



City of Perth

Lord Mayor and Councillors,

NOTICE IS HEREBY GIVEN that the next Ordinary Meeting of the Council of the City of Perth will be held in the Council Chamber, Level 9, Council House, 27 St Georges Terrace, Perth on **Tuesday, 13 December 2016 at 6.00pm.**

Yours faithfully

ROBERT MIANICH
ACTING CHIEF EXECUTIVE OFFICER

8 December 2016

VISION STATEMENT

Perth is renowned as an accessible city. It is alive with urban green networks that are safe and vibrant. As a global city, there is a diverse culture that attracts visitors. It provides city living at its best. Local and global businesses thrive here. Perth honours its past, while creating a sustainable future.





City of Perth

Council Chambers Seating Layout



Manager Governance
Mark Ridgwell



The Right Honourable
the Lord Mayor
Ms Lisa-M. Scaffidi



Chief
Executive Officer
Martin Mileham



Director Community and
Commercial Services
Rebecca Moore



Cr Judy McEvoy



Cr Janet Davidson
OAM JP



Personal Aide to
the Lord Mayor
Paul Anastas



Acting Director Planning
and Development
Erica Barrenger



Cr Reece Harley



Cr Jemma Green



Director Construction
and Maintenance
Paul Crosetta



Manager
Development Approvals
Margaret Smith



Cr Keith Yong



Cr Lily Chen



Director
Corporate Services
Robert Mianich



Acting Director Economic
Development and Activation
Annaliese Battista



Deputy Lord Mayor
Cr James Limnios



Cr Jim Adamos



Governance Electoral
Officer - Minutes
Cathryn Clayton

Public Gallery

BUSINESS

1. **Prayer**
2. **Declaration of Opening**
3. **Apologies**
4. **Question Time for the Public.**
5. **Members on Leave of Absence and Applications for Leave of Absence**
6. **Confirmation of Minutes:**
 Ordinary Council - 22 November 2016
7. **Announcements by the Lord Mayor**
8. **Disclosure of Members' Interests**
9. **Questions by Members of which due notice has been given**
10. **Correspondence**
11. **Petitions**
12. **Matters for which the Meeting may be Closed**

In accordance with Section 5.23(2) of the *Local Government Act 1995*, should an Elected Member wish to discuss the content of the confidential schedule/s listed below, it is recommended that Council resolve to close the meeting to the public prior to discussion of the following:

Schedule	Item No. and Title	Reason
Confidential Schedule 5	Item 2 – Barrack Street Improvement Model (Integrated Private Investment and Streetscape Works) Heritage Grant Applications for 113 - 115 and 115 – 117 Barrack Street, Perth	s5.23(2)(e)(iii)
Confidential Schedule 8	Item 5 – Proposed Entry of Motor House, 68 Milligan Street, Perth, in the City Planning Scheme No. 2 Heritage List	s5.23(2)(e)(iii)
Confidential Schedule 28	Item 10 – Mobile Food Trading Trial Results and Proposed Mobile Food Trading Policy	s5.23(2)(e)(iii)
Confidential Schedule 41	Item 18 - Event Sponsorship 2016/17 – Round Two Assessment	s5.23(2)(e)(iii)
Confidential Schedule 43	Item 19 - Arts And Cultural Sponsorships 2016/17 – Round Two Assessment	s5.23(2)(e)(iii)
Confidential Schedules 53 & 54	Item 27 – Tender 046-16/17 – Mechanical Ventilation Maintenance in Car Parks	s5.23(2)(e)(iii)

Schedule	Item No. and Title	Reason
Confidential Schedule 56	Item 28 – Resources Tribute Project – Perth Public Art Foundation Request for Support	s5.23(2)(e)(iii)
Confidential Schedule 58	Item 30 – Parking Promotion January 2017	s5.23(2)(e)(ii)
Confidential Schedule 62	Item 32 – Tender 056-16/17 – Riverside Drive Footpath Upgrade	s5.23(2)(e)(iii)
Confidential Schedules 65 & 66	Item 34- Tender 028-16/17 - Provision of Plumbing Services	s5.23(2)(e)(iii)
Confidential Schedules 71, 72, 73, 74, 75 & 76	Item 35 - Tender 035 - 16/17 Provision of Specialised Maintenance/Reinstatement of Granite/Stone Footpaths, Kerbs, Channels, Road Pavements And Associated Works for the City of Perth	s5.23(2)(e)(iii)

13. Reports (refer to Index of Reports on the following pages)

14. Motions of which previous notice has been given

In accordance with Clause 4.12 of the City of Perth Standing Orders Local Law 2009 the following notices of motion have been received for consideration by Council:

The following notice of motion was received from Deputy Lord Mayor Limnios on 7 December 2016

That Officers investigate and identify as many 15 minute free parking bays in retail precincts, business and entertainment precincts including but not limited to Royal Street east Perth ,Hay Street west Perth and Northbridge being designated free 15 minute parking bays. The intention of this motion to start January 2017. These bays can be marketed as STOP-HOP & SHOP 15 MINUTE FREE SHOPPING BAYS. The intention is for a person to drop off a document, pick up a coffee, collect their dry cleaning/ shopping etc

15. Urgent Business

16. Closure

INFORMATION FOR THE PUBLIC ATTENDING COUNCIL MEETINGS

Welcome to this evening's Council meeting. This information is provided on matters which may affect members of the public. If you have any queries on procedural matters please contact a member of the City's staff in attendance tonight.

Question Time for the Public

- An opportunity is available at Council meetings for members of the public to ask a question about any issue relating to the City. This time is available only for asking questions and not for making statements. Complex questions requiring research should be submitted as early as possible in order to allow the City sufficient time to prepare a response.
- The Presiding Person may nominate a Member or officer to answer the question and may also determine that any complex question requiring research be answered in writing. No debate or discussion is allowed to take place on any question or answer.
- To ask a question please write it on the white Question Sheet provided at the entrance to the Council Chamber and hand it to a staff member before the meeting begins. Alternatively questions can be forwarded to the City of Perth prior to 3.00pm on the day of the meeting, by:-
 - Letter: Addressed to GPO Box C120, Perth, 6839;
 - Email: governance@cityofperth.wa.gov.au.
- Question Sheets are also available on the City's web site: www.perth.wa.gov.au.

Disclaimer

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

Any plans or documents contained in this agenda may be subject to copyright law provisions (*Copyright Act 1968*, as amended) and the express permission of the copyright owner(s) should be sought prior to their reproduction.

EMERGENCY GUIDE

Council House, 27 St Georges Terrace, Perth



CITY of PERTH

The City of Perth values the health and safety of its employees, tenants, contractors and visitors. The guide is designed for all occupants to be aware of the emergency procedures in place to help make an evacuation of the building safe and easy.

BUILDING ALARMS

Alert Alarm and Evacuation Alarm.

ALERT ALARM

beep beep beep

All Wardens to respond.

Other staff and visitors should remain where they are.

EVACUATION ALARM/PROCEDURES

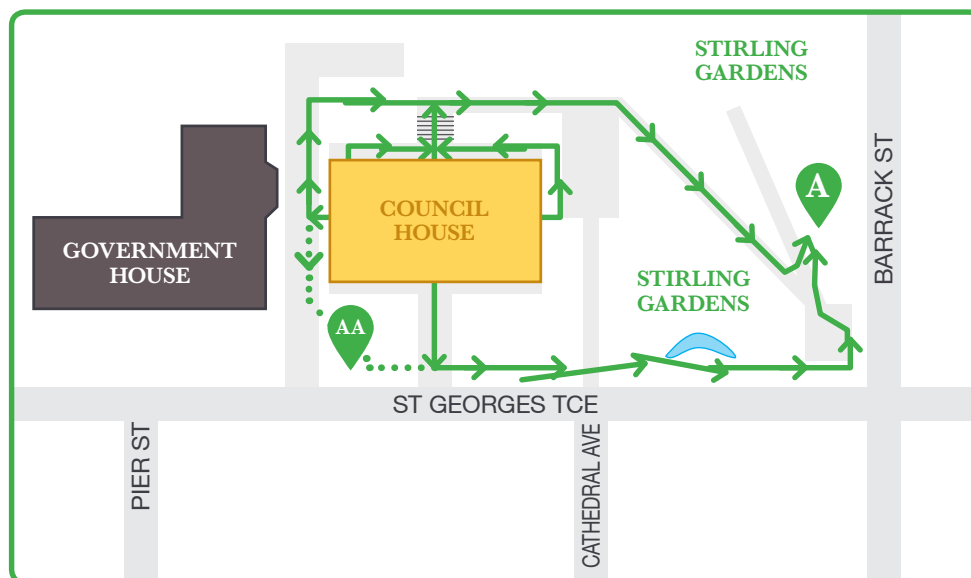
whoop whoop whoop

On hearing the Evacuation Alarm or on being instructed to evacuate:

1. Move to the floor assembly area as directed by your Warden.
2. People with impaired mobility (those who cannot use the stairs unaided) should report to the Floor Warden who will arrange for their safe evacuation.
3. When instructed to evacuate leave by the emergency exits. **Do not use the lifts.**
4. Remain calm. Move quietly and calmly to the assembly area in **Stirling Gardens** as shown on the map below. Visitors must remain in the company of City of Perth staff members at all times.
5. After hours, evacuate by the nearest emergency exit. **Do not use the lifts.**



EVACUATION ASSEMBLY AREA



 Assembly Area

 Alternate Assembly Area

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PLANNING COMMITTEE REPORTS

ITEM NO: 1

43 (LOT 41) ARDEN STREET, EAST PERTH – PROPOSED ADDITIONS TO THE SECOND FLOOR AND NEW THIRD FLOOR TO THE EXISTING DWELLING.

**PLANNING COMMITTEE (REFUSAL)
RECOMMENDATION:**

That Council:

- 1. in accordance with the provisions of the City Planning Scheme No. 2 and Local Planning Scheme No. 26, and the Metropolitan Region Scheme, recommends REFUSAL of the application for additions to the second floor and construction of a new third floor on the existing dwelling at 43 (Lot 41) Arden Street, East Perth as indicated on the Metropolitan Region Scheme Form One dated 16 August 2016 and as shown on the plans received on 18 August 2016 for the following reasons:***
 - 1.1 the proposal does not comply with the City Planning Scheme No. 2 Policy 3.1 – Design of Residential Development, given that the design of the additions is not sympathetic to the scale of the existing streetscape and neighbouring buildings and will have an adverse impact on the character and amenity of the locality;***
 - 1.2 the proposed residential additions will not comply with City Planning Scheme No. 2 Policy 4.1 - City Development Design Guidelines given that:***
 - (a) the proposed additions do not complement the existing scale of development in the area which features articulated frontages and maximum two storey boundary walls at the rear boundary;***

(Cont'd)

- (b) the proposed additions are not sufficiently articulated and are considered bulky in nature;**
- (c) the proposed additions increase restricting sunlight penetration into the laneway to the rear, are further imposing on the amenity of the laneway and cause overshadowing of windows to habitable rooms and balconies to dwellings to the south in midwinter.**

2. The design guidelines for East Perth Area 21 Constitution Hill North being revisited to include design guidelines for 33 to 47 Arden Street East Perth to guide the future development in this area.

BACKGROUND:

SUBURB/LOCATION:	43 Arden Street, East Perth
FILE REFERENCE:	2016/5308
REPORTING UNIT:	Development Approvals
RESPONSIBLE DIRECTORATE:	Planning and Development
DATE:	28 October 2016
MAP / SCHEDULE:	Schedule 1 – Locality map, elevations and 3D drawings for proposed additions to 43 Arden Street and existing Arden Street and laneway street view depictions
LANDOWNER:	Silvertop Nominees Pty Ltd
APPLICANT:	Ionic Property Group Pty Ltd
ZONING:	(MRS Zone) Urban Zone (Local Planning Scheme No. 26 Precinct) EP2 – Constitution Street
APPROXIMATE COST:	\$75 428

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

SITE HISTORY:

The 204m² subject lot is located in the 'Constitution Street' Precinct of East Perth and is currently occupied by a three storey residence (ground plus two floor levels) which fronts onto Arden Street and backs onto a rear laneway, used for vehicle access and servicing and is overlooked by north facing habitable rooms and upper level balconies. The site is bound by residential development to the south, east and west and the foreshore and Victoria Gardens to the north-west.

BACKGROUND:

The proposal was considered by the Planning Committee at its meeting held on 15 November 2016 where the City Officer's recommendation to refuse the subject application was supported and the recommendation for refusal was carried through to Council.

Council, at its meeting held on **22 November 2016** resolved to refer the application back to the Planning Committee for further discussion and consideration on the basis of a submission made by the applicant on advice from the Rowe Group to the Elected Members that was received prior to the Council meeting.

The applicant's email submission to the Elected Members responded to the reasons for refusal raised by the City. The following are extracts from the submission and the City Officer's response to the matters raised.

"As is acknowledged, there are no specific design standards applicable to your property other than plot ratio and land use. The issues raised by the City staff essentially relate to building height, scale and streetscape. Your proposal seeks approval to build to four levels (ground plus three) which is not uncommon for single dwellings in the locality. Indeed there are existing houses behind you on Macey Street that have been built to four levels. It is noted also that you only propose one room and an open alfresco area on the fourth level so that level cannot be said to be bulky. Again it is reiterated that there is no height limit applicable to the Arden Street properties, however in any event the height that you are proposing is not unreasonable when compared to other existing housing in the locality."

In the absence of any prescriptive guidelines for the development of the subject site it is appropriate to refer to the provisions of City Planning Scheme No. 2 and Planning Policies 3.1 Design of Residential Development and 4.1 City Development Guidelines. As there are no height or setback controls applicable to the site, in order to make a comparison between the scale of the proposed additions to the scale and grain of surrounding dwellings it is considered relevant to refer to the controls that apply to adjacent lots. It is acknowledged that there are some four level dwellings in the surrounding area however these are on lots where the building envelopes specifically provide for that. As discussed in the comments section of this report, Design Guidelines Section 2.21 under Local Planning Scheme No. 26 imposes a height restriction of 12 metres, which is equivalent to four storeys on the lots directly south of the subject site with frontages to Macey Street. However, it also specifies that this maximum height is to be projected at 45 degrees for a point 6 metres (two storeys) above the finished ground level at the street and mews lot boundary frontages.

"With respect to streetscape, there is a question as to the weighting that is placed on the service laneway elevation. The primary and therefore most important streetscape is Arden Street. The positioning of the extension towards the rear of the existing structure is such that a person standing on Arden Street and looking up at the house will not see the extension. The extension will become visible further away from the house however the visual impact would be marginal. As such it cannot be said that there is any significant impact on building bulk and/or streetscape when viewed from

Arden Street being the most important elevation. Indeed all of the matters raised by the City staff are easily accommodated with respect to the Arden Street elevation.”

It is acknowledged that Arden Street is of more relative importance however the service laneway is to the north of the properties on Macey Street and therefore is their main point of access to winter sunlight and these dwellings have been designed with open terraces and active habitable spaces facing the laneway. This has increased the importance of the lane elevations to those residents. The overshadowing and additional height created on the narrow laneway as a result of the additions will reduce access to sunlight penetration and natural light for the southern lots in winter. This could set a precedent for the development of the other five lots along this section of Arden Street, which could have a cumulative adverse impact on the properties facing onto the laneway.

“It should be acknowledged that there will be an increase in the building bulk when viewed from the service laneway however the importance of the laneway must be taken into account particularly when considered against the relative importance of the Arden Street streetscape. The general City policies refer to articulation of building frontages and as such the application of these general policies to a rear laneway may be questioned. The laneway elevation (being the rear elevation) does include windows and an outdoor/alfresco area which provide some relief and articulation to the rear of the building in addition to providing passive surveillance. In this respect the proposed extension can be seen as an improvement upon the current scenario given the increased opportunity for interaction with the laneway.”

The comments are noted however the proposed additions are not considered to be sufficiently articulated and are considered to be overbearing on the narrow laneway as the boundary wall height will be increased from 6.3 metres to 9.5 metres for the full width of the Lot frontage with only minor window openings. The existing dwellings are partially setback on the upper levels with articulated facades and including balconies and courtyards facing the laneway.

DETAILS:

The proposal seeks approval for additions to the second floor and construction of a third floor to the existing three-storey residence.

Details of the proposed development are as follows:

Ground Floor Level	This level comprises a garage, store room, lobby, activity room, two bedrooms and a bathroom, laundry, sauna room and shower. (Existing)
First Floor Level	This level comprises a living, dining, kitchen, two bedrooms, walk-in-robe, two ensuites, a powder room and a terrace. (Existing)
Second Floor Level	This floor comprises a bedroom, an ensuite, a walk-in-robe and terrace. A living room, study and bathroom are proposed to be added as a part of the application.
Third floor level (New)	Games room, plant room, alfresco and stair case addition.

LEGISLATION / POLICY:

Legislation	<i>Planning and Development Act 2005 City Planning Scheme No. 2 (CPS2) Local Planning Scheme No. 26 Clauses 1.1, 1.10 and 4.3</i>
Policy	Design of Residential Development (3.1) City Development Design Guidelines (4.1) Residential Design Policy (4.9)

Consultation:

Neighbour Consultation:

The application was advertised to the adjoining landowners in the direct vicinity of the subject development due to the scale of the proposed development compared to the existing surrounding development. The plans were originally advertised to the owners of the neighbouring properties for 17 days however the deadline was extended to 21 October 2016 following a collective request from neighbours for more time to submit comments. The consulted neighbours included 41, 42 and 45-47 Arden Street and 8,10 and 12-14 Macey Street.

A formal submission in the form of a report was jointly submitted by 10 neighbours including six of the consulted neighbours (2, 4, 6, 8, 10, 12 and 14 Macey Street, 14 Vanguard Terrace and 41 and 42 Arden Street). Another individual submission was submitted by the owners of 6 Macey Street.

The following summary of objections and comments, classified under the appropriate headings, covers the issues that were raised.

Absence of Specific Design Guidelines for the subject and neighbouring sites

Concerns were raised over the anomaly presented by a lack of development standards for the subject site under the Scheme and Design Guidelines compared to the surrounding area with a request that this be addressed. It is noted that current residences had been built in line with the required building envelopes and that failure to amend the anomaly of these particular properties, currently not subject to building envelope constraints, would result in a precedent for similar developments occurring in the area.

Neighbourhood Character

Strong concern was raised for the proposal's potential to threaten the harmony of the Claisebrook Village area. The respondents believe that the scale of the proposed development does not respect the scale of current development along Arden Street as it projects 1-2 floors above the other houses on Arden Street and in the area in general.

The respondents further suggest the proposed plans misrepresent the true scale of the development. It is noted that the overall height will be 13.24m while the plans

only show the height to the internal ceiling, noting that an entire fourth storey (third level) is being proposed as a part of the development.

Neighbouring Amenity

A number of concerns were raised by the neighbours in relation to overshadowing and access to natural light. It was identified that the proposed additional floors will increase the existing height at the rear (facing onto the laneway between Macey Street and Arden Street) from 6.257m to over 13m. This would reduce the amount of sunlight entering neighbouring residences on the southern side of the site and cast shadows into active habitable rooms including living, kitchen and meals rooms.

Building Bulk

The respondents have raised concerns that the proposed additions significantly add to the bulk of the existing residence which is visually detrimental to the access laneway and Arden Street streetscapes. They describe the addition as representing a 'square concrete box with a flat roof some 13m high' and conclude that the additions will exclude 'blue sky vistas' and create a claustrophobic, dark feeling in the laneway area due to the scale of the additions.

COMPLIANCE WITH PLANNING SCHEME:

Development Requirements

The subject site is located within the East Perth Precinct (P15) under City Planning Scheme No. 2 and is subject to Local Planning Scheme No. 26 (LPS26) being the East Perth Normalised Area. The subject property falls within the Constitution (EP2) Precinct under LPS26. The Precinct is predominantly residential development, encouraging 'housing diversity that varies in type and form'.

The proposal's compliance with the LPS26 development requirements are summarised below:

There are no specific design guidelines for only six Arden Street Lots (being 33 to 47 – Lots 40 to 45 - Arden Street) and therefore no development standards are applicable to residential development on this site, apart from plot ratio and land use permissibility. These six properties in Arden Street are however developed to a similar bulk and scale to the adjoining areas which are typically ground plus a first and second level. The proposed second floor additions and new third floor level results in an overall maximum height of 13.25m and overall boundary height of 10.6m to the rear laneway. The proposal's compliance with the following development standards is summarised below:

Heights and Setbacks

The lots directly to the south of the subject site and south of the laneway (Lot 16-30) are bound by the requirements of Design Guidelines Section 2.21 East Perth Area 21 Constitution Hill North. These impose a height restriction on the subject lots of 12 metres (4 storeys) projected at 45° for a point 6 metres (two storeys) above the

finished ground level at the lot street and mews boundary frontages. This limits the height of development for those lots, at the front and rear boundary lines, to 6 metres or two stories.

The proposed second floor addition differs from this requirement by proposing a boundary height of 9.514 metres with a 1.2 metres glass parapet on top at the southern boundary line, adjoining the laneway. The overall height of the residence also varies-the maximum overall height requirement (12 metres) by 01.25 metres.

Overshadowing and Privacy

The overshadowing diagrams that have been provided by the applicant demonstrate that for the majority of the year, the bulk of overshadowing falls directly onto the rear laneway between the hours of 10.00am and 2.00pm. However, the additional height will cast additional shadows which will impact on north facing windows to habitable rooms, balconies and private open space abutting the laneway between March and September and more specifically the dwellings located at 6 to 14 Macey Street.

Legislation/Policy

Local Planning Scheme No. 26 (Normalised Redevelopment Areas)

Local Planning Scheme No. 26 (LPS26) sets out the following objectives and principles as they are considered applicable to the subject development:

- “(a) deliver sustainable urban development within the Scheme Area, with outcomes such as compact growth, mixed land use, good design; and*
- (a) deliver vibrant and attractive urban environments which infuse the city with vitality, life and character.”*

The proposed development is not considered to be a good design solution impacting negatively on the aesthetic of the streetscape and the laneway. It does not contribute to improving the immediate environment impacting negatively on the laneway which is the northern aspect of the dwellings located on Macey Street with habitable spaces looking onto the laneway and providing some greenery to the laneway softening its service and access function.

3.1 Design of Residential Development

The following general design criteria apply to residential development within the City:

- *“the design of the buildings should be sympathetic to existing building or buildings on site and those nearby;”*

The proposed additions do not complement the existing pattern of development in the area which consists of articulated frontages facing the rear laneway. Furthermore, the development will be at least one level higher than any adjoining development in Arden Street and will also exceed the maximum height limit of 12m, (generally applicable to pitched roofs) as applies to the majority of dwellings in the area.

4.1 City Development Design Guidelines

The following aspects of Policy 4.1 (City Development Design Guidelines) apply to the proposed development in the absence of site specific design guidelines:

- *“Scale and Massing: New developments should take into account the scale, massing and grain (i.e.; the proportions) of surrounding buildings.”*

The proposed addition to the second floor does not match the existing scale of development along the rear laneway as it proposes a nil setback third storey wall on the boundary. The remaining streetscape features a maximum 2 storeys to the boundary wall, with the second storey generally being articulated.

- *“Articulation: Buildings should be articulated to break up their perceived bulk, particularly with buildings occupying a large frontage site, to match the prevailing rhythm of buildings and architectural structure along the street.”*

The proposed additions add to the building bulk of the existing residences by increasing the height of the rear boundary wall from 6.257m to 9.514m. This three storey solid wall with articulation limited to 10 small windows does not complement the existing streetscape along the rear laneway.

- *Private Amenity: Buildings should be setback from side and rear lot boundaries to maximise sunlight penetration, natural light access, natural ventilation and internal privacy within buildings and to maximise outlook from buildings.*

The proposed additions reduce sunlight penetration and access to natural light to the rear properties compared to the existing development in the street. The overshadowing diagrams indicate that for most of the autumn and spring the bulk of overshadowing caused by the additions fall on the rear laneway, however, in winter the overshadowing will extend to the windows of habitable rooms as well as balconies and courtyards of some of the dwellings located south of the laneway.

Considering the bulk, height and scale of the existing houses surrounding 33 to 47 Arden Street, the proposed development at 43 Arden Street, by being modified to include a nil setback on the existing second level for the full width of the lot and with an additional level being added to the building, the proposed development is not considered to be sympathetic to the existing streetscape and neighbouring buildings. The proposed development will not complement the existing scale of development and will be out of place and have an adverse impact on the surrounding properties and neighbourhood. In addition it is considered that the form of the proposed development will make the dwelling appear bulky in comparison to adjacent dwellings. The additional building height and width will be imposing on the existing laneway, reducing sunlight penetration to the laneway and also causing some overshadowing of windows and courtyards to the properties located directly south. Should this be approved and becoming a precedent for future development the cumulative shadow impact on the laneway will adversely impact on the laneway and the properties with a northern aspect looking down on the laneway. Currently these

properties add some activity by using balconies and providing some greenery and providing informal surveillance and security. These positives will be impacted on should the laneway amenity be reduced by this development which is considered out of the current character. Although aspects of the development can be supported in a modified format (including extension of level two however setback from the laneway, as a whole, it is considered that the development should not be supported and therefore recommended for refusal.

Conclusion

The proposed residential additions at the subject site are inconsistent with the existing development in the immediate area and the relevant planning policies and do not respond to the orderly and proper planning of the locality. In accordance with the reasons stated in the report above, it is recommended that the proposal be refused.

ITEM NO: 2

BARRACK STREET IMPROVEMENT MODEL (INTEGRATED PRIVATE INVESTMENT AND STREETScape WORKS) HERITAGE GRANT APPLICATIONS FOR 113 - 115 AND 115 – 117 BARRACK STREET, PERTH

**PLANNING COMMITTEE
RECOMMENDATION:**

(APPROVAL)

That Council:

- 1. approves, subject to the submission of a Heritage Assessment with zones of significance, to the satisfaction of the Chief Executive Officer, the awarding of Heritage Grants totalling \$153,500 (excluding GST), for heritage works to the following properties, subject to the successful applicants agreement in writing to the funding conditions for works and acquittal;***

1.1 \$63,500 for 111 – 113 Barrack Street for the internal and external refurbishment of the building to accommodate its adaptive reuse; and

1.2 \$90,000 for 115 – 117 Barrack Street for the internal and external refurbishment of the building to accommodate its adaptive reuse,

pursuant to the details provided by the Owen Consulting report dated 27 April 2016 (Confidential Schedule 5);

- 2. notes that the following variations of the City's Heritage Grant's Policy 6.1 are required and approves the variations:***

2.1 Provision 11.3 – Ineligibility: to accommodate a further grant award, while the expenditure of the current grant remains outstanding (\$26,500 for removal of a metal screen on 111 – 113 Barrack Street);

(Cont'd)

2.2 Provision 15 – Application Requirements (supporting documentation): whereby the owner shall prepare and submit a Heritage Assessment, in lieu of the required Conservation Management Plan funded by the City and prepared by a consultant; and

2.3 Provisions 1 through 5: to allow the maximum site award of \$90,000 (under Provision 6) for each property.

BACKGROUND:

FILE REFERENCE:	P1028237 and P1030836
REPORTING UNIT:	Economic Development
RESPONSIBLE DIRECTORATE:	Economic Development and Activation
DATE:	26 October 2016
MAP / SCHEDULE:	Schedule 2 – Improvement Model Schedule 3 – Photo of Barrack Street facades Schedule 4 – High level works summary Confidential Schedule 5 – Owen Consulting Report 27 April 2016 (distributed to Elected Members under separate cover)

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

Council, at its meeting of **9 December 2014**, considered a trial project of an Barrack Street Precinct Improvement Model (shown in Schedule 2). The Model involves an integrated and targeted grants and business incentive program with a focus on the Barrack Street Conservation Area designated under City Planning Scheme No. 2. The focus of the trial was addressing the 144 dilapidation issues identified in the 2014 audit.

As reported to Council on **2 February 2016**, in the first year of the trial, over 50% of the dilapidation issues have been addressed by a combination of implemented works, planning approvals to undertake works, and City Heritage, Matched Funding or Business Grants. This includes grants for significant upgrades to the facades of seven heritage buildings in the street, with 119 Barrack Street being completed recently.

An opportunity has arisen to address two of the three remaining strategic sites identified in the 2014 audit as priorities for a Heritage Grant, being 111 – 113 and 115 – 117 Barrack, complementing the recently reinstated façade at 119 Barrack Street, immediately to the north (refer Schedule 3).

