



City of Stirling

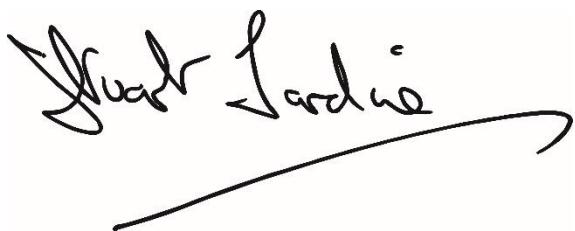
Electors' General Meeting

2 December 2019

Additional Information to Questions Taken on Notice

To: The Mayor and Councillors

Here within the Minutes of the Electors' General Meeting of the City of Stirling held Monday 2 December 2019 in the City of Stirling Parmelia Room, 25 Cedric Street, Stirling.



A handwritten signature in black ink that reads 'Stuart Jardine'. The signature is fluid and cursive, with a long horizontal line extending from the end of the 'e' in 'Jardine' towards the bottom right.

Stuart Jardine PSM | Chief Executive Officer

This document contains responses and additional information to Questions Taken on Notice at the Electors' General Meeting held 2 December 2019.

Questions that were answered during the meeting are not included in this document but can be found in the Electors' General Meeting minutes of 2 December 2019. The minutes are available for viewing on the City's website.

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
8.	ACCEPTANCE OF THE ANNUAL REPORT INCORPORATING ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2019.....	4
8.4	J CULLITY	4
9.	GENERAL BUSINESS	5
9.1	S SPIERS.....	5
9.6	R HADLEY	6
9.7	E KENNEDY	7
9.8	I TRAJKOVSKI	8
9.15	S WHEELER	9
9.18	M HERRING.....	10
9.20	S SPIERS.....	10

**MINUTES OF THE QUESTIONS TAKEN ON NOTICE AT THE ELECTORS'
GENERAL MEETING OF MONDAY 2 DECEMBER 2019 HELD IN CITY OF
STIRLING PARMELIA ROOM, 25 CEDRIC STREET, STIRLING**

**8. ACCEPTANCE OF THE ANNUAL REPORT INCORPORATING ANNUAL
FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2019**

8.4 J CULLITY

The following question put forward by Ms J Cullity, 29 Coronation Street, Doubleview WA 6018 were taken on notice at the Electors' General Meeting held Monday 2 December 2019.

Ms Cullity:

I don't know if the Council is aware of the example of the City in Brazil called Curitiba? It was until recently regarded as the most sustainable City in the world, and they actually, at a time when population was increasing rapidly, the Mayor managed to increase the public open space and tree canopy and everything by 50%, by a simple strategy of offering the developers a bonus of extra height in their development if they were to set aside more green space on their developments.

I am just wondering if the City of Stirling is aware of this example?

Additional Information

The City's officers are aware of the example cited. The use of development bonuses is an established planning practice in order to achieve planning or design outcomes. The City's Local Planning Scheme No.3 uses a 'bonus' system for certain properties along Beaufort Street, where additional building height is permitted where benefit to the community is provided.

Elsewhere in the City's planning framework (for example in the Local Development Plans for the Stirling City Centre area), additional 'bonus' building height is permitted in return for improvement in building design and community facilities.

Throughout the Stirling City Centre area, the retention of existing, or provisions of additional tree canopy cover is facilitated by mandating increased side and rear setbacks areas, which are required to be landscaped and planted with trees.

In the City's residential suburban areas, the use of such a 'bonus' is not considered appropriate as the resulting buildings can impact on local amenity.

The City's tree retention policy allows for some relaxation of building controls where a tree is retained. These are assessed on a case by case basis.

9. GENERAL BUSINESS

9.1 S SPIERS

The following questions put forward by Mr S Spiers, 6 Spoonbill Road, Stirling WA 6021 were taken on notice at the Electors' General Meeting held Monday 2 December 2019.

Mr Spiers:

It is my understanding that it has been 25 years or more since the regulations have been updated and amended in the City of Stirling in relation to these regulations for child care centres, and in that time, childcare centres and their size have become considerably bigger and commercial like.

My question is therefore, when will the Council review and upgrade the current regulations so as to make them best practice (copy what other councils and cities have done) rather than the worst practice, which I believe we currently have?

