the Freedom of Information Act 1992 which gives the public a right to apply for access to documents held by the City of Stirling. Thereafter what is released is subject to the provisions of the Act. The application form, fees and further information on freedom of information can be found on the City's website via the following link:-

<http://www.stirling.wa.gov.au/Council/Pages/Freedom-of-information-FOI.aspx>"

Under Section 5.94 of the Local Government Act 1995, any member of the public can access certain information held by the City.

Mr Davies, at all times the questions you have asked regarding the Karrinyup Library site have been answered by the City's officers. To date, no negotiations have taken place in regard to this site and there is no further information at this stage to be provided.

If you feel that this is not the case, you have the right under the Freedom of Information Act 1992 in its entirety to request specific information and the Coordinator Freedom of Information will action it. In the response above and the letter dated 1 April 2016 to you, the City has provided you with all the relevant information to lodge a Freedom of Information application.

Mr Davies, from the information above it is noted that you have asked the same or similar questions over a period of time to which you have always received a response in the Council Minutes and by letter if the questions were taken on notice.

Therefore, in accordance with Clause 5.7(11)(a) of the City of Stirling Meeting Procedures Local Law 2009 which can be viewed on the City of Stirling website at:-

<http://www.stirling.wa.gov.au/Council/Policies-and-local-laws/Policy%20and%20Local%20Laws/Meeting%20Procedures%20Local%20Law%202009.pdf> any future questions relating to the Karrinyup Library site will not be responded to.

5 APRIL 2016

The following questions were submitted by Mr A Davies, Karrinyup WA 6018, at the Council Meeting held Tuesday, 3 May 2016.

Q3. *"Can I be advised when changes will be made to alleviate the traffic flow problem in Davenport Street, Karrinyup? This is where vehicles are parked against the north curb of Davenport Street, east of Pike Street down to Francis Avenue."*

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

A3. Local streets have two functions, one of which is to convey vehicles and the other is to provide parking. Whilst parking on the road can impose a degree of constraint to vehicular passage, on-street parking is permitted on many other local roads of similar width and geometry and is actually considered to be a passive form of traffic management, in that motorists generally slow down to pass stationary vehicles.

Additional Information

Davenport Street has a carriageway width in the range of 7.0m - 7.5m and a daily traffic volume of less than 3,000 vehicles per day. This accords with the parameters for an Access Street C in 'Liveable Neighbourhoods Guidelines', which is an operational planning policy document provided by the Western Australian Government.

This type of street is also referred to as a 'yield or give way street' as the parking function is considered integral to this type of street and reduction to single vehicle width as fundamental to achieving its proper function. Furthermore, the Road Traffic Code also supports this function as, in the absence of any other markings or signage, the restrictions caused by parking vehicles are only an offence if less than 3.0m remains between a parked vehicle and the opposite kerb or vehicle.

For the above reasons, the City does not consider that this street warrants any additional parking restrictions at this time. Furthermore, the Joint Development Assessment Panel (a body acting on behalf of the Western Australian Planning Commission) recently approved a major redevelopment of Karrinyup Shopping Centre. As a condition of that approval, Davenport Street will be undergoing major street works that will see it changed into a different street environment in the near future.

17 MAY 2016

The following questions were submitted by Mr A Davies, Karrinyup WA 6018, at the Council Meeting held Tuesday, 17 May 2016.

- Q1. *"What was the average speed of motor vehicles travelling along Francis Avenue in Karrinyup, between Pascoe Street and Davenport Street, at the latest vehicle monitoring tests?"*
- A1. The Mayor advised that the question would be taken on notice, and a written response provided.
- Q2. *"Has the City, or any of its employees, carried out visual assessments of the traffic flow in Davenport Street, Karrinyup in the past 12 months?"*
- A2. The Director Infrastructure advised that he is aware a letter was previously issued, which articulated that given the recent approval of the Karrinyup redevelopment by AMP, Davenport Street would be undergoing a significant upgrade as part of that development application. The Director Infrastructure further advised that the question would be taken on notice and a further written response provided to specifically address the question of whether assessments were undertaken in the past 12 months.
- Q3. *"Has the City of Stirling or its employees got a policy of tolerating parking on median strips around building sites? This has been an ongoing problem for many years, and it does not seem to be getting any better. I made many complaints about six years ago about the parking, and it was not resolved. It is an ongoing problem."*
- A3. The Director Infrastructure advised that the City has an active policy of managing illegal parking where it is identified. If there are specific issues that a resident would like the City to pursue, officers are happy to look into them when advised of them.

Additional Information

- A1. The City's most recent traffic count surveys for this section of Francis Avenue were undertaken in July 2014. The average speed recorded during these surveys was 46.7km/h near Hall Street and 51.4km/h near Dean Street.
 - A2. Assessments of traffic and parking issues along Davenport Street were carried out by City officers in 2015 in response to concerns raised regarding on-street parking. The outcome of that assessment was that the traffic volumes and travel speeds along this road fell within acceptable parameters for a local access road, and that the geometry of the road was sufficient to safely accommodate on-street parking.
 - A3. The City of Stirling has adopted the 'Parking Local Law 2014', which outline provisions with regard to vehicles parking on median strips and prescribe a modified penalty of \$100 for this offence. Officers will respond to calls from the public in relation to vehicles parking illegally and will conduct patrols on Francis Avenue to monitor the area.
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14 JUNE 2016

The following questions were submitted by Mr A Davies, Karrinyup WA 6018, at the Council Meeting held Tuesday, 14 June 2016.

Q1. *"Was the assessment of traffic flow in Francis Avenue and Davenport Street, Karrinyup, referred to in the letter dated 27 May 2016 that was sent to me, a visual assessment?"*

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

Additional Information

A1. The assessment of traffic flow and parking included both a visual assessment and a review of quantitative data obtained from traffic count surveys.

5 JULY 2016

The following questions were submitted by Mr R Mitchell, Karrinyup WA 6018, at the Council Meeting held Tuesday, 5 July 2016.

Q7. *"It relates to Lot 2, House Number 13, Davenport Street, (known as the Karrinyup Library and Community Centre site) owned by the City of Stirling and located adjacent to the Karrinyup Shopping Centre. Item 10.1/CP1 page 14 of the 16 February 2016 Council Minutes, has the restricted covenant been on this property applied for lifting from the land title of this property."*

Q8. *"Is there an agreement and/or lease regarding the use of the carpark on Council land/property with the shopping centre?"*

Q9. *"Is public liability and insurance clearly defined between the parties?"*

Q10. *"In option 3, portion of the site may be redeveloped for uses, such as commercial tenancies and housing, is not available for public use. Why?"*

Q11. *"Does this proposal indicate the local Council, City of Stirling, is now encroaching on commercial and housing planning ownership and leasing that has no benefit for ratepayer/electors?"*

Q12. *"If so, Council Officers and the Council Infrastructure portfolio of services will be lessened to service the City of Stirling community as is required by the Local Government Act, won't it?"*

Additional Information

A7. In accordance with Item 10.1/CP1 on page 14 of the Council minutes held 16 February 2016 (Council Resolution Number 0216/037), Amendment No.66 to Local Planning Scheme No.3 has been referred to the Western Australian Planning Commission for consideration. Upon final approval, the City intends to make application to Landgate to remove the restrictive covenant from the land title of this property.

A8. No.

A9. Not applicable as there is no agreement and/or lease in place.

A10. Option 3 detailed in the report to the 16 February 2016 Council meeting relating to Amendment No.66 to Local Planning Scheme No.3 identified that further work would be required to develop a planning framework to guide redevelopment should the Amendment proceed. This work would take the form of a Local Development Plan and would enable identification of appropriate future uses for the site, among other things.

A11. No. Final approval of Amendment No.66 to Local Planning Scheme No.3 will rezone this property from 'Civic' to 'Development'. It will not affect a change in ownership or leasing of this property. A subsequent change in ownership or leasing of this property would be subject to the statutory regime under Section 3.58 (and where applicable, Section 3.59) of the Local Government Act 1995.

A12. No. Please see response to Q11. Services to the City of Stirling community would continue to be regulated by the Local Government Act 1995 and other applicable legislation.

2 AUGUST 2016

The following questions were submitted by Mr A Davies, Karrinyup WA 6018, at the Council Meeting held Tuesday, 2 August 2016.

Q3. *"Can I be advised how the decision to have 'no parking' signs erected on the north verge of Davenport Street, Karrinyup (outside house number 42) was made? Was it a request by the Karrinyup Shopping Centre?"*

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

Additional Information

- A3. *The City received complaints of near misses between vehicles exiting driveways opposite the shopping centre access, and subsequently inspected the parking arrangements to determine how they affected inter-visibility between vehicles.*

Officers monitored vehicle movements to assess how vehicles could emerge from driveways when parking obstructed inter-visibility, and the affect that had on vehicles along Davenport Street when slowly emerging from behind parked cars. Due to the nearby entry/exit from the shopping centre, it was determined that motorists exiting either of the driveways at 40-44 Davenport Street were required to monitor three separate directions of traffic before entering the carriageway.

Ordinarily this would not be an unreasonable expectation, however, in this instance, contending with three directions of traffic while vision of oncoming vehicles is hindered by parked vehicles was considered to cause a conflict. Accordingly, it was determined that a significant hazard was created by the restricted visibility caused by vehicles parked opposite the shopping centre entrance, and this warranted the installation of parking prohibitions to address the hazard.

It should be noted that these prohibitions were not the subject of any request from the shopping centre.

16 AUGUST 2016

The following questions were submitted by Mr A Davies, Karrinyup WA 6018, at the Council Meeting held Tuesday, 16 August 2016.

- Q3. *“Will the City of Stirling approach the Karrinyup Shopping Centre developers to ensure a mature tuart tree is not removed on the south verge of Davenport Street? It is near where the new entrance to Davenport Street is planned, in the vicinity of the Myer down ramp. The tree is in excess of 100 years old.”*

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

Additional Information

- A3. The Tuart tree on the southern side of Davenport Street indicated in the question is located on private property within the shopping centre site and is not a street tree. The approved development of the Karrinyup Shopping Centre does not show the tree to be retained as new buildings are approved in close proximity. The City will however approach the Karrinyup Shopping Centre developers regarding this matter to enable them to assess if the tree can be retained.

6 DECEMBER 2016

The following questions were submitted by Mr R Mitchell, Karrinyup WA 6018, at the Council Meeting held Tuesday, 6 December 2016.

Q3. *"In relation to the Karrinyup Library, Community Centre and car park - after Council consultation with the management of the Karrinyup Shopping Centre when and which of these Council properties and vested areas granted under the terms from the R&I bank to be demolished or utilised within the proposed additions and alterations to the entire site.*

Is the Council to maintain the area as freehold under the terms of the grant? Why are not ratepayers or electors kept informed of the current consultation and process?"

A3. The Director Corporate Services advised that in relation to the site that was previously owned by Bankwest, the demolition and use of that site is strictly a matter for AMP, who currently own the land. In terms of the City's own property – at its meeting held 3 May 2016, Council resolved to enter into a non-binding negotiation with AMP Capital Investments Limited, regarding the Karrinyup Library site.

The outcome of the negotiation will be submitted for consideration by Council. The confidentiality requirements under Section 5.23(2) of the Local Government Act 1995 relating to this matter will be considered and reviewed prior to submission of the report to Council. This will determine whether the report will be publicly available.

1 JANUARY 2017 TO 31 DECEMBER 2017

11 APRIL 2017

The following questions were submitted by Mr A Davies, 50 Frances Avenue, Karrinyup WA 6018 at the Council Meeting held Tuesday 11 April 2017.

Q4. *"What contingency plans have been put in place to handle vehicle parking while the Karrinyup and Innaloo Shopping Centres are being developed?"*

A4. The Director Planning and Development advised that both of these projects are likely to be staged in terms of their construction. One of the conditions of approval, which were set by the Joint Development Assessment Panel, requires Site Management plans to be put in place. Site Management plans deal with issues including parking.

9 MAY 2017

The following questions were submitted by Mr R Mitchell, 9 Clark Place, Karrinyup WA 6018 at the Council Meeting held Tuesday 11 April 2017.

- Q1. *“My first question relates to the Karrinyup Community Centre, library and car park. Currently this property, with the mentioned infrastructure, is zoned ‘Civic and Leisure’ use via its grant by the then Rural and Industries Bank to the City of Stirling, for and on behalf of its ratepayers. Currently there is an application lodged by the Council to rezone this area to ‘Commercial and Residential’ use. I have noted that prior to any announcement, that on the south side of the Community Hall according to the remaining plaque dated 15 May 1998, the ‘crazy character’ murals have been removed. Are they to be replaced as the plaque is still there? Further to that, if the community centre and library are to be demolished, where will those buildings be relocated and established in the suburb of Karrinyup? The whole matter appears to be being carried out within a cone of silence and secrecy. Surely the ratepayers and electors of the City of Stirling have a right to know what is going on and comment on any proposals currently in progress?”*
- A1. The Director Planning and Development advised that the question relating to the artworks would be taken on notice and a written response provided. In relation to the rezoning proposal, this was initiated by Council via a public Council report and decision and has been publicly advertised. The submissions received have been considered, and the matter is now with the Minister for Planning for a final decision. In terms of the future use of that site, that is yet to be determined by Council.
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23 MAY 2017

The following questions were submitted by Mr N Morlet, 14 Davenport Street, Karrinyup WA 6018 at the Council Meeting held Tuesday 23 May 2017.

The following questions are in relation to Item 10.2/CP2 on the agenda:-

- Q1. *“Is Council aware that historical planning for the land surrounding the Karrinyup Shopping Centre, where our rooms are currently located, such as the Karrinyup Gwelup Local Area Plan and Policy 5.7 Karrinyup Regional Design Guidelines have identified that the site for mixed use development and our proposal would be consistent with such mixed use?”*
- A1. The Mayor advised that the item was on the agenda for consideration during the meeting.
- Q2. *“Is Council aware that the development that we are proposing is not speculative development as the purpose of the proposal is to facilitate our new consulting rooms and better provide to the needs of the elderly and to provide appropriate disabled access and parking?”*
- A2. The Mayor advised that the item was on the agenda for consideration during the meeting. The Mayor further advised that Council is aware of the purpose as a deputation was made at Committee in relation to the item.

23 MAY 2017

The following questions were submitted by Mr A Davies, 50 Frances Avenue, Karrinyup WA 6018 at the Council Meeting held Tuesday 23 May 2017.

Q3. *“When will the ratepayers be advised of the position regarding the confidential negotiations which were approved to be carried out regarding the Karrinyup Library redevelopment site in early May 2016?”*

A3. The Mayor advised that negotiations are still ongoing; until anything further happens there is nothing to report.

Q4. *“Will the public be advised before it is too late to have any input?”*

A4. The Mayor advised that when it is made available the City will advise Mr Davies.

26 SEPTEMBER 2017

The following questions were submitted by Mr J Garber, 36A Pola Street, Dianella, WA 6059 at the Council Meeting held Tuesday 26 September 2017.

Q1. *“At the Electors’ meeting, I asked questions pertaining to the Karrinyup Library. Could I please obtain your assurances that should an offer for the sale, transfer, exchange, trade or otherwise dispose of that property, that the community be made aware of the transaction prior to its consummation, and that reasonable and proper notice to the community will be given to provide their consultation on any proposals?”*

A1. The Mayor confirmed this would occur.

1 JANUARY 2018 TO 31 DECEMBER 2018

6 FEBRUARY 2018

The following questions were submitted by Mr A Davies, 50 Francis Avenue, Karrinyup, WA 6018 at the Council Meeting held Tuesday 6 February 2018.

Q1. *“Good evening Mr Mayor, Councillors, Staff and members of the gallery. Will the City of Stirling carry out an audit and record the number of trees which will be removed during the development of the Karrinyup Shopping Centre land in line with the new canopy of trees program? If not, why not?”*

A1. The Director Planning and Development advised that any trees that are removed would be part of the development approval relating to the site, which was issued through the Joint Development Assessment Panel. The applicant or the developer will be required to protect any existing trees that are noted not to be removed.

Q2. *“But will the number that does get removed be recorded by the Council?”*

A2. The Director Planning and Development advised that the number that does get removed is identified on the site plan.

- Q3. *“Do the Councillors and the Executive of the City of Stirling have a lack of trust in the ratepayers’ ability to accept the proposed changes for the development of the Karrinyup Library site? I find it hard to understand why ratepayers have been excluded from information regarding this matter for the last 18 months.”*
- A3. The Director Infrastructure advised that the discussions around the broader development of Karrinyup are ongoing. He further advised that the specific discussions around the Karrinyup library site are currently being held and once Council determines how it wishes to proceed, that information will certainly be made public - that commitment has already been made.
- Q4. *“If any further development is approved for any land in the lower area of Karrinyup Road, Balcatta as shown in Item 10.1/CP2, will the City of Stirling ensure that the development is carried out in a manner which will ensure the underground water is not poisoned in a like manner which occurred several years ago when the development occurred on the south side of Karrinyup Road opposite this area?”*
- A4. The Director Planning and Development advised that there have been significant advances in both the regulatory requirements around dealing with sites that have acid sulphate soils and the remediation of those sites to be suitable for development. He further advised that part of the planning process will take into account ground water, there will be a requirement for a district water management plan, as well as the environmental investigations relating to those specific sites which will form part of the assessment of the structure plan.
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20 MARCH 2018

The following questions were submitted by Mr A Davies, 50 Francis Avenue, Karrinyup, WA 6018 at the Council Meeting held Tuesday 20 March 2018.

- Q1. *“Has there been consideration given at any stage of the discussions or negotiations regarding the Karrinyup Community Centre development site for the CEO of the City of Stirling to use his delegated authority to sell the site? I have heard a figure of \$10 million. Because of the shroud of secrecy regarding this matter, ratepayers are wondering what is happening.”*
- A1. The Director Infrastructure advised that the short answer is no – there has been no consideration of the CEO using delegated authority to deal in the land at the Karrinyup Library.
- Q2. *“How many trees are going to be removed during the Karrinyup Shopping Centre development?”*
- A2. The Director Planning and Development advised that the question would be taken on notice and a written response provided.
- Q3. *“Will the City of Stirling ensure that the approximately 15 trees that are in the Karrinyup Community Centre site be retained if the area is developed, in accordance with the new policy?”*
- A3. The Director Planning and Development advised that there is currently no proposal for the redevelopment of the site, and therefore this is a hypothetical question which cannot be answered.

17 APRIL 2018

The following question submitted by Mr A Davies, 50 Francis Avenue, Karrinyup, WA 6018 was taken on notice at the Council Meeting held Tuesday 20 March 2018.

Q2. *“How many trees are going to be removed during the Karrinyup Shopping Centre development?”*

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

Additional Information

A2. The Centre is subject to a major \$600 million redevelopment across the entire site, including all car parking areas. The removal of existing trees was not part of the planning assessment process. The extent of works required is subject to detailed design and complex construction processes to be carried out over several years. The City is not able to advise how many trees will require removal to enable completion of the approved works.

8 MAY 2018

The following questions were submitted by Mr R Mitchell, 9 Clark Place, Karrinyup, WA 6018 at the Council Meeting held Tuesday 8 May 2017.

Q2. *“That was approximately two years ago. Five years before I asked the same question. The statement that it happens everywhere else is nothing to do with what I’ve asked for tonight. There is plenty of public transport around here. And right down the road there is another carpark where people pay. There are probably Council people that work and go on the train and leave their car there and they pay a parking fee. My next question relates to Lot 2, House Number 13, Davenport Street, Karrinyup which is the Civic Centre and library. The rezoning was from ‘Civic Centre’ to ‘Development’. This went through the Planning and Development Committee on 9 February 2016. It is now May 2018. The ratepayers are still none the wiser on what is happening there. I believe that a while back the Western Australian Planning Commission knocked back the issue relating to residences alongside it. We are left in limbo, we are not told anything. What is going to happen to the library and Civic Centre? What arrangements are being made relating to the adjacent car park which is part of Lot 2? As this car park is used extensively for shopping centre car parking, what arrangements exist with relation to “risk management” and leasing details with the owners of the shopping centre? The electors and ratepayers of the City of Stirling have a right to know and any changes to the current amended scheme lawfully advertised giving all details.”*

A2. The Director Planning and Development advised that Amendment No.66 to Local Planning Scheme No.3 rezoned this site from ‘Civic’ to ‘Development and Special Control Area’. This amendment was previously advertised to the public in accordance with the requirements of the Planning and Development (Local Planning Schemes) Regulations 2015. The amendment was approved by the Minister for Planning and gazetted on 15 August 2017; as a result, the site was rezoned to ‘Development’ and specific objectives for the site included within Local Planning Scheme No.3 – refer to Clause 6.14. The site is also subject to Local Planning Policy 5.7 – Karrinyup Regional Centre Design Guidelines. Detailed development standards will be outlined in a future Local Development Plan for the site, which once prepared is required to be advertised for public comment. At this stage, Council has not made any decision to redevelop the City’s land and the development approval for the adjoining Karrinyup shopping centre does not involve the City’s land.

- Q3. *“One interesting thing out of that is that it is quite a large lot, this Lot 2, and it has a significant amount of parking on it, which is the property of the City of Stirling. I mentioned about risk management. People use it there to go shopping, and if something happens, who is responsible?”*
- A3. The Director Planning and Development advised that it is a public carpark that is owned and operated by the City of Stirling. It would depend on the particular instance and circumstance of any incident that might happen at the site.
-

12 JUNE 2018

The following questions were submitted by Mr A Davies, Karrinyup WA 6020 at the Council Meeting held Tuesday 12 June 2018.

- Q2. *“How long are the libraries required to post public notices on their notice boards? I’ve not seen the notice from the West Australian newspaper dated 8 May 2018 regarding the closure of the south-east end of Oswald Street at Karrinyup Library.”*
- A2. The Mayor advised that the question would be taken on notice and a written response provided.
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3 JULY 2018

The following questions submitted by Mr A Davies, Karrinyup WA 6020 were taken on notice at the Council Meeting held Tuesday 12 June 2018.

- Q2. *“How long are the libraries required to post public notices on their notice boards? I’ve not seen the notice from the West Australian newspaper dated 8 May 2018 regarding the closure of the south-east end of Oswald Street at Karrinyup Library.”*
- A2. The Mayor advised that the question would be taken on notice and a written response provided.

Additional Information

- A2. Section 1.7 of the Local Government Act 1995 applies to Local Public Notice from actions arising from application of the Local Government Act 1995. There is no policy which states the length of time notices must be displayed; it is a case by case basis and is determined on the relevance and timeframes according to each notice.

The proposal for the road closure of a portion of the Oswald Street Road Reserve is not an action under the Local Government Act 1995, but rather the Land Administration Act 1997 (Section 58 – Closing Roads) which defines the requirements and standards of notice for closing roads. Section 58(3)(1) defines this notice as ‘until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.’

The City also makes available a copy of the Council report, Council's Resolution, a Copy of the Notice and associated plans upon request at the City of Stirling's Main Administration Building. Whilst not a requirement, the City will consider future notices involving road closures to be made available at the City's libraries

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 3 July 2018.

Q1. *"Are the Councillors and administrators of the City of Stirling aware of Item 6.2 on page 19 of the Corporate Business Plan 2017/2018 to 2020/2021 which states the City will comply with all legal requirements, observe high ethical standards in all it does, and be open and transparent with the community and other stakeholders? If so why have I not been fully informed about the negotiations taking place with regards to the Karrinyup library development site over the last two years?"*

A1. The Acting Mayor confirmed that Councillors and officers were aware.

The Director Infrastructure further advised that the City has previously given a clear commitment to Mr Davies that when there is information to provide to the community, this will occur. The Director Infrastructure advised that at this point in time, there are no ongoing negotiations with AMP over the Karrinyup library site; however, if that changes and the City proposes any outcomes, the community will certainly be informed.

7 AUGUST 2018

No questions were received related to the Karrinyup development during Public Question Time at Council Meeting held 7 August 2018.

21 AUGUST 2018

The following questions were submitted by Ms L Jack, Karrinyup WA 6018 at the Council Meeting held 21 August 2018.

Q1. *"My first question relates to the development on the Karrinyup Shopping Centre (DA18/0791) residential proposal on the corner of Davenport and Frances Streets which is currently open for public consultation. Could you please provide me with a plan that would clearly show which existing trees would be removed and which trees would be retained? The plans provided did not make this clear. Could I also have a copy of the developers landscaping plans to see what species of trees and plants they propose to plant there?"*

A1. The Director Planning and Development advised that the plans submitted as part of the current Development Assessment Panel application provide an indication of the trees to be removed and retained. A copy of these plans is available via the Your Say section of the City's website. The proposed plans provide an indication of the trees to be removed and retained onsite only, as these are on private property, and though the City encourages the retention of existing trees on private property, ultimately this is at the discretion of the land owner. Accordingly, the plans are indicative only.