Council, at its meeting of **26 June 2012**, granted approval for a Heritage Grant of \$26,500 for the removal of the steel grate over the upper façade of 111 – 113 Barrack, forming part of the works to modify it to a bank mid last century. This money is still held in reserve to undertake those works since the property was recently sold to the current owner/applicant.

Consideration of the Heritage Grant applications and funding available under the 2016/17 budget is the focus of this report as \$300,000 remains in this year's heritage budget for such works.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Section 2.7(2)(b) of the *Local Government Act 1995*
Sections 30, 31 and 33 of the City Planning Scheme No. 2

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
Council Four Year Priorities: Perth As a Capital City
S5 Increased place activation and use of under-utilised space.
S7 Collaborate with private sector leverage city enhancements
Council Four Year Priorities: Living in Perth
S9 Promote and facilitate CBD living

Policy

Policy No and Name: City Planning Policy 4.11 – Heritage and Planning Policy
City of Perth Policy Manual Policy 6.1 – Heritage Grants

DETAILS:

Heritage Grant applications have been received for the two buildings immediately south of the recently upgraded heritage façade at 119 Barrack Street as follows:

1. 111 – 113 Barrack Street

The subject property is a three storey plus basement Federation Free Classical building, known as “Queens Chambers”, constructed in 1897. The building is constructed of rendered brick with a corrugated iron roof. The building is afforded heritage protection under the provision of City Planning Scheme No. 2, by virtue of its listing with the Barrack Street Conservation Area and placement on the City's Heritage List.

2. 115 – 117 Barrack Street

The subject property is a three storey plus basement Federation Free Classical building, known as “Smiths Chambers”, constructed in 1901. This narrow, three-storied, commercial building displays archivists, pilasters and heavily embellished with stucco decoration to the street facade. Shop fronts have been modified with modern fittings. The building is afforded heritage protection under the provision of City Planning Scheme No. 2, by virtue of its listing with the Barrack Street Conservation Area and placement on the City's Heritage List.

The applicant has provided a quantity surveyors (QS) and construction report from Owen Consulting (dated 27 April 2016) outlining the estimated costs for the upgrade of both buildings at \$3,800,000; being \$1,520,000 for 111 – 113 and \$2,280,000 for 115 – 117. A high level summary of the scope of works is included in Schedule 4, with the full QS report under Confidential Schedule 5.

The proposed works will provide the catalyst and critical mass for the transformation of the northern section of the Barrack Street Conservation Area by the internal and external restoration of two major buildings, in addition to the recently completed façade works immediately north at 119 Barrack Street.

In this regard, should Council approve the subject application, only one targeted site remains for improvement via consideration of a heritage grant.

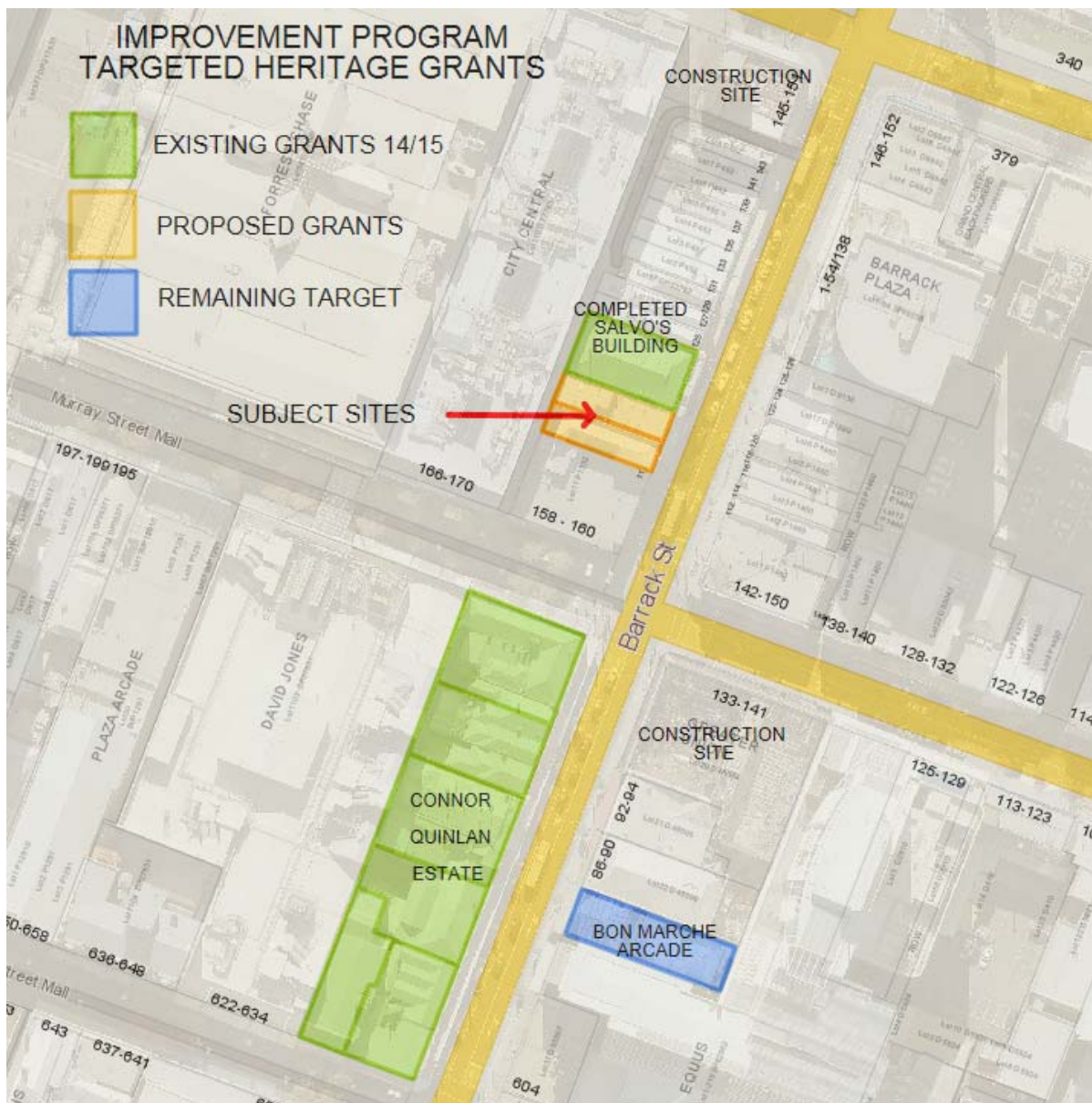


Figure 1: Improvement Program – Heritage Grants Context

The subject places are of aesthetic significance as an example of a commercial building constructed during the period of economic affluence and increased development that followed the gold boom. They are also of historic significance because it reflects the expansion and development of commerce and trade in the City of Perth in the early years of the twentieth century. The place is a representative example of a commercial building constructed in Perth during the period of development and consolidation following the gold boom.

The place assessment for both buildings notes that conservation is encouraged, particularly where development would take account of the way in which the heritage significance of the place will be conserved. Where possible original or significant fabric should be kept and conserved in accordance with the principles outlined in The Australia ICOMSO for the conservation of places of cultural significance (the Burra Charter).

The proposed works engage all aspects of the buildings across various levels to ensure they are updated to meet the Building Code of Australia, Premises Standard and *Disability Discrimination Act 1992*. This will facilitate the activation of both buildings and aesthetic improvements to the streetscape.

The scope of works are consistent with the economic activation objectives of the Improvement Program for Barrack Street by providing both aesthetic improvements and compliant leasable spaces in what are typically underutilised upper floors.

City of Perth Policy Manual Policy 6.1 – Heritage Grants

The requested grant is consistent with the objectives of the policy as it will assist landowners to conserve and continue the active use of these heritage places.

The proposed grants are supported as consistent with the Heritage Grants Policy objectives as they:

- (i) facilitate conservation and restoration;
- (ii) continue the use and reuse of heritage places; and
- (iii) ensure the economic and social value of cultural heritage is of benefit to the City of Perth.

The works are also entirely consistent with the 'Funding Priorities' specified under Provision 7 of the Policy as they accommodate the restoration and adaptive re-use of the entire buildings.

The opportunity to upgrade two adjacent buildings of such a scale is rare, moreover adding them to the adjacent upgraded façade. Overall this will contribute to a western elevation of Barrack Street that has eight of nine adjacent buildings restored; upon the completion of the Connor Quinlan works (refer Figure 1).

Funding Request

The applicant has requested a total contribution of \$90,000 per property, which is the maximum contribution permitted under the Policy, subject to the preparation of a Conservation Management Plan. The principles of the policy are also based on any award being provided as matched funding. The following considerations are relevant to determining the overall grant recommended:

- The existing grant funds provided for the removal of the metal screen at \$26,500 (to the previous owner) reduce the total available pool for 111 – 113 Barrack to \$63,500;
- The grant funds available for works to 115 – 119 Barrack Street are \$90,000.
- The maximum funding available is therefore \$153,000;
- The proposed investment in the two sites is in the order of \$3,800,000 with a project scope that is entirely consistent with the funding priorities of the Policy;
- Contextually the City's total overall investment in the two sites, in existing and proposed grants, at \$180,000, will generate a concurrent private investment 21 fold the City's; and
- By way of comparison, Council's \$73,808 heritage grant for the façade upgrade at 119 Barrack Street's (immediately north of these sites), delivered a private investment of only double the City's contribution just under \$147,616.

Ineligibility

Provision 11.3 of the Policy notes that an applicant cannot receive a grant where a previous one has not been acquitted. A current grant sits pending with 111 – 113 Barack for removal of the metal screen as noted above.

In this regard, it is requested that Council vary the policy provision noting the grant was awarded to the prior owner. The sale of the property has provided an opportunity to engagement with the new owners to expand the scope of works from a singular aesthetic improvement to an overall restoration.

Conservation Management Plan

Provision 15 of the Policy require a Conservation Management plan to be submitted with applications where the cumulative funding for the property exceeds \$20,000. In this regard, a maximum City contribution of \$20,000 can be applied to the preparation of such a plan. Provision 8 requires such plans to be prepared by heritage professionals with demonstrated experience, in accordance with the State Heritage Office's *'An Information Guide to Conservation Managed Plans'*

The owner and applicant, has indicated that she does not wish to engage a consultant to prepare such a plan, notwithstanding the requested grants exceeding the \$20,000 trigger threshold for said consultant, given:

- The total scope of works proposed will deliver the entire adaptive reuse and restoration of both buildings, which is more appropriate guided by a Heritage Assessment, rather than a Conservation Management Plan;

- The preservation of the heritage fabric will be guided by the Heritage Assessment and statutory development approval application process;
- The applicant / owner has extensive experience in undertaking heritage restoration works and maintaining buildings in King Street; and
- The likely value a City funded Conservation Management Plan would be limited compared to those funds being attributed to actual works.

In this regard the applicant is requesting special consideration given the Improvement Program, the applicants experience in undertaking restorative works and the total outcome of the significant private investment in the subject properties. In these particular circumstances, it is recommended that the owner prepares the Heritage Assessment and the maximum grant applied (up to \$20,000) for the Conservation Management Plan, be directed to actual works.

Funding Provisions

The August 2015 revision to the Policy limited individual heritage project awards up to \$40,000 in works (in any five year period), with an additional \$20,000 for the preparation of a Conservation Management Plan. Pursuant to Provision 6, no more than \$90,000 can be provided to a single property, irrespective of the timeframe.

Given Council's endorsed targeting of the properties, as part of the Improvement Program and the \$3,800,000 investment that will ensure the building meet all current standard, adapted for a range of uses, it is recommended the maximum provision per property, rather than per project, be applied. The extensive project scope (Confidential Schedule 5) warrants the maximum contribution given the subject properties are unlikely to require anything beyond minor maintenance for the decades to follow. In this respect, the scope covers the entirely spectrum of 'Funding Priorities' prescribed under Provision 7 of the Policy.

Improvement Model Impact

The Improvement Model, endorsed by Council in December 2014, includes a three year monitoring period to evaluate performance based on the following measures:

- Gross leasable area / value;
- Vacant floor space;
- Gross Rental Value;
- Total number of vacant tenancies;
- Day / Night time economy – opening hours;
- Land use mix (changes);
- Ground Floor Activation Assessment;
- Crime / Antisocial Behaviour data;
- Maintenance of identified cultural business diversity;
- Survey of landowners and tenants; and
- Pedestrian count(s).

It is proposed to report on the outcome of the Improvement Model, including the heritage grants, in December 2017, which represents the full three year monitoring period. The annual update to the Improvement Program will be provided in the coming months with updates on several key sites.

The significant investment and upgrades proposed to the subject buildings will have a measurable impact on many of the above measures, in addition to aesthetic improvements identified in the 2014 dilapidation audit.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CL 16204000
BUDGET ITEM:	Recreation and Culture – Heritage – Heritage Inventory
BUDGET PAGE NUMBER:	11
BUDGETED AMOUNT:	\$300,000
AMOUNT SPENT TO DATE:	\$ 0
PROPOSED COST:	\$153,500
BALANCE:	\$146,500
ANNUAL MAINTENANCE:	NA
ESTIMATED WHOLE OF LIFE COST:	NA

All figures quoted in this report are exclusive of GST.

The City, through targeted engagement, has generated significant interest in building upgrades to improve the heritage fabric of a large portion of the Conservation Area. In light of the interest and the extent of works proposed and focused on heritage outcomes, use of the \$300,000 available in the heritage grant funds currently available in the 2016/17 budget is proposed.

Any resolution supporting funding will be reflected in the "Heritage Reserve" as at 30 June 2016 and paid out on the basis of work completed.

COMMENTS:

The Improvement Program provides a sophisticated approach to leveraging existing grants and streetscape works to maximise the benefit of the City's investments in collaboration with the private sector. The proposed grants will significantly enhance the locality in a manner appropriate to its Conservation Area designation. This award, if granted, will generate the greatest amount of concurrent private investment (21 fold - or \$3.8 million private on \$180,000 existing and proposed grants) of any prior award under the Improvement Program. The works are timely and strategically important in light of the enhancement and connection between Barrack Street from Elizabeth Quay the Train Station and Cultural Centre.

This particular grant will also provide opportunities for attracting tenants to activate upper floors, similar to the outcomes achieved in King Street over the last decade.

If Council approves the grants for works then the applicant will be required to comply with the post approval grant requirements set out in Provision 7 of Council Policy 6.1 – Heritage Grants.

ITEM NO: 3

233-239 (LOTS 12 AND 13) JAMES STREET, NORTHBRIDGE – PROPOSED 16 LEVEL MIXED-USE DEVELOPMENT CONTAINING 92 MULTIPLE DWELLINGS, ONE COMMERCIAL TENANCY AND 94 CAR PARKING BAYS – BONUS PLOT RATIO

**PLANNING COMMITTEE
RECOMMENDATION:**

(APPROVAL)

That Council:

- 1. in accordance with the provisions of City Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES BY AN ABSOLUTE MAJORITY the application for a 16 level mixed-use development containing 92 multiple dwellings, one commercial tenancy and 94 car parking bays at 233-239 (Lots 12 and 13) James Street, Northbridge as a detailed on the Metropolitan Region Scheme Form One dated 3 November 2016 and as shown on the plans received on 14 November 2016 subject to:***
 - 1.1 the development being restricted to a maximum plot ratio of 3.6:1 (4,939m² of plot ratio floor area) inclusive of 20% bonus plot ratio (823m² of plot ratio floor area) for the provision of a new Residential use, in accordance with Clause 28 of City Planning Scheme No. 2 and the requirements of the Bonus Plot Ratio Policy 4.5.1;***
 - 1.2 any subsequent change of use of the Residential portions of the development being prohibited within 10 years from the date of lawful occupation of those portions of the development pursuant to Clause 46A of City Planning Scheme No. 2;***

(Cont'd)

- 1.3 the development being constructed with high quality and durable materials and finishes and to a level of detailing that is consistent with the elevations and perspectives received on 14 November 2016, with particular attention to the treatment of side/rear podium walls, internal walkway area, expanses of concrete on the tower elevations and upper levels north facing glazed lift lobby, with the final details of the design and a sample board of the materials, colours and finishes being submitted by the applicant to the City for approval prior to applying for a building permit;**
- 1.4 air conditioner condensers not being permitted on residential balconies where they affect the use or enjoyment of the balcony or can be viewed from the street or above and any proposed external building plant, lift overruns, piping, ducting, water tanks, transformers, fire booster cabinets and fire control rooms being located or screened so that they cannot be viewed from the street or above and to minimise any visual and noise impact on the adjacent developments, with details of the location and screening of such plant and services being submitted by the applicant to the City for approval prior to applying for a building permit;**
- 1.5 the development being designed and constructed to achieve a minimum internal noise level loss of 25dB at 63Hz to all bedrooms and living areas of each dwelling to preserve the residential acoustic amenity of future occupants of the development, in addition to complying with Australian Standard / NZS 2107:2000, with a comprehensive acoustic report by an accredited acoustic consultant, detailing the construction specifications of each dwelling relevant to its specific location and orientation on the site and providing satisfactory evidence that the development can achieve the required internal noise level losses, being submitted and approved by the City prior to the commencement of the development;**

(Cont'd)

- 1.6 the construction specifications detailed in the acoustic report (provided in accordance with the previous Condition) being implemented in full to the satisfaction of the City with any working drawings being certified by an accredited acoustic consultant to confirm compliance with the specifications prior to the commencement of the development;**
- 1.7 a final Waste Management Plan satisfying the City's waste collection requirements being submitted by the applicant to the City for approval prior to applying for a building permit (refer to relevant advice note);**
- 1.8 the 94 residential car parking bays being provided on site for the exclusive use of occupants of the multiple dwellings within the development and not being leased or otherwise reserved for the use of other buildings or sites;**
- 1.9 the dimensions of all car parking bays, aisle widths, ramps and circulation areas complying with the Australian Standard AS/NZS 2890.1/2004;**
- 1.10 the proposed vehicle and pedestrian entry levels being consistent with the immediately adjacent existing footpath and Right-of-Way levels with final details of the existing and proposed levels being submitted by the applicant to the City for approval prior to applying for a building permit;**
- 1.11 all stormwater being contained on-site with details of the stormwater drainage being submitted by the applicant to the City for approval prior to applying for a building permit;**
- 1.12 details of any proposed external ventilation or ducting or window treatments for the proposed 'Dining' tenancy being submitted by the applicant to the City for approval prior to applying for a building permit. Any other proposed use of the commercial tenancy shall be subject to a separate application for approval;**

(Cont'd)

- 1.13 any signage for the development being integrated with the design of the building with details of any signage for the tenancies not exempt from approval under the City's Planning Policy 4.6 – Signs being subject to a separate application(s) for approval;**
- 1.14 final details of the design of the ground floor walkway, 'zen' gardens and sky garden landscaped areas including soil depths, plant species and irrigation prepared by a qualified landscape architect being submitted by the applicant and approved by the City prior to applying for a building permit;**
- 1.15 in the event of the development not proceeding within six months of the demolition of the existing buildings on the site, the vacant site shall be aesthetically fenced and landscaped to the satisfaction of the City in order to preserve the amenity of the area, prevent unauthorised car parking and reduce dust and sand being blown from the site and shall be maintained in a clean and tidy state;**
- 1.16 the works referred to in the previous Condition, being secured by a bond/deed of agreement between the landowner/applicant and the City, to the value of the proposed works as determined by the City, with the cost of the deed to be borne by the applicant and the bond/deed being finalised to City's satisfaction prior to any demolition works being undertaken;**
- 1.17 the subject lots being amalgamated into one lot on one Certificate of Title prior to the occupation of any of the buildings within the development; and**
- 1.18 a construction management plan for the proposal being submitted by the applicant to the City for approval prior to applying for a building permit; detailing how it is proposed to manage:**
- a) delivery of materials and equipment to the site;**
 - b) storage of materials and equipment on the site;**
 - c) parking arrangements for contractors and subcontractors; and**
 - d) other matters likely to impact on the surrounding properties.**

(Cont'd)

2. the applicant be advised that:

2.1. with regards to the final Acoustic Report, the following additional matters shall also be addressed:

- a) sufficient detail of all mechanical plant associated with the development demonstrating how the development will comply with the Environmental Protection (Noise) Regulations 1997, including all noise modelling, measurements and attenuation details;**
- b) all design requirements, as detailed in the preliminary Acoustic Report being implemented at the detailed design stage;**
- c) a detailed assessment of C-weighted noise in the locality being undertaken to demonstrate that:
 - i. low frequency noise has been adequately addressed in the design; and**
 - ii. the development can successfully deliver an appropriate level of acoustic amenity for residents and can adequately attenuate against external noise and vibration sources associated with low frequency noise intrusion.****

2.2 with regards to the preliminary Waste Management Plan (WMP), the City advises that the final WMP is required to address the following additional matters:

- a) provision for comingled recycling to be amended to facilitate collection once a week;**
- b) relevant diagrams/plans to be provided demonstrating maximum travel distance for operators; and**
- c) bin room areas to be included in all relevant figures.**

2.3 with regards to the internal walkway area, final details of the design shall address the following matters:

- a) management of the space;**
- b) lighting;**
- c) security; and**

(Cont'd)

d) alternative design measures in the event of landscaping not surviving within the internalised environment.

BACKGROUND:

SUBURB/LOCATION: 233-239 James Street, Northbridge
FILE REFERENCE: 2016/5222
REPORTING UNIT: Development Approvals
RESPONSIBLE DIRECTORATE: Planning and Development
DATE: 28 November 2016
MAP / SCHEDULE: Schedule 6 – Map and coloured perspectives for 233-239 James Street, Northbridge
LANDOWNER: Desan Resources Pty Ltd
APPLICANT: Doepel Marsh Architects
ZONING: (MRS Zone) Central City Area
(City Planning Scheme Precinct) Northbridge (P1)
(City Planning Scheme Use Area) City Centre
APPROXIMATE COST: \$19 million

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

SITE HISTORY:

The subject site comprises of a total area of 1,372m² and is located on the south side of James Street, Northbridge. Alternative vehicular access to the site is provided via a rear Right of Way (ROW) which has access to Roe Street. The site accommodates an existing single storey building formerly known as the 'Bakery Artrage Complex' which is currently disused.

DETAILS:

Approval is sought to demolish all existing structures on site to construct a 16 level mixed-use development including a commercial tenancy on the ground floor level, 92 residential units above and 94 residential car parking bays.

Details of the proposed development are as follows:

Ground Floor Level	This level contains one commercial tenancy (175m ²), residential lobby, 26 residential tenant car parking bays and one commercial loading/service bay with the internal driveway accessed via a rear ROW, internal covered pedestrian link from James Street to the rear ROW including landscaping, alfresco area and lobby access, fire control room, fire tank and pump rooms, bin store, electrical substation room, fire exit stairwells, lifts and lift lobby.
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First Floor Level	This level contains 27 residential tenant car parking bays and one motorcycle bay accessed via a ramp from the ground level parking area, 17 bicycle parking bays, communal residential amenities, lifts and lift lobby, and fire exit stairwells.
Second Floor Level	This level contains five 1-bedroom/1-bathroom apartments (51m ²) with balconies (23m ² to 26m ²), eight residential stores, passageway, 20 residential tenant car parking bays accessed via a ramp from the level 1 parking area, fire exit stairwells, 14 bicycle parking bays lifts and lift lobby.
Third Floor Level	This level contains five 1-bedroom/1-bathroom apartments (51m ²) with balconies (23m ² to 26m ²), eight residential stores, passageway, 21 residential tenant car parking bays accessed via a ramp from the level 2 parking area, fire exit stairwells, 14 bicycle parking bays lifts and lift lobby.
Fourth Floor Level	This level contains two 2-bedroom/2-bathroom apartments (80m ²) with balconies (19m ²), two 2-bedroom/1-bathroom apartments (68m ²) with balconies (13m ²) and eight 1-bedroom/1-bathroom apartments (51m ² to 58m ²) with balconies (21m ² to 31m ²), ten residential stores, passageway, fire exit stairwell, lift and lift lobby.
Fifth to Eleventh Floor Levels	These levels each contain three 2-bedroom/2-bathroom apartments (75m ²) with balconies (13m ² to 17m ²), one 2-bedroom/1-bathroom apartment (70m ²) with a balcony (17m ²) and four 1-bedroom/1-bathroom apartments (50m ² to 51m ²) with balconies (19m ² to 23m ²), eight residential stores, passageway, fire exit stairwell, lift and lift lobby.
Twelfth Floor Level	This level contains two 2-bedroom/2-bathroom apartments (75m ²) with balconies (13m ²) and two 1-bedroom/1-bathroom apartments (52m ²) with balconies (15m ² and 16m ²), 'zen garden', four residential stores, passageway, external communal residential amenities area, fire exit stairwell, lifts and lift lobby.
Thirteenth and Fourteenth Floor Levels	These levels each contain two 2-bedroom/2-bathroom apartments (75m ²) with balconies (13m ²) and two 1-bedroom/1-bathroom apartments (52m ²) with balconies (19m ²), four residential stores, passageway, fire exit stairwell, lifts and lift lobby.
Fifteenth Floor Level	This level contains two 3-bedroom/2-bathroom apartments (116m ²) with balconies (61m ²), passageway, fire exit stairwell, lifts and lift lobby.

The proposed development will provide a total of 92 residential apartments in the following range of unit types:

- 52 one bedroom and one bathroom apartments;
- 9 two bedroom and one bathroom apartments;
- 29 two bedroom and two bathroom apartments; and
- 2 three bedroom and two bathroom apartments.

The applicant advises the following in relation to the design of the building:

- *'passive surveillance is achieved to James Street from the ground level and communal activity space on the first floor and each of the three levels of apartments overlooking James Street. The sculptural façade is strong but restrained to allow the maximum glazing to overlook James Street. The textural context is emphasised by material choice, delivering fine grain detailing with an urban edginess reflecting the inner city vibe;*
- *high quality urban design to the public spaces reinforces the feeling of belonging, enjoyment, interaction, ambiance and most importantly safety with security; and*
- *the southern side of the residential building takes full advantage of the expansive views across the CBD of the City. This facade is seen from the City and is different texturally from the James Street Podium. The proposal will be readily recognisable when viewed from the City.'*

LEGISLATION / POLICY:

Legislation

*Planning and Development Act 2005;
Planning and Development (Local Planning Scheme)
Regulations 2015;
City Planning Scheme No. 2; and
Metropolitan Region Scheme.*

Policy

Policy No and Name: City Development Design Guidelines (4.1)
Building Heights and Setbacks (4.4)
Bonus Plot Ratio (4.5.1)
Signs (4.6)
Residential Design Policy (4.9)
Parking Policy (5.1)
Loading and Unloading (5.2)
Bicycle Parking and End of Journey Facilities (5.3)

COMPLIANCE WITH PLANNING SCHEME:

Land Use

The subject site is located within the City Centre Use Area of the Northbridge Precinct (P1) of the City Planning Scheme No. 2 (CPS2). The Precinct will remain Perth's primary entertainment and night life area and will provide a variety of residential and visitor accommodation and commercial services. Mixed residential and commercial developments will be encouraged throughout the Precinct to strengthen its residential component as well as creating employment opportunities.

'Residential' is a Preferred use ('P') within the City Centre use area of the Northbridge Precinct (P1), for properties west of Russell Square. The applicant has proposed a 'Dining' use for the ground floor commercial tenancy which is also a preferred ('P') use in this location. It is considered that the residential and dining uses

are consistent with supporting a day and night time economy which is identified as a priority in the Northbridge Precinct.

Development Requirements

New developments in the Northbridge Precinct will continue to have regard to the scale and character of existing streets. Redevelopment of small to moderate size lots is appropriate as opposed to the amalgamation of the existing lots into large sites. Developments will have a nil street setback and be of a low scale along the street frontage with additional building height setback from all lot boundaries. In addition, the height of buildings must allow for adequate sun penetration into key pedestrian streets and public places including Russell Square. The Precinct will also be characterised by versatile building forms which will be easily adaptable to new uses and be able to accommodate a variety of interesting and informative signs. The facades will also add interest and vitality to the street, and be characterised by continuous shopfronts and traditional designs, incorporating verandahs, awnings and artwork.

