

Ordinary Council Meeting 8 October 2024 – Public Question Time

Summary of Questions on Notice and Responses from the Meeting

Jozina de Ruiter, Hamilton Hill

Item 14.4.1 Proposed Wally Hagan Recreation Centre Redevelopment

- Q1. How will the Council develop this Wally Hagan Basketball Stadium Concept Plan further so that this new 10 Court development will fit in this residential area, relate to the community and local hubs, shops and schools, the wildlife corridor, connect to bike and pedestrian paths as well as improves the local tree coverage?
- A1. The Acting Director Community and Place advised the proposed redevelopment occupies land currently reserved for the Roe 9 Highway. The existing facility is within a recreation reserve between a former landfill site and commercial premises.
- The urban interface on Hurford Street and the Hub 6163 building remains unchanged. Vehicle, bike and pedestrian connections will be developed in the next phase of the planning.
- Q2. How, when, and where is the Council going to consult with locals and stakeholders, in a way that will inform the whole development, like design, size, and location, when so far, we local residents have not been consulted at all to inform the now presented \$300.000 Concept Plan for the Wally Hagan Stadium development?
- A2. The Acting Director Community and Place advised that, should Council endorse the proposed approach at tonight's meeting, the City will commence planning for further community consultation. It should be noted the City has undertaken significant consultation through the Western Suburbs Sporting Precinct Study 2018 and the Draft Community Infrastructure Plan, currently out for consultation, in the development of this proposal.

Anna Heabich, Hamilton Hill

Item 14.4.1 Proposed Wally Hagan Recreation Centre Redevelopment

- Q1. With the new Wally Hagan development, how will the Council address the huge increase of traffic in the area, as well as protect local businesses from closing, when new tenants, similar to local existing businesses like gyms, chemists, and childcare centres, open up in the new stadium?
- A1. The Acting Director Community and Place advised the City will undertake detailed traffic and transport planning as part of the next phase of the project, as outlined in the report, if Council endorses the recommendation for it tonight. The proposed supporting amenities were also identified through the Needs Analysis which is contained in the report.
- Q2. How will the Council facilitate, protect, and reassure local residents who live near the new Wally Hagan Stadium development site and are already traumatized by the noise, dust, chaos, and traffic problems created by the recent drainage upgrade at the same site?
- A2. The Acting Director Community and Place advised that, should Council endorse the redevelopment and enter into a program, a Construction Management Plan will be developed and undertaken by the relevant contractor and that will be to mitigate the impacts on residents during construction.

Robyn Walsh, Spearwood

Item 14.4.1 Proposed Wally Hagan Recreation Centre Redevelopment

- Q1. Do not think that a regional basketball centre fits with the liveability of the Hamilton Hill neighbourhood? Put another way, do you think that People and Place have been adequately consulted with and planned for?
- A1. The Acting Director Community and Place advised the existing site houses a regional basketball facility. As previously outlined, planning and consultation have been undertaken to determine the needs of the community with the outcome being the proposed redevelopment. Should Council endorse the proposed approach, the City will commence planning for further community consultation.
- Q2. The tabled report says 'demonstrated high level of community interest in development at Wally Hagan and Dixon Park would will need to be considered as part of this process'. Should this not be completed before a decision is made to continue with this process?
- A2. The Acting Director Community and Place advised there has been a significant level of community engagement as part of the planning phases of this proposal and, subject to future determinations by Council, there will continue to be community engagement as the phases progress in accordance with is engagement policy.

Sally Marsh, South Fremantle

Item 14.4.1 Proposed Wally Hagan Recreation Centre Redevelopment

- Q1. The Stage 1 Plans indicate there will be 313 parking bays. Stage 2 plans to add four courts but only a further 13 car bays (giving a total of 326). Does the City consider that the four new courts will only need 13 extra bays, and if not do they plan to continue to allow overflow parking on the adjacent public space?
- A1. The Acting Director Community and Place advised the Feasibility Study identifies a total provision of 334 parking bays with 314 provided during Stage 1 and a further 20 bays in Stage 2. The parking requirements considers the whole facility provision and is not specified for each stage of development.
- Further work on overflow or additional bays will be undertaken once broader land tenures have been resolved.
- Q2. Does the City really consider that a wildlife corridor will be adequately provided by a 5m wide strip running between Rockingham Road and the new Basketball Centre carparks? Will the City provide a more realistic wildlife corridor in the development plans for the Stadium and Precinct?
- A2. The Acting Director Community and Place advised the current redevelopment concept acknowledges the need to create a wildlife corridor and provides two options, along either or both Rockingham Road or Leda Street, with the final form and location of the corridor to be determined via the formal Development Approval process. At this stage the form and function of the corridor, if accepted by the Minister as a guiding Special Provision via the Scheme Amendment, and/or imposed by the WAPC through the structure plan process, is undefined.