In relation to the request for a copy of the landscaping plan for the development, the City advises that the current application relates to amendments to a previous approval, which was Development Application 17/1653. In this regard Condition 57 of that development approval requires landscaping to be provided in accordance with the submitted landscaping plan that was provided by the applicant, dated August 2017, which is included in a link that I will provide to you in writing. Condition 57 requires the submission of the detailed landscaping plan including information such as species, retention/removal of existing vegetation, and the depth and extent of mulching to be used.

The City is awaiting the submission of this detailed landscaping plan, which is to be reviewed by the City's Park and Sustainability Business Unit, to clear that Condition 57. Should the current Development Application be supported, the City is likely to request a similar condition to be imposed as part of the development approval.

The Director advised that he would provide the above response in writing, and include the link to the landscaping plan.

- Q2. *"As the Karrinyup Shopping Centre is a major retail centre close to the Scarborough Beach tourist precinct and surrounding Trigg Bushland conservation area, hopefully there will be an integrated tourist plan for these sites and quite a few tourists will be around in the precinct. However, looking at AMP Capital's artist impressions of the new shopping centre, the trees they depict are all Norfolk Pines and other foreign species. There is nothing unique or interesting about these drawings - they could be anywhere in the world, they don't have a distinctive West Australian feel for tourism.*

Is there any way that the City could ask AMP Capital if they could please incorporate some local native trees and plants where ever possible to create our uniquely West Australian feel for tourists and also for residents and wildlife?

- A2. The Mayor advised that he would be happy to meet with Ms Jack and will arrange a meeting to discuss this.

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 21 August 2018.

- Q1. *"Why have the residents near the seven story apartment buildings proposed for the Karrinyup Shopping Centre only been given from 6 August 2018 to 5.00pm on 23 August 2018 to submit their objections to the City of Stirling?"*

- A1. The Director Planning and Development advised that the time period given for any submission is in accordance with Council's Planning Consultation Procedure.

4 SEPTEMBER 2018

The following questions submitted by Ms L Jack, Karrinyup WA 6018 were taken on notice at the Council Meeting held 21 August 2018.

- Q1. *"My first question relates to the development on the Karrinyup Shopping Centre (DA18/0791) residential proposal on the corner of Davenport and Frances Streets which is currently open for public consultation. Could you please provide me with a plan that would clearly show which existing trees would be removed and which trees would be retained? The plans provided did not make this clear. Could I also have a copy of the developers landscaping plans to see what species of trees and plants they propose to plant there?"*

- A1. The Director Planning and Development advised that the plans submitted as part of the current Development Assessment Panel application provide an indication of the trees to be removed and retained. A copy of these plans is available via the Your Say section of the City's website. The proposed plans provide an indication of the trees to be removed and retained onsite only, as these are on private property, and though the City encourages the retention of existing trees on private property, ultimately this is at the discretion of the land owner. Accordingly, the plans are indicative only.

In relation to the request for a copy of the landscaping plan for the development, the City advises that the current application relates to amendments to a previous approval, which was Development Application 17/1653. In this regard Condition 57 of that development approval requires landscaping to be provided in accordance with the submitted landscaping plan that was provided by the applicant, dated August 2017, which is included in a link that I will provide to you in writing.

Condition 57 requires the submission of the detailed landscaping plan including information such as species, retention/removal of existing vegetation, and the depth and extent of mulching to be used. The City is awaiting the submission of this detailed landscaping plan, which is to be reviewed by the City's Parks and Sustainability Business Unit, to clear Condition 57. Should the current Development Application be supported, the City is likely to request a similar condition to be imposed as part of the development approval.

The Director advised that he would provide the above response in writing, and include the link to the landscaping plan.

- Q2. *“As the Karrinyup Shopping Centre is a major retail centre close to the Scarborough Beach tourist precinct and surrounding Trigg Bushland conservation area, hopefully there will be an integrated tourist plan for these sites and quite a few tourists will be around in the precinct. However, looking at AMP Capital’s artist impressions of the new shopping centre, the trees they depict are all Norfolk Pines and other foreign species. There is nothing unique or interesting about these drawings - they could be anywhere in the world, they don’t have a distinctive West Australian feel for tourism.*

Is there any way that the City could ask AMP Capital if they could please incorporate some local native trees and plants where ever possible to create our uniquely West Australian feel for tourists and *also* for residents and wildlife?

- A2. The Mayor advised that he would be happy to meet with Ms Jack and will arrange a meeting to discuss this.

Additional Information

- A1. In addition to the information provided at the meeting by the Director Planning and Development (shown above in A1), the plan indicating the trees to be removed and retained is available on the City's website via the following link:-

<https://yoursay.stirling.wa.gov.au/DA>

The City is awaiting the submission of a detailed landscaping plan, which is to be reviewed by the City's Parks and Sustainability Business Unit, to clear Condition 57. Should the current Development Application be supported, the City is likely to request a similar condition be imposed as part of the development approval. The following link is to the previous development approval (DA17/1653 refers):-

<https://www.planning.wa.gov.au/daps/data/metropolitan%20daps/metro%20north-west%20jdap/Meeting%20agendas%20and%20papers/20171219%20-%20Agenda%20-%20No%20196%20-%20City%20of%20Stirling.pdf>

- A2. A meeting with the Mayor and relevant officers has been organised with Ms Jack.

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 4 September 2018.

Q3. *“Will the City of Stirling now cease to have further negotiations with AMP regarding the Karrinyup Library site, in view of the adverse comments against AMP which occurred during the Royal Commission into the banking industry?”*

A3. The Director Infrastructure advised that the City has currently had no further negotiations regarding the Karrinyup Library site. AMP are, however, a significant developer of the Karrinyup Shopping precinct and on that basis, the City would continue to have a dialogue with them, not only about the development but also other opportunities that may present themselves through the development of that precinct.

18 SEPTEMBER 2018

No questions were received related to the Karrinyup development during Public Question Time at Council Meeting held 7 August 2018.

2 OCTOBER 2018

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 2 October 2018.

Q4. *“Will the elected Councillors ensure that the proposed seven storey apartments, at the corner of Francis Avenue and Davenport Street, Karrinyup, is not approved as it impinges on the privacy of the residents; it does not blend in with the local residential area and it will create overshadowing of homes?”*

A4. The Acting Director Planning and Development advised that application will be determined by the Joint Development Assessment Panel; it won't be determined by the Council.

16 OCTOBER 2018

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 16 October 2018.

Q1. *“Why did the change of plans to construct 91 apartments at the corner of Francis Avenue and Davenport Street, Karrinyup (instead of the previously approved 55 units) go straight to the North West Joint Development Panel, instead of being required to undergo a fresh application status? There is enormous change of construction in that area.”*

A1. The Manager Development Services advised that the application is lodged as a new application, known as a 'Form 1', to the Joint Development Assessment Panel (JDAP) directly. The City has provided a 'Responsible Authority Report'. The decision is to be made on the application on Friday 19 October by the JDAP – it is not an item for Council's consideration.

Q2. *“Did the City of Stirling administration have a perceived conflict of interest in the report submitted about the suitability of the area of the Karrinyup Shopping Centre for the construction of the seven storey apartments, while they were in negotiations with AMP about the Karrinyup Library site, and the fact that they will receive at least \$90,000 in additional funds in rates?”*

A2. The Mayor advised that the City is not in negotiations with AMP.

The Director Planning and Development further advised that the City’s planning assessment is based on the City’s planning scheme and relevant local planning policies. It does not take into account rates or any other dealings that the City has or does not have with adjoining sites.

6 NOVEMBER 2018

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 6 November 2018.

Q3. *“Can you explain why the City of Stirling’s Planning Department recommended the approval of the construction of the 7 storey apartments at the corner of Francis Avenue and Davenport Street, Karrinyup and the two Councillors who represented the City of Stirling on the Metro North-West Joint Development Assessment Panel voted in favour of the application when it was clear that the residents were not in favour of the height of the construction?”*

A3. The Director Planning and Development advised that the City has a responsibility to assess the application against the City’s planning framework; that was clearly set out in the Responsible Authority Report. That led the City’s officers, following the assessment of both the application itself and the submissions received during the advertising of the application, to recommend support, or approval, for the application subject to conditions. That Responsible Authority Report was presented to the JDAP; the JDAP considered the report, together with any other submissions that were made, and then they made their determination.

Q4. *“Without consideration of the residents?”*

A4. The Director Planning and Development advised that the residents submissions were included as part of the Responsible Authority Report.

20 NOVEMBER 2018

The following question was submitted by Dr C Sorensen, Karrinyup WA 6018 at the Council Meeting held Tuesday 20 November 2018.

Q1. *“With regard to parking for the Karrinyup Shopping Centre staff – as of Monday, over 400 bays were closed off and made unavailable to the staff. There were parking police at all the entrances, checking to see if staff were parking in there, and they were subsequently fined if they did. The staff at Karrinyup Shops have been instructed to park in the residential streets; a brochure highlights various places for them to park, which are all residential streets. Why has there been no community information or consultation provided, and what alternatives have been sought for the 400+ bays?”*

A1. The Mayor advised that as soon as the City was made aware of the situation, urgent meetings were immediately held with AMP Capital, and today [Tuesday 20 November 2018], they issued a notice to all their employees instructing them to park back on site at Karrinyup Shopping Centre. From 26 November 2018 to 4 January 2019, they will then be instructed to park on the Jeans Prisk Reserve, as a temporary measure, to ensure that they are not flowing onto the streets. That will give the City and AMP Capital sufficient time to find a more permanent solution over the next two to three years.

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 20 November 2018.

Q1. *"Why has the City of Stirling failed to ensure that the part road closure of Davenport Street, Karrinyup and the fencing-off of the western footpath on Francis Avenue between Karrinyup Road and Davenport Street was advertised in the community newspaper or in the Karrinyup Library? I noticed a blind man on the footpath yesterday; I am aware he normally goes to the library. I got one of the workers to go to his aid; this person is a regular and he obviously had no prior warning of the problem, like a lot of people in Karrinyup."*

A1. The Director Infrastructure advised that the communication of the footpath closures, and of the employee parking in the area, was not handled particularly effectively, however the City is currently in consultation with AMP to address those issues. He further advised that the question would be taken on notice and a more detailed written response provided.

Q2. *"When the City of Stirling replaced the 50m of concrete footpath on the southern side of Davenport Street, near the junction of Francis Avenue, were they aware that the demolition process was due to start?"*

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

Q3. *"What action did the City of Stirling take to ensure that the parking of employees does not cause a problem in Karrinyup?"*

A3. The Mayor advised that part of the DA approval is that a parking management plan should be in place, and the City was not aware that the notice was going to go out to employees. The Mayor further acknowledged that the situation was not handled as well as it could have been.

4 DECEMBER 2018

The following questions submitted by Mr A Davies, Karrinyup WA 6018 were taken on notice at the Council Meeting held Tuesday 20 November 2018.

Q1. *"Why has the City of Stirling failed to ensure that the part road closure of Davenport Street, Karrinyup and the fencing-off of the western footpath on Francis Avenue between Karrinyup Road and Davenport Street was advertised in the community newspaper or in the Karrinyup Library? I noticed a blind man on the footpath yesterday; I am aware he normally goes to the library. I got one of the workers to go to his aid; this person is a regular and he obviously had no prior warning of the problem, like a lot of people in Karrinyup."*

- A1. The Director Infrastructure advised that the communication of the footpath closures, and of the employee parking in the area, was not handled particularly effectively, however the City is currently in consultation with AMP to address those issues. He further advised that the question would be taken on notice and a more detailed written response provided.
- Q2. *“When the City of Stirling replaced the 50m of concrete footpath on the southern side of Davenport Street, near the junction of Francis Avenue, were they aware that the demolition process was due to start?”*
- A2. The Mayor advised that the question would be taken on notice and a written response provided.

Additional Information

- A1. Multiplex conducted a mail-out to residents. They also placed advertisements in the Stirling Times via the Community Newspaper Group for the week beginning 5 November 2018. Two separate advertisements (with diagrams) were published, outlining the footpaths and part road closures. Copies of the advertisements and mail-outs have been posted to Mr Davies for reference.

The City has also arranged for Multiplex to advertise in the Karrinyup library in the future.

- A2. The City was aware of the demolition at the time of these path repairs. The path works were completed in early June 2018. The state of this path across different locations was unsafe for pedestrians; the cheapest and safest option was to replace these sections of path.

The following question was submitted by Ms J Massang, Karrinyup WA 6018 at the Council Meeting held Tuesday 4 December 2018.

- Q1. *“I would like to know if there is anything that Council can do to stop the removal of anymore orgoth eucalyptus trees at the Karrinyup Shopping Centre, specifically the ones near the Northcourt Building? They are over 100 years old. Can I also ask the Council to write on behalf of all ratepayers to express our concerns about the destruction of these trees?”*

- A1. The Director Planning and Development advised that the north-court building is not being impacted by the current development on the Karrinyup Shopping Centre site. The City will review the concept landscape plan that has been provided by the applicant and provide a written response to confirm any tree removals in proximity to that particular building. The Mayor further confirmed that the City will write to AMP on behalf of the ratepayers advising them of the concerns.

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 4 December 2018.

- Q2. *“Why did the City of Stirling permit the footpath from the west side of Karrinyup Avenue, Karrinyup to be fenced off between Karrinyup Road to Davenport Street? The fencing off section had the only public telephone box in the area removed; the other one was actually on the shopping centre site and that has gone. Also, how much money is the City of Stirling receiving as a result of that?”*

- A2. The Director Planning and Development advised that the matter would be a part of the traffic management plan. The Director confirmed that the question would be taken on notice and a written response provided.
- Q3. *"How much money has the City of Stirling received in parking fines in the area of the west side of the Karrinyup Library and does the shopping centre have any control on that carpark?"*
- A3. The Director Community and Development advised that the question would be taken on notice and a written response provided.

1 JANUARY 2019 TO 31 DECEMBER 2019

12 FEBRUARY 2019

The following question submitted by Ms J Massang, Karrinyup WA 6018 was taken on notice at the Council Meeting held Tuesday 4 December 2018.

- Q1. *"I would like to know if there is anything that Council can do to stop the removal of anymore orgoth eucalyptus trees at the Karrinyup Shopping Centre, specifically the ones near the Northcourt Building? They are over 100 years old. Can I also ask the Council to write on behalf of all ratepayers to express our concerns about the destruction of these trees?"*
- A1. The Director Planning and Development advised that the north-court building is not being impacted by the current development on the Karrinyup Shopping Centre site. The City will review the concept landscape plan that has been provided by the applicant and provide a written response to confirm any tree removals in proximity to that particular building. The Mayor further confirmed that the City will write to AMP on behalf of the ratepayers advising them of the concerns.

Additional Information

- A1. The retention of the trees was not a specific issue in the determination of the original application and the trees are not protected by the terms of the approval granted by the Joint Development Assessment Panel (JDAP) on 14 August 2015. At the time, the City had not introduced provisions into Local Planning Scheme No.3 to protect trees on private property. However, a detailed landscaping plan is required to be provided to the satisfaction of the City which will detail the trees that the owner wishes to retain on the site.

While the City has not yet received a detailed landscaping plan as required by the conditions of development approval, the concept landscaping plans prepared by UDLA and TCL dated August 2017 form Attachment 5d to the City's Responsible Authority Report to the JDAP for application DA17/1653. To view the plan, please refer to the Department of Planning, Lands and Heritage website where these documents are publicly available. However, it is noted that the concept plans prepared by UDLA and TCL provide limited detail in relation to the North Court building.

It is expected that the detailed landscaping plan will be provided at the time of the applicant seeking a Building Permit to construct the first stages of new work on the site.

The following questions submitted by Mr A Davies, Karrinyup WA 6018 were taken on notice at the Council Meeting held Tuesday 4 December 2018.

- Q2. *"Why did the City of Stirling permit the footpath from the west side of Karrinyup Avenue, Karrinyup to be fenced off between Karrinyup Road to Davenport Street? The fencing off section had the only public telephone box in the area removed; the other one was actually on the shopping centre site and that has gone. Also, how much money is the City of Stirling receiving as a result of that?"*
- A2. The Director Planning and Development advised that the matter would be a part of the traffic management plan. The Director confirmed that the question would be taken on notice and a written response provided.
- Q3. *"How much money has the City of Stirling received in parking fines in the area of the west side of the Karrinyup Library and does the shopping centre have any control on that carpark?"*
- A3. The Director Community and Development advised that the question would be taken on notice and a written response provided.

Additional Information

- A2. Site works have commenced at Karrinyup Shopping Centre relating to the redevelopment of the centre, with works commencing on the eastern side of the site along Francis Avenue and the eastern side of Davenport Street. The development of the centre will be managed in accordance with development approvals determined by the Joint Development Assessment Panel and associated conditions of approval which include a site management plan and traffic management plan. A requirement to close off the public footpath to the west side of Karrinyup Road was requested by the developer in the traffic management plan to ensure the development work does not impact upon public safety. The City has not received any financial gain relating to the closure of footpaths.
- A3. Since 2015, the City has received approximately \$14,395 in parking fine revenue from the City owned car park west of the Karrinyup library. The Shopping centre does not have control or management of the parking area.

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 12 February 2019.

- Q1. *"Was the enclosure of the footpaths in Davenport Street and Francis Avenue authorised under a lease agreement? If so, why didn't it come before Council? If not, who approved it and what rental is being charged, as buildings are on part of the footpath and a crane is operating in a fenced off area of the closed lane of Francis Avenue, and signage is on the fence along there?"*
- A1. The Director Planning and Development advised that the arrangements in relation to the construction site and traffic management have been approved by the City's Engineering Operations team. He further advised that a written response would be provided.
- Q2. *"It didn't come before Council for them to authorise it?"*
- A2. The Director Planning and Development advised that it did not.

- Q3. *“How many air quality tests have been carried out at the Karrinyup Shopping Centre development site? There’s a large amount of dust coming from that site. I know of a lot of people having problems with that dust.”*
- A3. The Director Planning and Development advised that the City has received a number of complaints, which the City is working through with the main contractor, Multiplex, at the site. The City is working to ensure that dust is managed in accordance with their Site Management Plan, which requires regular wetting down of the site during the construction works.
- Q4. *“I asked the question about air quality tests. Have any been carried out?”*
- A4. The Director Planning and Development advised that the City’s Dust and Liquid Waste Local Law does not require air quality tests to be carried out; it requires the identification of visible dust leaving the site. The City is working with Multiplex to ensure that dust measures are mitigated at the site.
- Q5. *“Why has the City of Stirling permitted the road work signage to remain in Francis Avenue, Karrinyup Road, and Prisk Street? It is only a construction site, there are no road works going on. These signs were still in place in Karrinyup Road and Francis Avenue during the Christmas break, when there was no work being carried out on that site. Motorists caught travelling past those areas at a speed greater than 40km per hour are liable to a fine and also a loss of demerit points; during the Christmas break they were liable for double. I’m prepared to take this matter up with the Ombudsman, because I am concerned about the abuse of these signs.”*
- A5. The Director Planning and Development advised that the question would be taken on notice and a written response provided.

The following questions were submitted by Mr R Mitchell, Karrinyup WA 6018 at the Council Meeting held Tuesday 12 February 2019.

- Q5. *“I received correspondence from the Manager Governance in relation to the site there [Karrinyup Shopping Centre development], which stated that the relevant Business Unit had advised that the whole of the site was a construction site. In actual fact, there has been a verge permit issued. I would like to state that the verge permit fee is \$200 non-refundable, and the verge bond for minor works under \$20,000 - not demolition - is \$1,000. When it is over \$20,000 - \$1,500. They are refundable provided that no damage is done post-works. Verge permits are valid for two years and can be extended.*

I sent a letter in to the Council in relation to other councils having lease agreements per square meterage of the verge area, and this one in Karrinyup encases the whole of the verge, not only the footpath - it takes in part of the road. And then near Smith Street, just recently, there’s another construction going on.

And now, I’d just like to know why it appears that these costs and methods have been grandfathered too long. I supposed the scenario will be repeated at the 3 Oceans development in Scarborough too? What has evolved now is an utter administrative disgrace and I hope you all get together and do something about modernising it.”

- A5. The Director Planning and Development advised that the question would be taken on notice and a written response provided.

26 FEBRUARY 2019

The following questions submitted by Mr A Davies, Karrinyup WA 6018 were taken on notice at the Council Meeting held Tuesday 12 February 2019.

- Q1. *"Was the enclosure of the footpaths in Davenport Street and Francis Avenue authorised under a lease agreement? If so, why didn't it come before Council? If not, who approved it and what rental is being charged, as buildings are on part of the footpath and a crane is operating in a fenced off area of the closed lane of Francis Avenue, and signage is on the fence along there?"*
- A1. The Director Planning and Development advised that the arrangements in relation to the construction site and traffic management have been approved by the City's Engineering Operations team. He further advised that a written response would be provided.
- Q5. *"Why has the City of Stirling permitted the road work signage to remain in Francis Avenue, Karrinyup Road, and Prisk Street? It is only a construction site, there are no road works going on. These signs were still in place in Karrinyup Road and Francis Avenue during the Christmas break, when there was no work being carried out on that site. Motorists caught travelling past those areas at a speed greater than 40km per hour are liable to a fine and also a loss of demerit points; during the Christmas break they were liable for double. I'm prepared to take this matter up with the Ombudsman, because I am concerned about the abuse of these signs."*
- A5. The Director Planning and Development advised that the question would be taken on notice and a written response provided.

Additional Information

- A1. As part of the overall Traffic Management Plan for the development, part of the verge was authorised for use by the contractor, as long as an adequate pedestrian footpath was provided by them. There is no rental being charged for this. The signage has been installed on the fencing and provides information on the project.
- A5. The road signage remaining in place on Prisk Street was part of the approved Traffic Management Plan with afterhours care to ensure the safety of road users and pedestrians. The contractors were still able to continue their works over the Christmas break, which is the reason the aftercare signs remained in place for the duration. Signage on Karrinyup Road and Francis Avenue was also part of a road traffic manager endorsed Traffic Management Plan for the duration of the project. With the changed traffic conditions in place and the high volume of pedestrians through that precinct, it was imperative these signs remain in place to ensure the safety of pedestrians and motorists alike.

The following questions submitted by Mr R Mitchell, Karrinyup WA 6018 were taken on notice at the Council Meeting held Tuesday 12 February 2019.

Q5. *“I received correspondence from the Manager Governance in relation to the site there [Karrinyup Shopping Centre development], which stated that the relevant Business Unit had advised that the whole of the site was a construction site. In actual fact, there has been a verge permit issued. I would like to state that the verge permit fee is \$200 non-refundable, and the verge bond for minor works under \$20,000 - not demolition - is \$1,000. When it is over \$20,000 - \$1,500. They are refundable provided that no damage is done post-works. Verge permits are valid for two years and can be extended. I sent a letter in to the Council in relation to other councils having lease agreements per square meterage of the verge area, and this one in Karrinyup encases the whole of the verge, not only the footpath - it takes in part of the road. And then near Smith Street, just recently, there’s another construction going on.*

And now, I’d just like to know why it appears that these costs and methods have been grandfathered too long. I suppose the scenario will be repeated at the 3 Oceans development in Scarborough too? What has evolved now is an utter administrative disgrace and I hope you all get together and do something about modernising it.”

A5. The Director Planning and Development advised that the question would be taken on notice and a written response provided.

Additional Information

A5. The development approval for the redevelopment of the Karrinyup Shopping Centre requires upgrading of the roads and verges around the entire centre. As such the conditions of development approval will ensure that the City’s verges and road treatments meet the City’s requirements and standards. Separately, Council has initiated a detailed review of all local laws that apply to the road reserve and verges, and the City’s attendant policies will be updated as part of the local law review.

12 MARCH 2019

Nil.

26 MARCH 2019

Nil.

16 APRIL 2019

The following questions were submitted by Mr R Mitchell, Karrinyup WA 6018 at the Council Meeting held Tuesday 16 April 2019.

Q2. *"It's been brought to my notice and I noticed today that Karrinyup Shopping Centre... is noise abatement during the day being monitored at Karrinyup Shopping Centre? Are Council in control of the situation on an ongoing basis? Noise is permeating into the shopping centre and is intolerable at times, is it recorded?"*

A2. The Director Planning and Development advised that in terms of the noise at the Karrinyup Shopping Centre, which is currently undergoing redevelopment, the City does not monitor the noise, but does act on complaints. The City would not be controlling the noise transfer into the shopping centre – that is a matter for the Shopping Centre owners to control.

The Mayor advised that the City could follow up with the Management of the Centre and the builders.

Q2. *"I thought there was a building permit issued for the shopping centre. Isn't that part of the building permit?"*

A2. The Director Planning and Development advised that noise control comes under separate legislation, not as part of the building permit. The building permit simply ensures that the building is constructed in accordance with the building code of Australia and the Australian Construction Code.

Q3. *"Who monitors the noise? I know that Worksafe do it in relation to the construction staff, but with the public, and a shopping centre that's within the City of Stirling, and you have health and other matters here that you should be able to put in monitoring equipment and record it and take action if necessary."*

A3. The Mayor thanked Mr Mitchell for bringing the issue to the City's attention and advised that the City would follow up with the builders and with the Centre Management.

14 MAY 2019

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 14 May 2019.