The proposal has been assessed against the City Planning Scheme requirements and the proposal's compliance with the following development standards is summarised below:

Development Standard	Proposed	Required
Maximum Plot Ratio:	3.6:1 (4,939m²) inclusive of a plot ratio bonus of 20% (823m²) on the basis of a 20% bonus for including residential development	Base Plot Ratio 3:1 (4,116m ²) Maximum Bonus Plot Ratio of 50% consisting of a combination of any of the below: Special Residential Development (20% and 40% for high quality hotel maximum) Residential Development (20% maximum) Heritage Conservation (20% maximum)
Maximum Street Building Height:	14 metres	14 metres
Maximum Building Height:	49 metres	33 metres

Development Standard	Proposed	Required
<p>Setbacks:</p> <p><u>Front (James Street)</u> - Lower Building Levels - Upper Building Levels</p> <p><u>Rear (south)</u> - Lower Building Levels - Upper Building Levels</p> <p><u>Side (west)</u> - Lower Building Levels - Upper Building Levels</p> <p><u>Side (east)</u> - Lower Building Levels - Upper Building Levels</p>	<p>Nil up to 14 metres</p> <p>5 metre setback up to 36.7 metre building height</p> <p>Nil (with no openings)</p> <p>2 metres up to 49 metre building height</p> <p>Nil (no openings)</p> <p>2.8 metres (architectural features) to 4 metres (main building)</p> <p>Nil (no openings)</p> <p>2.8 metres (architectural features) to 4 metres (main building)</p>	<p>Nil up to 14 metres</p> <p>5 metre setback up to 33 metres</p> <p>Nil (no openings/balconies) 3 metres (with openings/balconies)</p> <p>3 metres (no openings/balconies) 4 metres (with openings/balconies)</p> <p>Nil (no openings/balconies) 3 metres (with openings/balconies)</p> <p>3 metres (no openings/balconies) 4 metres (with openings/balconies)</p> <p>Nil (no openings/balconies) 3 metres (with openings/balconies)</p> <p>3 metres (no openings/balconies) 4 metres (with openings/balconies)</p>
<p>Car Parking:</p> <p>- Residential</p>	<p>94 bays</p>	<p>92 bays (minimum) 184 bays (maximum)</p>

Development Standard	Proposed	Required
- Commercial	Nil	16 bays (maximum)
Bicycle Parking:		
- Residential	45 bays	31 bays (minimum)
- Commercial	3 bays	1 bay (minimum)

Variations to the height and setback provisions applicable to the development can be granted by an absolute majority decision of the Council, in accordance with Clause 47 of the City Planning Scheme and provided the Council is satisfied that:

'47(3)(d)(i) if approval were to be granted, the development would be consistent with:

- (A) the orderly and proper planning of the locality;*
- (B) the conservation of the amenities of the locality; and*
- (C) the statement of intent set out in the relevant precinct plan; and*

(ii) the non-compliance would not have any undue adverse effect on:

- (A) the occupiers or users of the development;*
- (B) the property in, or the inhabitants of, the locality; or*
- (C) the likely future development of the locality'.*

Bonus Plot Ratio:

The site is eligible for 50% maximum bonus plot ratio which may be comprised of:

- Public Facilities and Heritage: Maximum 20% bonus (includes public spaces, pedestrian links, conservation of heritage places and provision of specific facilities on private land);
- Residential Use: Maximum 20% bonus; and
- Special Residential Use: Maximum 40% bonus (20% for a special residential use or 40% for high a quality hotel use).

The applicant is seeking a total of 20% bonus plot ratio for a residential use. This is based on the application complying with the requirements specified under Clause 28 of the CPS2 and the City's Bonus Plot Ratio Policy 4.5.1.

COMMENTS:

Bonus Plot Ratio for Residential Use

Developments which incorporate a residential use may be awarded bonus plot ratio of up to 20% where it is located within the area indicated on the Residential Bonus Plot Ratio Plan contained within CPS2. Whilst there is no requirement for the residential use in a mixed-use development to form part of the base plot ratio, the bonus plot ratio floor area must be used for the residential use. The applicant has

provided a detailed report indicating compliance with the City's Residential Design Policy 4.9, a summary of which is provided as follows:

Element 1 – Streetscape Interface and Dwelling Mix

The residential building entry is clearly defined and visible from the street via a proposed landscaped walkway.

The proposed development provides a diversity of dwelling sizes, including 56% single bedroom dwellings and 44% two and three bedroom dwellings.

Minimum dwelling sizes are as follows:

- 50m² for the one-bedroom dwellings;
- 68m² for the two-bedroom dwellings; and
- 116m² for the three-bedroom dwellings.

The above minimum dwelling sizes are generally in accordance with those recommended under the City's Policy of 50m² for one bedroom apartments, 70m² for two bedroom apartments and 100m² for three bedroom apartments. The exception being two of the 38 two bedroom apartments which are 68m² in area. It is noted that all apartments are provided with well-proportioned balconies which improves the usability and amenity of the private living/outdoor spaces. On this basis, the minor variation to the dwelling sizes suggested in the Policy can be supported.

Element 2 – Privacy and Security

Privacy

The proposed development has been designed to ensure an appropriate level of visual privacy to all dwellings and private open space areas. Window types and locations have been designed to ensure no direct overlooking between dwellings on the same of adjacent levels. Full height screen walls are also provided between balcony areas.

Surveillance

Appropriate levels of passive surveillance will be achieved through the use of appropriate lighting and overlooking of public spaces from habitable rooms or balconies.

Lighting

Appropriate lighting will be provided in accordance with relevant Australian Standards, with further details to be provided at the detailed design stage.

Element 3 – Noise

The preliminary acoustic report prepared in support of the proposal demonstrates that the proposed development complies with the relevant acoustic standards and requirements. Of particular concern is the proximity of the subject site to an adjacent entertainment venue – Metro City and the potential impacts of 'C' weighted noise levels on the proposed development. Noise mitigation strategies, for both protection from existing uses and within the proposed development, have been identified and full acoustic assessments will be undertaken at the detailed design stage.

Element 4 – Open Space

Private Open Space

Each dwelling is provided with an outdoor living areas that is:

- in excess of the minimum 10m² requirement (minimum 13m²);
- directly accessible from a habitable room;
- receives adequate levels of natural light and ventilation; and
- provides adequate weather protection, and is located and designed to maximise visual privacy between individual apartments and surrounding buildings.

Communal Open Space

A communal sky garden on Level 12 is provided which has been designed to be functional area for residents and their guests. The communal open space includes landscaping, barbecues and seating areas. An internal communal amenities area is also provided on Level 1 and includes a yoga/pilates rom, gymnasium, lounge and deck area.

Landscaping

Notwithstanding the development's nil street frontage setbacks, an internal landscaped 'mall' is proposed as a feature to the entrance of the development from James Street. The area includes low level planting in addition to an avenue of mature trees. A mixture of soft and hard landscaping is provided within the proposed Sky Garden in addition to a proposed Zen Garden at Level 12 via an internal light court extending to the top of the building.

Element 5 – Efficient Resource Use and Provision of Daylight

Heating and Cooling

The proposed development has been designed to capitalise on access to northern solar access as far as is practicable. The majority of balconies and major openings provided with access to northern daylight at various periods throughout the day, whilst the extent of glass on the western face of the building is limited.

Ventilation

The proposed development provides operable windows and natural cross ventilation on all levels.

Stormwater

Opportunities for stormwater redistribution on site will be investigated at the detailed design stage however a rain water tank is proposed to be provided to the Sky Garden.

Clothes Drying

The design of residential dwellings provides place for an internal dryer. The design of the balcony will enable residents to open and close their balconies as per their required needs, however no external clothes drying facilities are provided.

Borrowed Light

Direct natural light is provided to all living, dining and sleeping areas through the provisions of major openings to all habitable rooms.

Light Wells

The layout of the building and setbacks provided does not require the provision of light wells.

Relationship to adjoining buildings

The built form of the proposal provides for appropriate building-to-building separation, allowing for natural light, ventilation and outlook between existing and future buildings.

Greywater Use

Feasibility of greywater reuse and recycling will be considered at further stage of development.

Sustainable Development

The proposed development promotes sustainable design principles through design strategies that maximise sunlight access to apartments and promotes natural ventilation. The Sustainability Report submitted in support of the application confirms that the proposal complies with the relevant energy efficiency requirements of the National Construction Code.

Element 6 – Access and Parking

The proposed development is provided with secure, convenient and accessible vehicle and bicycle parking, with direct access to car parking areas provided via the

centrally located lift lobby and stairs. Separate secure bicycle parking is provided on the first, second and third floor levels.

Element 7 – Servicing

Stores

Each dwelling is provided with a secure, accessible storage area, with the majority having a minimum internal area of 4m². It is noted that a proportion of the stores (10 of the 92 provided) have an internal area of only 3m² which is below the 4m² recommended by the Policy. The shortfall is proposed to be offset by additional bike racks being provided for each of these stores in the general bicycle rack storage area.

Mailboxes

A communal letter box bank is provided at the ground floor level for residents.

As discussed in the following Design Advisory Committee (DAC) section, the City's DAC determined that in relation to the above, the development generally satisfies the criteria under the City's Bonus Plot Ratio Policy 4.5.1 for the awarding 20% bonus plot ratio for a new 'Residential' use, and therefore, the proposed bonus plot ratio can be supported. It is noted that the DAC's support was subject to improvements to the design of the development which are outlined in the following Building Design section.

Consultation

Given the proposed variations to the CPS2 development standards, the proposal was advertised to the owners of the adjacent properties for a period of 14 days, closing on 15 August 2016. These included the owners at 218-222, 223-225, 226 and 243 James Street and 146 and 174-178 Roe Street, Northbridge. Four submissions, raising objections to the proposal were received during the advertising period. The comments received from the adjacent property owners are summarised below:-

Height/Scale

“Too high - effectively creating a new ‘wall’ – once again breaking the link between Northbridge and the City.”

“Out of character with other developments in this part of James Street.”

“Sky views would be blocked.”

Setbacks

“Developers should be able to use suitable building materials to minimise any perceived noise problems from the surrounding businesses rather than reducing setback requirements which if approved would overshadow the street, blocking sky

views and evening summer sun to the much lower level buildings on the opposite side of James Street.”

“Too far forward – effectively causing a “high closed in” feeling to the street below and apartments opposite.”

Views

“The residents on James Street will be looking straight at the building, open view would be blocked.”

Overshadowing

“The building would overshadow the street, block the evening summer sun, darken the streetscape at other times.”

Design Standards

“If approved the current development proposal would set a precedent for future developments in the area to seek to develop outside the current guidelines.”

“Recent amendments to the City of Perth Planning Scheme No. 2 already increased the building plot ratios for this area well beyond those previously existing, with the result that future developments will be much taller than the surrounding buildings, thus affecting the present streetscape.”

“The front balconies appear to be glass enclosed and together with whatever material is used on the face of the building this could lead to increased sun glare from the building, causing discomfort to residents of properties opposite and a potential hazard to vehicles travelling towards the building.”

The above comments relating to the bulk and scale of the proposed development, setbacks and overshadowing are addressed within the building height and setbacks and heritage sections of this report.

The impact of the development on perceived loss of views is a matter which is not directly relevant in any assessment of the planning merit of a proposed development. It is noted that whilst this concern is of a high importance amongst existing residents, it cannot be specifically addressed within the relevant planning framework.

The comments in relation to recent amendments to CPS2 and perceived precedent are also not able to be specifically addressed within the relevant planning framework. Particularly as each development is assessed on its merits and Clause 47 of CPS allows for variations to be considered based on certain criteria and overall impact on the locality.

Whilst reflectivity is a valid consideration of any proposed development, there is no applicable standard from which reflectivity can be assessed or potentially controlled under the provisions of CPS2. Glazing is encouraged particularly on front elevations as it provides for passive surveillance of the public domain and breaks up large

expanses of blank or inactive street edges. It is considered that the proposal's general compliance with the required front setback requirements of CPS2 as discussed in the building height and setbacks section of this report will reduce the impact of reflectivity on the street environment and adjacent properties.

Design Advisory Committee

At its meeting held on 4 August 2016, the Design Advisory Committee (DAC), having considered the design for the proposed development advised that it:

- “1. notes that the proposed development generally satisfies the requirements of the Residential Design Policy 4.9 and the criteria for the awarding of 20% bonus plot ratio for the provision of a residential use, however considers that the architectural expression of the proposed building lacks sufficient distinction to support the implementation of the bonus plot ratio;*
- 2. does not support the form of the tower, noting the extent of the proposed variations to the building height and setback requirements and the proposal's failure to satisfactorily address the principles and objectives of the Building Height and Setback Policy;*
- 3. considers that more attention should be given to the design of the prominent southern façade of the tower given the way in which it will address the city and Perth City Link;*
- 4. acknowledges the attempt made to add visual interest to the upper levels of the podium but encourages activation of the front façade of the podium to provide informal surveillance and improved amenity to the street;*
- 5. the applicant is encouraged to consider innovative ways to address the on-site parking provision to reduce the impact that parking has on the form of the proposed building and the extent of variations being proposed to the development standards;*
- 6. questions whether two fire escapes are required to the front of the building, noting their impact on the building's interface with the street.”*

The applicant, commissioned by the landowner to replace the original architect, subsequently met with the City's Officers and submitted revised plans which aimed to address the abovementioned issues. The planning assessment section below details the extent to which the revised plans respond to the design matters raised by the DAC.

Building Design, Materials and Finishes

As outlined above, the DAC raised various design concerns in relation to the original proposal. The proposed design of the development has subsequently been modified to address the specific concerns of the DAC as follows.

The form of the tower has been amended to provide increased setbacks to the front and side boundaries which has resulted in a more slender tower form as viewed from the street. Whilst the tower element still includes some variations to the setback requirements for the side and rear boundaries, its overall design and presentation to the street, adjoining properties and rear ROW has improved and is considered to satisfactorily address the concerns of the DAC.

In response to the DAC's concerns in relation to the design of the southern façade and its relationship to the Perth City Link project area and the city in general, the applicant has revised the façade design to provide for greater articulation, mix of materials and feature banding. The modifications are generally consistent with the intent of the DAC's comments with the design of the rear tower element in particular being consistent with that of a traditional street elevation in lieu of a typical rear or side elevation.

In relation to the DAC's comments regarding the lack of activation of the front façade of the podium, the revised design includes apartment balconies and residential communal facilities above the ground floor commercial tenancy area. The revised design includes a refinement of the arrangement of car parking bays and access ways within the car parking areas. In addition the revised design provides for a consolidated fire escape arrangement which has resulted in a reduced impact on the front elevation. This has resulted in a vastly improved interface with the James Street streetscape environment and satisfactorily addresses the DAC's concerns.

It is considered that the revised development is contemporary in design with a cohesive variety of materials, finishes and colours being used to accentuate features and minimise the impact of different elements of the building. The façades of the building have been sufficiently articulated with vertical elements, varied window typologies and design features to reduce the overall bulk of the building. It is considered that final details in relation to the materials/finishes palette and treatment of the side/rear podium walls in particular be provided prior to the building permit stage to ensure the delivery of a cohesive and interesting built form.

Building Height and Setbacks

In accordance with CPS2, the site has a prescribed maximum street building height of 14 metres and an overall maximum building height of 33 metres. The subject development is compliant with the street building height requirement as a maximum podium height of 14 metres is proposed. A variation is however proposed to the maximum building height noting the overall height of the development is 49 metres. Whilst the variation is significant if considered in isolation and is also subject to objections from adjacent landowners, the height proposed can be considered in accordance with the provisions of Clause 47 of CPS2.

In response to the DAC's comments, neighbouring submissions and the advice of City Officers, the applicant has revised the design of the tower to be 'split' and effectively step back from the James Street frontage. In combination with increased side boundary setbacks, this has resulted in a more slender tower form which is considered to have a reduced impact on the street and adjoining properties. In addition, the location of the site on the southern side of James Street and the

presence of a 10 metre wide ROW at the rear will further its overall impact on adjacent development in terms of overshadowing and access to sky views.

The associated Wind Impact Report submitted in support of the application demonstrates that the proposed height and setback variations will not negatively impact on the surrounding streetscape or properties. The assessment confirms that whilst the tower element would have some exposure to direct wind flow, the setback of the tower on the podium and buildings immediately adjacent, would deflect any additional wind flow above the pedestrian level. The wind conditions in the surrounding streetscapes are therefore projected to be on or within the applicable criterion for walking comfort. A review of the proposal's overshadowing extent has confirmed that the additional height will only have a negligible impact on the adjacent properties. The proposed building height which constitutes a variation to the applicable CPS2 requirement, can therefore be supported based on the design addressing the objectives and principles of the Building Heights and Setbacks Policy and the relevant provisions of Clause 47 of CPS2.

Variations are also proposed to the side and rear setback requirements of CPS2. The proposed rear setback variation for the tower element is considered to be acceptable given the reduced two metre setback in lieu of 4 metres abuts a 10 metre wide ROW. The reduced setback has also resulted from a redesign which provides for a compliant front setback for the tower of 5 metres which will have an improved impact on the streetscape. The encroachment of the tower into the prescribed setback area is not considered to detract from the existing ROW environment and will not be dominant or imposing from the adjacent laneway area as compared with a compliant development noting the presence of the compliance 14 metre high podium. The proposed variation to the rear setback can therefore be supported based on the overall rear elevation design being consistent with the requirements of Clause 47 of CPS2.

The proposed western and eastern side setback variations are, by contrast, more minor, with the main building being setback a compliant four metres with only four architectural window elements per side elevation being setback 2.8 metres. It is noted the original design included more significant setback variations which resulted in an increased bulk and scale and was raised as a concern by the DAC. The amended design has reduced the extent of variations being sought and the window features provide for functional elements by providing access to light, ventilation and views for the internal bedroom areas. The splitting of the building form with the window features being separated by a light well will also lessen the perceived impact of the setback variations being sought. It is considered that these offsets, combined with the articulated design of the tower element will provide for adequate separation between the proposed development and future developments on adjacent sites in accordance with the objectives and principles of the Building Heights and Setbacks Policy. The variations can therefore be supported as the setback variations would not compromise the requirements of Clause 47 of CPS2.

Car Parking and Traffic Management

The development is compliant with respect to resident car parking bay provision as prescribed by the City's Parking Policy (5.1). However, the Policy also states that

visitor parking should be provided in residential areas where it can be expected that existing on-street facilities will not adequately provide for visitors to the development. It is considered that the expected demand for visitor parking from the development can be adequately provided for by the presence of on-street bays adjacent to the site and public car parking facilities in the vicinity. There is also a high level of public transport availability in the area including high frequency public transport services which are located within 400 metres of the site.

The applicant submitted a preliminary Transport Impact Statement (TIS) for the City's review in support of the application. The TIS is generally consistent with the City's requirements and concludes that the additional vehicular traffic generated by the development can be accommodated within the existing surrounding road network.

Pedestrian Link

The revised design includes an internal walkway which provides for pedestrian access through the site at the ground floor level from James Street to the rear ROW. The concept is supported based on the area providing for convenient access through the site and also facilitates the creation of an interesting internal space used in conjunction with the adjacent dining tenancy. Whilst the purpose and concept of the walkway and internal space is supported, matters relating to safety/security, ongoing management and alternative measures should the proposed landscaping not function to a sufficient standard will need to be addressed in preparation of the final detailed design drawings at the building permit stage.

Noise

Noting the subject site's location within the entertainment area of Northbridge and the presence of Metro City nightclub to the rear of the property, the applicant submitted an Acoustic Report in support of the proposed development which provides a preliminary assessment in relation to proposed noise mitigation measures and potential for the development to comply with the associated noise regulations. A review of the original and revised design by the acoustic consultant confirmed no discernible difference in the recommended requirements and specifications. While the City's Officers are generally supportive of the preliminary report's analysis and mitigation measures it was recommended that:

- a detailed acoustic report of all mechanical plant associated with the development be prepared which provides sufficient detail to demonstrate how the development will comply with the *Environmental Protection (Noise) Regulations 1997*. This report is to include all noise modelling, measurements and attenuation details;
- all design requirements, as detailed in the preliminary Acoustic Report being implemented at the detailed design stage; and
- a detailed assessment of C-weighted noise being undertaken to demonstrate that:
 - low frequency has been adequately addressed in the design; and

- the development can successfully deliver an appropriate level of acoustic amenity for residents and can adequately attenuate against external noise sources associated with low frequency noise intrusion.

Based on the preliminary information submitted, the City is satisfied that the application demonstrates the ability for the development to maintain adequate indoor acoustic amenity for residents. However, it is recommended that any approval contain additional stringent conditions relating to the acoustic treatment of the building, including a comprehensive acoustic report detailing the construction specifications of each dwelling and any common access areas to provide evidence that the development can achieve an adequate internal noise level (of less than 25dB at 63Hz) to preserve an acceptable level of residential amenity for the future occupants of the development.

Importantly, such requirements will also assist in enabling the existing entertainment venues to continue to operate without the threat of having to undertake further onerous noise abatement measures or to close down their current operations. The proposed conditions are consistent with those imposed on similar recently approved and constructed residential developments in the locality.

Waste

The applicant submitted a Waste Management Plan (WMP) for the City's review in support of the application. The WMP confirms that the development will generally be consistent with the City's servicing requirements with all servicing occurring via the rear ROW however, there are some matters which will need to be further addressed in preparation of the final WMP to be submitted at the building permit stage which have been identified by the City as follows:

- provision for comingled recycling to be amended to facilitate collection once a week;
- relevant diagrams/plans to be provided demonstrating maximum travel distance for operators; and
- bin room areas to be included in all relevant figures.

It is recommended that an advice note be included on any approval advising of the above WMP requirements.

Conclusion

In response to the concerns of the DAC, the applicant has provided revised plans and elevations to improve the overall presentation and quality of the development. The proposal is seeking variations to the building height and setback requirements of CPS2 however there are not considered to result in any adverse impact on adjoining properties or occupants and are therefore supported in accordance with Clause 47 of CPS2.

Future development in Northbridge presents Council with particular challenges to manage the residential and non-residential uses in this area so as not to compromise the viability of the entertainment venues (and other commercial uses) whilst

preserving an adequate level of residential amenity for occupants of the proposed apartments. In this regard it is considered that appropriate conditions related to acoustic attenuation measures being addressed at the detailed design and construction stages be imposed consistent with similar developments in the locality.

ITEM NO: 4

93-101 (LOT 123) MILLIGAN STREET, NORTHBRIDGE – PROPOSED TELECOMMUNICATIONS TOWER AND ASSOCIATED INFRASTRUCTURE ('UNLISTED USE') FOR 'VODAFONE'

**PLANNING COMMITTEE
RECOMMENDATION:**

(APPROVAL)

That Council:

1. ***in accordance with the provisions of City Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES BY AN ABSOLUTE MAJORITY the application for a telecommunications tower and associated infrastructure ('Unlisted Use') for 'Vodafone' at 93-101 (Lot 123) Milligan Street, Northbridge as a detailed on the Metropolitan Region Scheme Form One dated 6 October 2016 and as shown on the plans received on 12 October 2016 subject to:***
 - 1.1 ***the approval being limited to a maximum period of 10 years from the date of the issue of approval, with the telecommunications structure and all associated servicing infrastructure being removed from the site and the site made good, at the applicant's cost, to the satisfaction of the City within 28 days of removal or in the event of the site being redeveloped within the specified 10 year timeframe, any retention or adaptation of the telecommunications infrastructure within a future development being subject to a separate application;***

(Cont'd)

- 1.2 the applicant entering into an appropriate lease agreement with the City in relation to the use of the subject site and agreeing to indemnify the City against any claims relating to adverse impacts from emissions from the telecommunications tower, with all arrangements being finalised to the City's satisfaction prior to applying for a building permit including a condition that any retention or adaptation of the telecommunications infrastructure within a future development being undertaken at the applicant's cost;**
 - 1.3 final details of the design and materials, colours and finishes of the development, including an alternative and appropriate method of screening which minimises the facility's visual impact, being submitted by the applicant to the City for approval prior to applying for a building permit;**
 - 1.4 the relocation of the underground fibre cabling from its current proposed north/south alignment adjacent to the western boundary to an east/west alignment along the southern boundary to the satisfaction of the City; and**
 - 1.5 the existing trees and shrubs proposed to be removed as part of the installation being relocated and/or replaced to an appropriate alternative location within the site to the satisfaction of the City,**
- 2. the applicant be advised that:**
- 2.1 the conditions relating to the time limiting of the approval period for the development and alternative routing of fibre cabling infrastructure have been imposed in recognition of the strategic importance of the site and the aim of the City to minimise any impacts on the site's redevelopment potential noting an at-grade carpark in this location is not considered the highest and best use of the land in the medium to long term; and**

(Cont'd)

2.2 Western Power recommends that persons planning to build or undertake works in high risk areas near transmission or communication assets (including those listed above) act in a safe manner at all times and in accordance with all applicable legal and safety requirements (including the 'duty of care' under the laws of negligence, Worksafe requirements and guidelines, Australian Standards and Western Power policies and procedures). It is therefore recommended to liaise with Western Power prior to the commencement of works on site.

BACKGROUND:

SUBURB/LOCATION: 93-101 Milligan Street, Northbridge
FILE REFERENCE: 2016/5405
REPORTING UNIT: Development Approvals
RESPONSIBLE DIRECTORATE: Planning and Development
DATE: 28 November 2016
MAP / SCHEDULE: Schedule 7 – Map for 93-101 Milligan Street, Northbridge
LANDOWNER: City of Perth
APPLICANT: Planning Solutions Pty Ltd
ZONING: (MRS Zone) Central City Area
(City Planning Scheme Precinct) Northbridge (P1)
(City Planning Scheme Use Area) City Centre
APPROXIMATE COST: \$180,000

At the Planning Committee meeting held on 6 December 2016 Part 1.2 of the Officer Recommendation was amended as follows:

- 1.2 the applicant entering into an appropriate lease agreement with the City in relation to the use of the subject site and agreeing to indemnify the City against any claims relating to adverse impacts from emissions from the telecommunications tower, with all arrangements being finalised to the City's satisfaction prior to applying for a building permit including a condition that any retention or adaptation of the telecommunications infrastructure within a future development being undertaken at the applicant's cost;

Reason: The Planning Committee determined it appropriate to ensure that the City is indemnified against any liability as a result of any adverse impacts from emissions from the telecommunications tower.

SITE HISTORY:

The subject site comprises of a total area of 1,288m² and is located on the south west of the intersection of Milligan and James Streets, Northbridge. The site is bounded by a Western Power electrical substation to the west and a warehouse development to the south. The site currently accommodates a City of Perth owned and operated at-grade public car parking area which is accessed via James Street.

DETAILS:

Approval is sought to install a new triangular telecommunications structure (22 metres in height) containing six panel antennas mounted on a triangular head frame within a shrouded triangular façade. The proposal includes the installation of one outdoor equipment unit at ground level, together with cabling and associated ancillary equipment, including 36 remote radio units. The infrastructure is proposed to be operated and managed by Vodafone Hutchinson Australia.

The applicant advises the structure will be of a galvanised finish in order to minimise its impact on the locality. In addition, the shrouded façade will be of perforated steel construction with artistic artwork, images or wording with details to be finalised in consultation with the City.

LEGISLATION / POLICY:

Legislation

Planning and Development Act 2005
Planning and Development (Local Planning Scheme) Regulations 2015
City Planning Scheme No. 2
Metropolitan Region Scheme

Policy

Policy No and Name: State Planning Policy No. 5.2 – Telecommunications Infrastructure
Public Notification/Advertising (2.2)
City Development Design Guidelines (4.1)

COMPLIANCE WITH PLANNING SCHEME:

Land Use

The subject site is located within the City Centre Use Area of the Northbridge Precinct (P1) of the City Planning Scheme No. 2 (CPS2). The Precinct will remain Perth's primary entertainment and night life area and will provide a variety of residential and visitor accommodation and commercial services. Mixed residential and commercial developments will be encouraged throughout the Precinct to strengthen its residential component as well as creating employment opportunities.