Anthony Certoma, Coogee

Subject: Declarations of Interest

- Q1. Are you familiar with and have an expert's knowledge of the publication put out by the Department of Local Government, Sport and Cultural Industries titled "Disclosures of Interest" which is the Local Government Operational Guidelines for this subject, dated May 2023?
- A1. The Director Planning and Sustainability advised the City is familiar with the Department's Operational Guidelines, including the Disclosure of Interest Guidelines.
- Q2. Is this statement, "The onus is on Elected Members, Local Government Employees and other relevant persons to determine whether they are affected by the interest provisions in relation to a matter under consideration by the Council." contained in the publication?
- A2. The Director Planning and Sustainability advised yes.
- Q3. Is this statement, "Given the importance of Probity, Accountability and Transparency, persons affected by the Financial Interests provisions of the Act are advised to err on the side of caution and disclose an interest in any matter before Council or Council Committee where they may, or may appear to have, an interest.", also contained in the publication?
- A3. The Director Planning and Sustainability advised yes.
- Q4. Is this statement, "Failure to declare an interest is a breach of the *Local Government Act 1995* and depending on the nature of the interest, penalties can range from having to make a public apology to disqualification from serving as a Council Member or termination of employment for employees.", also contained in the publication?
- A4. The Director Planning and Sustainability advised yes.
- Q5. Is this statement, "Likewise, in many cases failure to declare an interest would compromise misconduct under the *Crime, Corruption and Misconduct Act 2003* and require mandatory referral to the Public Sector Commission or Crime and Corruption Commission based upon the nature of the failure to declare.", also contained in the publication?
- A5. The Director Planning and Sustainability advised yes.
- Q6. Finally, is this statement, regarding Indirect Financial interests, "There is no requirement to establish a financial gain, loss, benefit or detriment in this instance. The mere existence of a financial relationship and the requirement for a decision is sufficient for a breach of the provision to have occurred. This means that for you, or a person with whom you are closely associated, to have an interest it is not necessary that money change hands or that there be immediate financial consequences because of a decision. The decision may mean the reasonable expectation of future financial consequences.", also contained in the publication?
- A6. The Director Planning and Sustainability advised yes.
- Q7. On 13 August 2024 OCM, I asked a question in relation to when the Board meeting of the Perth South West Metropolitan Alliance (PSWMA) was held. The question was taken on notice with the answer given as, "At the PSWMA Board meeting on 11 March 2024 the Board resolved to travel to the United States. The exact dates, timing, schedule and costs of the study tour however were not finalised until a number of months after the Board meeting?
- On 13 June 2024 the PSWMA advised the individual attendee costs and on the same date the CEO and Mayor registered their respective gift declarations." In your professional and unbiased opinion, given the Local Government Operational Guidelines in regard to Disclosures of Interest previously referred to, and given the timelines disclosed regarding the resolution to travel to the USA, and the timing of the Support AUKUS Resolution, has there been an error of judgement by the Mayor and CEO in not making a disclosure sooner?

- A7. The Director Planning and Sustainability advised that, as noted in Mr Certoma's earlier comment, the onus is on the Elected Members, Local Government Employees and other relevant persons to determine whether they are affected by the interest provisions in relation to a matter under consideration by the Council. Disclosures are required to be made within 10 days.
- Q8. Between 11 March 2024 and the date of the May OCM which resolved to Support AUKUS, did the Mayor (who has been Mayor for 15 years) or the CEO (who has been a CEO for more than 15 years) come to seek advice regarding Disclosures of Interest in relation to AUKUS?
- A8. The Director Planning and Sustainability advised that Elected Members, or local government employees, are not required to obtain advice regarding declarations of interest, but may seek advice from the Department, WALGA or internally. However as per the above, it is the decision of the individual to determine if an interest is one which is required to be declared, not the Council.
- Q9. At the OCM 14/05/2024 at Agenda Item 14.1.5, Cr Dewan submitted an Impartiality Interest, in that he had been offered a role by the Federal Government in the AUKUS team. He further explained that it would be in a Panel but at that stage the appointment had not yet been made but he wanted to make a disclosure. Given that the role in a Panel implied some sort of financial interest, in your expert opinion shouldn't he have declared either a Direct or Indirect Interest in the matter rather than an Impartiality Interest? Did Cr. Dewan seek your advice on the matter prior to his Disclosure of Interest?
- A9. The Director Planning and Sustainability referred to the response provided in respect to the previous question.