It's not hard to copy other councils and other cities' regulations that work, is it?

When are we going to review those regulations, and when are you going to make them best practice?

So the question is, just to be clarified, are we going to upgrade and review our regulations to make them best practice compared to other cities?

Additional Information

The City's Child Care Centres policy was adopted by Council in August 2010, when Local Planning Scheme No.3 was gazetted, and prior to that, was revised in 2004. This use is controlled through the land use and zoning requirements of Local Planning Scheme No.3 (which require Council to exercise its discretion in granting approval). The City's scheme identifies that a Child Care Centre is a use that can be approved in a 'Residential' zone, however each application is assessed on its merits.

Similarly, the provisions of the City's policy are considered comparable to those of other local government areas.

9.6 R HADLEY

The following question put forward by Mr R Hadley, 8 Hakea Road, Woodlands WA 6018 was taken on notice at the Electors' General Meeting held Monday 2 December 2019.

Mr Hadley:

Can the City construct or arrange for two pedestrian bridges across Scarborough Beach Road - one at the Bunnings area, west of the Westfield shopping centre, and the second from the first floor level which leads to the TAB and former Botanica pub? This would greatly assist the residents of the Woodlands/Parklands villas, and most of the other people in the area.

Additional Information

No development has been approved for Lot 1, House Number 367, Scarborough Beach Road, Innaloo which is located at the intersection of Odin Road and Scarborough Beach Road.

The draft Stirling City Centre Structure Plan, adopted by Council in December 2014, recognises that the centre is characterised by poor pedestrian amenity. A key objective of this plan is to transform the areas into an active and well connected mixed use activity centre characterised by very high amenity for pedestrians, residents and workers. For this to happen the City, along with other stakeholders, will need to prioritise walking, cycling and public transport over vehicles.

However, the construction of pedestrian bridges is not something that is contemplated. Construction of the Stephenson Avenue extension will reduce traffic along this section of Scarborough Beach Road and improve the environment for pedestrians.

9.7 E KENNEDY

The following question put forward by Ms E Kennedy, Unit 14, 210 The Esplanade, Scarborough WA 6019 was taken on notice at the Electors' General Meeting held Monday 2 December 2019.

Ms Kennedy:

My questions are around the pressure on parking and access in Scarborough. Can the Council advise how much vacant land, like the vacant block next to 297 West Coast Highway, it owns within easy reach of Scarborough Beach or advise me of where these landholdings can be found?

Additional Information

The City has undertaken a review of its owned and managed land portfolio. Individual sites have not been identified/assessed based on their individual accessibility (i.e. easy reach) to the Scarborough Beach Precinct (SBP), but rather have been included as being within 1,200 meters (walkable distance) to the Scarborough Beach Clock Tower within the SBP.

The City's owned and managed land holdings within a 1,200 meter (walkable) proximity to the SBP are identified within the table below.

LOCATION	PROXIMITY TO SBP (IN METERS) *	OWNERSHIP DETAIL	LAND USE
19A Scarborough Beach Road, Scarborough	270	City of Stirling	Undeveloped Land (exchange for future road widening)
18 Alga Street, Scarborough	550	City of Stirling	Drainage Reserve
273 West Coast Highway, Scarborough	750	City of Stirling	Undeveloped Mixed Use Development Site
8 Southbourne Street, Scarborough	800	City of Stirling	Drainage Sump
30 Stanley Street, Scarborough	800	City of Stirling	Drainage Sump
84 Scarborough Beach Road, Scarborough	850	City of Stirling	Drainage Sump
6 – 12 Bazaar Terrance, Scarborough	1,100	City of Stirling	Undeveloped Residential Land
121 Scarborough Beach Road, Scarborough	1,200	City of Stirling	Drainage Sump
7A Nautilus Crescent, Scarborough	900	Crown Land (managed by the City of Stirling)	Access Way and Open Space

* All distances quoted are approximate and are based on the walkable distance from each location to the Scarborough Beach Clock Tower.

9.8 I TRAJKOVSKI

The following question put forward by Mr I Trajkovski, 17 Park Road, Mount Lawley WA 6050 was taken on notice at the Electors' General Meeting held Monday 2 December 2019.