The proposed development does not readily fall within any of the Use Groups contained within CPS2. As such the proposal is required to be considered in the context of the current and future amenity of the locality, the Precinct Statement of

Intent, and Clause 43(4) of CPS2. Specifically, Clause 46 of CPS2 outlines the process of determination of an application for an unlisted use as follows:

- “(1) Subject to subclause (2), the Council may refuse or approve an application which involves an unlisted use.*
- (2) The Council cannot grant planning approval for a development which involves an unlisted use unless –*
- (a) the advertising procedure set out in Clause 41 has been followed; and*
 - (b) it is satisfied, by an absolute majority, that the proposed development is consistent with the matters listed in Clause 43(4).”*

Development Requirements

The Northbridge Precinct (P1) does not contain any specific criteria or requirements in relation to development of telecommunications infrastructure. The City's City Development Design Guidelines Policy (4.1) prescribes the following with regards to services and associate infrastructure within the City:

“5.1.1(h) Services

Satellite dishes and other telecommunication facilities should be visually unobtrusive. This may include the concealment of the facility as part of the design of the building, a restriction in the number of facilities, or locating the facility where it will not be visible from the public domain.”

In addition, development of this type is guided by the Western Australian Planning Commission's State Planning Policy No. 5.2 – Telecommunications Infrastructure (SPP5.2). SPP5.2 'aims to facilitate the development of an effective state-wide telecommunications network in a manner consistent with the economic, environmental and social objectives and orderly and proper planning'. The Policy includes specific provisions for to be considered in relation to the siting and development of telecommunications infrastructure as follows:

“Clause 5.1 - Visual impacts

For telecommunications infrastructure to be effective, structures are generally located prominently, at high points in the landscape or on top of buildings, where they are more likely to be visible to the public. The planning authority may exercise discretion in addressing the visual impacts of telecommunications infrastructure.

Clause 5.1.1 - The benefit of improved telecommunications services should be balanced with the visual impact on the surrounding area.

- i) Assessment of the visual impact of development proposals for telecommunications infrastructure should be made on a case by case basis;*
- ii) Telecommunications infrastructure should be sited and designed to minimise visual impact and whenever possible:*

- a) *be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites;*
- b) *be located to avoid detracting from a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land;*
- c) *not be located on sites where environmental, cultural heritage, social and visual landscape values maybe compromised and*
- d) *display design features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape;*
- iv) *Telecommunications infrastructure should be located where it will facilitate continuous network coverage and/or improved telecommunications services to the community; and*
- v) *Telecommunications infrastructure should be collocated and whenever possible:*
 - a) *Cables and lines should be located within an existing underground conduit or duct; and*
 - b) *Overhead lines and towers should be co-located with existing infrastructure and/or within existing infrastructure corridors and/or mounted on existing or proposed buildings*

Clause 6.3 - Development

In considering a development application, the local government should give consideration to:

- a) *The extent to which the proposal adheres to the policy measures outlined in Section 5 of this policy,*
- b) *The need for services to be located to optimise coverage.”*

The extent to which the proposed development complies with the above requirements is addressed in the following section of this report.

COMMENTS:

Consultation

In accordance with Clauses 41 and 46 of CPS2, the proposal was advertised to the owners of the adjacent properties for a period of 14 days, closing on 9 November 2016. These included the owners at 205 James Street and 116-120, 134-138 and 142 Roe Street, Northbridge. One submission was received from Western Power being the owners of the adjacent electrical substation site at 142 Roe Street. The submission included the following advice:

“It is recommended that persons planning to build or undertake works in high risk areas near transmission or communication assets (including those listed above) act in a safe manner at all times and in accordance with all applicable legal and safety requirements (including the ‘duty of care’ under the laws of negligence, Worksafe requirements and guidelines, Australian Standards and Western Power policies and procedures).”

It is recommended that an advice note be included on any approval advising to liaise with Western Power prior to the commencement of works on site.

Siting and Design

Noting the current layout of the subject site, the proposed location of the telecommunications tower within the south west corner is considered appropriate and generally consistent with section 5.1.1(h) of the City Development Design Guidelines Policy (4.1). This is based on the maximum distances to the street or public domain being achieved, being located on an existing unused paved area and adjacent to a Western Power substation site which has high voltage power lines traversing through it. Whilst the location and scale of the development is based on achieving the optimum level of telecommunications service it is important to consider that the current planning framework provides for surrounding sites to be redeveloped to heights of 33 metres and above. Therefore the facility may be more readily identifiable within the current low scale of surrounding development, this is likely to change in the medium to long term. This will have a two-fold affect in that it will reduce its visibility which is considered a positive, however it will also reduce the performance of the facility.

The applicant has advised that the structure is to be of a galvanised finish to minimise its impact the locality. This is considered an appropriate design response and will limit the maintenance requirements of the facility. The applicant's also propose an artwork feature to 'shroud' the proposed antennas and ancillary equipment. This is not considered an appropriate method of screening as it would accentuate and draw attention to the tower rather than the preferred aim of reducing its visibility. It is therefore considered that any approval be conditioned to require a suitable alternative to the existing proposed screening mechanism.

The ancillary outdoor equipment units are proposed to be clad using Colorbond 'mist green' in order to reduce their impact on the streetscape. This is supported on the basis of the existing level of landscaping within and abutting the site. It is however recommended that the existing tree and shrubs which have been identified for removal in order to accommodate the installation and operation of the telecommunications tower be relocated and/or replaced within an appropriate location on the site.

SPP5.2 - Telecommunications Infrastructure

The siting of the proposed infrastructure is generally consistent with the requirements of SPP5.2 given that there are no identified prominent or sensitive landscape features, heritage items or individual significant views in the locality and the impact on general views is minimal. In addition, the facility is proposed to be located within a traditionally commercial environment however it is noted that there are existing and proposed residential developments within the locality and the site is located in an area where the link between the city and Northbridge has recently been re-established.

In accordance with SPP5.2, the site has been identified as a 'required' location to provide continuous and improved telecommunications services to the locality. The

applicant has confirmed that detailed investigations of the locality were undertaken in order to ascertain opportunities for co-location which would have reduced installation and maintenance costs however no suitable locations were identified.

Related Legislation

The installation and operation of telecommunications infrastructure is regulated by the *Telecommunications Act 1997* (Commonwealth). Whilst this legislation falls outside the scope of the City's authority, it is important to note the proposed infrastructure will be required to operate in compliance with the Australian Communication and Media Authority (ACMA) Electromagnetic Emissions (EME) regulatory arrangements. A summary report of the predicted Radiofrequency EME Levels for the proposed facility has been submitted in support of the application. The assessment confirms that the proposed installation operating at full power will comply with the Radiocommunications (Electromagnetic Radiation – Human Exposure) Standard 2003.

Strategic/Redevelopment Considerations

As previously outlined, the subject site is currently occupied by an at-grade car parking area which is owned and operated by the City. Given the site's location, dimensions and existing low level of development, it is considered that the site has a high level of strategic and economic importance for the City. In this regard, the proposed siting of a 22 metre high telecommunications tower and associated infrastructure will add constraints to the site with regards to any future redevelopment. In particular, the installation of above and subsurface infrastructure is likely to add encumbrances on the land and reduces its development potential if and when the City decides to either offer the site for sale or undertake a proposed development.

It is noted that the development potential of the site under CPS2 is as follows:

Plot Ratio	Base Plot Ratio 3:1 (3,864m ²) Maximum Bonus Plot Ratio of 50% consisting of a combination of any of the below: Special Residential Development (20% and 40% for high quality hotel maximum) Residential Development (20% maximum) Heritage Conservation (20% maximum)
Maximum Building Height	33 metres

<p>Use Groups</p> <ul style="list-style-type: none">- Preferred - Contemplated	<p>Community and Cultural, Dining, Home Occupation, Residential, Retail (Local), Special Residential</p> <p>Business Services, Civic, Education 1, Education 2, Entertainment, Healthcare 1, Healthcare 2, Industry – Service, Industry – Cottage, Mixed Commercial, Office, Recreation and Leisure, Retail (General), Storage</p>
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It is therefore considered that the proposed telecommunications infrastructure should only be considered an appropriate outcome for the short to medium term. It is therefore recommended that any approval be time limited with any removal and/or adaptation of the infrastructure within a future development of the site. These requirements should also be included in any lease agreement between the City and the operator of the facility.

Conclusion

The proposed development is generally consistent with the relevant framework and considerations for the siting and installation of high impact telecommunications infrastructure. However, notwithstanding the proposed increase in quality and reliability of telecommunication services the development will offer to the locality, it is considered that the subject site’s strategic and long term importance requires suitable protections in light of any approvals granted. It is therefore recommended that the application be approved subject to appropriate conditions as identified within this report in accordance with Clause 46 of CPS2.

ITEM NO: 5

PROPOSED ENTRY OF MOTOR HOUSE, 68 MILLIGAN STREET, PERTH, IN THE CITY PLANNING SCHEME NO. 2 HERITAGE LIST

**PLANNING COMMITTEE
RECOMMENDATION:**

(APPROVAL)

That Council, in accordance with Part 3 Clause 8 of the Planning and Development (Local Planning Scheme) Regulations 2015:

- 1. notes the submission received in response to the Council's proposal to include Motor House, 68 Milligan Street, Perth, in the City Planning Scheme No. 2 Heritage List (Confidential Schedule 8);*
- 2. enters Motor House, 68 Milligan Street, Perth, in the City Planning Scheme No. 2 Heritage List;*
- 3. gives notice of Part 2 above to the Heritage Council of Western Australia and the owner and occupier of the place;
and*
- 4. notes the response from Heritage Council regarding nomination of the place for the State Register of Heritage Places.*

BACKGROUND:

FILE REFERENCE:	P1023133
REPORTING UNIT:	Arts, Culture and Heritage
RESPONSIBLE DIRECTORATE:	Economic Development and Activation
DATE:	10 November 2016
MAP / SCHEDULE:	Confidential Schedule 8 - Submission Owner (distributed to Elected Members under separate cover) Schedule 9 - Heritage Assessment Schedule 10 – Heritage Council Letter and Assessment

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

The subject site at 68 Milligan Street, Perth contains a three level, brick and concrete building known as Motor House. The place was constructed in 1935-36 in the Inter-War modern (Inter War Functionalist) architectural style with Art Deco detail characteristics. Motor House has been identified by the City as having cultural heritage significance at the local level and possible heritage significance at State level.

On **5 April 2016**, Council considered a report including results of informal consultation undertaken by the City with owners affected by the possible inclusion of three properties in the City Planning Scheme No. 2 Heritage List (CPS2 Heritage List), including Motor House; identified in that confidential report as property H.

Council resolved the following (in part):

“That Council notes that further assessment is required to determine if properties H, I and J are of cultural heritage significance and worthy of built heritage conservation, and requests that Officers undertake internal site inspections of the properties to determine their internal condition and authenticity.”

Following internal site inspection of the property, as directed by Council, a further report was presented to Council for consideration.

On **19 July 2016** the Council resolved the following (in part):

“That Council:

in accordance with Part 3 Clause 8 of the Planning and Development (Local Planning Scheme) Regulation 2015, proposes to include Motor House, 68 Milligan Street, Perth in the City Planning Scheme No.2 Heritage List and gives the affected owner and occupier a description of the place, the reasons for the proposed entry and 21 days to make a submission on the proposal;

notes that a report will be presented back to Council with the results of the consultation with the owners and occupiers located at 68 Milligan Street, Perth;

recommends that the State Heritage Office consider Motor House, 68 Milligan Street, Perth for possible entry in the State Heritage Register given that it is of potential importance to the State of Western Australia for the following reasons:

- *The place represents a key stage in the development of modern architectural history in Western Australia;*
- *The place was the first and only multi-storey structure in Western Australia to be designed and constructed specifically to service the motor car; and*

- *The place displays structural engineering and achievement and, at the time of construction, it incorporated what was then the largest clear span roof in Western Australia.”*

This report presents the results of consultation with owner and occupiers located at 68 Milligan Street, Perth and, based on these results, recommends that the place be listed in the City Planning Scheme No. 2 Heritage List.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Planning & Development Act 2005 (WA)
Planning & Development (Local Planning Schemes) Regulations 2015
State Planning Policy 3.5 Historic Heritage Conservation Town Planning Regulations 1967
Heritage of Western Australia Act 1990
City Planning Scheme No. 2

Integrated Planning and Reporting Framework Implications

Corporate Business Plan

Council Four Year Priorities: Healthy and Active in Perth
S15 Reflect and celebrate the diversity of Perth
15.3 Develop Public Art Strategy and Implementation Plan

DETAILS:

On 25 July 2016 in accordance with Part 3 Clause 8 of the Planning and Development (Local Planning Scheme) Regulation 2015, the City wrote to the owner and occupier of Motor House to extend an invitation for them to provide comment upon the proposed entry of the place on the CPS2 Heritage List.

The City received a formal response from the owner of Motor House (Confidential Schedule 8) and acknowledgement from the occupier stating that they did not wish to submit a comment on the proposal.

This report presents Council with the heritage assessment for Motor House (Schedule 9), the owner's formal submission (Confidential Schedule 8) on the proposed heritage listing and the City's response to that submission. The procedures to date comply with procedures required under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Council is also requested to note the findings of the Heritage Council of Western Australia's initial assessment regarding nomination of the place for the State Register (Schedule 10).

Council are requested to make an informed decision regarding the proposed entry of Motor House on the CPS2 Heritage List.

Formal Submission - Owner

Following the required submission period the City received a formal submission lodged by Colliers on behalf of the owner which outlined the owner's position regarding the proposed entry of the place on the CPS2 Heritage List (Confidential Schedule 8).

In that submission it was stated that the owner acknowledged and respected the value of heritage. It also presented a detailed analysis regarding the potential effect of heritage listing on the development and investment values of the property.

The owner agreed to offer support for the listing of the subject property in exchange for the City entering into a Heritage Agreement (HA) with the owner that would guarantee that the City approve future development on the site to accord with a list of requirements.

The requested requirements include:

- The ability to modify, adapt demolish and rebuild the façade or other heritage fabric as required;
- Full bonus plot ratio and transfer of plot ratio incentives currently available on the site be assured;
- Specific development requirements be agreed to including: building height; street wall height; and setbacks;
- Approvals related to lift placement, lobby position, retail space and rooftop bar; and
- No additional regulations placed on signage retention, replacement or upgrading due to heritage listing.

Heritage Agreements (HA) are enacted under the Heritage of *Western Australia Act 1990* and are voluntary agreements under which a land owner undertakes to manage and preserve the heritage values of place they own. A HA can be entered into between a landowner and the Heritage Council or other public authority on the State's behalf, subject to the approval of the Minister for Heritage.

HA's may make provision for things such as assistance to the owner, maintenance or other activities done at the request of the Heritage Council, standards for any work on the property, the restriction of any building or works and other provisions that are considered necessary for the conservation of the place.

The City cannot provide preapproval for an unknown development at a time in the future when the planning provisions or other influencing factors are unknown.

Importantly, it should also be noted that consideration of the effects of heritage listing on development are not part of the City's usual procedures related to progressing places to the CPS2 Heritage List.

As directed by The State Planning Policy 3.5 Historic Heritage Conservation local governments must adhere to the following: “inclusion or exclusion of places from a heritage list should be based on their degree of historic heritage significance”.

Managing the effect of heritage listing on the form of any future development is undertaken at the development application stage once heritage listing has occurred. The City is keen to work with owners from the concept stage until a formal development application is lodged to ensure that positive benefits are realised for both heritage and the owner. Examples of excellence in heritage redevelopment include the Terrace Hotel, WD & HO Wills Building and Brookfield Place all of which demonstrate that heritage listing and high standards of development are not mutually exclusive.

The City also provides planning and financial incentives to owners of heritage places to assist in mitigating any adverse financial effects of heritage listing and in this regard is recognised as a sector leader within Australia.

State Register of Heritage Places

As directed by Council’s resolution of **19 July 2016** the City recommended that the State Heritage Office consider Motor House for the State Register of Heritage Places.

On 10 October 2016 the State Heritage Office (SHO) advised the City that a preliminary assessment had been undertaken for the place and that on consideration the HCWA Assessment Committee found the place to be of sufficient heritage significance to warrant progression to formal assessment.

The next stage in the State Registration process is for a full heritage assessment to be undertaken. The assessment will be presented to the HCWA for consideration, and a decision will be made as to whether the place should be placed on the State Register of Heritage Places. As part of the State Registration process the City will be requested to comment on the proposed entry.

FINANCIAL IMPLICATIONS:

If the place is included in the CPS2 Heritage List the property owner will be eligible to apply for the City’s heritage grants, heritage rate concession, and transfer and bonus plot ratio.

COMMENTS:

The heritage assessment undertaken by the City for Motor House demonstrates that the place has sufficient cultural heritage significance to warrant entry in the CPS2 Heritage List.

In addition, the Heritage Council has advised that the Registration Committee has considered the nomination and determined that the place is likely to have cultural heritage value at the State level and as such, has been added to the SHO assessment program.

The City's support for redevelopment of places on the Heritage List is evident in the many successful developments in the city.

If included in the CPS2 Heritage List the place will be subject to the benefits and controls of the CPS2 heritage policies, and the owner will be eligible to apply for the heritage program incentives noted above. Retention and conservation of the original and early elements of the place will be encouraged as part of any future development applications.

ITEM NO: 6

FINAL ADOPTION OF AMENDMENT NO. 37 TO CITY PLANNING SCHEME NO. 2 TO INTRODUCE A SPECIAL CONTROL AREA OVER 480 (LOTS 23 AND 350) HAY STREET AND 15-17 (LOT 500) MURRAY STREET, PERTH.

**PLANNING COMMITTEE
RECOMMENDATION:**

(APPROVAL)

That Council:

- 1. pursuant to Regulation 50(3) of the Planning and Development (Local Planning Schemes) Regulations 2015, adopts Amendment No. 37 to City Planning Scheme No. 2 without modification as detailed in the Scheme Amendment Report being Schedule 12;***
- 2. pursuant to Regulation 53 of the Planning and Development (Local Planning Schemes) Regulations 2015, forwards Amendment No. 37 to City Planning Scheme No. 2 and associated documents to the Western Australian Planning Commission for consideration and recommendation to the Minister for Planning; and***
- 3. pursuant to Clause 5 of the Deemed Provisions, adopts the amended Precinct Plan as detailed in Schedule 12, subject to the gazettal of Amendment No. 37 to City Planning Scheme No. 2.***

BACKGROUND:

FILE REFERENCE:	P1032886
REPORTING UNIT:	City Planning
RESPONSIBLE DIRECTORATE:	Planning and Development
DATE:	22 November 2016
MAP / SCHEDULE:	Schedule 11– Location Plan Schedule 12 – Scheme Amendment Report Schedule 13 – Summary of Submissions

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

The City of Perth Local Development Assessment Panel (LDAP) approved a development application for a mixed use development on the subject site at its meeting on 26 February, 2015. The mixed-use development is now under construction and is comprised of:

- a 362 room 'Westin' brand hotel operated by 'Starwood';
- 27 level office building;
- Restaurant and bar facing a new public plaza;
- Basement car park (including 66 short term public car parking bays) and loading dock;
- Conservation and adaptation of the State Heritage listed Hibernian Hall; and
- Retention of the State Heritage listed Fire Education and Heritage Centre.

Condition 8 of the Development Approval required the preparation and lodgement of a request to the City to amend the City Planning Scheme No. 2 (CPS2) for the purpose of establishing a special control area (SCA) for the entire development site. The purpose for which is to ensure compliance with CPS2 provisions relating to plot ratio and tenant car parking following the approved re-subdivision and development of the site, prior to applying for a building permit.

Conditional approval was granted by the Western Australian Planning Commission on 29 July 2014 for the re-subdivision of the subject site into two freehold titles.

Council at its meeting on **28 June 2016**, resolved to initiate Amendment No. 37 to the CPS2, refer it to the Environmental Protection Authority and advertise it for public comment.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	Clauses 75, 81 and 84 of the <i>Planning and Development Act 2005</i> Clause 57 of the City Planning Scheme No. 2 Regulation 50 and 53 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Clause 5 of the Deemed Provisions
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Integrated Planning and Reporting Framework Implications	Strategic Community Plan Council Four Year Priorities: Perth as a Capital City S5 Increased place activation and use of underutilised space
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Policy

Policy No and Name: City Centre Precincts 1 to 8 Plan

DETAILS:

Environmental Protection Authority

Amendment No. 37 to the CPS2 was referred to the Environmental Protection Authority (EPA) following initiation. On the 8 August 2016, the EPA advised that it considered that the Amendment should not be assessed under the *Environmental Protection Authority Act 1986*.

Consultation

Amendment No. 37 concluded advertising on 15 November, 2016.

Advertising of the Amendment included:

- A letter, notice and submission form being mailed to relevant Government and service agencies;
- A notice being placed in The Voice newspaper on Saturday 1 October, 2016;
- Information being placed on the City's website; and
- Information being made available for viewing at the City's Customer Service Centre and Library.

One submission was received from the State Heritage Office, which was supportive of the Amendment. Refer to Schedule 12.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CL 16201000
BUDGET ITEM:	Strategic Planning Unit – Planning Schemes and Policies
BUDGET PAGE NUMBER:	74
BUDGETED AMOUNT:	\$13,100
AMOUNT SPENT TO DATE:	\$ 4,908
COMMITMENTS:	\$ 6,931
PROPOSED COST:	\$ 1,000
BALANCE:	\$ 1,034

All figures quoted in this report are exclusive of GST.

If adopted by the Minister for Planning, notices will be required to be placed in a local newspaper and in the Government Gazette. All associated costs will be recouped from the applicant.

COMMENTS:

Pursuant to Regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the Council is now required to pass a resolution either:

- (a) to support the amendment without modification; or
- (b) to support the amendment with proposed modifications to address issues raised in the submissions; or
- (c) not to support the amendment.

The proposed SCA will assist in facilitating the high quality redevelopment of the subject site whilst ensuring the retention, restoration and maintenance of two significant heritage buildings. The proposed SCA will ensure a holistic approach to the subdivision and development of the site, allowing for flexibility of built form and use and is consistent with the relevant statutory planning framework provided by CPS2.

On this basis and given no objections have been received, it is recommended that the Amendment be adopted without modification and forwarded to the Western Australian Planning Commission for the final approval of the Minister of Planning.

ITEM NO: 7

FINAL ADOPTION OF AMENDMENT NO. 36 TO CITY PLANNING SCHEME NO. 2 TO INTRODUCE A SPECIAL CONTROL AREA OVER 251 – 267 (LOTS 10, 11 AND 412) ST GEORGES TERRACE, PERTH.

**PLANNING COMMITTEE
RECOMMENDATION:**

(APPROVAL)

That Council:

- 1. pursuant to Regulation 50(3) of the Planning and Development (Local Planning Schemes) Regulations 2015, adopts Amendment No. 36 to City Planning Scheme No. 2 without modification as detailed in the Scheme Amendment Report being Schedule 15;***
- 2. pursuant to Regulation 53 of the Planning and Development (Local Planning Schemes) Regulations 2015, forwards Amendment No. 36 to City Planning Scheme No. 2 and associated documents to the Western Australian Planning Commission for consideration and recommendation to the Minister for Planning; and***
- 3. pursuant to Clause 5 of the Deemed Provisions, adopts the amended Precinct Plan as detailed in Schedule 15, subject to the gazettal of Amendment No. 36 to City Planning Scheme No. 2.***

BACKGROUND:

FILE REFERENCE:	P1032827
REPORTING UNIT:	City Planning
RESPONSIBLE DIRECTORATE:	Planning and Development
DATE:	22 November 2016
MAP / SCHEDULE:	Schedule 14 – Location Plan Schedule 15 – Scheme Amendment Report Schedule 16 – Summary of Submissions

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

A development application for the subject site was approved by the City of Perth Local Development Assessment Panel (LDAP) on 18 September 2015. It consisted of a single storey television studio, the refurbishment of two existing office buildings, the construction of an enclosed pedestrian walkway connecting the buildings and changing the on-site car parking (resulting in 180 tenant car bays), end of trip facilities and landscaping.

The site is also the subject of a subdivision application lodged with the Western Australian Planning Commission (WAPC). On 29 July 2016, the WAPC advised that the subdivision application has been deferred pending the gazettal of a scheme amendment to create a special control area (SCA) over the subject site.

Council at its meeting on **28 June 2016**, resolved to initiate Amendment No. 36 to the City Planning Scheme No. 2 (CPS2) to create the SCA over the site. The SCA is required to enable the subdivision of the subject site while maintaining the integrity of CPS2 and current development approvals in terms of plot ratio and tenant parking.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Clauses 75, 81 and 84 of the *Planning and Development Act 2005*
 Clause 57 of the City Planning Scheme No. 2
 Regulation 50 and 53 of the *Planning and Development (Local Planning Schemes) Regulations 2015*
 Clause 5 of the Deemed Provisions

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
 Council Four Year Priorities: Perth as a Capital City
 S5 Increased place activation and use of underutilised space

Policy

Policy No and Name: City Centre Precincts 1 to 8 Plan

DETAILS:

Environmental Protection Authority

Amendment No. 36 to the CPS2 was referred to the Environmental Protection Authority (EPA) following initiation. On 8 August 2016, the EPA advised that it considered that the Amendment should not be assessed under the *Environmental Protection Authority Act 1986*.

Consultation

Amendment No. 36 concluded advertising on 15 November, 2016.

Advertising of the Amendment included:

- A letter, notice and submission form being mailed to relevant Government and service agencies;
- A notice being placed in The Voice newspaper on Saturday 1 October, 2016;
- Information being placed on the City's website; and
- Information being made available for viewing at the City's Customer Service Centre and Library.

One submission was received in relation to the Amendment from Main Roads Western Australia, which raised no objection to the amendment. Refer to Schedule 16.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CL 16201000
BUDGET ITEM:	Strategic Planning Unit – Planning Schemes and Policies
BUDGET PAGE NUMBER:	74
BUDGETED AMOUNT:	\$13,100
AMOUNT SPENT TO DATE:	\$ 5,135
COMMITMENTS:	\$ 6,931
PROPOSED COST:	\$ 1,000
BALANCE:	\$ 1,034

All figures quoted in this report are exclusive of GST.

If adopted by the Minister for Planning, notices will be required to be placed in a local newspaper and in the Government Gazette. All associated costs will be recouped from the applicant.

COMMENTS:

Pursuant to Regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council is now required to pass a resolution either:

- (a) to support the amendment without modification; or
- (b) to support the amendment with proposed modifications to address issues raised in the submissions; or
- (c) not to support the amendment.

The proposed SCA over the site will ensure a holistic approach to the development of the site, allowing for subdivision and flexibility of built form and use. It is consistent with the relevant statutory planning framework provided by CPS2.

On this basis and given no objections have been received, it is recommended that the Amendment be adopted without modification and forwarded to the WAPC for the final approval of the Minister for Planning.

ITEM NO: 8

ADOPTION OF PROPOSED AMENDMENT TO CITY PLANNING SCHEME NO. 2: SIGNS POLICY AND ASSOCIATED AMENDMENTS TO VARIOUS PRECINCT PLANS, PLANNING POLICIES AND DESIGN GUIDELINES

**PLANNING COMMITTEE
RECOMMENDATION:**

(APPROVAL)

That Council, in accordance with Clause 5 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to:

- 1. note the submissions received relating to the proposed amendment to the City Planning Scheme No. 2 Signs Policy and associated amendments to various Precinct Plans, Planning Policies and Design Guidelines as detailed in Schedule 18 – Summary of Submissions; and***
- 2. adopt the proposed amendment to the City Planning Scheme No. 2 Signs Policy and associated amendments to various Precinct Plans, Planning Policies and Design Guidelines subject to modifications as detailed in Schedules 17, 20, 21, 22 and 23.***

BACKGROUND:

FILE REFERENCE:	P1032185
REPORTING UNIT:	City Planning
RESPONSIBLE DIRECTORATE:	Planning and Development
DATE:	20 November 2016
MAP / SCHEDULE:	Schedule 17 – Plan of Areas with Place Specific Requirements Schedule 18 – Summary of Submissions Schedule 19 – Map of Submissions Schedule 20 – Proposed Amended Signs Policy Schedule 21 – Table of Existing and Amended Planning Policies Schedule 22 – Table of Existing and Amended Precinct Plans Schedule 23 – Table of Existing and Amended Planning Policies and Design Guidelines for Normalised Redevelopment Areas

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

Council at its meeting held on **28 June 2016**, resolved to advertise proposed amendments to the City Planning Scheme No. 2 (CPS2) Signs Policy and associated amendments to various Precinct Plans, Planning Policies and Design Guidelines for public comment.

The proposed amendments to the Signs Policy and associated documents are detailed in Schedules 20 to 23 and are summarised below.

The Role of Signage in the City

Signage plays an important role in way-finding and identifying and promoting businesses and buildings within the city. It can have a significant impact on the visual quality of the urban environment and on amenity and safety.