Q1. *"Has the City of Stirling carried out any air quality tests in the area of the Karrinyup Shopping Centre since my last question on the matter? If not, why not, in view of the large dust problem in the area?"*

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

Q3. *"Was the water sump, which was installed in the Karrinyup Library paved area at the east side of the building, carried out for the benefit of the Karrinyup Shopping Centre? If not, for what purpose was it installed and who paid for the work?"*

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

28 MAY 2019

The following questions submitted by Mr A Davies, Karrinyup WA 6018 were taken on notice at the Council Meeting held Tuesday 14 May 2019.

Q1. *"Has the City of Stirling carried out any air quality tests in the area of the Karrinyup Shopping Centre since my last question on the matter? If not, why not, in view of the large dust problem in the area?"*

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

Q3. *"Was the water sump, which was installed in the Karrinyup Library paved area at the east side of the building, carried out for the benefit of the Karrinyup Shopping Centre? If not, for what purpose was it installed and who paid for the work?"*

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

Additional Information

A1. The City of Stirling has not conducted air quality tests within the Karrinyup Shopping Centre locality. To determine compliance with the City's "Prevention and Abatement of Dust and Liquid Waste Local Law", authorised officers view evidence of visible dust lifting from the site and travelling to adjoining properties. There is no quantitative dust levels specified in legislation; hence the City attempts to obtain visual evidence.

In reference to the Karrinyup Shopping Centre redevelopment, the City has no record of dust complaints in the last three months but did investigate several complaints in December 2018, and in January and February 2019. Dust nuisance from the site appears to have decreased as works have progressed away from excavating activities. When complaints are received, the City notifies the contractor, Multiplex, and assesses the effectiveness of the dust suppression methods in place.

If residents experience a dust nuisance from the Karrinyup site, the City encourages completion and lodgement of an Environmental Health Service Request form; these are available via the City's the website - <https://www.stirling.wa.gov.au/business-and-tourism/business/starting-a-business/health-approval/environmental-health-service-request> or by contacting the City's Environmental Health team on 9205 8555.

A3. The City's Library Building was previously drained via an interconnected drainage system which ran through the existing Karrinyup Shopping Centre site. To facilitate the re-development of the Karrinyup Shopping Centre, it was necessary for the developer to remove this interconnected drainage system, which would have left the City's Library Building cut off and without adequate drainage. As part of the re-development approval, the City required that adequate stormwater drainage would be provided to the City's Library site. The drainage was designed in accordance with the City's requirements, and the construction was carried out by the developer's construction contractors under the City's supervision. The design and construction works were fully funded by the Karrinyup Shopping Centre developer.

11 JUNE 2019

The following questions submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday, 11 June 2019.

Q3. *“How often have City of Stirling health officers visited the Karrinyup Shopping Centre redevelopment site during 2019 to check on the dust coming from the site – especially coming off the roadways and from the trucks?”*

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

2 JULY 2019

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 11 June 2019.

Q3. *“How often have City of Stirling health officers visited the Karrinyup Shopping Centre redevelopment site during 2019 to check on the dust coming from the site – especially coming off the roadways and from the trucks?”*

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

Additional Information

A3. Environmental Health Officers have been onsite on multiple occasions during 2019 for the purposes of monitoring dust from the Karrinyup Development site including dust from trucks leaving the site and remnant dust on the road. The most recent resident complaint regarding dust in the area was in February 2019; following the receipt of this complaint, the site was visited approximately two to four times a week for the remainder of February and March. Two inspections were also undertaken within the site (one in January and one in February) when officers meet with representatives from Multiplex to discuss measures to prevent dust travel from the site.

30 JULY 2019

Nil.

13 AUGUST 2019

Nil.

27 AUGUST 2019

Nil.

10 SEPTEMBER 2019

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 10 September 2019.

Q1. *“What temperature increase for nearby residents and bird life was factored into the environmental report submitted by City employees, regarding the development application for the Karrinyup Shopping Centre extensions? The volume and area covered by concrete will increase the temperature for nearby residents, especially the height which will affect the prevailing cooling breeze. The birds have gone from Davenport Street and the southern end of Francis Avenue since the trees were removed.”*

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

24 SEPTEMBER 2019

The following questions submitted by Mr A Davies, Karrinyup WA 6018 were taken on notice at the Council Meeting held Tuesday 10 September 2019.

Q1. *“What temperature increase for nearby residents and bird life was factored into the environmental report submitted by City employees, regarding the development application for the Karrinyup Shopping Centre extensions? The volume and area covered by concrete will increase the temperature for nearby residents, especially the height which will affect the prevailing cooling breeze. The birds have gone from Davenport Street and the southern end of Francis Avenue since the trees were removed.”*

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

Additional Information

A1. The Karrinyup Shopping Centre development was required to be assessed against the City's Planning Framework including Local Planning Scheme No.3 and Local Planning Policy 5.7 – Karrinyup Regional Centre Guidelines which required the development to provide for a high quality built form and pedestrian amenity. The application was assessed against the relevant planning framework and its design including landscaping provision was supported and approved by the North-West Joint Development Assessment Panel (JDAP) who were the decision maker for this development. An environmental impact report was not required to be submitted with the application.

The approved development will provide for additional landscaping to be provided on site, including the planting of advanced trees along the Francis Avenue, Davenport Road, Burroughs Road and Karrinyup Road frontages. Landscaping including the planting of advanced trees are also included internally within the development along internal roads and within pedestrian piazza areas. The landscaping approved by the JDAP is considered to make a positive contribution in softening the development and providing for attractive landscaped areas for pedestrians, customers and local fauna to enjoy once the development has been completed.

15 OCTOBER 2019

Nil.

19 NOVEMBER 2019

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 19 November 2019.

- Q2. *“Has the City of Stirling made any arrangements to have a replacement public telephone box erected in the Karrinyup area to replace the one fenced off in Francis Avenue as part of the Karrinyup shopping development? I believe under the [Telstra Corporation Act 1991] there was a provision that public telephone boxes were to be kept in their business plan.”*
- A2. The Mayor advised that the question would be taken on notice and a written response provided.

The following questions were submitted by Mr R Mitchell, Karrinyup WA 6018 at the Council Meeting held Tuesday 19 November 2019.

- Q3. *“I noticed the park at the corner of Jeanes Road and Karrinyup Road, directly opposite the Karrinyup Shopping Centre site, is now cyclone fenced and the entire park area converted into woodchip and bark. As an adjunct to this parking, the lack of parking via the building contactors’ employees have filled all side streets with vehicles on verges and in other parks. Further to this, annually at Christmas, and at the Karrinyup Primary School during school holidays, vehicles have only parked at their respective locations in those times. The use of the Jeanes Road Park appears to be some long term arrangement. What is it? Also I raise the matter of a notice clearly fixed, standing at the front of the park, expressing the presence or the potential presence of die back in the vegetation in this site.”*
- A3. The Mayor advised that everyone is trying to make the best of a large development site. The large car park is about to reopen, which will take a lot of cars off the streets. The Jeanes Prisk Reserve is a temporary site, and most of the mulching is around the trees to protect them.

The Director Infrastructure further advised the City has entered into an arrangement where temporary car parking is being provided to support the Karrinyup development. The H&M facility is opening on 21 November 2019, and they are seeking additional car parking from this date until after the Christmas period. It is not uncommon for the City to enable Jeanes Prisk Reserve to be utilised to support the Christmas trading period at Karrinyup, however the City anticipates that once the development is completed, the need for Jeanes Prisk Reserve will be minimised. The current work is to protect and preserve the reserve, and in particular, the important stands of Tuarts. The City has engaged Classic Tree Services to undertake a comprehensive tree management plan, and the current works on the Reserve are to ensure that the stands of Tuarts are protected. This process is ongoing, and will be in place until after Christmas.

- Q4. *“Isn’t it a fact that the next development is on the western side? Where are the cars going to park?”*
- A4. The Mayor advised that parking will be available on site.

3 DECEMBER 2019

The following questions were submitted by Mr A Davies, Karrinyup 6018 at the Council Meeting held Tuesday 19 November 2019.

Q2. *"Has the City of Stirling made any arrangements to have a replacement public telephone box erected in the Karrinyup area to replace the one fenced off in Francis Avenue as part of the Karrinyup shopping development? I believe under the [Telstra Corporation Act 1991] there was a provision that public telephone boxes were to be kept in their business plan."*

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

Additional Information

A2. The control and management of public telephone boxes falls within the responsibility of Telstra. The City will refer this matter to Telstra for their consideration on whether a temporary replacement telephone box is provided in lieu of the existing one on Francis Avenue.

1 JANUARY 2020 TO 31 DECEMBER 2020

11 FEBRUARY 2020

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 11 December 2020.

Q1. *"Why hasn't the City of Stirling kept the ratepayers at 72, 74 and 76 Francis Avenue, Karrinyup informed about the fact the roundabout is to be built in front of their homes to allow the traffic to enter and leave the Karrinyup Shopping Centre? They were only informed last Friday week by the shopping center that this was going to occur, and some of them are pretty irate about it?"*

A1. The Mayor advised that the roundabout did form part of the plans that have been in the public realm for a considerable amount of time. The Mayor added that he has personally been onsite with Councillor Farrelly during the week, and met with those residents, and have a plan forward.

Q2. *"Will the City of Stirling consider having an entry exit constructed from their car park at the western side of the Karrinyup Library onto Devonport Street, the junction of Park Street. The shopping center has closed the entry exit onto Burroughs Road to the south of the north court exit and while carrying out the extensions it's a fairly awkward place to get in and out of. Also, an entry exit at Devonport Street would alleviate the need of a exit further down on the bend at Devonport Street on the proposed plan?"*

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

25 FEBRUARY 2020

The following question submitted by Mr A Davies, Karrinyup 6018 was taken on notice at the Council Meeting held Tuesday 11 February 2020.

- Q2. *"Will the City of Stirling consider having an entry / exit constructed from their car park at the western side of the Karrinyup Library onto Devonport Street, the junction of Park Street. The shopping centre has closed the entry / exit onto Burroughs Road to the south of the north court exit and while carrying out the extensions it is a fairly awkward place to get in and out of. Also, an entry exit at Devonport Street would alleviate the need of an exit further down on the bend at Devonport Street on the proposed plan?"*
- A2. The Mayor advised that the question would be taken on notice and a written response provided.

Additional Information

- A2. The car park at the western side of the Karrinyup Library will be connected to a proposed access along Davenport Street, between Burroughs Road and Pike Street. The City would not support an additional access at the Pike Street intersection, as this would create a 4-way intersection, which typically have higher conflict movements. This would present a road safety issue into the future.

10 MARCH 2020

The following questions were submitted by Mr R Mitchell, Karrinyup WA 6018 at the Council Meeting held Tuesday 10 March 2020.

- Q1. *"My questions tonight are directed towards those issues of u-turning of traffic from parking off Francis Avenue as a planning move. I have a full copy of the minutes from the Western Australian Planning Commission, minutes of the North West JDAP of 14 March 2015. In particular, I reference items 29, 30 and 31 of meeting 94 on that date. These three items - the first two shall be installed at the landowners' expense, to the City of Stirling's satisfaction. The second one is the same - at the landowners' expense. The third one, number 31 - the potential conflict area at the entrance to the basement carpark of the main street shall be addressed by providing adequate signage and pavement marking, or by repositioning the location of this entrance to the satisfaction of the City of Stirling. I have mentioned these particular items in reference to the City's satisfaction. Has this method of queuing customer vehicles and parking been approved by the City of Stirling Council in this u-turn mode? Where can I obtain a view of those approvals by the Council?"*
- A1. The Director Infrastructure advised that the proposed roundabout has been designed to comply with the conditions of the Joint Development Assessment Panel. The design for Francis Avenue includes the provision of a raised median island between Karrinyup Road and Davenport Street, including a median break at Smith Street, which will prevent u-turns into private residential driveways once the works have been completed.
- Q2. *"Where were the approvals made for that item 31 to be put in this way?"*
- A2. The Mayor advised that the question would be taken on notice and a written response provided.

Q3. *“Where and by whom was / has this method of using a public road in such a manner planned? Why was this situation ever chosen or mistakenly used in the closeness to the traffic light at the T-junction of Karrinyup Road and Francis Avenue? Surely the volume of parking bays surely would highlight the issue. Where can the decision be found by the Planning Commission and others to allow such a situation to occur?”*

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

The following questions were submitted by Ms Leisha Jack, Karrinyup WA 6018 at the Council Meeting held Tuesday 10 March 2020.

Q3. *“My next question pertains to the removal of mature trees and lawn from the median strip in Karrinyup Road, opposite the Karrinyup Shopping Centre, to build a temporary bus terminal for 18 months, which City officers were made aware of as part of a traffic management plan submitted to them in late 2019. What action does the Mayor or Councillors intend to use to discipline officers for failing to advise you on this matter of significant public interest?”*

A3. The Director Infrastructure advised that whilst it was in a traffic management plan, that is not an approval document. Karrinyup Road is a Main Roads road. The Karrinyup Shopping Centre temporary bus terminal was defined by the PTA and Main Roads, without reference to the City. Certainly no officers' approval was sought. It is important to recognise that whilst it is a significant change, the City felt that that it should have been given a greater 'heads up' from those two authorities, and that has certainly been articulated.

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 10 March 2020.

Q1. *“Why is the City of Stirling failing to keep the ratepayers informed about the temporary bus station which had been placed in the middle of the median strip on Karrinyup Road? I believe the administration knew of the construction during 2019.”*

A1. The Mayor confirmed that there was very little knowledge about it. It was a part of the plan that was not a part of the City's approval or remit.

Q2. *“Did the staff of the City of Stirling approve the closure of the northern verge of Karrinyup Road, from the junction of Jeanes Road and the old bus station? This will now require people to cross a busy section of Karrinyup Road to a southerly direction before crossing back near the Miles Street junction. It would appear all consideration is being given to the wishes of the Karrinyup Shopping Centre while the safety of ratepayers has been overlooked.”*

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

Q3. *“Will the City of Stirling require the Karrinyup Shopping Centre to preserve the tree and lawn area at the south west junction of Burroughs Road and Davenport Street, should a further development application be submitted for that area? I've been reliably informed that there are plans to construct two towers, about 20 to 30 storeys high in the future.”*

A3. The Acting Director Planning and Development confirmed that there has been an application submitted for two towers on the site. There is further information to be submitted to the City prior to all applications being formally accepted. During the assessment process, the City will consider the removal of vegetation on site and the location of this building. This will be part of the assessment process taken in consideration of that application.

Q4. *"Will the City also consider the fact that it is a residential area and such a construction would be totally out of place?"*

A4. The Mayor confirmed yes.

24 MARCH 2020

The following questions submitted by Mr R Mitchell, Karrinyup 6018 were taken on notice at the Council Meeting held Tuesday 10 March 2020.

Q1. *"My questions tonight are directed towards those issues of u-turning of traffic from parking off Francis Avenue as a planning move. I have a full copy of the minutes from the Western Australian Planning Commission, minutes of the North West JDAP of 14 March 2015. In particular, I reference items 29, 30 and 31 of meeting 94 on that date. These three items - the first two shall be installed at the landowners' expense, to the City of Stirling's satisfaction. The second one is the same - at the landowners' expense. The third one, number 31 - the potential conflict area at the entrance to the basement carpark of the main street shall be addressed by providing adequate signage and pavement marking, or by repositioning the location of this entrance to the satisfaction of the City of Stirling. I have mentioned these particular items in reference to the City's satisfaction. Has this method of queuing customer vehicles and parking been approved by the City of Stirling Council in this u-turn mode? Where can I obtain a view of those approvals by the Council?"*

A1. The Director Infrastructure advised that the proposed roundabout has been designed to comply with the conditions of the Joint Development Assessment Panel. The design for Francis Avenue includes the provision of a raised median island between Karrinyup Road and Davenport Street, including a median break at Smith Street, which will prevent u-turns into private residential driveways once the works have been completed.

Q2. *"Where were the approvals made for that item 31 to be put in this way?"*

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

Q3. *"Where and by whom was / has this method of using a public road in such a manner planned? Why was this situation ever chosen or mistakenly used in the closeness to the traffic light at the T-junction of Karrinyup Road and Francis Avenue? Surely the volume of parking bays surely would highlight the issue. Where can the decision be found by the Planning Commission and others to allow such a situation to occur?"*

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

Additional Information

- A1. The City's Responsible Authority Report to the Metro North-West Joint Development Assessment Panel (JDAP) recommended refusal of the development application (DA15/0460) for the major expansion of Karrinyup Shopping Centre. An alternative recommendation for approval with subsequent conditions and advice notes was provided at the request of the JDAP.
- A2. The City recommended Condition 31 to address potential conflict at the entrance to the basement carpark along the main street through the implementation of signage, pavement marking or repositioning the location of the entrance. This Condition was deleted by the JDAP and renumbered to Advice Note 17 of the determination notice. The recommended Condition 31 was deleted by the JDAP as the matter was addressed through the creation of Condition 21, imposed by the JDAP, which required the provision of a service vehicle access and egress plan to be prepared to the satisfaction of the City. The applicant was required to modify any access arrangements proposed as a result of the service vehicle access and egress plan.
- A3. The modifications to the road network were included as part of the plans approved by the JDAP on 14 August 2015. A Transport Plan was submitted by the applicant in support of the modifications to the road network, referred to the relevant internal business units and external authorities being Main Roads WA, the Department of Transport and Public Transport Authority of WA for comment with a peer review of the Transport Plan also undertaken. These documents are available within the agenda.

The following question submitted by Mr A Davies, Karrinyup WA 6018, was taken on notice at the Council Meeting held Tuesday 10 March 2020.

- Q2. *"Did the staff of the City of Stirling approve the closure of the northern verge of Karrinyup Road, from the junction of Jeanes Road and the old bus station? This will now require people to cross a busy section of Karrinyup Road to a southerly direction before crossing back near the Miles Street junction. It would appear all consideration is being given to the wishes of the Karrinyup Shopping Centre while the safety of ratepayers has been overlooked."*
- A2. The Mayor advised that the question would be taken on notice and a written response provided.

Additional Information

- A2. The contractor submitted a Traffic Management Plan that recommended closure of the footpath on the northern side of Karrinyup Road abutting the works zone. Both parties considered the alternative of providing a temporary footpath adjacent to the kerb of Karrinyup Road, but there were concerns that the work could not be completed safely, and pedestrian safety would be compromised. In the best interests of public safety and to mitigate risks for contractors who have to perform the work, the safest option was considered for pedestrians to be detoured across to the southern footpath on Karrinyup Road via the signalised Jeanes Road intersection and the pedestrian crossing near Miles Street.

The following questions were submitted by Mr R Mitchell, Karrinyup WA 6018 at the Council Meeting held Tuesday 24 March 2020.

Q1. *“I have mentioned this particular item below (again) reference to the City’s satisfaction and has this method of queuing customer vehicles and parking been approved by the City of Stirling Council in this “U” turn mode at roundabout in Francis Avenue. Where can I obtain or view that or those approvals made by Council? Where and by who was/has this method of using a public road in such a manner, planned? Why was this situation either chosen or mistakenly used in the closeness to the traffic light at the “T” junction of Karrinyup Road and Francis Avenue. Surely the volume of parking bays would highlight the issue. Again where are the decisions to be found by the Planning Commission and others to allow such a situation to occur? It also must be acknowledged that the date of this awareness is 14 August 2015. Long before any on-site work activity commenced. 31. The potential conflict area at the entrance into the basement car park on the main street shall be addressed by providing adequate signage and pavement marking or by repositioning the location of this entrance to the satisfaction of the City.”*

A1. The Development Application for the shopping centre was supported by a Transport Plan prepared by an independent engineering consultancy. The Transport Plan included traffic analysis and modelling of queues and delays at all key intersections and access points into the shopping centre. The JDAP approval was granted on the basis of the information provided in the Transport Plan. It should also be noted that Condition 31 of the JDAP Approval relates to the basement car park on the Main Street (which is the northerly extension of Jeanes Road into the shopping centre site) and not Francis Avenue.

7 APRIL 2020

The following questions were submitted by Mr R Mitchell, Karrinyup WA 6018 prior to the Council Meeting held Tuesday 7 April 2020.

Question 2 was read out by the Mayor during the meeting as it relates to Item 17.3 of the Council Agenda.

Q1. *“So item 29 is self-explanatory; item 31 is for a basement car park elsewhere on the site? Where can I find the explanatory statement that indicates the “left hand turn from the basement car park into Francis Avenue “left turn” to queue, park up to and around yet to be established roundabout to turn 180 degrees facing Karrinyup Road to be used for such purpose”? Was this method of exiting from the car parking area (basement 02) the original designed method of exiting to the “left” into Francis Avenue or is this method after the realisation that it was needed to satisfy the ongoing construction on the site, without making major alterations to the original designed built form and traffic movement?. Was the Transport Plan by an “independent engineering consultancy? Sourced by the City of Stirling, reported to the City of Stirling and approved by the City of Stirling, Council or Administration and recorded where?*

Is renewing of all Francis Avenue, destroyed during this construction and the installation of new roundabout and renewing of existing roundabout damaged beyond practical repair, all at the landowners expense? To the complete satisfaction of the City of Stirling and others with statutory authority. Question 1. (above here) 29. sourced from minutes of North West JDAP 14th March 2015 29. A physical means of preventing vehicles attempting to turn right into the Eastern parking area (Basement 02) from Francis Avenue, such as an extended median island and associate signage, shall be installed at the landowner’s expense to the City’s satisfaction.

Question 1. (Previous) I have mentioned these particular items reference to the City's satisfaction and has this method of queuing customer vehicles and parking been approved by the City of Stirling council in this "U" turn mode. Where can I obtain or view that or those approvals by Council? Answer 1. (Previous) The Development Application for the shopping centre was supported by a Transport Plan prepared by an independent engineering consultancy. The Transport Plan included traffic analysis and modelling of queues and delays at all key intersections and access points into the shopping centre. The JDAP approval was granted on the basis of the information provided in the Transport Plan. It should also be noted that Condition 31 of the JDAP Approval relates to the basement car park on the Main Street (which is the northerly extension of Jeanes Road into the shopping centre site) and not Francis Avenue."

- A1. Condition 31 of the JDAP Approval relates to the basement car park that is accessed from the Main Street, which is the northerly extension of Jeanes Road into the shopping centre site (at the signalised intersection with Karrynup Road).

There will be two development accesses on the eastern side of the shopping centre along Francis Avenue – referred to in the Transport Plan as the eastern access and the south-east access. The eastern access is the primary access, which leads to multi-level parking. The movement of vehicles in and out of this access will be managed through the construction of a new roundabout along Francis Avenue. The south-east access incorporates a left in/left out access arrangement onto Francis Avenue, and is considered a secondary access point. Vehicles exiting this area of the shopping centre that wish to access Karrynup Road will be required to turn left out and perform a 180-degree turn at the new roundabout. The Transport Plan indicates that "there are no performance issues at this roundabout even with some vehicles using the roundabout to perform a u-turn manoeuvre."

It should be noted that vehicles from the south-east area of the site will also be able to access the eastbound lanes of Karrynup Road via a direct left turn out, which will negate the need for the left turn onto Francis Avenue and 180-degree turn at the new roundabout.

The Transport Plan prepared in support of the Development Application was not specifically sourced or approved by the City of Stirling, but did form one of many documents that the JDAP approval was based on.

The City can also confirm that all works undertaken along Francis Avenue, including the new roundabout and raised median islands, are being undertaken at the landowner's expense.

- Q3. *"With Francis Avenue in Karrynup to be re-developed to allow vehicles to exit left from the car park basement in a northerly direction to Francis Avenue. To a dual carriage way installed to the round about being installed for u-turning to exit to Karrynup road south. Vehicles turning right off Karrynup Road at the lights to enter the basement car park off Francis Avenue from Karrynup Road will also have vehicles that require to go north along Francis Avenue. At some point on Francis Avenue both vehicles exiting the carpark basement and those going north along Francis Avenue will be required to merge and cross over to their intended lane direction before the round about to be installed. Is that correct? Or is one lane to carry both vehicles and expect the vehicle travelling north on Francis Avenue to be abruptly made to enter in the line of vehicles u-turning?"*
- A3. Francis Avenue will incorporate two northbound lanes immediately north of the Karrynup Road traffic signals, which will extend past the south-east shopping centre access. These two northbound lanes will merge into a single northbound lane near the Smith Street intersection.

12 MAY 2020

Nil.

26 MAY 2020

Nil.

9 JUNE 2020

Nil.

23 JUNE 2020

The following questions were submitted by Mr R Mitchell, Karrinyup WA 6018 at the Council Meeting held Tuesday 23 June 2020.

Q1. *“I came to the Council offices to look at a site plan for the Karrinyup Shopping Centre renovations, remodelling and additions. I was only presented with an aerial photo of the construction site. Nothing in the way of electronic stored illustrations, building and site plans were available. The officer gave me the website details to the plans via email, as well as being told I could not get a copy of anything. I never asked for a copy. I need to look at the site plan to ascertain, via dates and revisions, where a certain item was included in the project. Could you explain to me why there's only one plan there, that is a an aerial site plan of the construction site, and nothing else?”*

A1. The Director Planning and Development advised that the City has a copy of all plans for the Karrinyup Shopping Centre development. The Director further advised that he would be more than happy to meet with Mr Mitchell and show him those plans.