Mr Trajkovski:

My question is regarding heritage for the Menora, Mount Lawley and Inglewood area.

I was wondering - could the Council provide an annual figure on what it costs the Council to regulate and enforce and encourage this heritage standard?

Additional Information

In addition to the \$20,000 that is spent bi-annually to encourage and celebrate the preservation of the City's heritage, the Development Services Business Unit has one Heritage officer whose role it is to review development proposals within the Heritage Protection Area. It is that officer's responsibility to assess whether development proposals comply with the requirements of the Mount Lawley, Menora and Inglewood Character Retention Guidelines.

9.15 S WHEELER

The following questions put forward by Mr S Wheeler, 7/22 Pearl Parade, Scarborough WA 6019 were taken on notice at the Electors' General Meeting held Monday 2 December 2019.

Mr Wheeler:

In regards to a Councillor giving evidence at a SAT hearing against the interests of the City, you noted in *The Voice Newspaper* that all regulations and guidelines were adhered to and that approval was sought to appear before the SAT. Can you please confirm which specific guidelines you were talking about, who gave the approval and under what authority?

I read with interest the article headline "Prayers Answered" in the *Stirling Times* about the parking miracle on Mumford Street a planning application for a place of worship, previously not approved due to a substantial parking shortfall but was recently approved with little or no shortfall. The Manager of Governance noted in the *Stirling Times* that there is no conflict of interest as the Councillor has not performed any role as Councillor or DAP member in relation to this development application. Yet in February this year, you had a review of the Local Planning Policy regarding parking and access. The Councillor did vote on that item and did not declare a conflict of interest in the Council meeting. The success of that motion was pivotal in allowing the City to recommend approval for a development application from the Councillor's company. Is this not a conflict of interest?

Additional Information

There are no guidelines that require a Councillor to request permission to appear as an expert witness in the State Administrative Tribunal. As a result, in the instance referred to, permission was not sought or granted. The Councillor did, as a matter of professional courtesy, ask the City if it had any objection to an appearance as an expert witness. The City indicated it had no objection as there was no basis on which to maintain an objection.

It is up to each Elected Member to decide if there is an interest that needs to be disclosed. That assessment is undertaken at the time of the decision and without the benefit of hindsight.

For there to be an interest, the Departmental Operational Guideline number 20 'Declaring Financial Interests in Meetings' states:-

"It must be objectively reasonable to expect that a particular decision will result in a financial gain, loss, benefit or detriment for the person. Further, that question is to be addressed at the time the matter is to be dealt with by the relevant decision maker(s). Therefore, it may not be reasonable to entertain such an expectation if the prospect of any gain, loss etc. from the decision depends on mere speculation as to future events."

9.18 M HERRING

The following question put forward by Ms M Herring, 8/306 West Coast Highway, Scarborough WA 6020 was taken on notice at the Electors' General Meeting held Monday 2 December 2019.

Ms Herring: Does the design application on Three Oceans have a discontinuation clause as far as timeframes? Do they have two years?

Additional Information

The Metropolitan Redevelopment Authority have advised that development approval for the Three Oceans development was granted on 28 June 2018, and is valid for two years. As advised previously, the applicant can request an extension for the duration of that approval.

9.20 S SPIERS

The following questions put forward by Mr S Spiers, 6 Spoonbill Road, Stirling WA 6018 were taken on notice at the Electors' General Meeting held Monday 2 December 2019.

Mr Spiers: My question is - is there a difference in rateable property that is used as a child care facility as opposed to a residential property? I've been given two different answers to this by Council people, so you can take that on notice, or answer it now, whichever, I don't mind.

So the GRV then would be a residential property, that's my understanding, and not as a child care centre?

I was told child care is considered to be as a rateable value a residential property....It's not valued as a business or a commercial property, it's just valued as a block of land that you live in as human beings – it's not rated as a property that has a business running on it.

Additional Information

Child care centres are deemed as commercial properties in relation to Gross Rental Value (GRV) from the Valuer General, but can be zoned as either residential or mixed use. The Child Care Centres are charged commercial rates regardless of the zoning, so even if zoned residential, will pay a commercial rate.