The City has a responsibility to the wider community to ensure that the impacts of signage are properly assessed and managed and that all signage makes a positive contribution to the appearance of the city.

Key Changes

The key changes to the Policy are to provide:

- clearer objectives, principles and standards;
- requirements for a more coordinated approach to signage on buildings with clearer guidance on appropriate design, location and size;
- updated requirements for specific sign types and sign content, separating the provisions for each for clarity;
- updated place specific requirements and heritage provisions; and
- updated and simplified exemptions from planning approval with regulation only where essential.

Definitions

The definitions within the Policy have been updated to provide terminology which is user friendly and reflects the types of signs which are now most commonly seen within the city. A single diagram has been created to depict the majority of defined signs.

Design Considerations

The proposed Policy seeks to ensure that applicants consider signage in a holistic way across a site.

Signage strategies will now be required where new buildings, substantial changes to existing buildings or signage on a heritage place are proposed and there will be multiple tenants, in order to avoid ad hoc placement of signs and excessive signage.

The proposed Policy requires that the design of signs should be of a high standard with signs appropriately located and integrated with the architecture of the building and constructed of high quality materials.

Guidance on the location and scale of signage on buildings is provided. Signage for the purpose of identifying businesses, services or products and addresses should generally be located at pedestrian level or to a lesser extent at first floor level and be relatively small in size given the immediate proximity to those intended to view it. Signage for the purpose of identifying the name of the building or its principal occupant is appropriate at the top of buildings and should be larger in scale, given it will be viewed from a distance, and designed to contribute to the city skyline. Signs at other locations on buildings should be limited to where the purpose and viewing audience is clear and justified.

Signs on Heritage Places and in Heritage Areas

The principles and provisions relating to signs on places on the Heritage List or within a Heritage Area have been updated to reflect current best practice, provide greater clarity and to recognise the varied nature of existing and potential heritage areas identified under CPS2.

Streetscape and Locality

The proposed Policy incorporates more succinct objectives and principles to ensure that all new signs contribute to the intended character of the streetscape, locality, and where applicable the city skyline, in a positive way.

The current Policy identifies areas within the city where signage should reflect a distinctive character. These areas have now been revised and expanded and the requirements updated to reflect current vision and intent for advertising. These areas are listed as follows and identified in Schedule 17:

- Entertainment Area;
- Retail Core Area;
- Town Centre Areas;
- The Terraces Area;
- Residential Areas; and
- Civics and Parks Areas.

Sign Content

As with the current Policy, the proposed Policy indicates that sign content should generally be limited to street numbering, the names and/or logos of the occupants of the premises or details of the businesses carried out at the premises.

Third Party and On-Premises Advertising

The proposed Policy differentiates between third party advertising which relates to goods and services which are not available on site and on-premises advertising which relates to goods and services which are available on site, in order to provide greater flexibility for the latter.

Council has generally discouraged third party advertising on signs within the city in order to create a high quality public domain and reduce visual clutter. The proposed Policy will also limit third party advertising, but provide greater clarity on where and under which circumstances it may be considered. In summary it is proposed that third party advertising content be restricted as follows:

- To signage within or facing a public space within the Entertainment, the Terraces, Retail Core and Town Centre Areas (refer to Schedule 17) where oriented for viewing within the space and where consistent with the nature of the public space. This is in recognition that some public spaces may be enhanced by third party advertising.
- On large wall signs on buildings within the Entertainment, Retail Core or Town Centre Areas (refer to Schedule 17) where the building was approved prior to June 2014 and has a large section of blank wall which will be enhanced by its addition. The current large banner sign provisions which limit installation of this type of signage to a maximum of six months and the overall number in the city to four will be removed.

The restrictions above will also apply to on-premises advertising content, however, this content will also be permitted on window signs throughout the city.

It is intended that on places on the Heritage List or within Heritage Areas, third party and on-premises advertising content only be permitted on temporary hoarding signs, discrete window signs in the case of on-premises advertising or on reconstructed signage where there is a clearly established historical precedent for the signage which positively contributes to the place.

Animated and Variable Sign Content

Sign content which changes frequently will now be dealt with as either animated or variable content. Animated content is sign content which is constantly in motion while variable content is static sign content that changes on a specified time cycle.

The proposed Policy differentiates between small electronic screens, much like a television or computer screen, that are now popular in tenancy windows and large electronic screens generally located in highly visible public locations.

Small signs ($\leq 2\text{m}^2$) with animated or variable content are proposed to be permitted at the ground floor level or pedestrian level of a building or as part of a ground based sign in public spaces throughout the city with the exception of the Residential and Civic and Parks Areas (refer to attached Schedule 17). In the case of places on the Heritage List or within Heritage Areas, discrete small signs may be permitted inside

the window of a shop where they will not detract from its cultural heritage significance.

Careful management of the location of large signs (>2m²) with animated or variable content is required to avoid visual clutter and to ensure that they are appropriate to the setting. It is also critical that appropriate levels of safety are maintained for road users and the public. For this reason it is intended that they be restricted to the Entertainment, Retail Core and the Terraces Areas (refer to attached Schedule 17) as follows:

- within public spaces designed and intended for the public to stop and gather, where they will not distract road users and where they will enhance the character and vitality of the space; and
- at the tops of buildings which are greater than 29 metres in height where they will make a positive contribution to the skyline.

They will not be permitted on places on the Heritage List or within Heritage Areas.

While animated content on large signs should not be directly visible to road users, variable content on large signs may be where carefully controlled with appropriate conditions of approval.

Sign Types

While the objectives, general principles and general provisions of the proposed Policy will apply to all sign types, in certain instances specific provisions have been included for certain sign types.

Top of Building Signs

Consistent with the current Policy, sky signs (currently 'sky or above roof' signs) are not permitted within the city. These are signs which are fixed to or above the roof, plant room, wall or architectural feature at the top of a building.

In relation to other signs located at the top of buildings, the proposed Policy includes provisions to limit the number and size of roof signs or wall signs per elevation and ensures they are designed in a manner which achieves a high degree of integration and compatibility with the form of the building. The content of these signs will be limited to the name of the building or its principle occupant with illumination encouraged where this will add interest and vibrancy to the city's night skyline. Roof signs will not be permitted on places on the Heritage List or within Heritage Areas;

Window Signs

The definition of window signs is proposed to be amended to include all signs displayed within one metre of a window as these can impact upon the public realm in relation to activation and passive surveillance. Provisions are proposed to ensure window signs are designed to allow views into and out of windows. The area of a window which can be used for signage has been generally limited to 25%.

Notwithstanding this the proposed Policy recognises the need, and allows for, more extensive temporary signage to advertise retail sales

Exemptions

Under the current Policy various sign types are exempt from the requirement to obtain development approval provided they comply with certain conditions. This is on the basis that they are minor and unlikely to have any adverse impact on the locality. These exemptions have been clarified, and expanded where appropriate so that fewer signs will require development approval.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation *Planning And Development Act 2005*
City Planning Scheme No. 2

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
Council Four Year Priorities: Living in Perth
S9 Promote and facilitate CBD living.

Policy

Policy No and Name: City Planning Scheme No. 2 Planning Policy 4.6 - Signs

DETAILS:

Consultation

The proposed amendment to the Signs Policy was advertised for 24 days from 2 August 2016 to 26 August 2016 by way of:

- a letter and submission form being mailed to 29 key stakeholders;
- a letter and submission form being mailed to 93 sign, advertising and related companies who have lodged development applications for signage over the last two years;
- newspaper notices being placed in The Voice and Western Suburbs Weekly on the 2 August 2016 and 6 August 2016;
- information being placed on the City's website; and
- information being made available for viewing at the City's Customer Service Centre and the City Library.

Submissions

A total of 35 submissions were received during the advertising period. Of these:

- three submissions were from Government Departments/Authorities and either raised no objection or sought minor modifications;
- 20 submissions were from, or on behalf of, owners or other parties with interests at 251 Adelaide Terrace, Perth opposed to aspects of the proposed Policy which relate to existing signage at the property;

- three submissions were from, or on behalf of, owners of other specific sites (146-152 Barrack St, 20 Sutherland Street, 108, 123-137 and 235 St Georges Terrace and 11 Mounts Bay Road, Perth) and either seek modifications or oppose the proposed Policy;
- three submissions were from or on behalf of advertising agencies seeking clarification and modifications;
- two submissions were from professional bodies seeking modifications; and
- one submission was from an industry expert seeking modifications.

A map showing the location of the properties relevant to the submissions received is provided in Schedule 19 – Map of Submissions.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CL 16 201 000
BUDGET ITEM:	Strategic Planning - City Planning Schemes and Policies
BUDGET PAGE NUMBER:	74
BUDGETED AMOUNT:	\$13,100
AMOUNT SPENT TO DATE:	\$ 5,135
COMMITMENTS:	\$ 6,931
PROPOSED COST:	\$ 700
BALANCE:	\$ 1,034

All figures quoted in this report are exclusive of GST.

COMMENTS:

A summary of the key issues raised in the submissions is provided below. The submissions are numbered, outlined and addressed in detail in Schedule 18 – Summary of Submissions.

Third Party Advertising

Concerns over the proposed approach to third party advertising in the proposed Policy were expressed in Submission No.'s 29, 30, 31 and 33. The submissions stated that third party advertising should not be limited to specific areas of the city and a flexible merit based approach should be applied. They also stated that advertising is a part of the modern urban environment, and can be incorporated into cities without adverse impacts on the surrounding environments and businesses and provides a means for businesses to generate revenue. In addition 20 submissions, as listed and dealt with in more detail later in the report, referred specifically to existing third party advertising at 251 Adelaide Terrace, Perth.

The City has sought to strike a balance in relation to third party advertising in the past, limiting it to certain sites. The proposed Policy continues the approach of limiting third party advertising, but provides greater clarity on the circumstances under which it may be considered.

There is increasing pressure from advertising and sign companies to permit third party advertising in the city. These companies generally seek to locate third party advertising in highly visible locations adjacent to major roads and the freeway where they have the largest audience in terms of motorists and pedestrians, but this is not necessarily a good outcome for the visual appearance of the locality or the city generally. Third party advertising if not carefully managed can create visual noise and detract from the visual amenity of the city, from way-finding and from the advertising of city businesses and their goods and services. There is a danger that it can become the dominant element of an urban environment, rather than the buildings, spaces and businesses.

Following a review of the precincts and the public realm within the city it was evident that third party advertising was best suited to the retail and entertainment areas within the city (the Entertainment, Retail Core and Town Centre Areas as identified on Schedule 17). However a controlled approach in these areas is crucial to avoid it becoming excessive and dominant. For this reason it has been limited to public spaces designed for people to gather where it will complement and enhance the nature and vibrancy of the space, and to existing buildings where it will enhance a large blank section of a wall.

This approach was extended to public spaces designed for people to gather in within the Terraces Area (as identified on Schedule 17) in recognition that some of these spaces have a significant retail and entertainment element. However it is especially important that any third party advertising is contained within the space, as signage visible in the streetscape should principally be for the purpose of numbering and naming building reflecting its role as the focus of business, finance, commerce and administration in the state.

In addition to the locations above, the Policy proposes that third party advertising be permitted on a temporary basis on hoarding signs during construction or redevelopment of a site where the hoarding will also incorporate an image that will enhance the appearance of the site for the duration of the works.

When developing the proposed Policy, the approach to signage in other cities was reviewed. Different approaches to third party advertising are employed in cities interstate and overseas. In many cities, large third party signage was first introduced some time ago and while some cities continue to allow the spread, many actively discourage it or allow it to concentrate in identified locations. The cities well-known for their third party advertising are those where it is concentrated in key locations such as Time Square in New York, Shibuya in Tokyo and Piccadilly Circus in London. The proposed Policy seeks to deliver an approach which suits Perth and enhances its unique character.

Submission No. 29 expressed concern that the proposed Policy would prejudice existing third party advertising signs in the city that may be suited to upgrade or conversion to digital format in the future. Submission No. 30 expressed concern that 20 Sutherland Street, which currently accommodates large third party advertising structures, is within an area where this type of advertising would only be permitted on a hoarding sign in the future. It is noted that the proposed Policy would not apply retrospectively to existing third party advertising with valid development approval,

although any proposed modifications would require further approval. The modifications would be assessed against the objectives, principles and provisions of the Policy and Council would have the discretion to vary the Policy if it considered that the modifications were an improvement to the existing situation.

It is noted that in the case of the wall sign with third party advertising content at 251 Adelaide Terrace, its current development approval is temporary and further development approval will be required once that lapses. This is addressed in more detail later in the report.

Submission No. 33 indicated that third party advertising should not be limited to public spaces where it is facing inwardly, assuming that this requirement was based on concerns regarding the safety of road users. However as indicated, this requirement is based on amenity issues, with safety issues more relevant to animated and variable content on signs.

A provision is proposed in the Policy to require third party advertising content to relate to products, services or events available within the city. Submission No.'s 29 and 33 oppose this provision as it is considered to be impractical and onerous. The intent of the provision is to ensure advertising content does not undermine the city's role as the primary retail, commercial and cultural centre of the metropolitan area and state and this is considered to be appropriate. However modifications to the provision are proposed to clarify this intent and they should overcome practicality concerns. (Refer to Schedules 20 and 21 for details.)

Submission No. 33 suggested that the proposed Policy should allow for third party advertising on public infrastructure (bus shelters, seating, rubbish bins, etc.) as advertising companies often will fund these structures on the basis that they are able to utilise the advertising space.

It is important that funding and financial incentives are not part of the decision making process for signage, or development generally, as this would set a dangerous and inequitable precedent which would conflict with the principles of orderly and proper planning. It is also important that the same objectives, principles and provisions apply to the City and other public authorities as to the public.

In accordance with the objectives and principles of the proposed Policy, there may be streets within the city where a limited number of small signs on street furniture with third party advertising could make a positive contribution to the streetscape. However this signage would need to be well considered as part of a coordinated approach to street furniture in the locality rather than installed on an ad hoc basis. It should be small in size ($\leq 2\text{m}^2$), limited in number, appropriately located and appropriately integrated with the design of the infrastructure to ensure that it will enhance the city environment without leading to visual clutter. Modifications to the Policy to enable this are proposed, with details in Schedules 20 and 21.

Given the limited size of these signs ($\leq 2\text{m}^2$), variable content with appropriate conditions is unlikely to create safety issues for road users, but this would need to be carefully assessed. Animated content could cause safety issues and would not be appropriate.

Submission No. 30 recommended that the Policy should allow for the temporary use of vacant development sites for third party advertising signage in return for significant short term improvements to the site, such as landscaping and seating. Currently under CPS2 demolition is not permitted unless an application for further development on the site has been approved. Conditions are commonly imposed on development approvals involving demolition, which require the site to be landscaped if construction does not commence within 12 months. As a consequence interim third party advertising signage is not necessary and in contrast, allowing it could delay construction as a consequence of the supplementary income that it provides.

On-Premises Advertising

The proposed Policy differentiates between third party advertising and on-premises advertising content, with the latter relating to goods and services that are actually available on site. Submission No. 31 indicates that the proposed Policy limits on-premises advertising to window signs only on places on the Heritage List or within a Heritage Area. However the proposed Policy will allow on-premises advertising content in all window signs in the city. This is in recognition that businesses, particularly shops have a need to advertise the goods and services they are providing in shop windows and this provides pedestrian interest and information relating to the business on site.

251 Adelaide Terrace

As indicated, 20 submissions were received in relation to the implications of the proposed Policy on the existing large wall sign with third party advertising content on the western elevation of the building at 251 Adelaide Terrace, Perth (Submission No.'s 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 15, 18, 19, 20, 22, 23, 24, 25 and 26).

The submissions oppose changes that will affect the sign for a range of reasons, summarised as follows:

- It will result in loss of income for strata owners and for the advertising company. Income from the sign is supplementing reduced income from rent in difficult economic times. The income assists with maintenance costs. Existing contractual arrangements will be affected;
- The sign is unique and iconic;
- The sign adds to the character and vibrancy of the locality and the city skyline as it can be viewed from some distance;
- The sign is attractive and doesn't create visual clutter or distract drivers;
- The sign has been in place for four years and caused little concern;
- The wall will be blank if the sign is removed; and
- Advertising is part of modern life.

The proposed Policy provides a framework for the assessment and management of signs within the CPS2 Scheme Area. It seeks to ensure that signage is well designed and positioned, innovative, responds to its setting and makes a positive contribution to the visual appeal of the public realm and the city as a whole. It considers the cumulative effect of signage.

If the Policy is adopted, it would apply to new signage or modifications proposed to existing signage. The Policy would not apply retrospectively to existing signs unless they have temporary approval, as is the case with the sign at 251 Adelaide Terrace. It is noted that the Council has discretion to vary planning policy, including the Signs Policy, when determining a development application where this would be consistent with the principles of orderly and proper planning.

The subject sign measures 25 metres x 25 metres (625m²), is located on the western elevation of the 20 storey building at the site and displays third party advertising primarily for large international brands. It was granted approval by Council on **6 December 2011** for five years and again on **19 August 2016** for approximately a year, with the approval expiring on 31 December 2017. After that time the sign will either need to be removed or further development approval gained.

The sign was approved as a large banner sign. This term was included in the existing Policy to allow for high impact signs attached to a building or to scaffolding, to promote an event or exhibition and in certain circumstances display third party advertising. The signs were intended to be in place no longer than six months with a maximum of four permitted in the city at any one time. As the applications for large banner signs received under the existing Policy have primarily been attached to the walls of buildings for the purpose of displaying third party advertising, with applicants commonly requesting that they be installed for longer than six months, the definition has been removed from the proposed Policy with the signs to be dealt with as wall signs and the third party advertising to be dealt with under the sign content section of the Policy.

As indicated above, under the proposed Policy third party advertising will be considered on large wall signs within the Entertainment, Retail Core and Town Centre Areas (as identified on Schedule 17) where the building was approved prior to June 2014 and the sign will enhance a large section of blank wall. These areas are dynamic areas where carefully managed third party and on-premises advertising may be compatible with their role and nature.

251 Adelaide Terrace is located within the Terraces Area (as identified on Schedule 17) which comprises the principal city boulevard and incorporates the focus of business, finance, commerce and administration in the state. Third party and on-premises advertising is generally not considered to be compatible with the desired character and role of this Area. A number of submissions (No.'s 2, 5, 6, 8, 10, 11, 13, 15, 18, 19, 22 and 24) have a contrasting view on this and suggest that the existing third party sign enhances the area and is iconic. Importantly rather than considering a single sign which on its own may or may not be seen as an issue, the Policy is required to deliver a strategic approach to signage across the city and have consideration to the cumulative impact of signage.

It is noted that a number of the submissions (No.'s 7, 9, 10, 11, 13, 22, 25 and 26) suggested that the proposed Policy will require a reduction in the size of the sign at 251 Adelaide Terrace. The Policy includes provisions to require that, where permitted, large wall signs with third party advertising content have a maximum area of 25% of the wall area and do not extend to the full height or width of the building. In

this way they will not dominate the building and the building will provide a frame for the sign.

As indicated in 19 of the 20 submissions, the leasing of the wall space at 251 Adelaide Terrace for advertising provides important income for strata owners in difficult economic times. However this is not a matter which can or should be taken into consideration when setting planning policy or determining development applications. Planning decisions made on the basis of financial hardship or gain would set an inappropriate and inequitable precedent which would conflict with the principles of orderly and proper planning. They would potentially lead to poor urban outcomes and ad hoc proliferation of signage.

Submission No.'s 10 and 19 requested that 251 Adelaide Terrace be excluded from the proposed Policy. However there is no strategic rationale for this and it would not be a fair or equitable approach for other landowners.

Submission No. 23 requested that the Policy not be applied retrospectively while Submission No. 20 asked that the sign be given a five year grace period. If adopted the proposed Policy would not apply retrospectively. However the subject sign has temporary development approval and once that approval expires a new application for the sign would be subject to the provisions of CPS2 and the Policy in place at the time. When determining an application the Council may grant temporary development approval where considered appropriate.

Illumination

The proposed Policy involves modifications to the requirements relating to the illumination of signs to ensure that it does not cause a loss of amenity to the public or building occupants. A number of submissions (No's 14, 17, 29 and 33) questioned elements of these provisions. In particular one submission considered that it is sufficient for illumination to comply with relevant Australian Standards, while two submissions recommended that brightness/luminance levels be incorporated into the Policy.

The Australian Standards for Control of the Obtrusive Effects of Outdoor Lighting do not apply to internally illuminated advertising signs, although the general principles and methodology are relevant. The application of additional provisions and standards is required to ensure appropriate levels of amenity are achieved.

Maximum luminance levels have been developed by various authorities and help to address the very high brightness capability of digital signs. However it is a complex area which is changing as technology advances and recommended standards vary between authorities. As a consequence it is not considered appropriate for specific levels to be incorporated into the Policy. Rather the Policy should require that maximum luminance levels comply with relevant standards as considered appropriate by the local government. The City has generally adopted the guidelines established by the Main Roads WA, as the relevant transport authority in Western Australia.

Other minor modifications have been made to the proposed wording in response to submissions where considered appropriate to clarify intent. (Refer to Schedules 20 and 21 for details.)

Animated and Variable Content

Submission No.'s 29 and 31 oppose the restrictions on the location of animated and variable content signs proposed within the Policy. The submission states that this type of sign content in digital format is a fast growing technology and a component of modern urban environments and the proposed restrictions will limit innovation. Submission No. 29 also considers that provisions limiting visibility of sign content from adjacent streets should be modified to specifically limit their visibility to motorists where they would create a safety hazard. In contrast Submission No. 21 supports the proposed provisions dealing with animated and variable content on signs as they are considered to effectively respond to increasing demand in this area.

While the Policy will allow animated and variable content on small signs ($\leq 2\text{m}^2$) in a range of locations, it is more restrictive in relation to large signs ($> 2\text{m}^2$) with animated or variable content. This is to ensure appropriate levels of safety are maintained for road users and the public, but also to avoid visual clutter and to ensure that these signs are appropriate to the setting and will make a positive contribution to an area's visual quality and vitality.

On the basis of this and after a review of the precincts and the public realm across the city, the proposed Policy restricts these types of sign content to:

- Public spaces within the Entertainment, Retail Core or Terraces Areas (as indicated on Schedule 17) where they are orientated for viewing within the space and the space is designed and intended for people to gather.

These are spaces which are suited to high levels of pedestrians and activity, often with a retail or entertainment focus. They are spaces where people can stop and linger safely without obstructing pedestrian traffic, where the safety of road users will not be affected and where the animated or variable content will add to the character and vitality of the space both during the day and night.

While animated content in public spaces should not be directly visible to road users for safety reasons, variable content may be where carefully controlled in terms of content, duration of display and transition times. Provisions are included within the Policy to address this, with duration of display and transition times.

- At the top of buildings greater than 29 metres in height (except in the Landscaped Mixed Use Areas, the Residential Areas or the Civic and Parks Areas as indicated on Schedule 19) where they will add interest and vitality to the city skyline, and will not affect the amenity of adjacent buildings or distract road users.

The criteria for the location of these types of sign content are considered valid.

Submission No. 29 recommended the consideration of the national approach to transition and display times for variable content on signs and reference to the NSW draft guidelines, while Submission No. 33 advocated that 6 to 8 second display times be prescribed. The proposed Policy indicates that where variable content on large signs (>2m²) will be visible to road users, display and transition times should comply with standards specified by the State Government transport authority or any other standard considered relevant. This is consistent with the practice of the City to date to apply the Main Roads WA guidelines. It is not appropriate to prescribe specific times within the City's Policy as these standards are regularly updated and a technical matter which is the expertise of transport authorities. Rather the Policy should require that variable content comply with relevant standards as considered appropriate by the local government. The City has generally adopted the guidelines established by the Main Roads WA, as the relevant transport authority in Western Australia.

The proposed Policy incorporates a provision to prevent technology or mechanisms as part of variable content signage that facilitate real time communication with road-users or pedestrians. This is to ensure that road users are not distracted and to avoid nuisance to the public and building occupants generally. Submission No. 33 recommends that technology which allows advertisers/businesses to communicate with pedestrians be permitted where it is offered on an opt in basis, noting that is now becoming available. It is agreed that this may be a desirable option for pedestrians in some circumstances and the provision should be amended accordingly. In addition it is proposed that it be extended to apply to all signage types (refer to Schedules 20 and 21 for details of modifications).

Submission No. 14 opposed the provision for animated and variable content signs to have a default setting to display a black screen if a malfunction occurs. It is stated that this can only be achieved if the screen is turned off and that the screen cannot be corrected when off. This provision is intended to ensure that malfunctioning screens do not cause a nuisance. Modifications to the provision to require the screen to be dark and blank during a malfunction, with the exception of during repair, are proposed to overcome this issue (refer to Schedules 20 and 21 for details of modifications).

Top of Building Signs

As indicated the proposed Policy allows for wall signs or roof signs at the top of buildings but does not permit sky signs.

Submission No. 31 states that the modified definitions of roof signs and sky signs are overly prescriptive and do not overcome existing issues of interpretation. The proposed Policy has been amended to address this, with modifications to the definitions clarifying the differences and removing design matters (refer to Schedules 20 and 21 for details of modifications).

Two submissions (No.'s 27 and 32) opposed the provisions to limit the number of roof signs or wall signs at the top of a building to one per elevation with one of these submissions also concerned about proposed limitations to size. The submission states that this is not reasonable where there is more than one major tenant and

where some building elevations are large enough to accommodate more than one sign. Submission No. 14 queried whether building owners and tenants would be able to advertise their businesses on roof signs.

The proposed Policy recognises that signage for the purpose of identifying the name of the building or its principal occupant is appropriate at the top of buildings and should be of a larger scale and design that contributes to the city's skyline during the day and night and can be seen from a distance. Notwithstanding this, the Policy also requires signs to be compatible in scale and integrated with the architectural design of the building. This will ensure that the architectural character of the building remains dominant.

Proposed provisions specify that only one roof sign or one wall sign at the top of a building should be permitted per building elevation. These signs are intended to display the name of the building or the major occupants of the building. Provisions also generally limit the vertical dimension of these signs to the equivalent of one tenth of the building but not more than two typical floors of the building. Guidelines for the appropriate location and scale of signs are also provided as an appendix to the Policy.

Using these guidelines and reviewing examples of good signage at the top of buildings within the city and internationally, it is considered that the Policy provisions are appropriate. However it is acknowledged that there may be special circumstances where the design and width of a building elevation may accommodate a second sign. This could be supported where the additional sign would not lead to visual clutter and would make a positive contribution to the city skyline. The wording of the proposed Policy has been amended to reflect this (refer to Schedules 20 and 21 for details of modifications).

Wall Signs

Submission No. 25 sought clarification of the application of provisions for wall signs at the top of buildings and to large wall signs for third party advertising.

As indicated, where wall signs are located at the top of buildings the vertical dimensions should be no more than one tenth of the buildings height or two typical floors, whichever is the lesser. In contrast wall signs with third party or on-premises advertising proposed on blank walls of buildings approved prior June 2014 are to be limited to a maximum of 25% of the wall area and not extend to the full height or width of the building.

Modifications to the wording of these provisions have been made to provide greater clarity in their application (refer to Schedules 20 and 21 for details of modifications).

Submission No. 25 also considered the maximum 25% area for wall signs with third party advertising to be excessively restrictive. However the limit is intended to ensure that the signs do not inappropriately dominate buildings and it will allow for signs of substantial proportions given the scale of buildings within the city. It is rare in the city centre for the entire side wall of a building to be visible or blank; it is usually obscured by adjacent buildings and this has been taken into consideration when determining

the 25% limit. Most of the existing large signs of this type in the city would comply with this 25% limit, although some extend to the full height and width of the building.

Heritage

Submission No's 27 and 31 express concern that the provisions applicable to signs on places on the Heritage List or within Heritage Areas are excessive and overly specific. In contrast Submission No. 35 from the State Heritage Office has indicated its support for the provisions.

The proposed provisions reflect current best practice and largely clarify existing requirements for signage on places on the Heritage List and in Heritage Areas. In summary the proposed provisions provide applicants with greater guidance on required design considerations and the Council with policy to support good decision making. They reflect the importance and value of carefully protecting significant cultural heritage within the city.