The Mayor advised that he would send Mr Mitchell an email and arrange a meeting with himself and Mr Rodic to go through the plans.

Q2. *“Why are they not electronically available? Why was I not shown them?”*

A2. The Director Planning and Development advised that they are electronically available. Without an appointment, it would likely have been difficult for the officer on the front counter to provide those plans in that moment. However, if an appointment is made, officers are more than happy to sit down and walk through the plans and all the details.

Q3. *“Tree planting and replacement is to be with deciduous Plain trees and Pear trees in the Karrinyup Shopping Centre and verges. Are any advanced or mature Australian native eucalypt trees to be established as a replacement for those prior to the construction commencement?”*

A3. The Director Infrastructure advised that when Mr Mitchell comes in to the City's Administration Centre to review the detailed plans of the development with the Director Planning and Development, that would be an opportune time to also go through the landscape plan.

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 23 June 2020.

Q1. *"Has the City of Stirling sold any of the land in the area of the Karrinyup Library? If not, is the City of Stirling receiving any money for the 40 car park bays at the western side of the car park, which has been fenced off as part of the building site?"*

A1. The Director Infrastructure advised that no land has been sold, and therefore no money has been received by the City for car parking bay use.

Q2. *"Did the City of Stirling own the land where the matured triangular palms were removed at the western side of the car park near the Karrinyup Library?"*

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

Q3. *"Has the City of Stirling had any recent discussions, in the last three months, with the Department of Transport regarding them providing a 422 bus service on Sundays from Scarborough to the Stirling Station and from that station back to Scarborough?"*

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

28 JULY 2020

The following questions submitted by Mr A Davies, Karrinyup WA 6018 were taken on notice at the Council Meeting held Tuesday 23 June 2020.

Q2. *"Did the City of Stirling own the land where the matured triangular palms were removed at the western side of the car park near the Karrinyup Library?"*

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

Q3. *"Has the City of Stirling had any recent discussions, in the last three months, with the Department of Transport regarding them providing a 422 bus service on Sundays from Scarborough to the Stirling Station and from that station back to Scarborough?"*

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

Additional Information

A2. The triangular palms opposite 47 Burroughs Road, Karrinyup (entrance to the Karrinyup Shops and Karrinyup Library) were located on private lands.

A3. While the City has had discussions in the past with the Public Transport Authority regarding potential changes to Bus Route 422, there have been no such discussions in the last three months.

11 AUGUST 2020

The following question was submitted by Ms P Palfrey, Karrinyup WA 6018 at the Council Meeting held Tuesday 11 August 2020.

The following question relates to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *“Is the City of Stirling aware of the community’s concerns regarding the proposed development and if so, what measures is the City of Stirling taking to address this?”*

A1. The Director Planning and Development advised that the consultation period is currently open, and will conclude at the close of business on Monday 24 August 2020.

City officers are receiving and reviewing weekly reports on the outcomes of the consultation period and are aware of the concerns raised regarding the proposed development. At the end of the consultation period, the City will provide a summary of the submissions to the Applicant to address these comments either via amended plans and/or written justification. The City will also provide a summary of the issues raised in submissions received within its Responsible Authority Report so that the Metro Inner-North JDAP, which is the decision maker of the application, can consider the community’s comments as part of the decision-making process. The Director further advised that this application is in the early stages of assessment, and City officers have not formed any recommendations.

The following question was submitted by Ms K Foley, Karrinyup WA 6018 at the Council Meeting held Tuesday 11 August 2020.

The following question relates to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *“Why was there not more overt signage of this major proposal as the existing notifications are limited to areas locals do not use due to the current development?”*

A1. The Director Planning and Development advised that under the adopted Planning Consultation Procedure, the application was required to provide one sign on each street boundary, with the minimum sign size being 5m² and up to 10m², which may include a perspective of the proposed development. The application includes four large signs at each street frontage, being Karrinyup Road, Davenport Street, Burroughs Road and Francis Avenue. The signs are each 5m² in size and the perspectives of the proposed development are provided on each sign. The City’s officers advised the Applicant where to place the signage on each street frontage to ensure that there is maximum public exposure. The City took into consideration that the property is currently a construction site and selected the preferred locations to ensure maximum visibility for pedestrians, cyclists and drivers passing by the site or stopping at traffic signals. The City also considered the impact on adjoining property owners and occupiers. The consultation process for this development application also includes letters to all owners and occupiers within a 200m radius of the subject site and to the relevant community groups; a notification placed on the website; and notice to the Ward Councillors. The City has also created a specific ‘Your Say’ page on the City’s website regarding this application and the planning process to be undertaken. In addition, a survey has been created to seek community views of the development. Community consultation of this site goes above and beyond normal requirements due to the significance of the proposed development. Advertising of the proposed development has been extended for one week to ensure it receives maximum exposure from the community.

The following questions were submitted by Mr A Maus, Karrinyup WA 6018 at the Council Meeting held Tuesday 11 August 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *“Does the Council understand that Karrinyup residents are feeling misled by the Karrinyup Shopping Centre redevelopment process? The nature of the actual and planned development is becoming significantly different to the original concepts sold to us, especially in regard to the scale of the residential apartments/flats; the heights of buildings and towers; and the relocation of the BP petrol station to the busiest street corner.”*

A1. The Director Planning and Development advised that the application is currently under assessment, and the consultation process is open until close of business on Monday 24 August 2020. It is important for the community to provide their comments and concerns to the City so that it can consider these and provide a summary of the issues raised in submissions to the Metro Inner-North JDAP to consider as part of their decision-making process.

The Director further advised that there is a difference in the approved development to the proposed development. This development application is seeking approval for a different proposal on the corner of this site, and the City is required to consider this new proposal against the relevant planning framework. Neither the City nor the Metro Inner-North JDAP can prevent an applicant from lodging an application for a new development proposal. The City has a statutory obligation, as the Responsible Authority for this application, to assess this proposal against the relevant planning framework and provide its report to the decision-maker, being the Metro Inner-North JDAP.

Q2. *“Does Council agree that the scale of the residential apartments/flats lacks local context? The buildings and towers are inconsistent with existing and surrounding suburban dwellings and developments. The heights of the three towers (24, 15 and nine storeys) on the western side (Burroughs Road) are unsuitable and not at all what was expected. We feel misled. The towers appear to have little to no architectural merit. The sheer number of units in the western towers (270) and eastern “village” (92) could well create overcrowding, parking issues, which is already a major problem, and social unrest.”*

A2. The Mayor advised that the application is currently in the consultation process, and encouraged residents to provide their comments to the City, to be included in its report to the Metro Inner-North JDAP.

Q3. *“Does the Council intend to effectively convey the concerns of Karrinyup residents regarding the proposed apartment developments and towers at the Karrinyup Shopping Centre to the relevant JDAP?”*

A3. The Mayor confirmed that the City will provide a summary of the issues raised by residents in its submissions to the Metro Inner-North JDAP.

The following questions were submitted by a Silent Elector at the Council Meeting held Tuesday 11 August 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *“Has the Karrinyup Shopping Centre commercial zone received approval to include residential towers within the Centre? And does the Council support this?”*

A1. The Director Planning and Development advised that this site is zoned ‘regional centre’ under the Planning Scheme and any development on this site is subject to the Karrinyup Regional Centre Guidelines. The guidelines reference height; not specifically towers, but the policy does discuss that two to three storey buildings are generally what is encouraged around the external boundaries of the site, and on sites which are greater than 5,000m² in size, which this is. Higher buildings can be considered internal to the development. There are a number of objectives that need to be considered as part of that. The guidelines do not specifically say that Karrinyup Shopping Centre can have towers, but also do not specify that it cannot. The City needs to consider those against the planning framework and make a recommendation to the JDAP once the City assesses.

Q2. *“Is Council satisfied that the number of parking bays being proposed by the developer is sufficient to accommodate the residents and their visitors, the commercial tenants and their visitors, as well as the shoppers, without impacting residents in the surrounding streets in terms of parking and traffic flows?”*

A2. The Mayor advised that parking and traffic flow will form part of the officers’ assessment of the application.

Q3. *“A 24 storey tower will probably be 100m tall, enabling overlooking for a considerable distance. Is Council aware of any measures that have been proposed by the developers to mitigate against the breaches of privacy for the existing residents in the surrounding areas? And is Council concerned about this?”*

A3. The Mayor advised that this has not been assessed yet, but this concern will form part of the assessment. The City’s officers will make a recommendation as part of their Responsible Authority Report to JDAP.

Q4. *“Can residents be a part of the workshop or committee to have input?”*

A4. The Mayor advised that during this stage, while the proposal is available for public consultation, it is important that all public concerns are lodged so that they can be addressed through that consultation.

The Director Planning and Development advised that as part of the submissions, the City will table and respond to those as part of the Responsible Authority Report submission. The Director also advised that residents can make a deputation at the JDAP meeting (when it is scheduled) – this is the best avenue for residents to voice their concerns to the decision maker. The City of Stirling is not the decision maker in this application; the City makes a recommendation to the JDAP, therefore community consultation is very important, and the City will consider these as part of its recommendation in terms of the application’s suitability under the planning framework. The Director Planning and Development further advised that he strongly encourages residents to understand the JDAP process, and to understand that they can make a deputation. The City has provided this information on its website so that ratepayers know how to make a submission and voice their concerns to the relevant party making the decision.

The following questions were submitted by Ms L Jack, Karrinyup WA 6018 at the Council Meeting held Tuesday 11 August 2020.

Q1. *“At the Electors’ General Meeting last November, I asked if the City had a no-growth or slow-growth contingency plan, after watching the City’s opening PR video which was focused primarily on a continued, if not ramped up development, density and growth. The response to the question was that ‘it had been discussed.’ Can you please tell me if there has been any further discussion or progress on such a contingency plan?”*

A1. The Mayor advised that Council has discussed in detail what the planning targets are for population density. The Mayor confirmed there has been a reduction in strategic planning in the quadrants that the City is working on, and is developing interim measures. The current planning framework has been put in place to understand what is currently there and how it will achieve those targets in the future without putting a new framework over a whole area.

The Director Planning and Development also advised the City needs to address State Government directions and have strategies also in place to suitably address density requirements, which the City needs to achieve during that period.

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

Q2. *“Prior to COVID-19, people were already taking advantage of technology and beginning to move away from congested cities in Australia, and around the world to work remotely from home further out in the fringes or in country towns to avoid wasting time and money commuting, and to avoid high inner-city property prices. COVID-19 has fast tracked this process and studies are showing that workers and companies are preferring working from home to always being in congested and expensive office space. Working from home is being touted as a game changer that will suck life out of CBDs. Is increasing density and building bigger, wider roads still necessary in the City of Stirling, given the rapidly changing demographic and economic forecasts?”*

A2. The Director Planning and Development advised that the City needs to consider the long term planning for the local area. COVID-19 has provided the City with an indication of how people may live differently, which the City will need to consider. There is a focus from Elected Members to look at local centres and areas to make sure that the City provides a suitable planning framework to allow people to live and work in their local communities.

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

Q3. *“I was recently at a local fast food restaurant at the new Karrinyup development and I noticed that there is a sewerage problem. ‘60 Minutes’ is claiming that 85% of new high rise apartment buildings in Australia are structurally defective. Is this a sign of things to come at the Karrinyup Development, in terms of what the City of Stirling does to make sure that defective buildings are not built?”*

A3. The Director Planning and Development advised that the City is notified of building compliance issues, and the City can take appropriate action under the Building Act 2011.

The Director Planning and Development further advised that he would organise for the Environmental Health Team to investigate Ms Jack’s comments regarding the potential sewerage problem at the site.

Additional Information

- A1. The City has not prepared a no-growth or low-growth strategy. The City of Stirling is required by the Department of Planning Lands and Heritage to demonstrate how it can accommodate a minimum of 60,330 dwellings outlined in the Perth and Peel @ 3.5 Million Strategy. The City of Stirling Local Planning Strategy, which was endorsed by the State Government in early 2020, details where these extra 60,330 dwellings will be accommodated.
- A2. Certain cities around the world have made permanent changes to reduce the need to work in centralised business districts; they have taken road space from cars and increased the space for walking and cycling. This trend has not occurred in the Perth Metropolitan Area. Reduced patronage on the City's Public Transport Network has put added pressure on the road network due to community members preferring to drive. The large distances and lack of centres that are walkable and active has not seen a large increase in walking and cycling to work, as found in other cities that are pedestrian and cycling friendly. If working from home does become more common place, workers in the City will still require active, friendly local centres that are vibrant and safe. Many of the City's local centres are not currently active or safe; increased population around these centres is crucial to make working from home a safer, more enjoyable and viable proposition. One of the key goals of the City's Local Planning Strategy is to maintain a network of smaller local centres that provide the daily needs of the community and also act as a community hub for meeting and dining. Research undertaken for the City's Local Planning Strategy has shown these centres are struggling to compete against the growth occurring at the larger centres. One of the key recommendations of the Local Planning Strategy to address this trend is to increase the population around centres to ensure that the City's network of local centres can survive. In addition to this, State Planning Policy 4.2 requires minimum residential densities at all centres in the Perth Metropolitan Area to transform traditional shopping centres into activity centres with a diversity of uses including shopping, office, residential, entertainment and health.
- A3. Representatives for the Karrinyup Shopping Centre redevelopment have advised that the sewer mains work associated with the proposed Karrinyup West Residential development

The following question was submitted by Ms J Schwendinger, Karrinyup WA 6018 prior the Council Meeting held Tuesday 11 August 2020.

The following question relates to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *"Will the City of Stirling support the 24, 15 and nine storey apartment development proposal to the Metro Inner-North JDAP?"*

A1. The Director Planning Development advised that the application is still under assessment, and City officers have not formed a recommendation to the JDAP.

25 AUGUST 2020

The following questions were submitted by Ms K Foley, Karrinyup WA 6018 at the Council Meeting held Tuesday 25 August 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *"In regards to the Karrinyup Shopping Centre Residential Developments, I would like the City of Stirling web page to have a clearly visible article on the development. In the section titled "Keeping up to date with all of the City's news and media releases is easy", there is no mention of this development. Is this something the Council can attend to?"*

A1. The Director Planning and Development advised that on the 'Your Say' page there is a 'Follow the Project' button at the top of the page that enables residents to follow this development. He advised that further clarification and details are available on the website; there is quite a lot of information. City officers will assess if anything further could be provided, but you can follow the project. He further added that project submissions can be made via the 'Your Say' page, and the City received 735 submissions in regards to that survey.

Q2. *"Would the Council, for the benefit of the ratepayers, please advertise Karrinyup Shopping Centre Residential Developments more widely, in excess of the legal requirements, in order to keep us fully informed on the proposal and give the ratepayers the benefit of otherwise very limited information?"*

A2. The Director Planning and Development advised that the City advertised the proposal as a complex development application in line with the City's Public Consultation Procedure. Under this procedure, the City is required to make the plans available on its website and post letters to all owners and occupiers within 200m of the site. The applicant must also install 5m² signs on all street frontages of the site for the duration of the consultation period. In anticipation of the community interest, the City extended the advertising period by a week, increasing the total advertising period to 28 days. The City also created a dedicated page for the project on its website, with additional information over and above the development plans to help residents better understand the proposal and encourage them to make their submission. An online survey was also opened, making it easy for people to leave feedback in a timely manner at the close of consultation. This communication has been very effective with the City receiving 735 survey responses. This number of surveys is excellent and will provide information for the officers to consider as part of their assessment of the proposal.

Q3. *"So you would not consider advertising it more widely?"*

A3. The Director Planning and Development advised that the City has a consultation procedure and continually seeks to review its procedures. In terms of this application, this is a live application and there are statutory timeframes that are required to be met in submitting a Responsible Authority Report to the Joint Development Assessment Panel, which is 78 days from the submission of the application. The City is unable to extend the period of this application as those timeframes would not be met. The City is always looking at improving its processes, but also acknowledges that 735 completed surveys represents a very good result in terms of feedback from the community.

Q4. *“Can the City of Stirling please look into the dangerous traffic movement situation along Francis Avenue, Davenport Street and Burroughs Road in Karrinyup bordering the Shopping Centre Development?”*

A4. The Director Infrastructure confirmed that this can be arranged with the City’s traffic management team.

The following questions were submitted by Mr A Dines, Karrinyup WA 6018 at the Council Meeting held Tuesday 25 August 2020.

The following questions relate to proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *“The original Karrinyup Shopping Centre expansion approval dated in August 2015 contained two development conditions - number 35 and number 36 - specifically relating to the residential component of the development. Condition 35 – ‘prior to the occupation of any part of the additional retail floor space, there must be a substantial commencement of a minimum of 50 residential multiple dwellings’; and condition 36 ‘prior to the occupation of the whole of the proposed retail space, there must be substantial commencement of the remaining approved multiple dwellings’. Was Council aware of, and/or did they approve the deletion of, both of these conditions in June or July this year, which will result in the surrounding residents living in an ad hoc construction zone for potentially the next 20 years?”*

A1. The Director Planning and Development advised that Councillors receive notification of JDAP applications once they are formally lodged with the City via an online notice placed on the Councillors’ Portal. Additionally, at the start of the public consultation period, Ward Councillors receive email notification advising of the commencement of the advertising period of JDAP applications with a link to the ‘Your Say’ page.

At its meeting held 15 June 2020, the Metro Inner North JDAP approved the Form 2 JDAP application for an amended carpark, facade modifications and the deletion of conditions in relation to the original approval for the major expansion of the Karrinyup Shopping Centre. The City recommended that conditions 30, 35 and 36 be deleted. The City’s Responsible Authority Report outlines the reasons for the recommendation. With respect to conditions 35 and 36, the City was satisfied that the residential development will be constructed in the near future and the deletion of these conditions was consistent with orderly and proper planning.

In regards to the timing trigger of the previous conditions 35 and 36 being ‘additional retail floor space’, this does not mean the first stage of retail redevelopment, but rather it means at the point in the process when the total Gross Leasable Area (GLA) for the retail floor space of the redevelopment exceeds the GLA of the original Karrinyup Shopping Centre development.

During construction, the retail floor space initially declined and then as construction progressed, there was to be a point in the construction phase where the total GFA exceeds the existing total GFA; that was the intended trigger for ‘additional retail floor space’.

In the original Site Management Plan, this point was approximately month 23 in the project timeline, acknowledging the construction timelines have changed over time since 2017, as is normal in large construction projects.

Q2. *“Given no residential works have actually commenced on site to date, which is about five years since the approval, and the first stage of retail development has opened over the last 12 months, why did Council support this condition? You based it on the GLA - the point of clarification is the GLA had to exceed the existing GLA. That is what you based deletion of condition 35 on, correct?”*

A2. The Director Planning and Development reiterated that the City's Responsible Authority Report outlines the reasons for the recommendation to the Metro Inner North JDAP. The applicant's justification letter received on 4 May 2020, which formed part of the City's consideration of the Form 2 application proposing to delete conditions 35 and 36, stated that:-

‘AMP has a strong desire for the inclusion of a substantial residential component as part of the overall redevelopment of the centre’.

There is currently an agreement in place with Blackburn for the development of the residential component on the eastern side of the site. Pre-sales have commenced and preparations for the commencement of construction are underway. However, the current economic environment means that there can be no guarantees as to the start date. Any delays would then transfer to the western residential component. As such, it is not possible to guarantee the commencement date of the western residential component. These matters were considered in that report.

Q3. *“The current Development Application shows the existing North Court Building and the library and adjoining car park remaining as is. Given the lack of an endorsed Activity Centre Plan or a Structure Plan for the entire site, can the City please advise if it is aware of, or held discussions relating to, what is planned for both of these sites given their proximity to the proposed 15 and 24 storey buildings? Without understanding what is planned for these sites, it is difficult for the community to understand the true scale, size and impact of the current development proposal for the western residential precinct.”*

A3. The Director Planning and Development advised that the City is not aware of any current proposals on either of these two sites. These are the types of things which will be fleshed out in terms of our assessment of this current application.

Q4. *“So there have been no negotiations or discussions regarding the sites?”*

A4. The Mayor confirmed that there had not

The following questions were submitted by Mr S Wheeler, Scarborough WA 6018 at the Council Meeting held Tuesday 25 August 2020.

Q3. *“My third point is the scale of the proposed further developments at Karrinyup is significantly nonconforming with the Karrinyup Regional Centre Guidelines, nonconforming with the Local Planning Scheme and nonconforming with the State Planning Policy in regards to the built form. It threatens to affect the amenity not only of the properties within the 200m advertising catchments, but will probably change the character and dynamics of the entire locality. Does Council think that is wise, that the City supports in any fashion such a proposal without there first being in place a detailed Activity Plan, Structure Plan, Local Development Plan? I don't know which is the right one, but some sort of strategic planning controls that would govern the significant amenity and traffic issues that will be introduced by such a development.*

If Council does agree with that, understanding that the City is not the decision maker, how does the elected Council intend to underline such concerns to the DAP to ensure that the principles of an orderly and proper planning process are enforced?"

A3. The Mayor advised that it is currently out for public comment, and has been extended to take on board the community concerns. There has been significant community interest expressing concern with this site. The Coastal Ward Councillors have called this application in to Council, so when the Responsible Authority Report is completed by the officers, it will come to Council sometime around October. Council will then get a chance to either support or refuse the offers' recommendation to the JDAP.

Q4. *"You will bring the RAR to the Council?"*

A4. The Mayor confirmed this, and advised that the application had already been called in.

The following questions were submitted by Mr R Mitchell, Karrinyup WA 6018 at the Council Meeting held Tuesday 25 August 2020.

Q1. *"I recently received a flyer in the letterbox in relation to the intended 35 storey high rise in Karrinyup. I visited the City of Stirling website www.stirling.wa.gov.au/your-city/your-say-stirling to have my say. Prior to being able to have my say, I was required to register my name, suburb, email, screen name, password and connection to the City of Stirling. Then it says please tell us a bit more about yourself. What is your date of birth? Do you have a disability? Are you of Aboriginal or Torres Strait Islander origin? Were you born in Australia? Do you speak a language other than English at home? And do you agree with the terms. I am not going to fill out those last bits about myself and as a result I could not get in there and register. Why is this information necessary?"*

A1. The Director Community Development advised that the demographic information that is received through the 'Have Your Say' registration form is built to facilitate more proactive communication with the City's community and customers. It enables the City to understand the age demographic, background and interests of the community; therefore, when another issue comes up, the City can more proactively engage with the community depending on location and demographic. It is, however, appreciated that this might be an onerous process to go through from a registration perspective. The City can review this as the intent behind the registration is not to provide a barrier for people to participate in consultations.

Q2. *"Does the City of Stirling on-sell these statistics to other people?"*

A2. The Mayor advised that the City does not.

The following questions were submitted by Ms S Fordham, Karrinyup 6018 at the Council Meeting held Tuesday 25 August 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *“Can the Mayor and the Councillors please confirm that prior to the Council accepting the removal of the original JDAP development condition number 35 and number 36 relating to the developer’s timing obligations to commence construction of the residential apartments, that Council first ensured that the developer had set aside sufficient site area to accommodate all of the required numbers of residential dwellings?”*

A1. The Director Planning and Development advised that Council did not make any decision on this application, this was a Joint Development Assessment Panel determination. A Responsible Authority Report was provided to the JDAP, and they made a determination. The City of Stirling Council made no decision in respect to this proposal in terms of the deletion of conditions 35 and 36. The City’s officers were satisfied that residential development would occur on the site. The Director further advised that in terms of site planning, there was a consideration about where those residential dwellings would be placed on the site. The City had a recent proposal by Blackburn on the eastern side of the shopping centre, where 92 dwellings were proposed. Therefore the City was very comfortable that 50 dwellings as required of that condition could be provided on that site.

Q2. *“Do you believe that they comply with all existing state and local government planning schemes and policies for such buildings?”*

A2. The Director Planning and Development advised that the current application that is under assessment does comply with all existing schemes and policies for such buildings.

Q3. *“Can the Mayor confirm if the City of Stirling will receive a financial contribution from the developer to reflect the subject sections of the Karrinyup shopping centre, changing from a commercial use to a residential use to reflect the upgrading of the neighbouring infrastructure, such as the nearby recreational reserves?”*

A3. The Director Planning and Development advised that this was not the case.

The following questions were submitted by Mr M Cristiano, Karrinyup WA 6018 at the Council Meeting held Tuesday 25 August 2020.

Q1. *“In regards to the parallel parking along Davonport Street, Karrinyup, how did that get approved, especially adjacent to residents? It is dangerous and it would seem that the shopping centre has plenty of car spaces.”*

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

Q2. *“Regarding the proposed approved development on Burroughs Road, which is, I believe, 25 storeys high - it is my understanding that due to COVID-19, the MRA is approving buildings within the City with special requirements?”*

A2. The Mayor advised that this is not dealt with by the MRA and there are no special conditions.