Restrictions on third party advertising on places on the Heritage List or within a Heritage Area are not supported by Submission No. 29. The proposed Policy only permits third party advertising on a place or in a Heritage Area where it is on a hoarding sign or where it is reconstructed signage with a clearly established precedent. This is to ensure that the cultural heritage significance of places and Areas is not eroded by visual noise as a result of unnecessary, unrelated advertising. It is consistent with the approach in the King Street Heritage Area for many years and in many local government areas in Perth and interstate. While there are examples of third party advertising on heritage buildings in other capital cities, these signs have generally been in place for many years with modifications or upgrades agreed on the basis that there is an established historical precedent and the new sign will be an improvement upon the existing sign, reducing the impact on the cultural heritage significance of the place.

Wall Murals

Submission No. 21 proposes that the Policy should not permit wall murals on places on the Heritage List, and that appropriate locations for wall murals generally needs further consideration.

Wall murals would be assessed against the objectives, principles and general provisions of the proposed Policy and in the case of places on the Heritage List or within a Heritage Area against further detailed provisions. However it is agreed that greater guidance would be appropriate. While wall murals can add interest and vibrancy to an area, they are not appropriate on all buildings or in all areas. Additional provisions are therefore proposed indicating that wall murals will only be permitted where they complement the architectural design or features of a building and the intended character of an area, and any approval should be temporary as they tend to deteriorate over time. In addition wall murals would not be permitted on a place on the Heritage List or within a Heritage Area, unless to a side or rear elevation where the cultural heritage significance will not be affected. (Refer to Schedules 20 and 21 for details of modifications.)

Approval Process

Seven submissions (No.'s 1, 5, 16, 21, 27, 28 and 34) suggested that more detail should be provided on the approval process for signs in the proposed Policy. State Government planning legislation requires that development, including signs, in certain locations be approved by, or referred to, other government agencies. It is considered that this could be referenced as a note in the Policy that can be easily amended. (Refer to Schedules 20 and 21 for details of the note.) Further detail on approval processes is not appropriate within policy and is more appropriately provided within information kits provided for applicants.

Other Matters

A number of specific matters were raised in submissions such as treatment of support structures and heights over footpaths (refer to Submission No.'s 14 and 21). Where appropriate minor modifications have been made to the Policy to address these matters and provide greater clarity (refer to Schedules 20 and 21 for details of modifications).

Additional Modifications

In addition to modifications to the proposed Signs Policy and associated Policies made in response to submissions, a number of other minor modifications have been made which are summarised as follows and detailed in Schedules 20, 21, 22 and 23:

- Figure 1 and 3 (Illustration of Various Sign Types) have been modified to clarify the sign types which are illustrated but may not be permitted in certain situations;
- The provision indicating that projecting signs made of fabric or other non-durable material may be approved for a maximum of three years has been deleted and applied to all signs made of this type of material as all are prone to deterioration over time;
- The definition of a wall sign has been extended to clarify that it includes signs attached to a glass wall or decorative or screening material that effectively forms the wall of the building;
- Detail relating to exemptions arising from the Deemed Provisions has been updated to comply with Department of Planning advice;
- The wording of exemption conditions for alfresco dining signs has been modified for clarity;
- The exemption conditions for hoarding signs that relate to size and number have been removed as these signs are temporary and the conditions were considered overly prescriptive;
- The exemption conditions for real estate signs have been extended to include those which are illuminated if they have a maximum area of 2m², do not flash, pulsate or flicker and will not cause an annoyance to the public. The illumination of real estate signs is becoming more common and if applied to a small sign has minimal impact;

- The paragraph on signage in Precinct Plan No. 8 – Foreshore has been deleted, consistent with other Precinct Plans as objectives relating to signage are to be all located in the proposed Signs Policy; and
- Minor modifications to wording for accuracy and consistency.

Conclusion

The proposed Signs Policy responds to changes in the signage and advertising industries, community expectations and best practice. The proposed Signs Policy will ensure that the impacts of signage are properly assessed and managed and that the design and location of new signage respond to the design and character of buildings and localities and make a positive contribution to the public realm and the city generally. The Policy will provide greater certainty for the community and applicants as well as greater clarity, with regulation only where necessary.

The Amendment is considered to be appropriate and is recommended for final adoption subject to the following modifications:

- Addition of a note to reference other approval and referral authorities;
- Clarification of illumination provisions and the applicable standards and requirements;
- Addition of a provision to specify that all signs made of fabric or other non-durable material may only be granted development approval for a maximum of three years;
- Addition of provisions to specifically address wall murals;
- Clarification of wall sign provisions;
- Amendment to require support structures to be integrated with the design of the sign rather than concealed;
- Amendment of the provisions for signs at the top of buildings to allow for additional signs where appropriate;
- Clarification of the wording to ensure that third party advertising does not undermine the role of the city as the primary retail, commercial and cultural centre of the metropolitan area and the state;
- Clarification of the wording relating to standards applicable to variable content;
- Amendment of the definitions for roof signs and sky signs to clarify their differences;
- Amendment of the definition of wall signs to allow for all building materials.
- Addition of a definition and provisions for street furniture signs;
- Amendment to the wording relating to exemptions to comply with the Deemed Provisions;
- Amendments to exemptions for alfresco dining signs, hoarding signs and real estate signs to provide greater simplicity and remove unnecessary regulation;
- Deletion of the paragraph on signage in Precinct Plan No. 8 – Foreshore; and
- Minor modifications to wording and figures for accuracy and consistency.

ITEM NO: 9

PROPOSED AMENDMENT TO COUNCIL POLICY 14.4 – EXTENDED TRADING PERMITS

**PLANNING COMMITTEE
RECOMMENDATION:**

(APPROVAL)

That Council approves the amended Council Policy 14.4 – Extended Trading Permits as detailed in Schedule 25.

BACKGROUND:

FILE REFERENCE:	P1033010-03 & 04
REPORTING UNIT:	City Planning Unit
RESPONSIBLE DIRECTORATE:	Planning and Development
DATE:	15 November 2016
MAP / SCHEDULE:	Schedule 24 – Comparison Table Schedule 25 – Proposed Policy No. 14.4 Extended Trading Permits

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

At its meeting held on **9 October 2001**, Council adopted Policy SU64 (now 14.4) - Extended Trading Permits (ETP) to provide guidance when responding to the Department of Racing, Gaming and Liquor on applications for ETPs.

Council has adopted several amendments since then to:

- resolve issues with the interpretation and implementation of the original policy;
- allow for longer extended trading hours for special events;
- delegate decision making to the Administration for venues that have operated without incident or complaint; and
- update the policy to align with changes to the *Liquor Control Act 1988*.

On the **26 April 2016**, Council endorsed the commencement of four projects aimed at improving the way the City of Perth (the City) manages the interaction of entertainment and residential/special residential land uses in Northbridge in relation to noise. The projects included:

- the preparation of a minor Amendment to Council Policy 14.4 Extended Trading Permits;
- the preparation of a new City Planning Scheme No.2 planning policy to consolidate and enhance the City's development standards relating to noise management;
- a review of conditions placed on planning approvals in relation to noise management; and
- the investigation of setting more appropriate noise levels in Northbridge using the "Approved Venue" provisions under Regulation 19B of the *Environmental Protection (Noise) Regulations 1997*.

Council also endorsed the City requesting the Minister for Tourism and the Minister for the Environment to amend the *Environmental Protection (Noise) Regulations 1997* to introduce designated Entertainment Precincts to enable the setting of more appropriate noise levels to protect and enhance the State's premier entertainment precincts, including Northbridge.

At the same meeting, Council resolved to invite representatives from peak bodies for the hospitality and entertainment industry, the Business Improvement Group of Northbridge (BigN), Australian Hotels Association, Perth City Liquor Accord and State Government on to a reference group to assist the City in identifying the specific implications and practicalities of implementing a precinct approach to noise management in Northbridge.

At its meeting on 21 June 2016 the Planning Committee deferred consideration of a proposed amendment to the ETPs Council Policy to allow the Administration to undertake stakeholder consultation. Consequently the Administration has undertaken a further review of the policy to ensure consistency with legislative changes and the Department of Racing, Gaming and Liquor's ETP policies as well as remove wording which was a duplication of these.

The Administration has engaged with TourismWA, the Department of Racing, Gaming and Liquor, the Australian Hotels Association, the Small Bars Association of WA, the WA Nightclubs Association and the Business Improvement Group Northbridge in this review.

Detailed feedback was received from the Australian Hotels Association, the Small Bars Association of WA, the WA Nightclubs Association and the Business Improvement Group Northbridge. This led to a further review of the Policy and a subsequent workshop being undertaken. The proposed amended policy before the Council is therefore the output of detailed consultation with industry representatives.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section 60 of the *Liquor Control Act 1988*

**Integrated Planning
and Reporting
Framework
Implications**

Strategic Community Plan

Council Four Year Priorities: Perth at Night

A City that has a vibrant night time economy that attracts new innovative businesses and events and where people and families feel safe.

Council Four Year Priorities: Living in Perth

The City is a place where a diverse range of people choose to live for a unique sustainable urban lifestyle and access to government and private services.

Policy

Policy No and Name: Council Policy 14.4 – Extended Trading Permits

DETAILS:

Entertainment venue operators can apply for “Extended Trading Permits” to the Department of Racing, Gaming and Liquor (DRGL). When granted, these permits allow venues to operate beyond their usual hours. The DRGL refers these applications to the City for comment.

The City’s ETPs Policy provides guidance for City Officers when responding to the DRGL on applications for ETPs for Taverns, Hotels, Small Bars, Nightclubs and Special Facility Licenses.

The existing policy covers the entire City of Perth, and also has specific reference to Northbridge, key elements of the existing policy are:

- The hours and days that ETPs will be supported for taverns, hotels and small bars, on an on-going basis and for temporary one-off events;
- The conditions/circumstances for supporting a temporary ETP. These conditions relate to; hours, history of previous events at the venue, the nature of the event, management, history of any complaints and potential unreasonable impact upon residents;
- The trading hours of nightclubs; and
- Specifically stating that in Northbridge ETP’s will not be considered to not have any unreasonable impact upon residents.

The review of this policy proposes the following changes:

- The introduction of a preamble to explain the relationship of this policy to the relevant State Government policy;
- The introduction of definitions for key words to remove ambiguity where possible;
- Clearly define the City’s role, which is to provide comments to the DRGL as part of its determination of applications;
- Remove duplication;
- Remove wording and/or Clauses superseded by changes to the *Liquor Control Act 1988* (as amended);

- Remove the existing time restrictions for temporary one-off event ETPs as the existing wording conflicts with ETPs the City commonly receives and supports, for example 10.00am until 12.00pm; and
- Provides greater clarity around when complaints should be taken into account when determining if support should be given for an ETP by replacing reference to 'a complaint' with specific statutory actions under the *Environmental Protection Act 1986* or a determination under the *Liquor Control Act 1988*. This approach is proposed to also apply to Northbridge.

A comparison table at Schedule 24 outlines the existing policy, a revised policy which was sent to key stakeholders for feedback, subsequent stakeholder feedback and the final proposed policy with rationale for each proposed change.

As stated earlier in this report, the Administration has engaged with industry representatives to ensure that a workable policy is achieved.

The Administration understands that the Australian Hotels Association (AHA) has outstanding concerns regarding 'Ongoing and indefinite' ETPs on Sundays. The AHA has recommended that the City's policy support the granting of 'Ongoing and indefinite' ETPs for 2 additional trading hours on Sundays for Taverns, Hotels and Small Bars, which would provide the ability to extend trade until 2.00am. This suggested amendment is due to recent changes in state legislation that brings regular Sunday trading hours for Taverns, Hotels and Small Bars in line with other days of the week, with a regular closing time of 12.00am instead of 10.00pm.

The Administration has considered supporting applications for 'Ongoing and indefinite' ETPs for these venues on Sundays to extend their hours until 2.00am although this is not considered appropriate due to:

- Potential noise impact given that currently only Nightclubs, that tend to have better acoustic attenuation, can operate until 2.00am on Monday morning;
- Alignment of closing times of all venues on Sundays to 2.00am raises concerns regarding the dispersal of crowds from venues; and
- The closing times for Taverns, Hotels and Small Bars under the *Liquor Control Act 1988* have only recently been extended from 10.00pm to 12.00am, and the AHA proposal would see the City support an additional extension to 2.00am for a period of up to five years. This is four additional hours to those permitted within the last 12 months.

It should be noted that venues are able to apply for ETPs on Sundays which fall on long weekends under the DRGLs *Sunday Trading on Long Weekends for Nightclubs, Hotels, Taverns, Small Bars and Special Facility Licences Policy*.

The Australian Hotels Association also has concerns with the proposed deletion of the Nightclubs Clause and would like to see its partial retention to "support...current prescribed trading hours for nightclubs". The Administration does not consider any reference to Nightclubs as necessary to retain as their trading hours are set by State level legislation and there is no ability to apply for extended trading hours under the DRGL policies. This policy is an operational council policy to guide City Officers in providing comments on ETPs. Given that the City does not receive ETP referrals for

extension of trading hours for Nightclubs the proposed deletion is considered appropriate.

The Administration has consulted with industry representatives and believes it has reached consensus of a number of important improvements to the policy, primarily clarifying the City's role, alignment to state level legislation and policies and removal of Clauses which are simply duplication.

The Administration recognises that there are a few outstanding concerns from the Australian Hotels Association. It is also understood that the Business Improvement Group Northbridge, the Small Bars Association of WA and the WA Nightclubs Association do not support the above position regarding 'Ongoing and indefinite' ETPs on Sundays, with a preference that the current policy settings remain.

The Administration has therefore had to balance the views of all to develop an acceptable policy setting after extended consultation and on balance the proposed policy is considered a good outcome. Once the new policy is implemented it will be monitored to ensure it remains current and responds to changing business and consumer expectations.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

COMMENTS:

The ETP Policy has successfully provided guidance for the City when considering applications for ETPs although the policy requires updating. The proposed Council Policy is detailed in Schedule 25.

UPDATE ON RELATED PROJECTS

This amendment to the ETPs policy is one of four interrelated projects endorsed by Council at its meeting on **26 April 2016**. The following update is provided on the other three projects;

New Noise Planning Policy

The drafting of the new noise policy is currently underway with workshops with industry experts, including acoustic consultants, developers and relevant government agencies to occur in early 2017. Following this the draft policy will be presented to Council for consideration prior to the commencement of a public comment period. A review of any submissions received will then take place and subsequent finalisation of the policy to then be considered by Council.

Review of Noise Planning Conditions

A review of noise planning conditions is being undertaken in two stages aimed at improving the reasonableness and consistency of application. The first stage, which is nearing finalisation, standardises noise conditions based on precinct and the proposed land use. The second stage will occur once the Noise Policy has been adopted and will involve updating the standard list of conditions.

Regulated Noise Levels in Northbridge

The City requested legal advice regarding its ability to use Regulation 19B (Approved venues for sporting, cultural or entertainment events) of the *Environment Protection (Noise) Regulations 1997* to allow entertainment venues in Northbridge to legally operate at levels above those outlined in the State wide *Environment Protection (Noise) Regulations 1997*. The advice stated that Regulation 19B had limitations that ultimately would make its use unsuitable for this application.

Following the City's request to the Minister for Tourism and the Minister for the Environment to amend the *Environment Protection (Noise) Regulations 1997* to introduce designated Entertainment Precincts the Administration established the Northbridge Entertainment Noise Management Reference Group. The group includes representatives from the Department of Racing, Gaming and Liquor, City of Vincent, Department of Environment Regulation, the Small Bars Association of WA, the WA Nightclubs Association, TourismWA, Regulatory Gatekeeping – Economic Reform from the Department of Finance, the Department of Planning and the Western Australian Local Government Association.

The reference group met on 22 September 2016 and 22 November 2016 and will continue to meet bimonthly. This forum is bringing together all relevant parties to try to establish a balanced approach to managing the interaction of long established entertainment venues with new residential developments in Northbridge.

The reference group will continue to meet until June 2017 when it is expected that the City's key projects will be finalised and substantial progress will have been made by the state government in developing a more appropriate mechanism to regulate entertainment noise.

ITEM NO: 10

MOBILE FOOD TRADING TRIAL RESULTS AND PROPOSED MOBILE FOOD TRADING POLICY

**PLANNING COMMITTEE
RECOMMENDATION:**

(APPROVAL)

That Council:

- 1. notes the data collected with regards to the extended Mobile Food Trading Trial undertaken from 1 October 2015 until 1 October 2016 as detailed in Schedule 27 and Confidential Schedule 28;***
- 2. notes the findings based upon analysis of the all data collected with regards to the extended Mobile Food Trading Trial undertaken from 1 October 2015 until 1 October 2016, as detailed within this report;***
- 3. notes that the Mobile Food Trial Trading Permit has been administratively extended by the Chief Executive Officer pending its policy decision on mobile food trading on land under the City's care, control and management;***
- 4. supports ongoing Mobile Food Trading on land under the City's care, control and management as it provides increased vibrancy, activation and passive surveillance, subject to this activity not unfairly competing with existing bricks and mortar business;***
- 5. approves the proposed Council Policy – Mobile Food Trading Policy, as detailed in Schedule 29, to guide future mobile food trading on land under the City's care, control and management and to limit the impact this activity may have on existing bricks and mortar businesses;***
- 6. APPROVES BY AN ABSOLUTE MAJORITY in accordance with Section 6.16 of the Local Government Act 1995, the introduction of a Mobile Food Trading annual fee of \$1,200; and***

(Cont'd)

- 7. approves in accordance with Section 6.19 of the Local Government Act 1995, the giving of local public notice of the intention to introduce Mobile Food Trading annual fee of \$1,200 effective from 1 March 2017.**

BACKGROUND:

FILE REFERENCE: P1030791-2
REPORTING UNIT: Economic Development
RESPONSIBLE DIRECTORATE: Economic Development & Activation
DATE: 28 October 2016
MAP / SCHEDULE: Schedule 26 – Food Truck Trial Brochure
Schedule 27 – Surveys: Key Themes
Confidential Schedule 28 – Survey: Full Reports
(distributed to Elected Members under separate cover)
Schedule 29 – Proposed Mobile Food Trading Policy
(Amended by the Planning Committee)

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

At its meeting held on 6 December 2016, the Planning Committee agreed to amend sub-clause 2.1 of proposed Council Policy – Mobile Food Trading, as detailed in Schedule 29, by increasing the mobile trading exclusion zone from 75 metres to 100 metres, to further ensure mobile food trading does not unfairly compete with existing bricks and mortar businesses.

Mobile Food Trading in the city

Mobile food trading in the city is permitted in accordance with the *City of Perth Public Trading Local Law 2005* (the local law) however the City prohibits mobile trading on land under the care, control and management of the City (noting, that this excludes food trucks trading under a Special Events Permit, as part of a sponsored program/event or as part of a homeless food delivery service, as these are subject to separate approval processes).

The position to prohibit this activity is founded on a historic Council decision (1996) that assumes mobile food trading unfairly competes with established bricks and mortar businesses that pay rates and face substantial operating costs such as lease fees.

At its meeting held on **19 February 2013**, to align with its strategic priority to create a vibrant, energetic and safe city, and in conjunction with a changing economic climate and the growth in the food truck trend globally and in Perth, Council supported a

review of the local law outside the statutory requirement period, endorsing the following principal to guide the review:

“2.2 enable mobile food and beverage vendors to operate in the city to service unmet needs, provided that they do not unfairly compete with established businesses;”

While the Governance Unit initiated the statutory process to review the local law, to address increasing enquiries in relation to mobile food trading, the Economic Development Unit commenced investigation into developing a Mobile Food Trading Trial to test concepts related to the operations, challenges and opportunities of mobile food trading in the city. It was foreseen that a trial would provide evidence to measure Perth's appetite and demand for food trucks while also noting and quantifying the impact that mobile food trading has on existing bricks and mortar businesses.

At its meeting held on **10 December 2013**, Council determined the review of the local law be finalised without amendment on the condition that Officers would conduct an in-depth review upon completion of a 'City of Perth Mobile Food Trading Trial'.

City of Perth Food Truck Trial

At its meeting held on **28 October 2014**, Council approved a three-month trial Food Truck Trial (the trial) from 1 February 2015 until 31 May 2015. Due the trial duration, insufficient evidence was available at conclusion to make an informed decision therefore Council endorsed an extension until 1 October 2016, at its meeting held on **11 August 2015**.

At the same meeting, Council authorised the Chief Executive Officer (CEO) to operationally manage the processes and documentation relating to the trial (the Permit, Approved Locations and Code of Practice).

On 4 September 2015, the CEO approved the following:

- Applications Period – 7 September 2015 until 16 September 2016
- 25 Permits available – Annual fee of \$1141.80:
 - Applicable vehicles included trucks, vans and trailers
 - Permit period – 1 October 2015 until 1 October 2016
- 12 Locations (**75 metres** from bricks and mortar businesses):
 - 10 available from 7.00am until 3.00am, Sunday through to Saturday:
 - Crawley*
 - Mounts Bay Road (UWA/West End)
 - John Oldham Park
 - West Perth*
 - Bill Graden Reserve, Thelma Street
 - East Perth*
 - Wellington Square

- Bronte Street
- Queens Gardens – Nelsons Crescent
- Queens Gardens – Hay Street

Perth

- Langley Park 1 – Playground
- Langley Park 2 – Victoria Avenue
- Point Fraiser
- 2 locations available from 9.00pm until 3.00am, Sunday and Saturday evenings only

Northbridge

- Russell Square
- James Street Car Park
- No CBD locations

At close of the application period, a total of 18 mobile traders were awarded permits to participate in the trial. These included:

- Bootlegger Coffee Co.;
- La Fuente;
- Comida do Sul;
- Nunzio's Mobile Pizza;
- Soul Cocina Cantina;
- Be Delighted Mobile Café;
- Soul Provider;
- The Pasta Truck;
- FrankFurts;
- The Rare Flower;
- Big El's Nino – Mobile Cantina;
- What the Flip!;
- Mojito Cantina;
- Braised Brothers;
- Simons Mobile Scoop Shop;
- Eat No Evil;
- Charles Pizza; and
- The Mobile Refreshment Project.

Schedule 26 provides the trial's brochure which details the scope of the trial made publically available.

This report details the outcomes of the trial and recommendations for future mobile food trading on land under the City's care, control and management.

It is to be noted that the trial **excludes** mobile food trading in CBD locations such as Metropolitan Redevelopment Authority (MRA) sites – the Cultural Centre and Elizabeth Quay and on private property such as the forecourt of the QV1 building, as these locations are outside of the of the scope of the trial and the proposals included in this report.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation *Local Government Act 1995;*
Food Act 2008;
Land Administration Act 1997;
Parking Local Law 2010;
Thoroughfares and Public Places Local Law 2007;
Local Government Property Local Law 2005; and
Public Trading Local Law 2005.

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
Council Four Year Priorities: Perth as a Capital City; Living in Perth; Perth at Night and Healthy and Active in Perth
S5 Increase place activation and use of underutilised space
S9 Promote and facilitate CBD living
S13 Development of a healthy night time economy
S14 Further improve safety and security
S15 Reflect and celebrate the diversity of Perth

DETAILS:

Trial Permit Extension

Prior to the trial concluding on 1 October 2016, the CEO agreed to extend the trial permit until 28 February 2017. It is to be noted that this is a *permit extension*, and not a further extension of the trial.

The rationale behind the extension is detailed below:

Reason	Details
Manage demand	The permit extension will assist with the management of the anticipated number of requests for mobile trading heading into the busier Spring and Summer seasons from mobile traders and the public (particularly visitors, residents and city workers).
Implement Council decision	The permit extension provided the Administration sufficient time to allow for full analysis of data in relation to the trial and policy drafting and furthermore, will provide for the Committee/Council decision making process and implementation of Council's decision post December 2016.

Consultation Strategy

During the trial, the City advertised, engaged, managed and collected data via the following means:

Perth Community

(Includes visitors, businesses, workers and residents)

Public Survey 1

“What do you think of Food Trucks in the city of Perth?”

Public Survey 1 was open from 1 October 2016 until 9 September 2016. It was promoted via the City’s website and social media platforms, Twitter and Facebook.

Public Survey 2

“Have your say on Food Trucks”

Public Survey 2 was open from 7 October 2015 until 21 October 2016. Survey 2 was promoted via the City’s website and social media platforms, Twitter, Facebook and LinkedIn for a period of two weeks on conclusion of the trial.

Business Database

A special newsletter providing the opportunity for businesses to engage with Public Survey 2 was sent to the City’s Business Database on 13 October 2016.

Australian Hotels Association (AHA)

The City arranged and facilitated a meeting with representatives from the AHA on 30 September 2016 to discuss the trial and its impact on their member base.

Information was also specifically provided to the AHA for distribution to their member base, encouraging participation in Public Survey 2 to raise any concerns regarding the trial and mobile food trading generally.

Complaints Register

For the duration of the trial, the City maintained a Complaints Register to log direct complaints received (either in person, via phone or email) with regards to the trial and its impacts.

Interested Parties Register

The City also maintained an Interested Parties Register to log enquires received (either in person, via phone or email) with regards to the trial, requests to participant in the trial and/or to apply for a mobile food trading permit post-trial if/when available.

Participant Mobile Traders

Promotion

The City provided brochures to all mobile food traders participating in the trial to distribute to their customers and generally, to promote the trial and locations. A total of 4,000 were printed. Mobile traders also promoted the trial and their availability via their own social media platforms.

Mobile Traders Survey

“How’s the trial going so far?”

Mobile traders were provided the opportunity to provide feedback on the trial via a Mobile Trader’s Survey, six months into the trial. The survey was specifically designed to target information with regards operational mechanisms and constraints facilitating and guiding the trial.

Workshop

The City also facilitated a workshop on-site with participant mobile traders on 3 October 2016.

Summary of Data

Perth Community

(Includes visitors, businesses, workers and residents)

Public Surveys 1 and 2

Social media posts encouraging participation in Public Surveys 1 and 2 engaged the following numbers:

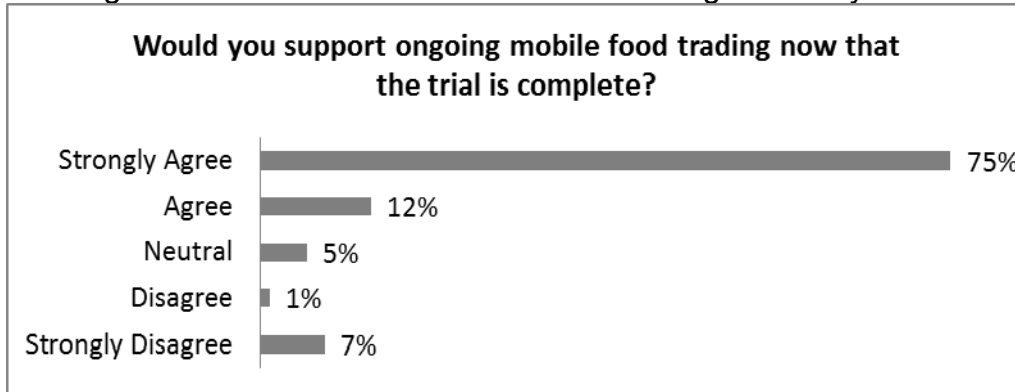
Public Survey 1		
	Post Period	Reach/Impressions/Views
Twitter	1 October 2015 – 1 October 2016	19,570
Facebook	1 October 2015 – 1 October 2016	28,504
Public Survey 2		
	Post Period	Reach/Impressions/Views
Twitter	7 October 2016 – 21 October 2016	290,546
Facebook	7 October 2016 – 21 October 2016	10,100
Linkedin	7 October 2016 – 21 October 2016	6,101

A summary of key statistics and themes from Public Surveys 1 and 2 are provided in Schedule 27. Full reports (including all quantitative and qualitative data) are provided in Confidential Schedule 28.

A total of 428 community members participated in Public Survey 1 and 171 in Public Survey 2.