The following questions were submitted by a Silent Elector at the Council Meeting held Tuesday 25 August 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *“Will the City of Stirling convey to JDAP in the strongest terms, the detrimental effects of the overlooking into people's backyards and the breach of privacy that will result since most properties are only single or even two storeys for kilometres around, and the apartments will be able to look into hundreds of backyards?”*

A1. The Mayor advised that those comments will be taken on board.

Q2. *“A news item recently saw the premier and other politicians open a new project that will link Scarborough Beach Road to Stirling Railway Station. When a reporter raised the issue of the Karrinyup community's objection to the proposed apartment towers with Minister Saffioti, she replied that the government is providing people a choice of accommodation. This, however, is not offering the existing residents any choice. Can the City provide any comfort to the people of Karrinyup that it is doing everything in its power to ensure that the grossly excessive heights are opposed, and make it known that the residents prefer that the City of Stirling retains and enforces its normal policies of low-rise developments?”*

A2. The Mayor advised that once Councillors are able to see all of the comments that have been submitted and consider the Responsible Authority Report, they will make an informed decision.

Q3. *“We understand that a traffic survey was conducted around Karrinyup Shopping Centre in 2015, possibly in connection with the initial Development Application. We understand also that the developer may have provided, or be providing, its own modelling in order to satisfy the JDAP that it has adequately provided for any anticipated traffic flow increases resulting from not only the redevelopment of the shopping centre, but potentially, many hundreds of extra cars. Is the City satisfied from its own research that the developer has been realistic in providing for that additional volume? Or is that still a work in progress?”*

A3. The Director Infrastructure advised that it is still a work in progress. The City is continuing to assess the traffic impacts. Karrinyup Road is under the care of Main Roads as well, and there are a range of issues that will need to be addressed as part of the traffic impact assessment, and will be further explored in a report to Council.

The following questions were submitted by Ms S Kemp, Karrinyup WA 6018 at the Council Meeting held Tuesday 25 August 2020.

The following questions relate to the Karrinyup Shopping Centre Development:-

Q1. *“Has the developer's current proposal, and adjoining shopping centre expansion development approval provided sufficient onsite parking to contain all of its commercial users, including staff, tenants, customers and construction, and residential users, meaning occupants and visitors?”*

A1. The Mayor advised that those matters will be considered by City officers, and will form part of the Responsible Authority Report.

Q2. *“Is the City satisfied that the development application and previous approvals, including those of the adjoining shopping centre redevelopment, have provided adequate onsite parking? Can you please confirm that the existing arrangements for the developer’s use of the City’s parks and reserves for commercial parking arrangements will no longer be supported?”*

A2. The Director Planning and Development advised that the traffic impacts, flow, and parking requirements will all be considered as part of the assessment of this proposal, which is under review at the moment. The original approval for the Karrinyup Shopping Centre required a maximum cap of parking on site, which was for 4,880 bays from memory. The most recent consideration provided an additional 189 bays on site taking the total up to approximately 4,650. In that regard, the existing approvals will satisfy the parking requirements. In assessing this additional new application, the City will need to consider the impact on the community and the planning framework in terms of the parking numbers. To reiterate, there is a cap on the site, and in that regard, the most recent approvals do satisfy the parking requirements.

The Director Infrastructure advised that the City has historically supported the Karrinyup Shopping Centre, particularly around the key trading peaks, largely Christmas, with some access to Jean Prisk Reserve and others. As part of the broader development, the City has sought to ease the parking congestion with some additional parking on Jeanes Road. Applications for temporary parking will continue to be considered as and when they are requested. The goal is that once the centre is completely redeveloped, there would be sufficient parking to manage the peak periods. The City’s expectation is that once the redevelopment is completed, the need for temporary parking during those peaks would be diminished.

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 25 August 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *“In view of the proposed 24, 15 and nine storey units to be built on the Karrinyup Shopping Centre site, will the Council now rescind the development proposal of 2015 for the Karrinyup Library, so as to ensure there are no similar sized blocks of units built on that site?”*

A1. The Mayor advised that there is no current development application regarding the Karrinyup Library site.

Q2. *“The Karrinyup Library was rezoned in 2015, and it had commercial, community, residential; it was all advertised. There was a proposal that the development was going to be sold off to the shopping centre.”*

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

Q3. *“Will the City of Stirling submit an environmental report on the effect of the proposed building of the three blocks of units at the Karrinyup Shopping Centre? I’m led to believe no such report was submitted in relation to the previous lot of units that were to be built.”*

A3. The Director Planning and Development advised that the City is not aware of an environmental report that is to be submitted as part of the application. The Director further advised that the question would be taken on notice and a written response provided.

The following questions were submitted by Ms L Noak, Karrinyup WA 6018 at the Council Meeting held Tuesday 25 August 2020.

Q1. *“One of the things that people are most concerned with is whether the Karrinyup Library will remain, contrary to the many rumours we’re hearing, and I have not heard any sort of assurance other than the statement ‘it has not been discussed.’ ”*

A1. The Mayor advised that there is nothing happening at this moment regarding the Karrinyup Library Site. Council has not considered any proposals regarding this site. City officers are currently reviewing all of the City’s libraries, however that does not mean anything will be happening at that site for now.

Q2. *“Is it correct that the Karrinyup Library is a bequeathment? Is it a bequeathment for the community or for the youth?”*

A2. The Director Infrastructure advised that approximately four years ago, there were some encumbrances over the land, however at the present time, there are none.

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

Q3. *“It would also be useful to know whether it is a bequeathment in perpetuity.”*

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

The following questions were submitted by Ms J Schwendinger, Karrinyup WA 6018 prior to the Council Meeting held Tuesday 25 August 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *“What does the City think is a reasonable height for ‘higher’ buildings with a 15m setback as defined in the planning scheme (considering AMP repeatedly advised residents all development would be no taller than the previous structure)?”*

A1. The Director Planning and Development advised that the City’s consideration of building height is required to be against the relevant planning framework applicable for this site, including but not limited to, the Planning and Development (Local Planning Schemes) Regulations 2015, the City’s Local Planning Scheme and relevant State Planning Policies and Local Planning Policies.

Q2 *“Is the City Of Stirling going to recommend to the DAP that the nine, 15 and 24 storey tower proposals be declined due to not meeting current planning scheme guidelines?”*

A2. The Director Planning and Development advised that in response to the question of the City’s position on the development in its current form, the application is still under assessment at this stage.

Q3. *“If the proposal is approved, will the developer be required to provide a traffic flow plan to combat ever increasing traffic in Karrinyup, particularly around the shopping centre?”*

- A3. The Director Planning and Development advised that there is no 'traffic flow plan' submitted with this application. The applicant has submitted a Transport Impact Assessment prepared by Aurecon, with the development application, which will be considered as part of the City's assessment of the proposal. The application is still under assessment by the City.

Conditions requiring cars to travel in a certain direction on roads surrounding the development site would require alterations to the surrounding road network via line marking, installation of median islands and the installation of signage. The traffic considerations are still under assessment by the City officers.

The following questions were submitted by Ms L Ladhams, Karrinyup WA 6018 prior to the Council Meeting held Tuesday 25 August 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

- Q1. *"With consideration to the City's Karrinyup Regional Centre Guidelines, which do not specify a height for landmark buildings setback 15m, what building height does the City feel is acceptable without detrimental impact to the amenity of the area?"*
- A1. The Director Planning and Development advised that the City's consideration of building height is required to be against the relevant planning framework applicable for this site, including but not limited to, the Planning and Development (Local Planning Schemes) Regulations 2015, the City's Local Planning Scheme and relevant State Planning Policies and Local Planning Policies.
- Q2. *"With consideration to Karrinyup West Residential (DA19/1906), will the City be recommending that the proposal for three towers of nine, 15 and 24 storeys be rejected, and only recommend a development height not exceeding the existing shopping centre heights as promised by the developers of the site?"*
- A2. The Director Planning and Development advised that in relation to the City's position on the development in its current form, the application is still under assessment at this stage.
- Q3. *"With consideration to Karrinyup West Residential (DA19/1906), I request that the City of Stirling make a deputation to the DAP to object of the proposed tower heights of nine, 15 and 24 storeys which will have a significant detrimental impact to the amenity of the area and the residents of the City of Stirling. Will the City commit to this?"*
- A3. The Director Planning and Development advised that the City's role in the JDAP process is as the 'Responsible Authority'. The City undertakes an assessment of the development application, which includes the planning assessment, internal referrals to relevant City of Stirling Business Units, external referrals to relevant State agencies, referral of the proposal to the City's Design Review Panel and formal public consultation to the community.

The City prepares its Responsible Authority Report based on this assessment and provides its report to the Metro Inner-North JDAP for consideration. Deputations at a JDAP meeting can be made by members of the public, being the applicant and any community members. The City's officers are available at the meeting to respond to any matters raised in deputations and questions from the Panel. In addition to this, the application has been called-in to Council, which means that Council can make its own recommendation on the development application to the Metro Inner-North JDAP.

8 SEPTEMBER 2020

CITY STATEMENT - MIXED USE DEVELOPMENT AT KARRINYUP SHOPPING CENTRE SITE

The Director Planning and Development made the following statement:-

“Thank you for your questions and interest in the JDAP application for a Mixed Use Development at Karrinyup Shopping Centre site.

The application is a mandatory Development Assessment Panel (DAP) application and was formally lodged with the City on 20 July 2020. This means that all required information for the City to consider the application was submitted on this date and the DAP commenced ‘the clock’. The City has no control over when a DAP application is lodged and must process the application in accordance with the statutory requirements.

The City’s role in the application process is as a Responsible Authority, which means the City receives and processes the development application; which includes internal referrals to relevant Business Units within the City of Stirling, external referrals to relevant agencies and authorities, formal public consultation and the assessment of the proposal.

The City will provide its Responsible Authority Report to the decision-maker, being the Metro Inner-North JDAP. The Responsible Authority Report will include the referral responses, outcomes of advertising and the City’s assessment of the proposal.

The City is required to submit its Responsible Authority Report to the DAP Secretariat within 78 days from the date of formal lodgement, unless an extension of time is provided by the applicant and approved by the Presiding Member of the JDAP. At the time a JDAP meeting is scheduled, all submitters will be notified of the upcoming JDAP meeting and details on how to make a deputation at the JDAP meeting, if they wish to do so.

It should be noted that the Council has ‘called in’ this development application and therefore the Responsible Authority Report will be considered by Council at a future meeting.

Once this Responsible Authority Report has been provided to the DAP, the Panel will consider the application and make a decision on the proposal at the meeting. To reiterate, the City is not the decision-maker for this application. The decision-maker is the Metro Inner-North JDAP.

To confirm, there is no Activity Centre Plan for this site and the City’s assessment of the proposal will be against the relevant planning framework. For context, the City of Stirling recommended refusal of the original development application in 2015 for a number of reasons, one being that the application did not conform with the requirements of State Planning Policy 4.2 – Activity Centres Perth and Peel, which amongst other things requires an Activity Centre Plan to be endorsed prior to major development being approved.

At this stage, the City is currently carrying out its assessment of the development and is therefore not in a position to comment on the suitability of the proposal with respect to the matters raised in a number of the questions received, including but not limited to, building height, building bulk, setbacks, traffic and parking.”

The following questions were submitted by Ms L Noack, Karrinyup WA 6018 at the Council Meeting held Tuesday 8 September 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

- Q1. *“After the 2015 shopping centre plans for Karrinyup were seemingly approved, the City of Stirling had changes made to the restrictive covenants over the library in 2016 and then again in 2017. This concerned the use of the library land and the structure. Is this a coincidence or is the Council planning on some changes that may reflect further needs for the shopping centre development by AMP, Blackburn or any other commercial developers?”*
- A1. The Mayor advised that this is not a coincidence however it is not currently related to AMP. The City is aware that a covenant existed on the site.
- Q2. *“If it potentially involves closing the library, does the Council have plans to assure the community that a library will remain in Karrinyup?”*
- A2. The Mayor advised that there are currently no plans to close the Karrinyup library.
- Q3. *“Is the Council aware, or has it taken actions to ascertain the level of interference to Free to Air TV and internet in Burroughs Road since the building project has begun? Are there plans to look at rectification agreements being put into place?”*
- A3. The Mayor advised that Council was not aware of that issue, and offered to meet with Ms Noack to discuss her concerns.
- Q4. *“Given the vacancy rate and lack of apartment purchase and culture in Perth, do the Councillors believe it is entirely necessary to have extremely high towers in an apartment block in Karrinyup? What is Blackburn’s justification for changes to the original height? Has an impact study of this proposal been done? If not, why not?”*
- A4. The Director Planning and Development advised that the City’s consideration of building height is required to be assessed against the relevant planning framework applicable to this site, including but not limited to, the Planning and Development (Local Planning Schemes) Regulations 2015, the City’s Local Planning Scheme and relevant State Planning Policies and Local Planning Policies. The appropriateness of the proposed development will be informed by the City’s assessment of the application, which is still in progress. The applicant’s justification for the proposed development, including height, is provided within the development application. This information is available to view on the City’s website.

Additional Information

- A2. Removal of the restrictive covenant is not related to the provision of the library service at Karrinyup. The City is currently progressing a strategy to guide the future direction of all Stirling Libraries which will be presented to Council within the next six to 12 months. The draft strategy currently identifies the ongoing provision of a library at Karrinyup, albeit possibly in a more contemporary manner given the changing nature of library services.

The following questions were submitted by Ms E Kruger, Karrinyup WA 6018 at the Council Meeting held Tuesday 8 September 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *“Can you explain what the current zoning is on both Burroughs and Davenport Roads? Do you expect this to change with the ongoing building at Karrinyup?”*

A1. The Director Planning and Development advised that along Burroughs Road, properties are zoned ‘Residential’ with a residential density coding of ‘R20’. Properties along Davenport Street are zoned ‘Residential’ with a residential density coding of ‘R30’. The City has no current intention of rezoning properties along Burroughs Road and Davenport Street in response to the redevelopment of Karrinyup Shopping Centre.

Q2. *“Does Council support the 23 storeys proposed by Blackburn given a new development in Scarborough called Altum has been restricted to six storeys by the Council?”*

A2. The Mayor advised that the matter is not before Council, and it cannot make a determination on that issue.

Q3. *“Given Observation City is only 16 storeys, Leighton Beach eight storeys and in Cottesloe they have trouble going above four storeys, does Council believe 23 storeys is in keeping with a community such as Karrinyup? How does Council justify such a decision?”*

A3. The Mayor advised that it is aware of the community concern around this development, and this will be taken into consideration when the matter is presented to Council.

The following questions were submitted by Mr A Maus, Karrinyup WA 6018 at the Council Meeting held Tuesday 8 September 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *“Local residents have been patient in dealing with very significant disruption and chaos such as dust, noise, traffic and parking during the two years of demolition and construction at the Karrinyup Shopping Centre site. The heavy vehicle traffic in particular is causing damage to things like roads, kerbing, bollards, verges, in-street trees, pavements and lawns. Will the City of Stirling ensure appropriate ongoing repairs are made to City assets? And will the developers contribute to those repairs?”*

A1. The Director Planning and Development advised that all three surrounding City controlled roads are being upgraded by the Shopping Centre. These works will include verge upgrades, new footpaths, landscaping, kerbing, drainage and road resurfacing works. All works are being supervised by the City’s Engineering Operations team and all associated works are fully funded by the Shopping Centre.

Q2. *“Will those works go down as far as Pascoe Street?”*

A2. The Director Planning and Development advised that the conditions of the approval relate to the surrounding streets of the site. If there is any other damage which can be proven to be caused by the developer, the City will follow up on the issues.

Q3. *“The corners of the redeveloped Karrinyup Shopping Centre are considered to be iconic locations. Indeed, the corner of Francis Avenue and Karrinyup Road represents the ‘Welcome to Karrinyup’. Does the City of Stirling believe that a petrol station represents an ‘iconic building,’ as desired on that corner? Has formal approval been given to build an ugly and inherently hazardous petrol station on the corner of Francis Avenue and Karrinyup Road, which is adjacent to a child care centre and a medical centre?”*

A3. The Mayor advised that a petrol station is not considered iconic.

The Director Planning and Development further advised that a meeting was held with members of the community, Ward Councillors and City officers on Monday 24 August 2020 where the City advised that there may be a potential development application for a service station on the corner of Francis Avenue and Karrinyup Road. Should a formal development application be submitted, the City will consider the proposal against the relevant planning framework applicable for this site, including but not limited to, the Planning and Development (Local Planning Schemes) Regulations 2015, the City’s Local Planning Scheme and relevant State Planning Policies and Local Planning Policies.

Q4. *“It seems to me the existing petrol station has to move in order for the 24 storey tower to be built.”*

A4. The Director Planning and Development advised that if the current development application is supported, this involves construction of the development where the current petrol station is located. A development application for a new petrol station on the corner of Francis Avenue and Karrinyup Road has not been received by the City. If a development application is received, the City will assess the proposal against the relevant planning framework.

Q5. *“Residents of the streets surrounding the Karrinyup Shopping Centre have so far endured two years of fairly-chaotic heavy construction activity in the knowledge that it was for the greater good of the expected three-year shopping centre redevelopment. However, the associated East Village Apartments building on Francis Avenue, which was to be four storeys but was changed to seven storeys, has not yet even started. Is there any indication that the East Village will now not go ahead? If not, what is the exact date that building must now commence on the East Village and when must it be completed by?”*

A5. The Mayor advised that there is no indication that it will not go ahead. Changes were made to the staging of the development as a result of COVID-19, however the shopping centre redevelopment is ahead of schedule.

The Director Planning and Development confirmed that the timeframe for the substantial commencement of this development is 19 October 2024. The application received approval for four years in October 2018, however due to COVID-19, the State Government has increased development approvals for a further two years, taking the timeframe for commencement of development to October 2024. No building permit has been submitted for this site. The City has held discussions with applicant and the builder for the site, and the City envisages a building permit will be submitted in the near future.

The following questions were submitted by Ms J Lundy, Karrinyup WA 6018 at the Council Meeting held Tuesday 8 September 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

- Q1. *“To what degree is the City satisfied that an adequate social and environmental impact assessment has been done to determine the full range of short, medium and long term negative impacts on local residents and the environment, particularly given that the City had raised concerns in August 2015 ‘that the development proposed a real risk for significant increase in congestion and a negative parking impact in the sub-region around the centre.’”*
- A1. The Director Planning and Development advised that the development application is still under assessment by City officers. The City will consider those issues in its Responsible Authority Report to Council and the Joint Development Assessment Panel.
- Q2. *“My understanding is that the Design Review Panel (DRP) has or will review the developer’s assessment against the 10 State Planning Policy 7.0 Design Principles but will not be reviewing any community input and concerns against these principles. Given that the aim of the DRP is to help improve the design of development for the benefit of our community, does Council believe that this procedure would pass the reasonable person test, or the pub test, in terms of fairness and equity given that the majority of local residents of Karrinyup believe the excessiveness of this development will negatively impact on at least six of the 10 Design Principles including Context and Character, Amenity, Safety, Community, Sustainability and Aesthetics?”*
- A2. The Mayor advised that the Design Review Panel’s role is to work with the applicant to develop better outcomes before the application is lodged. Community consultation then occurs and Council will consider the comments of the community.
- Q3. *“I live in Burroughs Road, one of the streets that will be most impacted by the proposed development. My partner and I selected Karrinyup due to the amenity of the suburb. Since moving in we have been concerned about traffic levels and speeds on Burroughs Road, having witnessed a number of near misses on the intersection of Karrinyup and Burroughs Roads. We have also witnessed pedestrians, including school aged children, nearly being hit by vehicles as they cross the street. We have twice reported our concerns about current traffic arrangements to Council based on these experiences. Adding to the existing concerns, we believe the proposed street parking for Burroughs Road will only increase the level of risk. Is Council satisfied that an adequate risk assessment has been conducted on traffic issues on Burroughs and surrounding roads which will be impacted by this development and does Council believe that adequate risk mitigation strategies have been put in place to reduce the likelihood of a major or catastrophic impact?”*
- A3. The Mayor advised that the development application is still under assessment by City officers, and will be presented to Council in the future.

The following questions were submitted by Mr A Dines, Karrinyup WA 6018 at the Council Meeting held Tuesday 8 September 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *“Can the Mayor please confirm that the City’s Responsible Authority Report for the original major expansion of Karrinyup Shopping Centre in 2015 recommended refusal on the grounds of, among other things, the absence of an adopted Activity Centre Structure Plan?”*

A1. Mr Dines acknowledged that his question was addressed by the Director Planning and Development in the City Statement – Mixed Use Development at Karrinyup Shopping Centre Site.

Q2. *“Can the Mayor please confirm that if there is a current Structure Plan and or Activity Centre Plan for the entire Karrinyup Shopping Centre Site and or Redevelopment, that it has undergone community consultation, including with those private neighbouring properties that may be included within it; it has been adopted, endorsed, and or approved by the City of Stirling and or WAPC and that it is publicly available, including a supporting report and or documentation?”*

A2. Mr Dines acknowledged that his question was addressed by the Director Planning and Development in the City Statement – Mixed Use Development at Karrinyup Shopping Centre Site.

Q3. *“Can the Mayor please confirm that the City of Stirling’s Responsible Authority Report for Development Application DA19/1906 will address that the proposed development does not, or should not, qualify for any planning exemptions as a ‘shovel ready’ project in response to the recent legislation introduced to assist the offset of the economic impact of COVID-19 because:-*

- a. *The Proponent has already advised the City of Stirling and JADP in its various Amendment Applications, including as late as May 2020, that ‘it cannot undertake the commercial and residential development construction in the same area at the same time;’ ‘...the residential component on the eastern side of the site has commenced pre-sales, however, the current economic environment means that there can be no guarantee to the start date. Any delays would transfer to the western residential component. As such it is not possible to guarantee the commencement date of the western residential component;’*
- b. *The Proponents have indicated the commercial works on the western side would preclude the commencement of the western residential development for approximately four years, subject to approvals and market conditions;*
- c. *The Proponent has a ‘shovel ready’ site on the corner of Davenport Street and Francis Avenue which it is still yet to commence construction, but could commence immediately should it choose too;*
- d. *The Proponent also has existing approvals for a portion of the western residential component along Burroughs Road for eight storeys, which it could progress to ‘shovel ready’, instead of trying to increase its height to 15 storeys; and*
- e. *This new legislation is not intended to allow developers concessions in increasing density and height well in excess of the existing statutory planning frame work, but to speed up construction of commencement of those projects that do comply.”*

A3. The Director Planning and Development advised that the points raised by Mr Dines will be considered in the City's Responsible Authority Report. The exemptions set out in the Minister for Planning's State of Emergency Notice of Exemption, signed 30 April 2020, are not applicable to this development, as the proposal is not exempt from requiring development approval, which is why a development application is currently with the City for assessment. The Planning and Development Act 2005 as amended by the Planning and Development Amendment Act 2020, introduced a new Part 17 that grants the Western Australian Planning Commission temporary decision-making powers to determine development proposals over \$20 million in metropolitan Perth, and over \$5 million in regional areas. The City cannot control who applies for development approval through this process nor does the City have any decision-making power under this process.

The Director further offered to meet with Mr Dines to discuss the points that he has raised.

Q4. *"Could the Mayor please confirm the total number of properties within the 210m site which received written community consultation notice for the proposed nine, 15 and 24 storey residential towers at the Karrinyup Shopping Centre?"*

A4. The Mayor advised that the question would be taken on notice and a written response provided.

Q5. *"Could the Mayor please provide a breakdown of the properties that received written consultation notice, including:-*

- a. A split between the number of residential and commercial properties;*
- b. Identifying how many notices went to the same address i.e. units in a medical centre or aged care facility; and*
- c. How many properties were in the extended community consultation notice area, being the additional 10m above the required 200m."*

A5. The Mayor advised that the question would be taken on notice and a written response provided.

Additional Information

A4. A total of 715 letters were posted to owners and occupiers as part of the consultation process. A total of 652 were residential properties and 63 were commercial properties. The additional 10m beyond the required 200m radius resulted in an additional 56 properties being included in the consultation process. To identify how many notices were sent to the same address (such as a strata development, aged care facility or medical centre) would require a manual review of all 715 properties.

A5. Please refer to the previous response.

The following questions were submitted by Ms L Draydon on behalf of Ms E Wallace, Karrinyup WA 6018, at the Council Meeting held Tuesday 8 September 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

- Q1. *“Can you please tell me how much longer will the traffic be so bad in our area? I am no longer able to ride my bike to school or play in the front yard because there are too many cars and trucks.”*
- A1. The Mayor advised that he cannot provide a definite date, however it is likely the current traffic conditions will continue for a few more years.
- Q2. *“Will the Trigg bushland near our house be affected by the development?”*
- A2. The Mayor advised that Council will take that into consideration and ensure that the development does not affect the Trigg Bushland area.
- Q3. *“I attend St Mary’s Girls School, and can see the cranes from where they will build the apartments, and I can see how tall the towers will be. Will the people in the apartments be able to see me from school?”*
- A3. The Mayor advised that Ms Wallace has raised a good point, and Council will take that on board when the matter is considered at a future meeting.