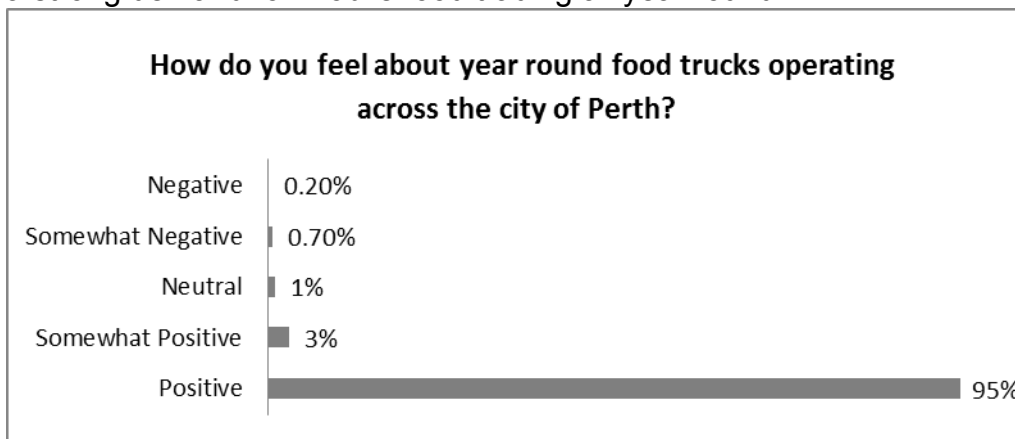
Generally, the Public Surveys indicate the following:

- a strong demand for continued mobile food trading in the city:

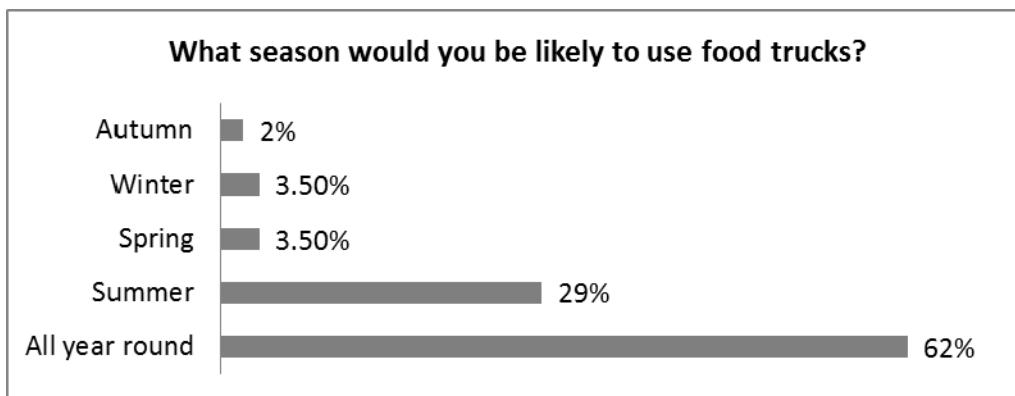


Source: Public Survey 2

- a strong demand for mobile food trading all year round:

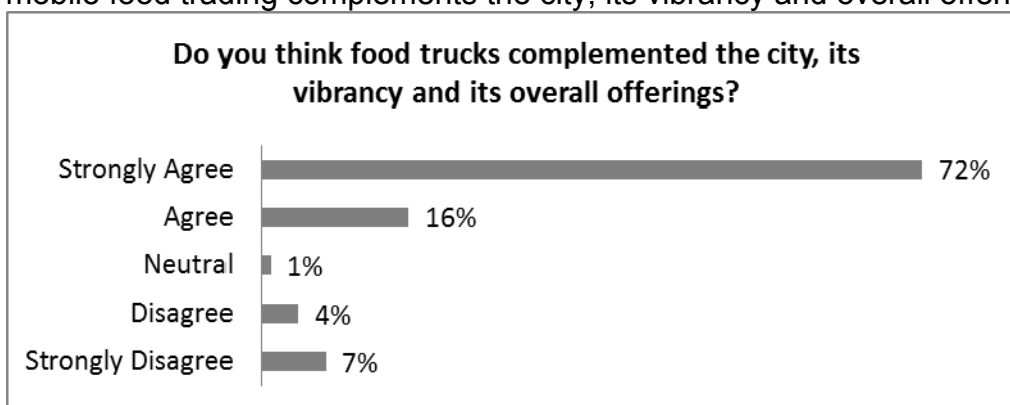


Source: Public Survey 1



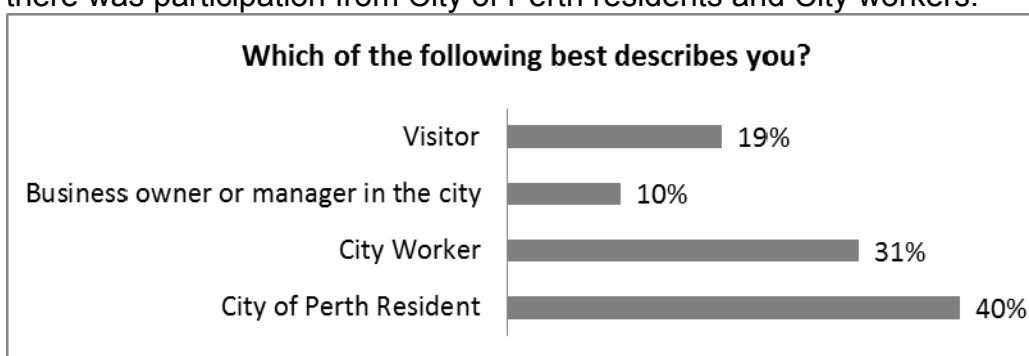
Source: Public Survey 2

- mobile food trading complements the city, its vibrancy and overall offerings:



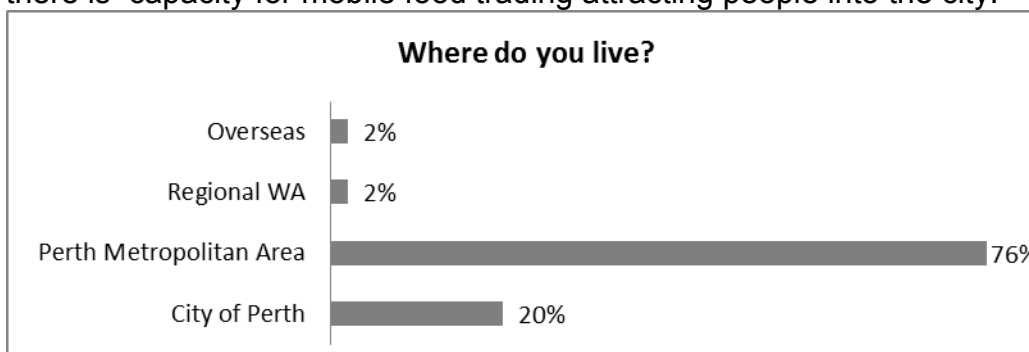
Source: Public Survey 2

- there was participation from City of Perth residents and City workers:



Source: Public Survey 2

- there is capacity for mobile food trading attracting people into the city:



Source: Public Survey 1

- of the 171 additional qualitative comments received on Public Survey 1, only four were negative:
 - three were in regards to visual appearance and waste/health concerns; and
 - one comment regarding the impact of mobile food trading on bricks and mortar businesses.
- of the 171 that participated in Public Survey 2, 10% represented business owners/managers in the city. Generally, negative qualitative comments can be summarised as follows:
 - mobile food trading hurts bricks and mortar businesses:

- business is already tough in the current economic climate;
- mobile traders are not on the same playing field with regards to costs/fees;
- it takes business away during peak times;
- there are sufficient bricks food and beverage outlets in the city; and
- food trucks are more suitable in areas outside the city i.e. in the suburbs and beaches;
- food is too expensive and sometimes lacks quality;
- better efficiency with service is needed as wait times are too long; and
- there is lack of obvious cleaning facilities on vehicles and waste left in public spaces thereafter trading.

Complaints and Interested Parties Registers

A breakdown of the complaints/enquiries recorded within the Registers is provided below:

Complaints Register

- a total of 17 complaints were recorded in the Complaints Register:
 - 10 business owner/operator complaints (three of these from the same business) claiming mobile food trading was impacting their business, particularly in East Perth and Crawley locations;
 - three complaints from residents regarding noise, waste and negative amenity impacts in East Perth locations;
 - one complaint from a worker in the city regarding negative amenity and environmental impacts in an East Perth location; and
 - three complaints from participant mobile traders regarding trial locations and restrictions and mobile traders involved not sticking to trial requirements.

Interested Parties Register

- A total of 154 enquiries were recorded within the Interested Parties Register:
 - the majority received were generally in regards to mobile food trading and other mobile trading avenues such as for special events;
 - a total 37 of these were from mobile food traders not participating in the trial, wishing to also trade in the city; and
 - 10 were received from other local government authorities (either wanting to or conducting a food truck trial in their local government areas) requesting information in regards to the City's trial and processes post-trial. This demonstrates the substantial leadership position the City has taken in providing a model for mobile food trading for other local government authorities to test in their areas.

Participant Mobile Traders

Both the Mobile Traders Survey and Workshop conducted with participant mobile traders provided valuable information with regards to the operational parameters of the trial (i.e. what conditions worked and vice versa). Of the 18 permits awarded,

only 15 mobile traders continued to trade for the entire duration of the trial. Remaining traders either voiced frustration with the conditions/restrictions of the trial and/or did not engage with Officers on conclusion of the trial.

A summary of key statistics and themes from Mobile Traders Survey and Workshop are provided in Schedule 27 and full reports (including all quantitative and qualitative data) are provided in Confidential Schedule 28.

Generally, feedback produced similar themes as with the Public Surveys. For example:

- lunch and dinner times are the most popular operating times;
- cluster locations (up to three food trucks) are more successful for trade, as they provide more opportunity to establish a customer base and an environment encouraging safety, security and amenity;
- park and reserve locations generally worked the best, particularly Wellington Square and Langley Park;
- mobile traders acknowledge seasonal impacts on mobile trading (i.e. quieter Autumn and Winter seasons, 80%); and
- many consider that despite business challenges, mobile trading is sustainable in the long term (90%).

Concern was raised by the mobile traders regarding some of the conditions of the trial, particularly in regards to the approved trading locations. For example, the 75 metre radius exclusion zone applied to the locations particularly impacted mobile food trading, especially during the Winter season, therefore, it was considered that more central locations would leverage decline in seasonal trading.

However, the majority of the mobile traders accept that to alleviate the concern/impact that mobile trading may have on the bricks and mortar businesses, the City must apply the 75 metre radius exclusion zone.

It was therefore suggested perhaps that fewer locations and more cluster park/reserve locations may work as a better arrangement as this could provide the opportunity to build a customer base, provide better amenity for their customers as well an overall sense of safety and security. It is important to note that these suggestions directly align to feedback received from the community as detailed in the Public Survey data.

Conclusions Post-Trial

Considerations

In consideration and analysis of the data collected from the trial, there is enough evidence to support the City facilitating ongoing mobile food trading on land under its care, control and management, with similar operational parameters of the trial and maintaining the 75 metre radius exclusion zone so not to unfairly compete with existing bricks and mortar businesses.

If Council were to consider supporting such an activity as detailed above, the following should be considered:

- the issues experienced by food and beverage businesses could also be attributed to the current economic climate in Perth in its entirety and seasonal factors, rather than mobile food trading in isolation. This being the case, the City's Business Support Team is actively engaging and assisting bricks and mortar businesses currently challenged by the economic environment where possible;
- the service and quality of product offered by mobile food trading competes with the likes of larger food fast services such as McDonalds and so on;
- mobile food traders who participated in the trial paid a permit fee of \$1,141 each, which generated a total of \$20,538 in revenue invested back into community services provided by the City; and
- there appears to be a misunderstanding within the community as to extent that the City supports mobile food trading. For example, all of the approved locations in the trial maintained a 75 metre exclusion zone from existing bricks and mortar businesses (refer Schedule 26). Therefore any mobile food trading occurring directly in the CBD such as activities during the Twilight Hawkers Markets, at MRA sites (Elizabeth Quay and the Perth Cultural Centre) and on private property (the forecourt of the QV1 Building), are subject to approval processes outside the parameters of the trial, and future proposals contained within this report.

Proposal

Therefore with data, feedback and considerations in-mind, it is proposed that Council support ongoing mobile food trading in the city, subject to refinements that will ensure impacts bricks and mortar business are minimised.

Specifically, the City should allow for mobile food trading on land under its care, control and management only in a manner that provides activation and passive surveillance to public places and increases the city's overall vibrancy, whilst managing the demand from the Perth community and not unfairly competing with existing bricks and mortar businesses.

It is further proposed that Council's position be endorsed and guided through a proposed 'Mobile Food Trading Policy' as drafted in Schedule 29 (as opposed to amending the local law). Generally, the proposed policy states and sets parameters as follows:

General

- Council's support for mobile food trading is limited to land identified under the care, control and management of the City and this excludes mobile trading in CBD locations and on private property, as these areas operate outside the scope of this proposed policy.

Locations

- all locations must strictly apply a 75 metre radius exclusion zone from existing bricks and mortar businesses so not to unfairly compete with these businesses;
- a maximum of eight mobile trading locations will operate at any given time to further limit the impact on existing bricks and mortar businesses and respond to the development cycle of the city;
- locations that can accommodate cluster trading arrangements – a maximum of three mobile traders per location – be preferable, but not conditional, to increase amenity and safety of the public space; and
- parks and reserves are encouraged as spaces for mobile food trading to enhance amenity, passive surveillance and increase place activation however, alternate locations such as within on-street and off-street parking sites are appropriate provided these meet relevant approval requirements.

Mobile Food Traders

- all mobile food traders must be a registered food business and practice safe food handling in accordance with the *Food Act 2008* and have all applicable licences to operate;
- a maximum of twelve Mobile Food Trading permits are to be made available annually, a reduction from the 25 permits made available during the initial 2014 trial, with applications called for by public notice; and
- all mobile food and beverage trading vehicles must adhere to quality standards that ensure visual presentation that is aesthetically pleasing, include appropriate waste disposal facilities and consideration of noise prevention measures such as to limit noise pollution from generators. Such standards are expected to reduce some of the concerns captured in the data in relation to noise and waste from mobile food trading vehicles particularly in East Perth and Crawley locations.

Supporting Material

- in accordance with Section 5.41(c) of the *Local Government Act 1995*, the CEO will ensure that issuing of Mobile Food Trading Permits and all supporting material used to support the administration of mobile food trading on land under the care, control and management of the City, aligns with relevant local laws and this proposed policy. This will allow for efficient and effective responsiveness to the development cycle of the city i.e. ensuring that the 75 metre radius exclusion zone from existing brick and mortar businesses is maintained and meeting demand with new and emerging precincts prior to establishment of built form developments.

If Council were to endorse the proposed policy as detailed in Schedule 29, mobile food trading in accordance with the policy will be effective from 1 March 2017 and operate with the following cluster locations:

No.	Location	Type	Days	Times
	Crawley			
1	John Oldham Park – Narrows Interchange	Reserve	Sun-Sat	7am – 3am
	West Perth			
2	Bill Graden Reserve – Thelma Street	On-Street	Sun-Sat	7am – 3am
	East Perth			
3	Wellington Square	Reserve	Sun-Sat	7am – 3am
	Perth			
4	Langley Park – Playground	Reserve	Sun-Sat	7am – 3am
5	Langley Park – Victoria Avenue	Reserve	Sun-Sat	7am – 3am

If Council were not to support the proposed policy detailed in Schedule 29, it is recommended that Council at least endorse a policy clearly defining its position on the matter at a future meeting, to alleviate potential challenges from the community due to misalignment with local laws.

FINANCIAL IMPLICATIONS:

Mobile food trading on land under the care, control and management of the City as proposed overlaps with number of functions defined within a number of the City's local laws and the *Food Act 2008*. Consequently, a fee for this activity has the potential to attract a significant number of statutory fees.

If Council were to approve proposed policy detailed in Schedule 29, it is further proposed that it endorse a new 'Mobile Food Trading Fee' which aggregates such considerations above with comparison against the competitive food and beverage environment, both in Perth and within surrounding local government areas. For example, a mobile food trading fee should at least consider:

- the administration, monitoring and compliance costs for the provision of critical services plus compliance around the designated locations and duration of stay;
- competitiveness with other local government fees, to ensure the City remain a destination of choice and maximise the benefits of the activity. For example, the City of Vincent charge, an annual fee of \$900 for medium to high risk mobile food business and the City of Stirling charged an annual fee of \$1,600 for its Mobile Food Trial; and
- the competitive environment for bricks and mortar businesses. For example, small food and beverage providing similar offering and in proximity to the designated locations such as in East Perth, generally pay \$2,000 in rates and food inspection fees combined.

It is therefore proposed that Council endorse an annual fee for mobile food trading at \$1,200, subject to CPI increases, which will in return generate estimated revenue of \$14,400 to be invested back into community services offered by the City.

COMMENTS:

Mobile food trading in the city has been a contentious issue dating back to 1996.

20 years later, the City is met with conflicting strategic priorities in wanting to encourage vibrancy and activation and finding a balance between the current needs and demands of the Perth community including both mobile and established businesses, residents, workers and visitors.

In consideration and analysis of the data collected from the Mobile Food Trading Trial, evidence supports the City facilitating ongoing mobile food trading in the city.

It is therefore recommended that Council approves proposed 'Mobile Food Trading Policy' as detailed in Schedule 29, to facilitate on ongoing mobile food trading on land under the care, control and management of the City (noting this excludes mobile trading in CBD locations such as MRA sites and on private property).

The proposed policy provides a mechanism to accommodate Council's strategic priorities and community demand, whilst defining parameters limiting the impact that mobile food trading may have on bricks and mortar businesses that also operate in the city.

ITEM NO: 11

EAST PERTH WALKABILITY ENHANCEMENT PLAN

**PLANNING COMMITTEE
RECOMMENDATION:**

APPROVAL

That Council:

- 1. approves the commencement of a new capital works project for 2016/17 titled 'East Perth Walkability Enhancement Plan' which is required in response to the opening of the Swan River Pedestrian Bridge scheduled for late 2017; and***
- 2. notes that the expenditure attached to Part 1 above can be accommodated from Capital Works project number CW 2084 – Strengthen Pedestrian Connections from City to Point Fraser, Heirisson Island.***

BACKGROUND:

FILE REFERENCE: P1030804
REPORTING UNIT: Transport Unit
RESPONSIBLE DIRECTORATE: Planning and Development
DATE: 24 November 2016
MAP / SCHEDULE: N/A

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

The opening of the Swan River Pedestrian Bridge (SRPB) will bring about a significant change in transport behaviour in the East Perth precinct, specifically associated with an increase in pedestrian movements to businesses and activity nodes in the City of Perth.

As such, the City is proposing as a matter of priority to align its capital works expenditure for 2016/17 with the opening of the SRPB linking the East Perth precinct to the Belmont Peninsula and new Perth Stadium precinct. The SRPB is planned for completion in late 2017 and the proposed study will address the current deficiencies

in the walking environment which are likely to arise when high volumes of pedestrians use the new bridge connection.

Improving connectivity for pedestrians in the East Perth precinct has the potential to lead to greater walking mode share for Stadium events and access to the Burswood Peninsula. Expanding upon State Government planned pedestrian amenity improvements such as way-finding, lighting and capacity of footpaths on relevant desire lines will increase the appeal and safety of the overall precinct for walking. Furthermore, improvements to the walking environment have the potential to produce positive economic outcomes for businesses in the East Perth precinct.

LEGISLATION / STRATEGIC PLAN / POLICY:

Integrated Planning and Reporting Framework Implications	Strategic Community Plan
	Council Four Year Priorities: Getting Around Perth
	S3 Proactive planning for an integrated transport system, including light rail, that meets community needs and makes the sustainable choice the easy choice
	S4 Enhanced accessibility in and around the City including parking

DETAILS:

The City recently undertook a 'Place Assessment' within the East Perth precinct focused on four and eight hundred meter radii around the eastern landing point of the SRPB. These radii correlate to five and ten minute walking catchments respectively.

Key considerations for improvement of the current walking environment highlighted through the Place Assessment included widening of footpaths on specific routes to cater for increased capacity, adding additional lighting, way-finding signage and CCTV to improve perceptions of safety and reduce potential anti-social behaviour, as well as increasing the provision of public toilets to cater for future demand.

Based on the findings of the Place Assessment, the City is proposing to further develop the findings and recommendations through the conduct of a tailored 'East Perth Walkability Enhancement Plan'. It is envisaged this plan will deliver an essential package of capital works measures aimed at improving walkability in the East Perth precinct for the medium term. Likely recommended capital works will include the following.

- Expanded way-finding signage and information; this will involve the design and delivery of way-finding information, consistent with the City's current way-finding facilities in the central city, East and West Perth.
- Public realm improvements; this will involve various upgrades to the pedestrian environment on key routes connecting the SRPB with activity nodes in the City of Perth. Components of this are likely to include:
 - o Footpath widening;
 - o Tree planting;

- Pedestrian scale lighting;
- Expanded CCTV and WIFI coverage; and
- Provision of facilities such as drinking fountains and public toilets.

To ensure a holistic and integrated approach is being progressed, the first phase of this project will investigate opportunities for improvement to be used to guide detailed design, specific projects and ongoing management of the area. This will articulate public realm improvements for:

- The SRPB landing area and surrounds;
- Desire lines/corridors linking the SRPB with Claisebrook Cove and other City of Perth activity nodes; and
- Connections to the Riverside development site and further to Point Fraser (Ku De Ta development).

The second stage of the project will focus on developing design options for items identified as priority elements in the previous stage.

It is envisaged this process will help formulate a consistent approach to public realm and walking environment improvements across the East Perth precinct.

FINANCIAL IMPLICATIONS:

There is currently no capital budget allocation for the proposed East Perth Walkability Enhancement Plan project.

A \$225,000 capital budget allocation for the current 2016/17 financial year exists for Strengthening Pedestrian Connections between the City and Point Fraser – Heirisson Island. This budget was initially planned to compliment a State Government funding allocation from the Perth Parking Levy to construct the required bridges in the coming years. Since this project was incorporated into the City's capital works budget in early 2016, the State transport portfolio has not been successful in securing a funding commitment through the Treasury approval process of the Perth Central Area Transport Plan. Given the lack of commitment to the project by State Government its priority has been downgraded by the City and it is unlikely funds will be spent in the current 2016/17 financial year.

ACCOUNT NO:	CW 2084
BUDGET ITEM:	Strengthen Pedestrian Connection from City to Point Fraser – Heirisson Island
BUDGET PAGE NUMBER:	42
BUDGETED AMOUNT:	\$225,000
AMOUNT SPENT TO DATE:	\$ 0
PROPOSED COST:	\$ 0
BALANCE:	\$225,000

Two stages of the proposed East Perth Walkability Improvements Project and associated estimated costs are highlighted below. The proposed expenditure could

be covered by reallocating funds from capital works account CW 2084 'Strengthen Pedestrian Connection from City to Point Fraser – Heirisson Island'.

Stage	Timeframe	Estimated Costs
Develop public realm improvement opportunities.	Jan – Mar 2017	\$50,000.00
Develop design options for priority elements.	Apr – Jun 2017	\$100,000.00

All figures quoted in this report are exclusive of GST.

COMMENTS:

The Transport Unit will progress this work in collaboration with relevant internal City of Perth Units, including the Coordination and Design and Economic Development Units.

Liaison with external stakeholders who are currently leading work involved with the SRPB, new Perth Stadium and Riverside projects will be a major aspect of developing the East Perth Walkability Enhancement Plan.

ITEM NO: 12

FOOTFALL ANALYTICS

**PLANNING COMMITTEE
RECOMMENDATION:**

(APPROVAL)

That Council:

- 1. notes the results of the footfall analytics pilot project;***
- 2. approves continuation of footfall analytics data collection for a period of one year in Hay Street Mall, Murray Street Mall and Forrest Place;***
- 3. proposes the amount of \$45,000 to be included in the 2017/18 budget allocation for a one year project continuation in Hay Street Mall, Murray Street Mall and Forrest Place from CW 2084 Strengthen Pedestrian Connection from City to Point Fraser - Heirisson Island;***
- 4. approves the exploration of data share opportunities with the Metropolitan Redevelopment Authority; and***
- 5. approves the use of footfall analytics technology at alternative locations within the City of Perth to enable quantification of event success on an as-needs basis, subject to individual project budgets.***

BACKGROUND:

FILE REFERENCE: P1003086-2
REPORTING UNIT: Transport
RESPONSIBLE DIRECTORATE: Planning and Development
DATE: 1 November 2016
MAP / SCHEDULE: N/A

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

Footfall analytics refers to the collection of data and statistics on pedestrian movements in our city. Pedestrian movements include volume, flows, routes travelled, dwell times and repeat visits. Data is gathered via wifi enabled devices (smart phones and tablets) and the identity of individuals remains anonymous. Footfall analytics has developed in recent times into a sophisticated tool to provide data that enables local governments and other decision makers to examine pedestrian traffic. This examination is important because, in the first instance, it enables better planning for and provision of pedestrian facilities, but has much wider implications for local government authorities.

A six month Pilot Project using the technology in Forrest Place, Murray Street Mall and Hay Street Mall is nearing completion. The aim of the Pilot Project was to trial the technology and determine if it provides quantitative data that can be used for City of Perth operations. Analysis of the usefulness of the data collected during the Pilot Project has been undertaken with the results presented in this report.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation *Privacy Act 1988 (Cth)*
Surveillance Devices Act 1998 (WA)
Telecommunications (Interception and Access) Act 1979 (Cth)

Integrated Planning and Reporting Framework Implications	Strategic Community Plan
	Council Four Year Priorities: Getting Around Perth
	S4 Enhanced accessibility in and around the City including parking
	Council Four Year Priorities: Perth as a Capital City
	S5 Increased place activation and use of under-utilised space
	S7 Collaborate with private sector to leverage city enhancements
	Council Four Year Priorities: Living in Perth
	S12 Provide facilities to cater for the growth of the residential community
	Council Four Year Priorities: Healthy and Active Perth
	S16 Increase accessibility to green networks in the city

DETAILS:

The System / Technology

The footfall analytics technology used for the pilot project is a system known as “Wi-Fi Location Based Services”. The technology collects anonymous MAC addresses from mobile devices (mobile telephones, iPads etc.) that are carried by pedestrians if the device is Wi-Fi enabled. Even though the MAC addresses are anonymous, these are also ‘hashed’ by the system so the end data user, in this case the City, cannot access the original data collected.

The data gathered for each anonymous MAC address is the XY coordinates on a map at a prescribed time. The identities of the pedestrians are not known. The XY

coordinates over time are analysed to determine movement data for pedestrian travel within the study area.

For the purpose of the trial period, the service provider has assumed ownership of the data collected. Moving forward, it may be appropriate for City of Perth to assume ownership and subject to Council approval for project extension, this issue can be addressed in the short term. Liaison with the service provider has indicated that there is no cost associated with transfer of data ownership to the City.

Pilot Project

The six month Pilot Project started on 4 July 2016 when the server was switched on and is due to finish at the beginning of January 2017. The Pilot Project has enabled analysis to determine if the data collected meets the City's needs and is suitable for long term data collection. Also value for money has been examined.

Study Area

The study area was divided into 11 zones with Zone 1 being Forrest Place, Zone 2 to Zone 6 being Murray Street Mall and Zone 7 to Zone 11 being Hay Street Mall, as indicated in Figure 1.

Figure 1 – Footfall Analytics Pilot Project Study Area



Analysis of the Pilot Project results has indicated that the current zonal system is too fine-grained for the limitations of the technology and as a result, zones will be combined if approval is granted for project continuation. No data will be lost in this instance as the system can be amended retrospectively and reanalysed.

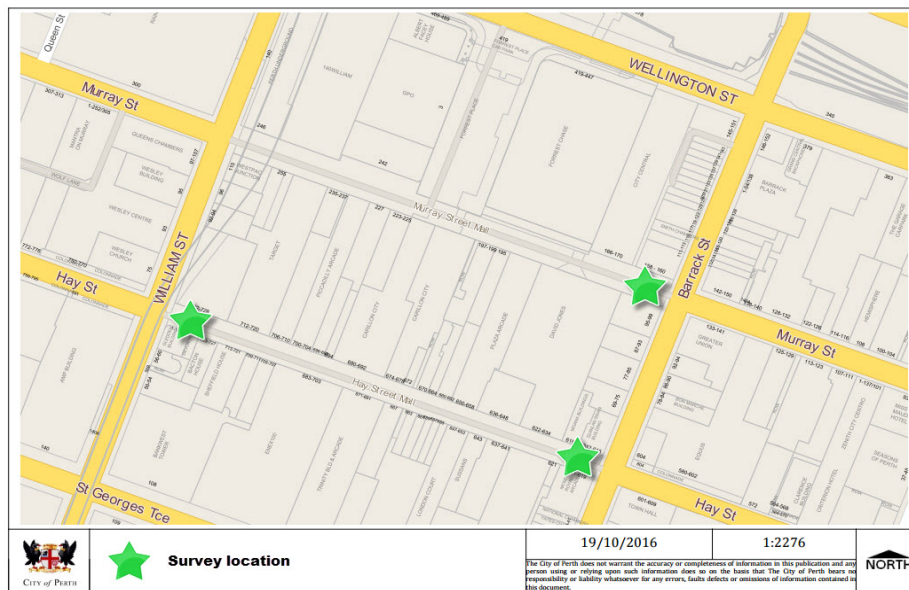
Sample Size

The City of Perth conducted video surveys on the 8 September 2016 to further understand the proportion of pedestrians captured by the footfall analytics technology. These surveys were required as not all pedestrians carry a mobile device and of those who do so, some are not wifi enabled. Some mobile devices also allow for randomisation of MAC addresses even if the device is wifi enabled. This renders the device unsuitable for footfall analytics data collection.