The following questions were submitted by a Silent Elector at the Council Meeting held Tuesday 8 September 2020.

The following questions relate to the Karrinyup West Residential Towers Development (DA19/1906):-

- Q1. *“Will the City of Stirling provide a deputation to JDAP for the Karrinyup West Residential development and can residents of Karrinyup also ask the majority of the Councillors if they would sign a submission to JDAP opposing the proposed towers as they did for Yelo Café?”*
- A1. The Director Planning and Development advised that this application has been called in to Council for consideration. Once that report is presented, Council will make a decision to either support the officers’ recommendation or not. At that point in time, depending on the decision they make, Council may also decide that the Mayor or an Elected Member may provide a deputation to the JDAP.
- The Mayor further advised that Yelo Café was a very different situation. There was not enough time in between the submission that officers had to prepare and the JDAP meeting for a report to be presented to Council, whereas the Karrinyup development will be called in to Council and a report presented.
- Q2. *“Is the City of Stirling satisfied that the current parking bays at Karrinyup Shopping Centre have been designed in accordance with the relevant Australian Standards in relation to the multi-storey car parking being screened from the street by dense landscaping and the outside bays having one tree per six parking bays as required by the City’s Landscaping Policy under the City of Stirling’s Policy Manual 4.2 Mixed Use and Commercial Centre Design Guidelines. In addition, are the bays currently used by the car detailing business included in the number of bays that would have been used for customers parking?”*

A2. The Director Planning and Development advised that the current parking bays that have been 'cleared' from the City in terms of satisfying the Development Application comply with Australian Standards. There are conditions within those approvals which relate to the Standards and the City would not clear a development unless it met those Standards. The City's engineer conducts site inspections, and also inspects the drawings provided to the City; therefore any part of the development that has been given clearance is compliant with the relevant Standards. In regards to the car detailing business at Karrinyup Shopping Centre, the Director advised that there was a car bay cap on the site.

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

Q3. *"Is Council supportive of having apartments hanging out washing on balconies, as is the case currently at the apartments at 1 Smith Street, Karrinyup? And will this also be permitted at the apartment towers being constructed at Karrinyup Shopping Centre, having 24, 15 and nine storeys of smalls hanging out for everyone to see?"*

A3. The Director Planning and Development advised that clothes drying areas need to be screened from public view. The City will investigate the site and ensure it is compliant with its planning approval.

Additional Information

A2. The existing car parking bays associated with Karrinyup Shopping Centre have been assessed against, and satisfy the requirements of, Australian Standards AS2890.1. This has been reviewed by the City's Development Services - Senior Engineer and endorsed by the developer's private building certifier. The landscaping associated with the major expansion of Karrinyup Shopping Centre is to be in accordance with the submitted Landscaping Plans dated August 2017. Detailed landscaping plans are submitted to the City for review and endorsement prior to the completion of the relevant stage of development. Car parking associated with the car detailing business is included within the overall car parking cap of 4,880 bays which is for residents, employees and customers.

The following questions were submitted by a Silent Elector at the Council Meeting held Tuesday 8 September 2020.

The following questions relate to the Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *"Could the City please confirm that senior decision makers of the City of Stirling attended a Property Council of Australia function where they shared a table with senior representatives of the AMP, perhaps Rowe Group, and other stakeholders? The same organisations that are the developers for the apartment towers. How can the City assure the ratepayers that this does not compromise the impartial position the City has maintained all along? Were any potential JDAP members also at that function?"*

A1. The Mayor advised that senior decision makers attend functions like that on a regular basis. It is very important to have a relationship with all the people who are investing in the City. Companies like AMP, for example, are investing about \$1.3 billion into the economy of the City of Stirling. Decision makers attended the event in question because the Premier and the Minister were speaking. Senior decision makers paid for their own tickets and the Mayor provided assurance that attendance does not compromise the City in any decision making.

- Q2. *“The Premier stated that objectors needed to ‘overcome as they stand in the way of good development’. Our community’s concerns are really struggling to stand a chance against the imperatives of the development industry. It appears to us they are riding roughshod over the existing and established private planning frameworks, which we trust and appreciate that local government manages for us. How does the City propose to respond to and manage this directive?”*
- A2. The Mayor advised that attendance at the lunch does not mean City representatives agree with everything the Premier said. He further advised that maintaining relationships with developers is one of the important ways that the City ensures that not only does Stirling get the economic benefit of development, but those developers choose to go through Stirling for the planning outcomes. The Mayor recognises it is probably hard to understand at this stage and he acknowledges there is a lot of community concern. Developers have the choice to go directly through the WAPC, but currently, the City has an outcome where the developer is going through Stirling, which provides an opportunity for the community and Council to have their say. This is a good outcome.
- Q3. *“The Responsible Authority Report - will that ever be made available to the public before it goes to JDAP?”*
- A3. The Director Planning and Development advised that the application has been called in to Council and the report will be available several days before the Council meeting. The Responsibility Authority Report will be provided 10 days in advance of the JDAP meeting, and at that point, it will also be publicly available for the community to read and to consider preparing their deputations for the JDAP meeting.

The following questions were submitted by Ms P Palfrey, Karrinyup WA 6018 prior to the Council Meeting held Tuesday 8 September 2020.

- Q1. *“Why has the City not established or enforced on the developer the requirement to have in place a structure plan for the activity centre?”*
- A1. The requirement for an Activity Centre Structure Plan is contained within State Planning Policy 4.2 - Activity Centres for Perth and Peel. SPP 4.2 designates Karrinyup as a ‘Secondary Centre’ in the Activity Centre Hierarchy and requires an activity centre structure plan when ‘Major Development’ is proposed.

Major Development is defined by SPP4.2 to mean:-

“Development of any building or extension/s to an existing building where the building or extensions are used or proposed to be used for shop-retail purposes and where the shop-retail NLA [net lettable area] of the:

- proposed building is more than 10,000m²; or
- extension/s is more than 5,000m².”

Clause 6.4(2) of SPP4.2 provides that a development may be approved in ‘exceptional circumstances’. Exceptional circumstances should be taken to mean that circumstances exist where an exception can be granted.

In approving the ‘Major Development’ of the shopping centre on 14 August 2015 the decision-maker for the development application, being the JDAP, was of the opinion that the circumstances did exist where it could approve the development in the absence of an Activity Centre Structure Plan. The City did not support this position.

Q2. *“It seems that there is a ventilation issue to the existing Big W undercover car park, can the City investigate this?”*

A2. The City will pass on the information to the developers and investigate this matter.

22 SEPTEMBER 2020

CITY STATEMENT – MIXED USE DEVELOPMENT AT KARRINYUP SHOPPING CENTRE SITE

The Director Planning and Development made the following statement:-

“Thank you for your questions and interest in the JDAP application for a Mixed Use Development at Karrinyup Shopping Centre site.

To provide an update on this application, the proposed development was referred to the City’s Design Review Panel on 3 September 2020, with the Design Review Panel Report forwarded to the Applicant on 17 September 2020. This Design Review Panel Report, and the three pre-lodgement Design Review Panel Reports, will be published as an Attachment to the City’s Responsible Authority Report (RAR), in accordance with the Council adopted Design Review Panel Terms of Reference.

The Applicant requested an Extension of Time to the City’s RAR due date – from the original due date of midday 29 September 2020 to midday on 18 November 2020.

The purpose of the Applicant’s request to extend the JDAP timeframe is to address a number of outstanding items identified by the City’s assessment of the proposal and to allow for the City’s subsequent assessment of the additional information once it is submitted to the City. The outstanding items requested by the City relate to the City’s assessment of the proposed development against the relevant planning framework as well as comments from the City’s internal Business Units and external State agencies.”

The following questions were submitted by a Silent Elector prior to the Council Meeting held Tuesday 22 September 2020.

Q1. *“Could the City please confirm that the proposed apartment towers will be serviced by buses that will use the Main Street loop entering and exiting onto Karrinyup Road? If this is correct:-*

- a. *Will this also cater to the needs of the 200 or so residents of the eastern apartments being built on Francis Avenue / Davenport Street or will separate routes apply to them?*
- b. *A large volume of buses will be required to service potentially 600 or more western apartment residents and maybe 800+ if the eastern residents are included if, as the developer suggests, most will use public transport. Is the City satisfied that this volume won’t have a significant detrimental effect on the local traffic conditions?*
- c. *It is understood that buses will deliver and collect passengers within the loop similar to what occurs at Stirling Train Station. Does the City know what the developer has proposed to mitigate against the impact to residents and shoppers of the noise and exhaust pollution from buses that will be idling at the stop for lengthy periods? If I understand it correctly, the bus lanes will be contained in what is effectively a tunnel between large buildings whereas at least Stirling Train Station is in an open area.”*

- A1. The Director Planning and Development advised that the internal 'main street', which extends from Karrinyup Road to Burroughs Road through the site, will not be directly serviced by public transport. All public transport services will occur in the surrounding local road network only and not through the private site area. The bus station will be located within the southern portion of the site abutting Karrinyup Road.

The internal 'main street' is a part of the private property area of the site. A condition on the original approval in 2015 requires the owner of the land to grant to the City an easement in gross for the benefit of the City of Stirling and the public at large over that portion of land designated for vehicular and pedestrian traffic along the main street, for the purposes of providing unrestricted public pedestrian and vehicle access to the Main Street.

- Q2. *"This development is surrounded by low density zoning and mass public transport is limited to the bus service which currently adequately caters to the local population. Does the City acknowledge that although this development features the use of bus services, a development of this scale should be based around a more effective train service? If so, will this be a key point raised with JDAP?"*

- A2. The Director Planning and Development advised that in the original application, the Applicant submitted a Transport Plan which addressed all current and future modes of transport and the associated considerations, including pedestrians and the pedestrian network, cycling and its network, public transport, motor vehicles, roads and parking. This Transport Plan was reviewed by the City and the Transport Portfolio, being Department of Transport, Public Transport Authority of Western Australian and Main Roads WA.

The Metro North-West JDAP imposed a condition on the original approval in 2015 that, firstly, required the Applicant to produce an updated Transport Plan to the satisfaction of the City that will clearly show the impact of the proposal on the adjacent residential road network; and secondly to ensure all necessary measures as identified by the updated Transport Plan be implemented and constructed by the landowner at their expense and to the satisfaction of the City, prior to the occupation of the development. There are a number of other conditions on the original approval in 2015 that link back to the Transport Plan, such as the road upgrade conditions.

The availability and adequacy of public transport services to the development will be a matter considered in the City's assessment of the application.

The following questions were submitted by a Silent Elector prior to the Council Meeting held Tuesday 22 September 2020.

- Q1. *"Under the City of Stirling Local Planning Strategy Objective 2, there is a passage that reads – 'Karrinyup Regional Centre will also transform from a predominantly retail centre to a centre with greater residential intensity and a more diverse range of employment activities.' However, due to a lack of regional alternative transport networks, it will be limited in providing local and district employment opportunities outside of retail uses. There is no other industry nearby to support a larger population so residents are still required to travel outside of the local area for work. In light of this, does the City consider that towers of the bulk and scale should be supported?"*

A1. The Director Planning and Development advised that the Local Planning Strategy acknowledges that the Karrinyup Regional Centre will grow to become a large retail centre with a requirement for additional residential density and other non-residential uses. The Local Planning Strategy identifies a minimum residential density of 25 dwellings per hectare over the centre in accordance with State Planning Policy 4.2 – Activity Centres for Perth and Peel. In the Strategy, the Centre is identified as being approximately 26ha in size and would require a minimum of approximately 650 dwellings. Notwithstanding the lack of alternative transport networks or limited ability in providing other employment activities the minimum residential dwellings need to be achieved in this Centre. Residential population in a large centre is critical in reducing trips by cars and increase alternative trips such as walking and cycling. Mixed use centres with residential development is a suitable way of achieving these outcomes.

In response to the question of the City's position on the bulk and scale of the development in its current form, the development application is still under assessment at this stage.

Q2. *“Nearby residents have experienced nightmare traffic and parking conditions around this site for three years now. Is the City concerned about overdevelopment on this site and a significant worsening of traffic and parking, or is the City satisfied that there will be no overdevelopment? I ask this as parking is capped at 4,880 bays and given the huge number of new stores - some of them very large, as well as dining and entertainment activities, this is nowhere near enough to meet the need of the community. What has the City of Stirling got in plan to overcome these issues?”*

A2. The Director Planning and Development advised that the City recommended refusal of the original development application in 2015 for a number of reasons, including but not limited to the application not conforming with various provisions of State Planning Policy 4.2, two of which being Clause 5.3.1 – ‘prioritising public transport and other modes’ and Clause 5.3.2 – ‘traffic and parking’. Notwithstanding the above, the Metro North-West JDAP imposed conditions on the original approval in 2015 in relation to an updated Transport Plan (as previously mentioned) and a car parking cap of 4,880 bays to be provided onsite.

The Director further advised that local traffic impacts and the adequacy of parking will be considered in the City's assessment of the development application.

The following question was submitted by Dr J Lundy, Karrinyup WA 6018 at the Council Meeting held Tuesday 22 September 2020.

Q1. *“In an email dated 18 September 2020, the UniSuper CEO advised that ‘the proposed design for the Karrinyup Western Residential development has been the subject of a rigorous review by the Council Design Review Panel, and all five of the independent panel members supported the proposed design and it was deemed to be consistent with the relevant planning policies’. Can the Mayor please confirm if this statement is accurate in that: a) all five independent panel members supported the proposed design?; and b) the proposal is consistent with the relevant planning policies?”*

A1. The Director Planning and Development advised that the City's Design Review Panel is required to provide independent and impartial professional advice on design quality to the City. The role of the Design Review Panel is not to undertake a planning assessment against the relevant policies. The Panel has not made the referenced statements in relation to this development application.

The following questions were submitted by Mr A Dines, Karrinyup WA 6018 at the Council Meeting held Tuesday 22 September 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *“During Public Question Time at Council Meeting held 25 August 2020, community members expressed their concerns about the lack of public awareness of the proposed suburb changing development of nine, 15 and 24 story high-rise towers at the Karrinyup Shopping Centre, and requested the City of Stirling extend the public consultation period. The City of Stirling were very clear that it would not extend the 28-day consultation period, due to having to provide its Responsible Authority Report response to the JDAP by 29 September 2020. I understand the City has been working with the Applicant for this proposal since at least early 2020. I understand the City of Stirling has now requested and obtained an extension of time until 18 November 2020, being an approximate eight-week extension to further assist it, and no doubt the Proponent, in its JDAP Application. What were the City’s concerns that would warrant such a significant extension of time (being approximately eight weeks) to finalise the Responsible Authority Report?”*

A1. The Director Planning and Development advised that in relation to the comment “the City working with the Applicant since January”:-

- On 8 January 2020 the City received the Form 1 application;
- On 14 January 2020 the City issued a ‘Stop the Clock’ notice to the Applicant, in accordance with DAP Regulation 11A, requesting additional information in order for the City to assess the proposal as the original submission was incomplete;
- On 20 July 2020 the City received all requested information from the Applicant and issued a ‘Recommend the Clock’ notice, in accordance with Regulation 11A of the DAP Regulations.

This means that the City’s assessment of the proposed development commenced on 20 July 2020. No assessment was undertaken and therefore no comments were provided to the Applicant by the City regarding the proposed development prior to this date.

In relation to the ‘Extension of Time’ request to the City’s Responsible Authority Report (RAR) until 18 November 2020, the Applicant requested an extension of time to address a number of outstanding items identified by the City’s assessment of the proposal. The outstanding items requested by the City relate to the City’s assessment of the proposed development against the relevant planning framework, as well as comments received from the City’s internal Business Units and external State agencies as well as the consultation.

The Director offered to meet with Mr Dines to discuss the key points that raise concerns for the City.

Q2. *“Since the closure of the 28-day public comment period on Monday 24 August 2020, what information and / or feedback has been provided by the City to the Applicant, and / or additional information requested from Applicant, including in relation to justifying the City’s recent request for an ‘Extension of Time’ to complete the City’s Responsible Authority Report. When will this be supplied to ratepayers and residents?”*

- A2. The Director Planning and Development advised that following the conclusion of the consultation period, the City has provided a 'Request for Further Information' letter to the Applicant, dated 11 September 2020, which identified a number of outstanding issues in relation to the City's assessment of the proposed development.

The proposed development was referred to the City's Design Review Panel on 3 September 2020, with the Design Review Panel report forwarded to the Applicant on 17 September 2020. This Design Review Panel report, and the three pre-lodgement Design Review Panel reports, will be published as an Attachment to the City's RAR, in accordance with Council's adopted Design Review Panel Terms of Reference.

- Q3. *"Can the City confirm during this eight-week extension of time, if the City and / or the applicant intend to progress the approval of an Activity Centre Plan and / or Structure Plan for the redevelopment of the Karrinyup Shopping Centre sites and surrounds?"*

- A3. The Director Planning and Development advised that the question would be taken on notice and a written response provided.

The Director further advised that at this stage, the City has not advised the applicant to submit an Activity Centre Plan.

- Q4. *"Just a point of clarification – it is my understanding that the applicant has submitted the document [to the City] and to the Department of Planning. It is a question of whether the City will progress that document."*

- A4. The Director Planning and Development advised that the City is unaware of a recent submission of an Activity Centre Plan, unless Mr Dines is referring to the submission by the Rowe Group in 2015.

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

Additional Information

A3 and A4.

On 19 December 2014 the City received two documents from Rowe group on behalf of AMP Capital:-

1. "Karrinyup Secondary Activity Centre Structure Plan"
2. "Karrinyup Activity Centre Guidelines" (proposed Local Planning policy).

The City undertook a review of the documents including a legal review and found:-

1. A rezoning of the site to "Development" zone was required before the draft Karrinyup Secondary Centre Structure Plan" could be legally advertised and adopted.
2. The contents of the proposed local planning policy were not considered to be legally valid.

The draft Activity Centre Structure Plan and the draft Local Planning Policy were not presented to Council for formal assessment or advertising as a result of the legal advice

received. However these documents were informally discussed in a report to Council on 3 February 2015 where the City recommended that a development zone be created for the Karrinyup Shopping Centre site. This would have enabled the City to advertise and adopt the draft Activity Centre Structure Plan. However this recommendation was ultimately lost at a vote of the full Council and no action further was undertaken (Council Resolution Number 0215/007).

State Planning Policy 4.2 – Activity Centres for Perth and Peel details which centres require Activity Centre Plans and the circumstances when they are required.

Clause 6.4 (1) of State Planning Policy 4.2 states that Activity Centre Structure Plans should be endorsed prior to major development (over 5,000m² NLA of shop floor space) being approved in an Activity Centre. It also states that in exceptional circumstances the major development may be approved in the absence of an endorsed Activity Centre Structure Plan.

The Metro North-West Joint Development Assessment Panel ultimately approved the major development of the Karrinyup Shopping Centre without an endorsed Activity Centre Structure Plan, using the exceptional circumstances clause. The Metro North-West JDAP and Metro Inner-North JDAP considered that all subsequent JDAP applications for modifications to the approved Major Shopping Centre Expansion did not trigger the need for an Activity Centre Structure Plan to be endorsed prior to the approval of these applications.

The new residential mixed use development is not major development (as it is less than 5,000m² NLA of shop floor space) and does not require an endorsed Activity Centre Structure Plan prior to being approved. Therefore the City will not be reviewing or seeking to progress the previous Activity Centre Plan informally lodged in 2014.

The following questions were submitted by Ms E Kruger, Karrinyup WA 6018 at the Council Meeting held Tuesday 22 September 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *“When will Council address the build-up of traffic along Burroughs Road and Davenport Street, Karrinyup? As a resident, it is almost impossible to reverse out of my driveway and crossing the road has become dangerous. Apparently, a traffic count was done some time ago on Burroughs Road, but the cable was placed past the entrance at Northcourt Building which is not a true indication of the traffic flow. According to my neighbour, traffic is very bad at 7.30am, and becomes progressively worse during the morning and into the afternoon. As far as I am concerned, this is an unacceptable situation in an area zoned as residential. We need urgent action from the Council, whether that be a lower speed limit or another solution.”*

A1. The Director Planning and Development advised that the traffic issues on Burroughs Road and Davenport Street are a direct result of the Karrinyup redevelopment; the traffic management and road improvements are being completed as a result of the approved development. Some level of disruption is unavoidable during this construction period however, the City will continue to work with the developer to minimise any impacts wherever possible.

Q3. *“Where will the proposed second roundabout be located along Burroughs Road? I visited your offices to speak to someone about this but as no one was available, I was assured that someone would contact me telephonically, but this was more than a month ago with no reply.”*

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

The Director also offered to arrange a meeting with Ms Kruger to outline the plans and provisions.

Additional Information

A3. As part of the initial design plans submitted to the City, an additional roundabout was proposed to be located along Burroughs Road, approximately 60m south of the Davenport Street roundabout to coincide with the access location into the shopping centre. However, the most recent approved plans have removed this additional roundabout, and the access location will now function as a standard T-junction.

The following questions were submitted by Mr A Davies, Karrinyup WA 6018 at the Council Meeting held Tuesday 22 September 2020.

Q1. *“Will Council rescind the motion passed several years ago which authorised the CEO of the City of Stirling to enter into negotiations with the shopping centre to sell off the Karrinyup library site? If this is not done, the site could be disposed of without ratepayers knowing about it.”*

A1. The Mayor advised that he is not aware of any motion for the CEO to enter into these negotiations. The Mayor advised that nothing will happen without ratepayers being notified.

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

Q2. *“Will Council ensure that the fenced off western footpath of Francis Avenue, Karrinyup does not remain once the shopping centre is developed in that area and not let it remain there until the apartments are built in several years’ time?”*

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

Q3. *“Will Council instruct the Elected Members who sit on the Joint Development Assessment Panel (JDAP) to vote against the nine, 15 and 24 storey buildings of the Karrinyup Shopping Centre development, in accordance with the objection of the ratepayers?”*

A3. The Director Planning and Development advised that the question would be taken on notice, and a written response provided. He further advised that Elected Members who sit on the Development Assessment Panel do have to make their own decision on the application and cannot be instructed by Council.

The Mayor advised that the City of Stirling JDAP members are present at the Council meeting and are taking on board the concerns of the community. The local government DAP members are required to make an impartial determination based on the evidence before them.

Additional Information

- A1. At the Council Meeting held 30 June 2015 it was resolved “that pursuant to Section 75 of the Planning and Development Act 2005, Council INITIATES an Amendment to Local Planning Scheme No. 3 to rezone Lot 2, House Number 13, Davenport Street, Karrinyup from ‘Civic’ to ‘Development’ zone, and that the Amendment be processed in accordance with the Town Planning Regulations 1967.”

This did not include any delegation to the CEO for negotiations and/or sale of the Karrinyup Library site.

Subsequently, the Restrictive Covenant over the Karrinyup Library site was removed on 1 June 2016 and the Amendment to Local Planning Scheme No.3 was approved by the WA Planning Commission on 26 July 2017.

- A2. The approved plans for the eastern side of the Shopping Centre development shows the area described as open with no fencing. Once the construction is completed for this part of the Shopping Centre, the construction fencing will be removed. During construction of the residential development at the north-east corner of the site, it is reasonable to expect that the fencing will remain during construction.
- A3. Clause 2.1.2 of the Development Assessment Panel Code of Conduct states that the member must exercise independent judgment, and consider the application on its planning merits, in deciding how to vote.

13 OCTOBER 2020

The following questions were submitted by Mr A Dines, Karrinyup WA 6018 at the Council Meeting held Tuesday 13 October 2020.

- Q1. *“Contrary to State Planning Policy 4.2 - Activity Centre Plans for Perth and Peel, in which Karrinyup Shopping Centre is classified as a Secondary Centre, an Activity Centre Plan (ACP) was never endorsed before the original development was approved in 2015. It is understood that AMP Capital submitted an ACP plan, but it was not progressed by the City. This plan extended beyond the boundary of the Karrinyup Shopping Centre to include all of the properties immediately surrounding. This would have allowed those residential properties and ratepayers most impacted by the Karrinyup Shopping Centre expansion a choice to trade out of their properties whilst also providing infill opportunities and facilitating transitional built form outcomes similar to what is being achieved around the Booragoon Shopping Centre - a.k.a. the Karrinyup of the South - which has an Activity Centre Plan which clearly sets out the R-Codes and building heights for the area. Local Planning Policy 5.7 - Karrinyup Regional Centre Guidelines, which were last updated in May 2018, state - It is the ultimate intention to extend a mixed use zone to all lots around the Karrinyup Regional Centre after thorough community consultation and urban design studies have been completed.*

During Public Question Time on 8 September 2020, the Director Planning and Development advised that the City has no current intention of rezoning property along Burroughs Road and Davenport in response to the redevelopment of the Karrinyup Shopping Centre. Can the City please confirm why it is not considering rezoning the adjoining properties as per the outcomes that would have been achieved via an Activity Centre Plan and in accordance with the intent of the Local Planning Policy 5.7.”

- A1. The Director Planning and Development advised that as stated in the minutes of the Ordinary Council Meeting of 22 September 2020, a report was presented to Council on 3 February 2020. The City recommended that a development zone be created for the Karrinyup Shopping Centre site and surrounding area to enable the City to advertise and adopt the Draft Activity Centre structure plan. This recommendation was ultimately lost at a vote of the full Council, and no further action was undertaken.

Following the aforementioned Council resolution, the Draft Activity Centre structure plan and any potential rezoning of properties surrounding the Karrinyup Shopping Centre site has not progressed. Local Planning Policy 5.7 - Karrinyup Regional Centre Guidelines signals that it is the ultimate intention to extend a 'mixed use zone' to all lots around the Karrinyup Regional Centre, after thorough community consultation and urban design studies have been completed.

This is a long-term strategic aim to signal to the community and prospective property buyers that the area is an area of potential change. Notwithstanding this, the City reiterates that there are no current plans to initiate any rezoning of the properties surrounding the Karrinyup Shopping Centre site.

- Q2. *“Local Planning Policy 5.7 - Karrinyup Regional Centre Guidelines which were last updated in May 2018 states: ‘To create main street frontages to the existing roads surrounding Karrinyup Shopping centre’. During Public Question Time on 25 August 2020 the Director Planning and Development advised in relation to the application of Local Planning Policy 5.7 that: ‘Therefore on-street parking was required to be provided on all streets surrounding the shopping centre’. Can the City please confirm how many on-street parking bays have, or will be created on all streets surrounding the centre, on a street by street basis?”*

- A2. The Director Planning and Development advised as part of the original approval for the Form 1 DAP application for the expansion of the shopping centre, conditions were imposed by the Metro North West JDAP requiring significant road upgrades to Francis Avenue, Burroughs Road and Davenport Street.

The conditions required detailed designs to be submitted that incorporated a number of items, including but not limited to lane widths, parking bays, cycle paths, footpaths, landscaping and pedestrian crossings. These roads are still under construction, however at present, there are 24 on-street car parking bays that have been constructed along Davenport Street. Additional on-street car parking bays will be provided along Davenport Street upon the completion of the approved seven storey mixed use development located on the north east corner of the site.

On-street car parking bays will also be constructed along Burroughs Road, but not on Francis Avenue due to the limited road width. The number of bays will be determined upon lodgement and assessment of detailed engineering drawings provided to the City. The on-street car parking bays have been provided at the expense of the landowner and are not subject to a cash-in-lieu payment. Cash-in-lieu of parking payments relate to developments that result in a shortfall of parking bays on site. This development was approved with a cap of car parking at 4,880 bays.

At this stage, the City does not intend to use the on-street car parking bays as paid parking. However, this may be subject to future review at Council should this be initiated

Q3. *“The Transport Plan prepared by Aurecon as part of the Development Application for the Mixed Use Expansion of the Karrinyup Shopping Centre states that: ‘Strategy 5 – Introduce Paid Parking for Staff this includes, introduce paid parking for all staff to assist in managing travel demand and behaviour at the centre and future proof the carpark design to allow for paid customer parking to be introduced.’ Whilst the intent may be to encourage staff and customers to catch public transport, it will more than likely lead to staff and customers seeking free parking in the surrounding streets, verges, parks and vacant blocks, as is currently the case with the construction workers. This was also an issue when staff were prevented from parking on-site by Karrinyup Shopping Centre before the City responded to residents’ complaints. Can the City please confirm what strategies it has prepared for when this paid parking is introduced by Karrinyup Shopping Centre and will this include introducing paid parking within the streets?”*

A3. The Director Planning and Development advised that Condition 44 of the original approval for the formal application required a maximum of 4,880 parking bays to be provided and reserved as public parking bays to the satisfaction of the City. The endorsed Travel Behaviour Change and Parking Management Plan identifies a total of 1,000 car parking bays to be allocated as employee parking bays, with the remaining 3,880 car parking bays allocated for visitors and residents.

The Parking Management Plan states that the allocation of these bays may be subject to change based on the varying transport needs of users to the centre, with any change being subject to review and endorsement by the City. The endorsed transport plan was model based on the surrounding road network strategies to increase sustainable transport, including public transport, pedestrian and cycle access and parking management. The car parking facilities considered in the endorsed transport plan relate only to the car parking facilities provided on site and within the verge. Informal on street bays within the surrounding road network were not included within the modelling or the endorsed transport plan to support the development.

The Endorsed Travel Behaviour Change and Parking Management Plan identifies that parking restrictions will be placed on employees and visitors by way of time limits and or parking permits. Should this result in informal on-street parking within the surrounding local road network, the City will investigate this and implement measures including, but not limited to enforcement of the installation of timed, on-street parking bays. This will only be considered once this shopping centre is fully developed.

The following questions were submitted by Ms L Noack, Karrinyup WA 6018 at the Council Meeting held Tuesday 13 October 2020.

Q1. *“The original Karrinyup Shopping Centre expansion approval in August 2015 contained two key development conditions – 35 and 36. They related to the timing of the commencement of the residential component of the development. During Public Question Time on 25 August 2020, the Director Planning and Development advised that the applicant’s justification letter received on 4 May 2020 formed part of the City’s consideration of the Form 2 application proposing to delete conditions 35 and 36. AMP themselves stated that ‘AMP has a strong desire for the inclusion of a substantial residential component as part of the overall development of the centre’. However, now we, the residents, are faced with the very real concern of living in an ad hoc construction zone for potentially 10 to 20 years, which will be further compounded by the possible redevelopment of North Court and the library. Can the City please confirm if, prior to the supporting of the removal of the development conditions 35 and 36 in its Responsible Authority Report, did the City of Stirling seek or obtain a legally enforceable agreement relating to the timing of the residential development component of the Centre’s expansion?”*

A1. The Director Planning and Development advised that the City did not seek or obtain a legal agreement in relation to the deletion of Conditions 35 and 36 of the original development approval.

Conditions 35 and 36 were imposed as part of the original development approval, as the application was lodged in the absence of an Activity Centre Plan. The conditions were imposed to ensure that a substantial residential component would be provided during the initial stages of the construction and prior to the occupation of the completed Shopping Centre redevelopment, in line with the intent of State Planning Policy 4.2 – Activity Centres for Perth and Peel.

The removal of Conditions 35 and 36 was considered as part of the Form 2 DAP application, lodged on 22 January 2020, which also included an additional roof top car park, modifications to the external and internal facades and the deletion of a number of conditions, primarily relating to the residential component of the development.

In assessing the merits of the request to remove Conditions 35 and 36, the City was satisfied that the landowner had undertaken significant progress towards providing a residential component of the development and was comfortable that residential development would be constructed in the future.

A legal agreement is not required to support the removal of Conditions 35 and 36. To be clear, the City did not support the removal of the residential component from the development; the City did however support the removal of the restrictive timing of delivery of the residential component of the development.

Q2. *“If the Centre is sold to a third party, prior to the completion of part or whole of the residential component, will the new owner be required to complete the residential component? If so how, and by when?”*

A2. The Director Planning and Development advised that the development approvals issued would need to be complied with by the landowner. However, should the site be sold to a third party, they may submit a development application seeking to remove components from the overall development which would be assessed on its merits at that time.

- Q3. *“Following on from question one, the response also carried a reference to Blackburn regarding pre-sales etc. It did say in that response, no guarantees were given (given it is a strange year in 2020), but stated that any delays would then transfer to the western residential component. That is the Burroughs Road side. There is little or no thought for the ongoing impact to the residents on the Burroughs Road side. Is the City of Stirling content with that decision, which obviously produces encumbrances for those residents?”*
- A3. The Director Planning and Development advised that the City is comfortable with the removal of those two conditions. The City is confident that residential development will be provided on the site. The Director advised that in his opinion, this is likely to be provided on the east side of the site, in the near future.

The following question was submitted by Mr A Maus, Karrinyup WA 6018 at the Council Meeting held Tuesday 13 October 2020.

- Q1. *“My question relates to conflicting advice regarding the Karrinyup BP Petrol Station. At a recent meeting with the developers of the Karrinyup Shopping Centre (AMP, Rowe Group) the developers stated that no new approval was required to move the petrol station because they already had such approval, and have had it for some time. A 24 storey residential tower is currently proposed for that site. This seems to contradict the answer given by the City to my previous question on this matter (Item 7.3, Question 3, Minutes of the Ordinary Council Meeting 5 September 2020) indicating that no formal application for this had yet been submitted. Residents of Francis Avenue, Karrinyup remain very concerned that an ugly and inherently hazardous petrol station might be built on the ‘iconic’ corner of Francis Avenue and Karrinyup Road, adjacent to a child care centre and a medical centre. This very busy intersection represents the ‘Welcome’ to Karrinyup but is now regularly becoming dangerously clogged by traffic trying to turn into KFC, Hungry Jacks and the entrance to the new multi-storey carpark, which is too close to the traffic lights. Addition of a petrol station on that corner would further exacerbate these traffic problems. To address the assertion by the developers that they do not need further formal approval, can the City please clarify whether any approvals for the move of the BP Petrol Station are already in place, or whether they will still be required in the future, and hence be subject to the relevant planning framework? Exactly what is the situation with that petrol station?”*
- A1. The Director Planning and Development advised the original approval for the expansion of the shopping centre did not include a service station on the corner of Karrinyup Road and Francis Avenue. To date, no works have been undertaken towards the construction of this service station.

The City has had meetings with a proponent about a new service station at that location and if that proposal is presented, it would require a development application as its location is different to the original proposal. As part of that deliberation, the City would consider advertising the proposal and take into account any comments regarding traffic, but also look at the traffic implications on that corner. A new development application would be required if the proponent was building a different type of service station than was originally proposed.

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

Additional Information

- A1. The service station on the corner of Francis Avenue and Karrinyup Road was approved as part of the 2015 original approval. Any modifications to this will require further approval to be obtained.

The following questions were submitted by Ms S Kemp, Karrinyup WA 6018 at the Council Meeting held Tuesday 13 October 2020.

- Q1. *“The members of KRRD (Karrinyup Residents for Responsible Development) would like to ask the City why it chose to afford the residents of Trigg written notice of the proposed new Surfing WA development who are residing in an 800m radius of this proposed site, when they chose to only notify residents of Karrinyup living within 210m of the Karrinyup West Residential Development. Why are we different?”*

- A1. The Director Planning and Development advised that the proposed Surfing WA headquarters did not require formal consultation in accordance with the City's planning consultation procedure. Public consultation was undertaken in relation to the ground lease and design, and not as a result of a development application. In relation to the 800m advertising radius, the radius was increased from the standard 200m catchment due to the isolated location of the proposal, being mostly surrounded by bushland, car parking and the ocean. There are no residential properties within a 200m radius and therefore the radius was increased to 800m to ensure owners and occupiers closest to the proposed development were made aware of the proposed ground lease and design scheme.

- Q2. *“Over the past few Council meetings, there have been several queries relating to the potential redevelopment of the North Court Building and the sale and or redevelopment of the City of Stirling owned Karrinyup library. The City has advised that the library was originally bequeathed, and all encumbrances have been removed in recent years, notably in 2015. During Public Question Time on 25 August 2020, the Director Planning and Development advised that the City was not aware of any current proposals for the site; upon a request for clarification from the questioner that there had been no negotiations or discussions regarding these sites, the Mayor confirmed there had not. In a meeting on 8 October 2020 between AMP Capital representatives, Rowe Group reps, local current member for Carine and ourselves - members of the KRRD - we were advised that there were in fact discussions between AMP and the City for AMP to acquire the library site. And at the meeting, AMP stated that there had been discussions in 2015 regarding the purchase of the library, but it came to nothing. Can the City please provide an overview of these discussions, including dates, prices, and likely development outcomes including proposed building heights?”*

- A2. The Mayor advised that there is no offer on the table for the library. The City has always maintained that if it was potentially possible and it fit in with the City's library strategy, with a good outcome for the community, the City would be open to discussions. There is nothing on the table now or in the near future.

Additional Information

The location of the public consultation process associated with the proposed Surfing WA headquarters is not comparable with the proposed 'Mixed Use' Development for Karrinyup Shopping Centre which is located in an established residential area. The public consultation process for the proposed 'Mixed Use' Development at Karrinyup Shopping Centre included 715 letters to owners and occupiers, as opposed to the 631 letters to owners and occupiers for the public consultation associated with the proposed Surfing WA headquarters.

With respect to the public consultation process associated with the proposed Mixed Use Development at Karrinyup Shopping Centre, this process was highly successful with valuable feedback received during the consultation period. Feedback received is being taken into consideration in the City's assessment of the proposal and will also be incorporated into the City's Responsible Authority Report.

The following questions were submitted by Ms J Lundy, Karrinyup at the Council Meeting held Tuesday 13 October 2020.

Q1. *"I have been advised by the Department of Main Roads by email on two occasions (7 October 2020 and 12 October 2020) that they cannot support DA19/1906 proposal at this point in the time based on the information provided. Given this information, I am surprised by the fact that representatives of AMP Capital and Rowe Group (Scott Nugent, Greg Rowe, and Sean Fairfoul) indicated to concerned Karrinyup residents at a meeting held at the offices of Tony Krsticevic, Member for Carine on 8 October 2020, that they were not aware of any concerns regarding road and traffic issues and that they believed Main Roads was happy with the development application. Can the Mayor please provide any insights as to why the developer would have a completely different understanding of the situation regarding road and traffic concerns and what the City's position is on this issue?"*

A1. The Director Planning and Development advised that the City's 'Request for Further Information' letter dated 11 September 2020 identified a number of outstanding items from the City's assessment of the proposed development, comments from the City's internal Business Units, external State agencies including Main Roads WA, and the public consultation process.

In response to the City's 'Request for Further Information' letter, the applicant requested an extension of time to the City's Responsible Authority Report to submit amended plans and information addressing these outstanding items, and to allow for the City's subsequent assessment of this additional information.

The City is aware the applicant has met with Main Roads WA to discuss the outstanding items; however, the City has not received any further correspondence from Main Roads regarding the proposed development.

At this stage the proposed development is still under assessment by the City's officers, and as part of any submission of new information, the City will be referring any proposal back to Main Roads for their formal comment.

Q2. *"I would like to commend the City on the Strategic Community Plan 2018 – 2028 (reviewed in 2020) and the widespread sharing of this important document which articulates how the community's vision and objectives will be achieved (as required by the integrated planning framework).*

Can the Mayor please explain:-

- a) *how this current development is consistent with the sustainability principles as outlined in the plan; and*
- b) *how the City will be able to achieve objective B1.1 'Plan to create unique and liveable neighbourhoods and places that meet community needs' and in particular the performance measure 'satisfaction with services and facilities in local neighbourhoods' given the widespread opposition to the current development by residents of Karrinyup."*

- A2. The Mayor advised that he believes the question has been answered before - the City is not the decision maker, but is performing an assessment. The Responsible Authority Report will be in the public realm and will be presented to Council so that they will have an opportunity to discuss those issues. He further advised that the question would be taken on notice so that further detail could be provided.

Additional Information

- A2. The development application is not required to be assessed against the specific objectives of the City's Strategic Community Plan 2018-2028, however a fundamental principle of sustainable urban development is consolidation of residential urban density in well serviced locations. This helps to sustain our natural resources. The City's local planning framework must align with the objectives of the City's Strategic Community Plan 2018-2028.

The proposed development is required to be assessed against the relevant planning framework applicable to this site, including but not limited to, the Planning and Development (Local Planning Schemes) Regulations 2015, the City's Local Planning Scheme No.3, the relevant State Planning Policies and Local Planning Policies. A key matter to be considered by the decision maker is the development's impact on the amenity of the locality. In assessing this matter, the environmental impacts of the development, the character of the locality and the social impacts of the development will be taken into consideration.

The following questions were submitted by Mr R Mitchell, Karrinyup at the Council Meeting held Tuesday 13 October 2020.

- Q1. *"I noted a view published in the media by a 14 year old student of St. Mary's Girls School in Elliott Road, Trigg. The student expressed concern that the outlook from the proposed large tower unit balconies, proposed on the corner of Burroughs and Karrinyup Road, will have uninterrupted views down across Trigg Bushland to the rear of St Mary's School. This is a major concern that sophisticated equipment could be used from any of these balconies to watch and interfere with the privacy of the school. I raised this matter to alert those who desire this high rise in a residential zone area. Such matters should also be noted, considered and adjudicated on by this Council and the JDAP."*

- A1. The Mayor thanked Mr Mitchell for his comments.

- Q2. *"Recently, in the company of Mr Rodic, we were escorted to the site by the representative of the liaison firm in relation to matters pertaining the Karrinyup Shopping Centre. This property has the Karrinyup Library and Cultural building within this boundary. As it is the property of the City of Stirling, the title boundary is not delineated by any type of survey markings. From a legal point I believe some type of permanent identification, such as survey markers, should be installed permanently to delineate the title property. These can be brass type disks embedded in concrete with identification. It is obvious that the original site of the R & I Bank is now amalgamated with the Karrinyup Shopping Centre footprint. These markers should be essential identification reference over the coming years."*

- A2. The Mayor thanked Mr Mitchell for his comments.

- Q3. *“This relates to a question asked by Mr Arnold Davies on 22 September 2020. The question relates to the removal of temporary fencing along Francis Avenue and Davenport Street. Currently, the fence along Francis Avenue engulfed the verge footpath to the edge of the road. It is mentioned in the ‘additional information’ that this fencing may remain whilst the units on the corner of Francis Avenue and Davenport Street are built. This would not allow the footpath use to be re-established until after the units are built. Considering the poor liaison with the residents of Francis Avenue to allow that verge to be closed during the Shopping Centre construction, to now placate the wants of a unit developer against the use of pedestrians is both unreasonable and unwarranted. Please ensure that the boundary fencing for the unit site development is contained within the property side, and the footpath completed and available for immediate public use. Developers and builders can and have to work within the lawful building envelope. There is too much fawning to the wants of builders and development in an ad hoc manner by the City of Stirling administration. The wants and amenities of the residents and ratepayers must be foremost.”*
- A3. The Mayor thanked Mr Mitchell for his comments and advised that they will be taken into consideration.

The following questions were submitted by Ms S Fordham, Karrinyup at the Council Meeting held Tuesday 13 October 2020.

- Q1. *“What is the current code of the site proposed for the nine, 15 and 24 storey residential high-rise towers at Karrinyup Shopping Centre?”*
- A1. The Director Planning and Development advised that the sites are in a Regional Centre, so there is not a Residential Code (R-Code) zoning. The Scheme does state under Clause 5.3.2 that residential development where there is not an R-Code shall comply with the R80 requirements.
- Q2. *“If there is no R-Code, what is the default planning framework specifically relating to the permissible density and height at the site?”*
- A2. The Director Planning and Development advised that there are three key planning policies that would apply to the site, which would be State Planning Policy 4.2, the Residential Design Codes (volume two for apartments), and the current Regional Centre Design Guidelines where the key documents will be considered as part of the assessment.

The Mayor also advised that more information would be provided in writing.

Additional Information

- A2. The development is required to be assessed against the relevant planning framework applicable to the site which includes the Planning and Development (Local Planning Schemes) Regulations 2015, the City’s Local Planning Scheme No.3, the relevant State Planning Policies and Local Planning Policies.

The following questions were submitted by Mr S Wheeler, Scarborough at the Council Meeting held Tuesday 13 October 2020.

- Q2. *“Mr. Arnold Davies, at the last meeting, asked - will Council rescind the motion which authorises the CEO of the City of Stirling to enter into negotiations with the shopping centre to sell off the Karrinyup Library site. The answer that was given in the minutes referenced a Council Resolution from June 2015, which just like Goldilocks and Rumpelstiltskin and many other fairy stories, made no mention of any such delegation. Council Resolution 0516024, however, made on 3 May 2016 - and you voted on this item Mayor Irwin - absolutely did resolve to give the CEO authority to enter into negotiations with AMP in regard to the library site. It was passed by a 6-3 vote for a decision required under the Local Government Act to be made by an Absolute Majority. Six was not then, and is still not, an Absolute Majority. To rephrase Mr. Arnold's [Mr Davies'] question, given that the resolution was made ultra vires, will the Council now rescind it?”*
- A2. The Mayor advised that the question would be taken on notice and a written response provided.
- Q3. *“Last week Mayor Irwin, you promised Arnold an apology if it was found to be the case. But I think the City owes Arnold a bigger apology. Mr. Davies was informed by Council on 19 April 2016 – and I was at that meeting - that under its Local Laws, the City would from then on refuse to answer Mr. Davies' questions about the sale of the library site. The City listed two or three pages of Mr. Davies' questions, it appeared, in an effort to belittle Arnold's constant questioning and underline the need and validity of the censure from the City on Arnold. Mr Zelestis QC, who is AMP Capital's barrister, confided in a 2015 DAP agenda - which is available at good libraries everywhere - in relation to the non-existence of an Activity Centre Structure Plan, notes that the City's requirements were that AMP agree to purchase the library land. This is in 2015. AMP have confirmed that negotiations occurred in late 2014 or early 2015 for a potential purchase. My question is - and these are all publicly available documents, I'm not claiming any secret squirrel here - other than making Mr. Davies' apology monumental in nature, will the City, after some five years and more of misdirection, release a statement divulging the full history of negotiations with AMP Capital for sale or redevelopment of the Karrinyup Library site; the CEO's and the previous Mayor's involvement; and associated file notes, to provide the transparency and accountability sadly lacking to date in this manner? And it is still going on today.”*
- A3. The Mayor advised that the question would be taken on notice and a written response provided.

Additional Information

- A2. Council Resolution Number 0516/024, resolved by Council at its meeting held 3 May 2016, was not a delegation and was not required to be made by absolute majority. Part 5 of the Local Government Act 1995 provides for the Council to “act through” the CEO by authorising the CEO to undertake actions on its behalf.
- A3. The City will provide a written response prior to the next Council meeting.

26 October 2020

Dear Mr Wheeler

I refer to your public questions asked at the Council meeting held 13 October 2020.

The City undertook to provide you with a written response.

In relation to your questions, it is prudent to correct the record in relation to statements about the Karrinyup Library site.

1. There are current negotiations with the owner of the Karrinyup Shopping Centre about the acquisition of the Karrinyup Library Site.
There are no current negotiations and have not been since members of the public were advised of this in July 2018 in response to a public question from Mr Arnold Davies.
2. There were negotiations with the owner of the Karrinyup Shopping Centre about the acquisition of the Karrinyup Library Site in 2015 that involved discussion of the development outcome on the existing Karrinyup Library site.
There have been discussions over many years about the opportunity that the Karrinyup Library site represents to the City and to AMP Capital as its significant neighbour.

The City was not in a position to consider any development outcomes until it reviewed the future needs of its Karrinyup Library and community centre. These services provide an important and valued service to the community and how they will be delivered in the future is the City's focus.

3. The City entered into negotiations to "sell off" the Karrinyup Library site.
The City has, and will continue to, contemplate the future of the Karrinyup Library and Community Centre as one of the State's busiest public libraries.

If the City could have achieved a land transaction that achieved fair value for the transaction and met the City's future service provision needs, it would have been presented to Council for consideration.

Currently, the City needs to consider how best to provide library and community services in the context of the significant redevelopment of the site adjacent. There has been no decision made by Council about the Karrinyup Library site. There are many potential options to consider.

4. The City delegated authority to the CEO to negotiate with AMP on a land transaction.
The City is prohibited under the Local Government Act 1995 from delegating the power to the Chief Executive Officer to enter into a land transaction agreement, or a preparatory agreement to such a land transaction, for the Karrinyup Library site.
The City did authorise the Chief Executive Officer in May 2016 to enter into non-binding negotiations for a land transaction based on transfer of the City land to AMP Capital; a new facility for the City including a library, community centre and carpark and transfer to the City of the land on which the new facility would be located.
5. The Council resolution was ultra vires.

The Council resolution was not ultra vires.

6. The City's requirements were that AMP agree to purchase the library land. This is false. The Development Assessment Panel report records that Mr Zelstis QC's submission about the City's position in relation to the library site was "factually incorrect." The report further notes that "one of the factual matters on which Mr Zelestis relied, relating to negotiations over the City's library lands, was mischaracterised by his instructions..."

The Development Assessment Panel report further records:-

"Several conclusions can confidently be drawn from that documented chronology. First, the purchase of the library land was not proposed by the City and presented as an ultimatum. Second, instead, the proposal came from AMP and was designed to meet its needs (although the City was also likely to find a version of the proposition attractive). Third, the parties were in accord that the outcome of the library land issue should be reflected in an activity centre structure plan, which was a reason to progress it at the time."

7. The City has lacked transparency and been involved in secret dealings.

The fact that the Chief Executive Officer was authorised to enter into non-binding negotiations was made public at the time of the resolution in May 2016. The fact that the City was in negotiations that were ongoing was made public in May 2017 in response to a question from Mr Arnold Davies. The fact that negotiations had ceased was made public in July 2018 in response to a question from Mr Arnold Davies. There have been no negotiations since. There are no current negotiations.

The City has, and will continue to, contemplate the future of the Karrinyup Library and Community Centre as one of the States busiest public libraries. If a better outcome can be achieved through a land transaction at fair value, it will be presented to Council for consideration. Councillor briefings have taken place when required. The City has throughout the entire 6-year period in question been keenly aware of the need for compliance and transparency.

In relation to compliance, the City has been up front with AMP Capital about the need for Council approval of any proposed land transaction. AMP Capital is not the City's only option for the future of the Karrinyup library. The City will explore the best options. If a land transaction is the best option, this requires a business plan and public consultation on the proposal that would then be reported to Council for a final decision.

In relation to transparency, the City and AMP are both large organisations with statutory reporting obligations. Any proposed land transaction would be made public early in the decision-making process. The City has responded to public questions, advising contemporaneously when negotiations were taking place, and when they had ceased.

I trust that this clarifies the situation for you. Please let me know if you have any further queries.

Yours sincerely,

Jamie Blanchard
Manager Governance

City of Stirling

27 OCTOBER 2020

The following questions were submitted by Ms L Noack, Karrinyup WA 6018 at the Council Meeting held Tuesday 27 October 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA/19/1906):-

Q1. *“I understand that the RAR for the Karrinyup Towers development is now due in early February 2021. This particular development was featured on the Channel Nine News. One notable point regarded the concerns of over 700 people who submitted an ePetition to the City, and their rejection of the need for such a development. Have the designs or plans been altered in any substantive manner, and if so, what changes have been proposed?”*

A1. The Director Planning and Development advised that the applicant has submitted amended plans and additional information to the City in relation to the proposed development at Karrinyup Shopping Centre. City officers and relevant State agencies have recently commenced assessment of the applicant’s recent submission and additional information. The City is unable to provide comment on all of the modifications to the proposed development. However, the City can confirm that the height of the proposed development has not been altered from those plans advertised for public consultation between 27 July 2020 and 24 August 2020.

Q2. *“In 2015, I viewed the plans at the Council and there was a section that stated ‘there has been considerable community consultation’. I live across the road from this building and I was never consulted. Those people immediately affected were not consulted. If plans were to be resubmitted that deviate significantly from the current proposal, would these be subject to community consultation? Will the Council seek local input if the new proposal impacts on the immediate local streets?”*

A2. The Director Planning and Development advised that the City’s Planning Consultation Procedure allows for the City to re-advertise development applications where a proposal has received opposing submissions and where there have been significant modifications made to the proposal. The City is currently assessing the newly submitted plans, and if it is determined that they significantly deviate from the original plans, they will be re-advertised. To reiterate, the proposed height of the development has not changed.

The following questions were submitted by Mr S Wheeler, Scarborough WA 6019 at the Council Meeting held Tuesday 27 October 2020.

Q1. *“At the Planning and Development Committee meeting on 20 October 2020, the Mayor and several members of the Committee made sensible comments regarding the usage and cost of the City’s Design Review Panel (DRP) for the Field Street Local Development Plan application [12.2/DS1]. It was noted that the DRP was a free service for the developers. When Karrinyup residents were talking to AMP Capital, their only justification for height and the only justification they were prepared to give was that the DRP said it was a great idea and they had no objections. I do not think the proposal had even been advertised to the public at that point. When will the scope and role of the DRP be reviewed? I think it needs to be an urgent review. I am asking if Council will consider bringing forward this review to its earliest convenience.”*

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

- Q2. *“In answer to questions from the last meeting regarding delegations, the City responded correctly that the City is prohibited under the Local Government Act from delegating power to the CEO to enter into a land transaction agreement or a preparatory agreement to such a land transaction. The City also noted that the City did authorise the CEO in May 2016 to enter into non-binding negotiations for a land transaction based on transfer of the City land to AMP Capital. I am not sure what the difference is between entering into a preparatory agreement to a land transaction and entering into a non-binding negotiation for a land transaction based on transfer of the City land. I cannot tell the difference between those two other than adding the word ‘delegation’ in front of it. If such a distinction exists, why was a Council resolution required to allow the CEO to enter such negotiations? And is this not a delegation by any other name requiring an absolute majority?”*
- A2. The Manager Governance advised that there is a distinction between an ‘authorisation’ and a ‘delegation’. A delegation is ‘of the power to make the decision’, and ‘authorisation’ is ‘to do a specific task’. Council is prohibited from delegating the power to enter into a transaction. It can be clear from what Council resolved that they authorised the Chief Executive Officer to see if a transaction could be undertaken, but then report back to Council to decide if a transaction would be undertaken. That is the distinction.
- Q3. *“The City also quotes ‘the Development Assessment Panel report records that Mr Zelestis QC’s submission about the City’s position in relation to the library site was factually incorrect and was mischaracterised by his instructions’. That reply, the way it is written, suggests that the Development Assessment Panel upheld these points, but this is pure misdirection. These are comments from the solicitor, not the DAP, and they are no more authoritative than AMP’s barristers who, by the way, won the whole argument. Will the City, after some five years and now two weeks of more misdirection, release a statement divulging the full history and audit trail of negotiations between the City and AMP Capital for the sale or redevelopment of the current library site, the CEO’s and previous Mayor’s involvement, and associated file notes?”*
- A3. The Mayor advised that the question would be taken on notice and a written response provided. The Mayor also noted that Mr Wheeler has made some fairly serious allegations, and is welcome to take these to the Minister or the Corruption and Crime Commission if he believes that there is any wrongdoing.

Additional Information

- A1. The term of appointment for members of the Design Review Panel ends in October 2021, which is a date approved by Council to run concurrently with the Council election cycle. Any review of the Design Review Panel Terms of Reference would best be considered at this time. An earlier review of the Design Review Panel Terms of Reference would require a Council decision.
- A3. The City has, and continues to be, upfront and open in relation to activities in Karrinyup.
- In 2017, in response to a public question, the City acknowledged that there had been negotiations.
- In 2018, in response to a public question, the City advised that negotiations had ceased.
- There have been no negotiations since 2017.
- The community will be advised if and when the City contemplates any changes for the Karrinyup library.

The following questions were submitted by Mr R Mitchell, Karrinyup WA 6018 at the Council Meeting held Tuesday 27 October 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA/19/1906):-

Q1. *“Does the Council intend to raise concerns regarding privacy from the upper balconies of this 24 storey high rise to the North-Western JDAP at a meeting regarding this high rise approval?”*

A1. The Director Planning and Development advised that visual privacy will be considered as part of the City's assessment of the application. Any issues identified in that assessment will be reported to the Joint Development Assessment Panel when the City writes its Responsible Authority Report.

Q2. *“Does the Council intend to install surveyed land title markers, indicating the boundary of this Council property with the Karrinyup Library, Community Centre, adjacent carpark and forecourt adjacent to the Shopping Centre?”*

A2. The Director Planning and Development advised that the City does not intend to install land title markers on its property boundaries.

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

Q3. *“Will the Council ensure that the steel temporary construction fence to the kerb of Francis Avenue is removed and the street footpath and verge are re-established on completion of the Shopping Centre redevelopment and prior to the commencement of construction of the units?”*

A3. The Director Planning and Development advised that upon completion of the Shopping Centre redevelopment, the City will ensure that the temporary fencing is removed, and the verges reinstated. However, with regards to the completion of the dwellings on the eastern side, the City has authorised the applicant to fence that side of the property while construction takes place.

If there is any delay in construction or there are no further works on the site, the City will re-evaluate that at the appropriate time.

Additional Information

A2. The Karrinyup Library and Karrinyup Shopping Centre sites are integrated for ease of public access and there is no need to install land title markers.

Q3. *“Last week Mayor Irwin, you promised Arnold an apology if it was found to be the case. But I think the City owes Arnold a bigger apology. Mr. Davies was informed by Council on 19 April 2016 – and I was at that meeting - that under its Local Laws, the City would from then on refuse to answer Mr. Davies' questions about the sale of the library site.*

The City listed two or three pages of Mr. Davies' questions, it appeared, in an effort to belittle Arnold's constant questioning and underline the need and validity of the censure from the City on Arnold.

Mr Zelestis QC, who is AMP Capital's barrister, confided in a 2015 DAP agenda - which is available at good libraries everywhere - in relation to the non-existence of an Activity Centre Structure Plan, notes that the City's requirements were that AMP agree to purchase the library land. This is in 2015. AMP have confirmed that negotiations occurred in late 2014 or early 2015 for a potential purchase.

My question is - and these are all publicly available documents, I'm not claiming any secret squirrel here - other than making Mr. Davies' apology monumental in nature, will the City, after some five years and more of misdirection, release a statement divulging the full history of negotiations with AMP Capital for sale or redevelopment of the Karrinyup Library site; the CEO's and the previous Mayor's involvement; and associated file notes, to provide the transparency and accountability sadly lacking to date in this manner? And it is still going on today."

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

Additional Information

- A3. The City will provide a written response prior to the next Council meeting.
-

17 NOVEMBER 2020

The following questions were submitted by Mr A Dines, Karrinyup WA 6018 at the Council Meeting held Tuesday 17 November 2020.

- Q1. *"It is understood that the proposed high-rise development on the western boundary of the Karrinyup Shopping Centre proposes to remove all but three existing street trees along Burroughs Road or trees within their property boundary. There are currently four mature trees in the corresponding area, plus another two on the corner of Burroughs Road and Davenport Street that have been marked with tape, possibly for their imminent removal. It is understood that the proposed high-rise, even if approved, is still several years away from the commence of construction. The current development proposal shows approximately 15 trees being planted in the road verge between the footpath and the road. To assist in minimising the impact of this development, could the City require Uni Super or AMP Capital to plant these new street trees now? The additional years of maturity will assist improving the streetscape and assist in reducing the direct impact, albeit only slightly, on neighbouring residential properties?"*

- A1. The Mayor advised that the yellow ribbons on the street trees are not earmarked for removal; these are Western Power markings concerning pruning under the power lines.

The Mayor noted Mr Dines' comments and confirmed that the City will further investigate street tree planting in the area.

- Q2. *"To assist the local Karrinyup residents understand the visual and privacy impacts of the proposed nine, 15 and 24 storey western residential development proposed by Uni Super and AMP Capital, can the City please confirm if the growth of these proposed trees to be planted on the Burroughs Road verge will be impacted or restricted by the overhead power lines? If so, what is their anticipated maximum height, or will these power lines be relocated underground?"*

- A2. The Director Planning and Development advised that as part of this development application, the power lines are proposed to be removed and therefore there would be no impact on street trees, should they be planted in the future by the City.
- Q3. *“Further to my email request to the Mayor and Coastal Ward Councillors, can the Mayor please confirm if the City will approach Uni Super, AMP or Multiplex directly, and request their staff park at the vacant site known as East Village, until this site is required for the commencement of construction? It is understood this area is still under control of Multiplex and that there is no reason why their construction staff could not or should not park there. This would greatly assist residents and ratepayers in the neighbouring streets, who have had enough of the appalling and dangerous parking situation at present in their residential streets, verges, vacant blocks and reserves.”*
- A3. The Director Planning and Development advised that the City recognises parking for construction workers is a significant concern for the local community. The Director further advised that he has spoken with a representative from the Project Management Team and they will consider if there is any opportunity to park on that land. The City will provide details of the response to Mr Dines in writing, once received.

Additional Information

- A2. The undergrounding of the power lines would be undertaken by the owner in consultation with Western Power. The undergrounding of power lines and landscaping of the verge are the subject of the current development application, which is still under assessment.

The following question was submitted by Ms L Noack, Karrinyup WA 6018 at the Council Meeting held Tuesday 17 November 2020.

The following question relates to the proposed Karrinyup West Residential Towers Development (DA/19/1906):-

- Q1. *“All of this year, the local residents have been subjected to very dangerous and irregular parking, particularly on Wincanton Road, Summerton Road, Elworthy Place and Burroughs Road. I would like to know why the Council is not fining the drivers of these cars that are parked irregularly, especially given that many are parked on the verge under signs that say ‘no standing or parking at any time’?”*
- A1. The Director Community Development advised that the City’s Security Officers, Rangers and Parking Team do patrol the area, and are generally present around the Karrinyup Shopping Centre daily. It is at their discretion whether to provide a verbal caution, a written caution or issue an infringement, depending on the circumstances. The Director confirmed that since 1 August 2020, 70 caution notices and 32 infringements have been issued. At any time, residents can contact the City, and Rangers or Parking Inspectors will assist and attend as soon as possible.

The following question was submitted by Ms S Coleman, Karrinyup WA 6018, at the Council Meeting held Tuesday 17 November 2020.

Q1. *What are the City's strategies for traffic flow, especially around Christmas time when single lane roads around Karrinyup Shopping Centre are extremely overloaded, busy and jammed; and given that there has been an increase in residences around the site?*

A1. The Director Infrastructure advised that the City will continue to monitor traffic flow in the development site. The City and the developers will modify the plan as necessary.

The following question was submitted by Ms W McCormick, Karrinyup WA 6018 at the Council Meeting held Tuesday 17 November 2020.

The following question relates to the proposed Karrinyup West Residential Towers Development (DA/19/1906):-

Q1. *"Can the City please confirm the number of storeys for each of the proposed Karrinyup Towers Development?"*

A1. The Director Planning and Development advised that the proposed number of storeys for each tower is nine, 15 and 24 storeys.

1 DECEMBER 2020

The following questions were submitted by Mr A Maus, Karrinyup WA 6018 at the Council Meeting held Tuesday 1 December 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *"In an article headed "More Windows Please" in the Stirling Times of 7 May 2020 it was stated that there was inadequate cross-ventilation in the design of 76 of the 94 apartments in the proposed Karrinyup East Village. The City of Stirling and the Metro Inner-North JDAP required more ventilation for the now seven-storey building (which was originally four-storeys) to go ahead. Can you please advise whether those required ventilation design changes have yet been made?"*

A1. The Director Planning and Development advised that the applicant has not submitted amended plans to the City. These will be required as part of any building permit. The City is aware that the applicant intends to submit the building permit before the end of the year. The City has recently had discussions with the applicant in relation to the required modifications to satisfy that condition prior to the building permit being submitted.

Q2. *"Have there been any other design complications with the East Village Apartments?"*

A2. The Director Planning and Development advised that the City is not aware of any other design complications.

Q3. *“No work appears to be taking place on the site allocated. Has any date yet been set for the commencement of construction of the East Village apartments?”*

A3. The Director Planning and Development advised that the building permit for the east side will likely be submitted by the end of 2020. The Director also advised that the City has met with the project manager, and a builder has been appointed for the site - Multiplex.

Multiplex intends to commence construction in the first quarter of 2021.

The following question was submitted by Ms L Noack, Karrinyup WA 6018 at the Council Meeting held Tuesday 1 December 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA19/1906):-

Q1. *“At the last Council meeting, Mr Dines requested a proactive response regarding the temporary parking at East Village. He was told that a written response would be forthcoming within 48 hours – it has now been two weeks. Christmas shopping is upon us and the parking concerns are increasing. When can we expect a response to his question?”*

A1. The Director Planning and Development apologised for not providing a written response to Mr Dines within the 48 hours, as stated at the previous meeting. The Director confirmed that the City has now had discussions with the project manager and with Mr Dines. The developers have agreed to provide temporary car parking, and on the afternoon of 1 December 2020, there were 26 cars parked on the site. This confirms that it is being used and that there is potential for that number to increase to 50 cars. Parking on this site will further be encouraged around the Christmas period and into the new year, prior to construction taking place on the site.

Q2. *“On Wednesday at 6.45am, I was under the impression that I had a micro-weather environment on Burroughs road. There was dust; there was smog; there was fire; there was smoke. Across the road - I thought, against Council regulations - there was a gentleman with an industrial machine (very loud) blowing dust away from the car park where builders are building. The dust was higher than all of the limited trees that remain on Burroughs Road. I am wondering if this is against Council regulations, and if anyone wants to pay for the cleaning of my white carpet?”*

A2. The Director Planning and Development advised that Environmental Protection (Noise) Regulations 1997 provide an exemption for construction noise between the hours of 7.00am to 7.00pm Mondays to Saturdays, excluding public holidays. Noisy construction works outside of these hours require an approved Noise Management Plan. This is reflected in the Site Management Plan. The Director advised that the City’s Environmental Health team would look into the matter.

Q3. *“Further to previous public questions that regarded street beautification of Burroughs Road, it was stated that the undergrounding of the power lines would be undertaken by the owner in consultation of Western Power. The undergrounding of the power lines and the landscaping of the verges are subject to the current development application which is still under assessment. In the original approval for the Karrinyup Shopping Centre Redevelopment (which was granted in 2015) it included Development Condition No.11, which required the planning and planting of street trees on Burroughs Road along with the power lines going underground. However, this has not proceeded as yet. How long do we need to wait given this was part of the 2015 approval? Other stages seem to be progressing quickly - six days a week. I would like to know why the City, apparently, hasn’t proactively enforced this existing development condition? Planting these trees will assist minimising the built form impact on residents and, may I say, probably reduce the dust. I’d like to suggest that it might be better for the locals.”*

A3. The Director Planning and Development advised that in relation to landscaping along Burroughs Road, Condition 58 of development approval requires landscaping to be installed prior to the occupation of each stage of the development. The timing of this condition minimises any potential damage or destruction to landscaping during the construction phase of development.

The City has received an application for a 24 storey tower so it is very unlikely that the eight storey development will proceed in the near future, and therefore the City could not enforce that condition. Notwithstanding that, the Director advised that he has spoken to the project manager, who will investigate whether verge treatments could be planted before construction commences; any decisions on this matter would be following the outcome of the application currently under consideration.

The following questions were submitted by Mr S Wheeler, Scarborough WA 6019 prior to the Council Meeting held Tuesday 1 December 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA/19/1906):-

Q1. *“Can the City please provide an update on the progress and current status of the Karrinyup West residential development application?”*

A1. The Director Planning and Development advised that the application is still under assessment. Most recently, the application was presented to the Design Review Panel meeting in late November 2020, and the Minutes of that meeting are being finalised. The Minutes will be sent to the applicant for consideration. The Director confirmed that the City is currently reviewing further information as part of the amended submission, and therefore the assessment is still under progress. The City will likely hear back from the applicant once the Design Review Panel comments are submitted. The RAR is due on 15 February 2021 and depending on the City’s assessment, and any submissions from the applicant during that process, there may be a further extension of time requested. The Director reiterated that currently, it is still under assessment, and it is tracking towards 15 February 2021.

Q2. *“Are you still waiting for further information from AMP at this point?”*

A2. The Director Planning and Development advised the City is not waiting for any further information at this stage. As part of the City’s assessment, if that triggers further information then that will be required. At this current moment, the required information has been submitted. As part of the assessment of the amended plans, the plans were sent to the Design Review Panel last week.

The following questions were submitted by Mr D Collins, West Perth WA 6005 prior to the Council Meeting held Tuesday 1 December 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA/19/1906):-

Q1. *“Can the Mayor confirm how many meetings each Councillor has had with community members to discuss the project during the course of the last 12 months?”*

A1. The Mayor advised that the figure cannot be provided but that Mr Collins is welcome to send each Elected Member an email requesting that information.

Q2. *Can the Mayor explain why not one single Councillor took up the offer to meet with the developer over the last year to discuss the plans, given the community concerns and issues surrounding that? How does that demonstrate a fair and balanced planning process in the City of Stirling?”*

A2. The Mayor advised that the City was in the process of setting a meeting up, and as it was around the beginning of the COVID-19 pandemic, the Mayor does not believe that meeting occurred. It would be normal process for a developer to request a meeting with the Mayor. Such a meeting would occur in the Mayor’s office with a Probity Officer present and possibly the Ward Councillors. The fact that other Councillors have not met with Mr Collins could be that they have not received an invite.

The following questions were submitted by Mr P Anderson, West Perth WA 6005 prior to the Council Meeting held Tuesday 1 December 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA/19/1906):-

Q1. *“The City’s RAR recommends refusal based on four points broadly relating to parking and tree canopy. Are Councillors aware that the developer of 331 West Coast Drive has, in consultation with the City and JDAP, modified the development to fully comply with the City’s planning policies for the provision of car parking? And in fact has a surplus to the number of calculated car bays, according to those policies?”*

A1. The Director Planning and Development advised that City officers are aware that the parking provided through the development now satisfies the parking requirement. That is not to say that there is sufficient parking on site to allow this development to occur.

The following questions were submitted by Mr A Dines, Karrinyup WA 6018 prior to the Council Meeting held Tuesday 1 December 2020.

The following questions relate to the proposed Karrinyup West Residential Towers Development (DA/19/1906):-

Q1. *“Can the City please provide (and / or publish) the approved Construction Management Plan(s) associated with the redevelopment of the Karrinyup Shopping Centre, in particular those sections relating to addressing the construction, staff and customer parking during the redevelopment works?”*

A1. The Site Management Plan (Construction Management Plan) includes commercially sensitive information and therefore the City cannot provide the Site Management Plan to third parties. A Freedom of Information request for a copy of the Site Management Plan can be submitted to the City for its consideration.

Q2. *“Can the City please provide (and / or publish) the approved Parking Management Plan(s) associated with the redevelopment of the Karrinyup Shopping Centre, in particular those sections relating to addressing the construction, staff and customer parking during the redevelopment works?”*

A2. The approved Transport Plan and Travel Behaviour Change and Parking Management Plan are available via the Development Assessment Panel website, specifically DAP Ref: DAP/15/00741 which was approved by the Metro North-West JDAP on 16 October 2019.

The City advises the Transport Plan and Travel Behaviour Change and Parking Management Plan relate to the completed overall development. Arrangements relating to construction workers, employees and customer parking during the construction phase are included in the Site Management Plan.

Q3. *“Further to Public Question 7.1 Question 2 on 17 November 2020, the ‘Additional Information A2’ advised: ‘The undergrounding of the power lines would be undertaken by the owner in consultation with Western Power. The undergrounding of the power lines and landscaping of the verges are the subject of the current development application, which is still under assessment’. The response provided by the City is inaccurate, in that the original approval for the Karrinyup Shopping Centre Redevelopment (which was granted in 2015) included Development Condition No.11, which required the planning of street trees on Burroughs Road and the undergrounding of the power lines. Why then won’t the City proactively enforce this existing Development Condition now, given the redevelopment has substantially commenced, and planting these trees will assist minimise the built form impact on those neighbouring residents?”*

A3. In relation to landscaping along Burroughs Road, Condition 58 of development approval requires landscaping to be installed prior to the occupation of each stage of the development. The timing of this condition ensures landscaping is provided prior to the occupation of each stage of the development in order to minimise any potential damage or destruction to landscaping during the construction phase of development.

The western portion of Karrinyup Shopping Centre is subject to a separate Form 1 Development Assessment Panel application for the proposed Mixed Use Development comprising residential towers of 9, 15 and 24 storeys and commercial tenancies.

The application is still under assessment with the City's Responsible Authority Report likely to be considered by Council at its Ordinary Meeting to be held 9 February 2021. As such, the City is unable to provide comment regarding the timing associated with the installation of landscaping along Burroughs Road.

In the event the landowner proceeded with the approved eight storey development on Burroughs Road, the landscaping would be installed prior to occupation of the development, consistent with Condition 58 of development approval.

1 JANUARY 2021 TO 9 FEBRUARY 2021

9 FEBRUARY 2021

The following question was submitted by Ms P Ladhams, Karrinyup WA 6018 prior to the Council Meeting held Tuesday 9 February 2021.

Q1. *“When I am waiting to turn right out of the David Jones car park (Karrinyup Centre) onto Davenport Street, I cannot see further west than the first car parked in the parallel car parking bay. I have noticed that traffic down Davenport Street does exceed 50kph at times. I have to creep out onto the road to see traffic coming from the left and have frequently had to slam on my brakes to avoid an accident. I do not have a big car (I know most people have SUVs) and maybe that makes a difference. Davenport Street is narrower than Burroughs Road and Francis Street, and drivers do not reflect this when navigating Davenport Street. The other centre car park entrance on Davenport Street which is closer to Francis Street has clear sight both left and right which creates no problems. This problem will need to be addressed. My question is whether this exit from Karrinyup Centre can be re-evaluated?”*

A1. The Director Planning and Development advised that, as part of the original Form 1 Development Assessment Panel application for the Major Expansion of Karrinyup Shopping Centre, specific conditions were imposed regarding the upgrade of the surrounding road network with detailed road design plans to be lodged with and approved by the City. The landowner has satisfied these conditions, with detailed road designs lodged with and approved by the City.

Condition 14 of the original approval for the Major Expansion of Karrinyup Shopping Centre also required the landowner to commission a Stage 3 road safety audit for all road and access modifications required by the approval to be undertaken by an independent Accredited Senior Road Safety Auditor, prior to commencement of the development. This condition has been satisfied with the road safety audit report being submitted to the City.

On the basis of the above, all vehicle access points proposed as part of the Major Expansion of Karrinyup Shopping Centre have been designed to comply with the relevant standards.