Given that not all pedestrians are counted by the footfall analytics system, video surveys were undertaken to provide a control count so the actual pedestrian volume can be estimated. This allows for the identification of the 'factor' that the raw pedestrian volume data should be increased by to gain a reasonable representation of actual pedestrian volumes.

The video surveys ran simultaneously for 15 hours from 7.00am to 10.00pm at the three locations shown in Figure 2.

Figure 2 – Video Survey Locations for Data Validation



The results indicate that the footfall analytics program captures approximately half of the actual pedestrian volume across the entire day, although there is some variance with fewer captured during peak periods. It should be noted that the video surveys were undertaken for 15 hours, not 24 hours, but still represent a reasonable 24 hour volume estimate given the low number of pedestrians who visit the mall areas outside of the video survey hours of operation.

The video surveys have indicated that the data is not useful for quantification of definitive pedestrian volumes but are useful for trend identification and for comparative purposes (discussed further in the following Results section).

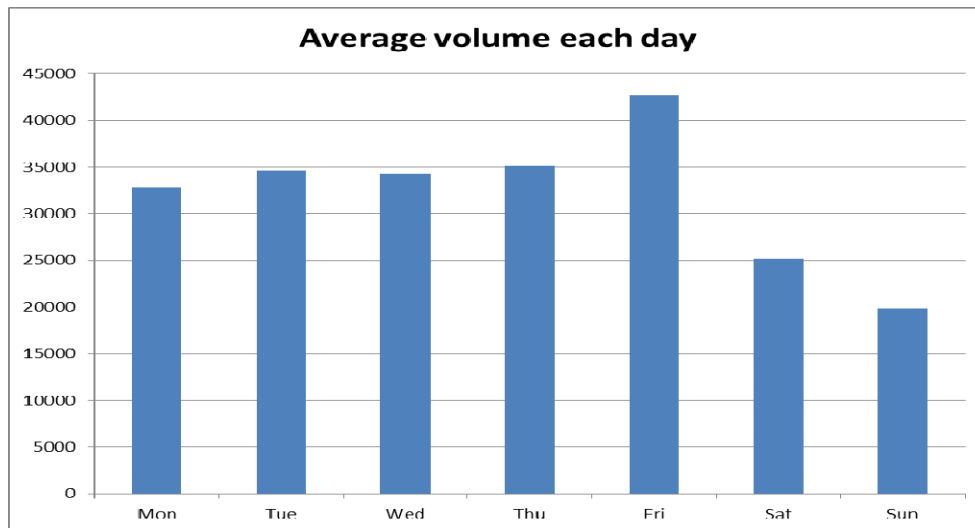
Subject to approval for continuation of footfall analytics, it is recommended that quarterly video surveys are undertaken to determine seasonal variation in sample size ratios. This will enable more accurate analysis of results over a 12 month period. These surveys could be undertaken using heat sensor technology for a 24 hour period at defined locations.

Results

In order to demonstrate the types of data outputs that can be sourced from the Footfall Analytics pilot project, a sample of results are shown below based on the pedestrian data collected for a three month period from the 18 July to the 17 October 2016. Data can be sourced for a much larger date range, although for ease of presentation, a relatively short time period has been selected for illustrative purposes.

It should be noted that the pedestrian volumes illustrated are for the sample collected by the technology and have not been 'factored up' to account for sample size. As such, the volumes shown in the following graphs should be approximately doubled to gain an overall estimate. For example, the following graph (Figure 3) illustrates that the average number of pedestrians on a Friday is 85,000 people (42,500 observed) which is the busiest day of the week. Monday to Thursday volumes are fairly consistent at almost 70,000 people per day (35,000 observed).

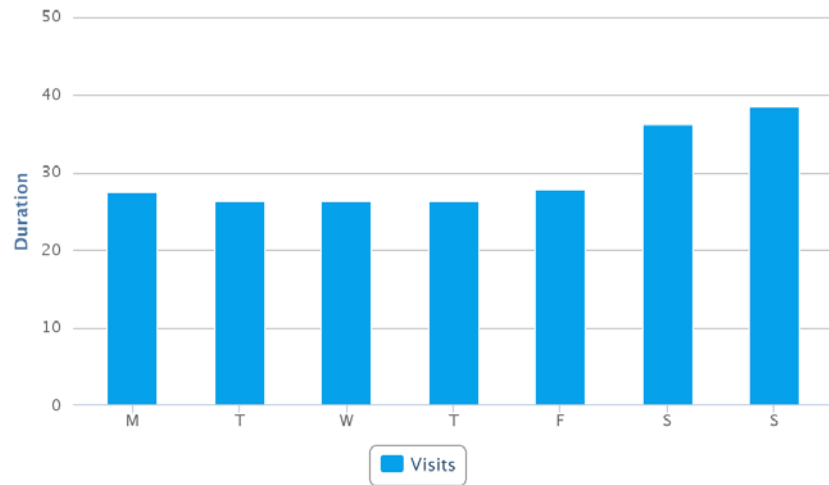
Figure 3 – Average Pedestrian Volumes Per Day (18 July to 17 October 2016)



The above graph indicates for weekends, Saturdays are busier than Sundays, with Sunday visits to the study area being approximately half of the busiest day of the week (Friday).

The technology also allows for the capture of dwell times which is defined as the length of time pedestrians spend within the study area. Figure 4 illustrates fairly uniform dwell times throughout the week, with people spending almost 30 minutes on average with an additional 10 minutes on weekends. The dwell time results indicate that even though fewer people visit the city on weekends compared to weekdays, those who do visit are staying longer. This data provides a measurement of how long people are 'engaged' and allows for determination of the effectiveness of keeping people within the area, such as during events.

Figure 4 – Average Dwell Time Per Day (18 July to 17 October 2016)



A sample day of 14 October 2016 has been selected to further illustrate the value of the data collected by the footfall analytics system. This date is the first day of the City of Perth Twilight Hawkers Market. These data show that on this particular Friday, 72,000 people visited (36,000 observed) over 24 hours, which is lower than an average 24 hour Friday observed over the past three months (from Figure 4).

It is important to keep in mind that these figures are across the entire study area (the Hay and Murray Street Malls plus Forrest Place). The data is illustrating that overall for the malls combined, there were less visits over 24 hours on 14 October 2016 compared to the previous 24 hour Friday average. However, when considering the specific area where the Hawkers Market was conducted and the times of market operation, this area experienced significantly more visitors compared to average. This increase in visitation for the Hawkers Market area can be solely attributed to the operation of the markets and is discussed in further detail.

Figure 5 – Characteristics of Pedestrians on 14 October 2016



The above data is interesting in that 11.6% of the total visits captured were by visitors who came to the mall for the first time since the start of the trial (indicated as 'customer loyalty'). The average proportion of new visitors every day in October was between 10-15% and as such, the 11.6% captured is on the lower side of new

visitors to the area. This may indicate that visitors to the Twilight Hawkers Market have visited the study area previously.

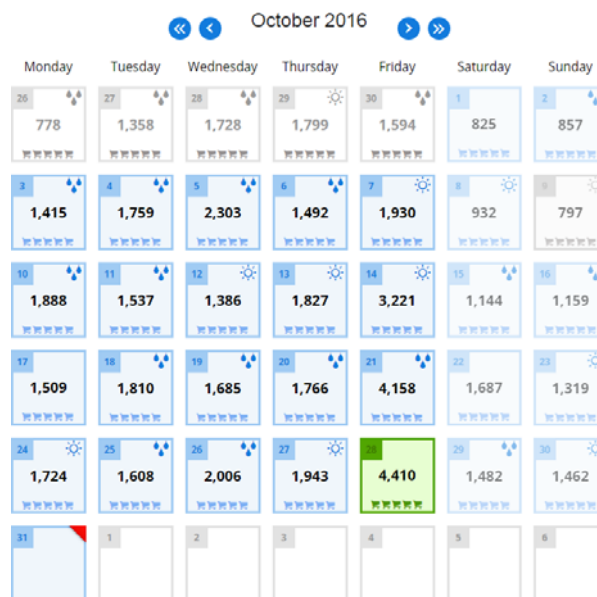
The following hourly graph (Figure 6) illustrates that the peak pedestrian hour of the day on Friday, 14 October 2016 was at noon with 3,626 visits being captured (therefore almost approximately 8,000 people at that time). A high volume of visits was also observed in the late afternoon and evening, which aligns with the Twilight Hawkers Market hours of operation.

**Figure 6 –Pedestrian Volumes, 14 October 2016
(first day of Twilight Hawkers Market)**



In order to confirm the effect of the event, the Forrest Place (Zone 1) visitor data was isolated for review. The data below (Figure 7) shows the number of visits recorded in Forrest Place for the month of October 2016.

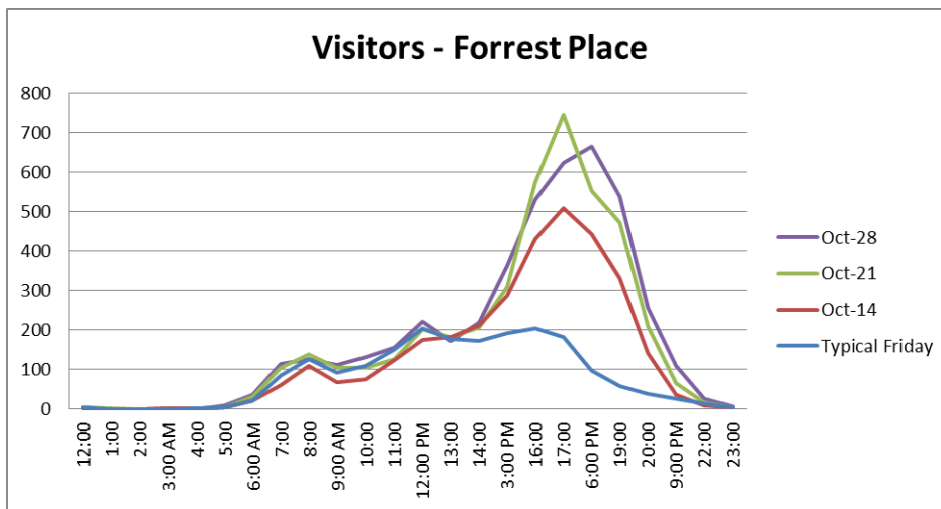
Figure 7 – Forrest Place (Zone 1) Pedestrian Volumes for October 2016



A significantly higher number of visits were captured in Zone 1 on the 14 October, 21 October and 28 October, which are the days of the Twilight Hawkers market (undertaken predominately in this zone) when compared to other days. Furthermore, the popularity of the Market is growing over time with greater numbers of visitors counted across the initial three weeks of operation.

The positive effect of the Twilight Hawkers Market is reaffirmed in Figure 8, which compares the hourly volume of pedestrians in Zone 1 on each of the Friday's in October when the Twilight Hawkers Market was conducted compared to an average Friday.

Figure 8 – Forrest Place (Zone 1) Hourly Pedestrian Volumes for Select Fridays



It can be seen from Figure 8 that a significantly higher number of visitors were counted in Forrest Place at the Twilight Hawkers Market times of operation.

Dwell times for Zone 1 on 14 October 2016 are illustrated in Figure 9 and indicate that a large proportion of visitors are staying within the zone for 60 minutes or longer (61%). This proportion is significantly greater than the average dwell times for Zone 1 from 18 July 2016 to 17 October 2016 (refer Figure 10), where only 40% of visitors are staying for one hour or longer. The longer dwell time in Zone 1 for the first night of the Twilight Hawkers Market compared to average dwell times within this zone, could be interpreted as 'engagement' as a direct result of the Markets.

Figure 9 – Forrest Place (Zone 1) Dwell Times 14 October 2016

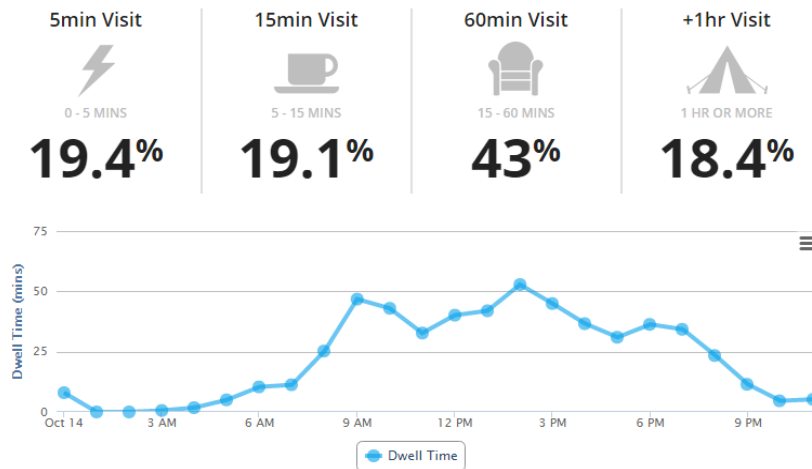
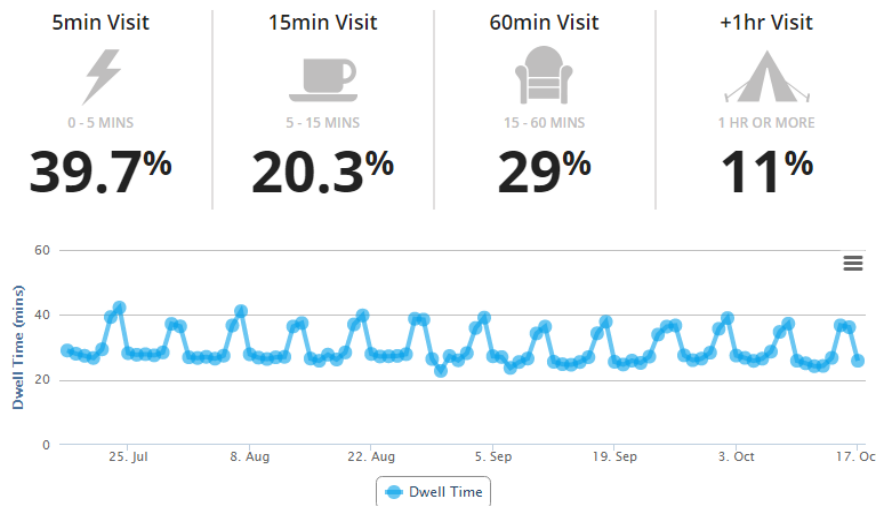


Figure 10 – Forrest Place (Zone 1) Average Dwell Times 18 July to 17 October 2016



This data are useful in quantifying the impacts, benefits, issues and opportunities of events held in the city malls. This information has flow on benefits within the City of Perth. For example, way-finding opportunities can be identified, pedestrian plans can be supplemented, parking demand can be identified, maintenance can be directed to busy areas and origin-destination surveys can be obtained for inclusion within the City’s transportation models. Further use of the data across City of Perth directorates is identified in the following section.

Using the Data

Analysis of the data has indicated that it is useful for trend identification rather than the actual quantification of pedestrian numbers. It would be unwise to report outputs in absolute terms as there is a risk that the data is misinterpreted as being a precise indicator of the pedestrian flows at an identified time and location. Rather, the data has been found to be useful for gaining a broader understanding of travel patterns within the study area while giving a reasonable indication of pedestrian flow levels.

The footfall analytics method of data collection is superior to any other method currently employed by the City of Perth to determine pedestrian volumes and flows. Static video surveys or manual counts, for example, provide flows at a certain point in time but no data on dwell times, travel route taken or repeat visits. Nor do they provide information on how pedestrian flows and patterns change throughout the day, week and year. The conduct of these manual surveys are also subject to a degree of error.

The Pilot Project has enabled a better understanding of the usefulness of the data across City of Perth. In particular, it has been identified that the data will be useful for the following City of Perth Units:

- Transport:
 - Transport model calibration and development to provide a more robust model leading to a better understanding of the network and improved scenario testing;
 - Define impact of new developments;
 - Inform transport strategies and strategies to increase pedestrian activity;
 - Evaluate interventions to encourage people to walk;
 - Inform transport impact studies, plans and safety improvements;
 - Identify demand for pedestrian facilities;
 - Evaluate walkability initiatives;
 - Inform pedestrian movements around public transport infrastructure networks;
 - Assist with way-finding initiatives; and
 - Identify preferred pedestrian routes / where foot traffic is low.
- Data and Business Intelligence.
- Strategic Planning:
 - Define impacts of new developments; and
 - Inform strategic planning projects,
- Co-ordination and Design:
 - Inform urban design.
- Commercial Parking.
- Properties.
- Economic Development:
 - Inform KPI's; and
 - Development of business mix activities.
- Marketing and Communications:
 - Inform KPI's;
 - Evaluate effectiveness and impact of marketing campaigns;
 - Inform marketing strategy; and
 - Measure event attendance.
- Arts, Culture and Heritage:
 - Inform KPI's;
 - Measure attendance and dwell times at art installations; and
 - Inform the location of future arts and cultural installations,
- Business Support and Sponsorship:
 - Inform KPI's;
 - Measure attendance at sponsored events;
 - Development of place activation strategies; and

- Used as research for business improvement programs.
- Street Presentation and Maintenance:
 - Inform budget planning for footpath upgrades (ie. focus on areas where foot traffic is high).

Privacy

Even though footfall analytics and wifi location based data collection is widely used in Australia, including by State Government and other local government authorities in Western Australia, the City sought independent legal advice to confirm the legality of the data collection prior to project commencement.

Privacy of individuals is assured as the City does not have the means to identify the owner of individual MAC addresses which are used by the system. Furthermore, MAC addresses are 'hashed' which means that it is not possible to retrieve the original MAC address. Hashing is permanent and is not reversible.

Communications and Consultation

The City of Perth undertook a variety of communications activities prior to the commencement of the Footfall Analytics pilot project as per an approved project Communications Plan. These activities included a radio interview by the Lord Mayor in July, a media release, City of Perth website content and an update to the wifi terms and conditions.

Stakeholder consultation has been undertaken with Department of Transport (DoT) who have recognised that the footfall analytics quantitative approach to pedestrian movement on the CBD network can assist future transport planning and design work. DoT have indicated that funding may be available from the Perth Parking Fund as the project strongly aligns with the Perth Parking Policy objectives (refer 'Recommendations' for further information). The DOT are also a stakeholder in the Perth Pedestrian Model and recognise the value of the footfall analytics data collection for model development and validation.

Metropolitan Redevelopment Authority (MRA) currently undertake the same method of footfall analytics data collection at Elizabeth Quay and have indicated that the system will also be introduced at other MRA sites. It is technically possible to combine the data sets and achieve cross site reporting between the mall areas and Elizabeth Quay. This data sharing would expand the area of analysis at no additional cost to the City. An initial discussion has been undertaken with City Officers and MRA to discuss this opportunity and subject to Council approval, can be further explored.

Value for Money Considerations

The cost of the Pilot Project was \$60,000 (\$50,000 from 2015/16 budget and up to \$10,000 from 2016/17 budget, currently \$4,000 this financial year).

For cost comparative purposes, the 15 hour video surveys undertaken for validation of the data cost approximately \$1,000 per location (three surveys were undertaken). If video surveys were required, for example, for the entire footfall analytics study area, then surveys would be undertaken at up to ten locations to provide a reasonable estimation of area wide pedestrian volumes. These video surveys would

only provide volume data at defined points in time at one location each. No additional characteristics of the pedestrians counted through video survey could be determined, such as dwell time or route taken. Footfall analytics data collection allows for a much richer data set across the study area 24 hours per day, on an ongoing basis.

As such, it is considered that the footfall analytics trial has provided value for money.

Recommendation

Based on the above results and analysis, it is recommended that the footfall analytics trial is extended for a one year period for the current study area. An estimated cost for continuation is \$45,000. Recognition of the limitations of the system and data should be noted for the trial extension and moving forward, data volumes should not be used in absolute terms.

As the City of Perth further explores footfall analytics, it may be appropriate to employ the technology at alternative locations. For example, to determine impacts of events held at Northbridge Piazza. As such, it is recommended that City of Perth investigate the use of the technology on an as-needs basis subject to individual project budget availability. The use of the technology could be either on a temporary or permanent basis for select events, depending on the nature and timeframe of each event.

It is recommended that liaison with MRA is undertaken to further explore combining the footfall analytics data collection at Elizabeth Quay and other MRA development locations with City of Perth data. A data share agreement could be developed between MRA and the City to enable this to occur.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CL84978222-7230
BUDGET ITEM:	CDU ADMINISTRATION
BUDGET PAGE NUMBER:	10
INITIAL BUDGETED AMOUNT:	\$ 70,000.00
AMOUNT SPENT TO DATE FOR PILOT PROJECT:	
2015/16	\$ 50,000.00
2016/17	\$ 3,992.70
TOTAL SPENT TO DATE	\$ 53,992.70
REMAINING 2015/16 COMMITTED	\$ 6,007.30
TOTAL PILOT PROJECT COST	\$ 60,000.00
ADDITIONAL FUNDING REQUESTED	
2016/17	\$ 30,000.00
2017/18	\$ 15,000.00
TOTAL REQUESTED	\$ 45,000.00
PROPOSED TOTAL PROJECT COST:	\$105,000.00
ANNUAL MAINTENANCE:	NIL

All figures quoted in this report are exclusive of GST.

COMMENTS:

An analysis of the results from the footfall analytics Pilot Project has been undertaken and the usefulness of the data for the conduct of City of Perth operations has been confirmed. Furthermore, consultation across City of Perth directorates and with State Government agencies has indicated general support for continuation of the project.

ITEM NO: 13

CITY OF PERTH TRANSPORT STRATEGY

**PLANNING COMMITTEE
RECOMMENDATION:**

(APPROVAL)

That Council endorses the City of Perth Transport Strategy as detailed in Schedule 30.

BACKGROUND:

FILE REFERENCE: P1030804
REPORTING UNIT: Transport
RESPONSIBLE DIRECTORATE: Planning and Development
DATE: 8 November 2016
MAP / SCHEDULE: Schedule 30 – Transport Strategy

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

The City's Transport Strategy (Schedule 30) has been finalised following a community and stakeholder engagement phase in April/May 2016. The Strategy establishes the City's long term transport vision, aspirations and actions.

The Strategy delivers on the Corporate Business Plan's *Getting around Perth* objective by proactively planning for a world class integrated transport system. The Strategy provides long term guidance to achieve one of the Corporate Business Plan's key community outcomes of an effective pedestrian friendly movement system, integrating transport modes to maintain a high level of accessibility to and within the city.

LEGISLATION / STRATEGIC PLAN / POLICY:

**Integrated Planning
and Reporting
Framework
Implications**

Strategic Community Plan

Council Four Year Priorities: Getting Around Perth

S3 Proactive planning for an integrated transport system, including light rail, that meets community needs and makes the sustainable choice the easy choice.

S4 Enhanced accessibility in and around the City including parking.

DETAILS:

The Strategy has been shaped by the following inputs:

- A comprehensive web-based initial community engagement phase in 2015;
- A Public Transport Accessibility Study;
- A Walkability Study;
- Close collaboration with internal City of Perth work streams involved in transport, strategic planning, economic development, environmental and health policy, urban design and parking management;
- Close collaboration with external agencies involved in Perth's transport planning portfolio; and
- A comprehensive community and stakeholder engagement around the Draft Transport Strategy in April/May 2016.

The structure of the Transport Strategy is largely consistent with the Draft Strategy previously presented to Council, in that it establishes the Council's transport priorities and organises them into Focus Areas (six in total) and Objectives (22 in total). Together, these articulate the relative areas of importance for the Council's action and advocacy relating to how the city's transport networks function, are planned and managed.

Community and stakeholder engagement on the Draft Strategy involved:

- Hosting of the Draft Strategy and supporting material (Background Report and research reports) on the City's EngagePerth site;
- Promotion of the Draft Strategy through the City's social media, website and professional networks;
- Briefings with stakeholders, including the City of Subiaco, Department of Transport and the Committee for Perth; and
- Briefings with internal City of Perth work streams.

This resulted in 36 formal submissions being received. Within these submissions a total of over 400 individual suggestions or comments were identified, each of which have been considered in the context of finalising the Transport Strategy.

Feedback was generally supportive, and affirmed the scope and intent of the Draft Strategy. There was a clear expression of support for:

- Improving the ways in which transport planning is undertaken in Perth (ie. Focus Area 1 – Integrated Planning);
- Wholesale improvements to the city's public transport networks;
- Prioritising and more proactively catering for walkability improvements;
- Improving cycling infrastructure and facilities that can encourage cycling; and
- The City of Perth taking a proactive role in fostering innovative transport technologies.

Various aspects of the Draft Strategy have been changed as a result of the feedback received. Major changes that have been incorporated into the finalised Transport Strategy include:

- A clearer vision statement;
- Addition of an objective regarding road safety, and support for the State Government's 'Towards Zero' road safety vision;
- Clearer support for a metro / underground rail system in central Perth;
- Commitment to developing a Walking Plan, to coordinate the City of Perth's actions in improving the public realm and walking environments.
- Broader support for car sharing, including a commitment to developing a Car Share Policy;
- The incorporation of 'engagement' into Focus Area 6 Innovative Engagement, Knowledge and Data;
- Various suggested alterations to the Trans Priority and preferred Public Transport map; and
- Various suggested alterations to the implementation plan.

FINANCIAL IMPLICATIONS:

ACCOUNT NO: CL845840007251
BUDGET ITEM: INTEGRATED MOVEMENT
BUDGET PAGE NUMBER: 77
BUDGETED AMOUNT: \$150,000
AMOUNT SPENT TO DATE: \$ 0
PROPOSED COST: \$158,000 (FOR 2016/17 ASSOCIATED ACTIONS)
BALANCE: \$ 0

ANNUAL MAINTENANCE: \$ 0

All figures quoted in this report are exclusive of GST.

COMMENTS:

The Transport Strategy has been developed to guide the City of Perth's decision making and advocacy relating to the long term development of the city's transport systems. It builds on the Vision established in the Strategic Community Plan: Vision 2029; *Perth is renowned as an accessible city*. To achieve this, the Transport Strategy has been structured around six Focus Areas each of which contains an aspiration statement, as highlighted below.

Focus Area	Aspiration
1. Integrated Planning	The City of Perth develops as a vibrant, diverse city made up of places for people to work, live, meet and explore. Our planning of the city's transport systems is coordinated in a way that acknowledges the interdependencies of various modes, stakeholders and government agencies. A logical, legible and safe network of transport options caters for Perth's growing needs in sustainable and efficient ways.

Focus Area	Aspiration
2. A Walkable City	Walking within the City of Perth will be easy, safe, enjoyable and convenient at all times of day. Pedestrian access throughout our street and public realm networks will be prioritised so as to ensure that walking is the preferred way of getting around the central city area and areas of the city that are growing in activity. This approach can help achieve significant public health, environmental and economic benefits in the City of Perth.
3. A Cycling City	The City of Perth will continue to invest in cycling, so as to create a network of paths and streets where people of all ages and abilities feel comfortable and enjoy cycling. This will be a fundamental component of enabling people's transport behaviour to be healthier, more efficient and more sustainable.
4. Next Generation Public Transport	Seamless travel by public transport is characteristic of daily life in the City of Perth, not just for trips to work but for most trips irrespective of the time of day. We recognise that a highly functioning public transport system is critical to the economic, social and environmental well-being of Perth. Elevating Perth's public transport with a 'next generation' package of improvements will ensure that the City and Metropolitan Perth's growth can continue in sustainable and productive ways.
5. Progressive Traffic & Parking Management	The City of Perth is a place where cars can be used for the niche tasks to which they are suited, but are not a pre-requisite to citizenship, or access to and within the city. We do not adopt an 'anti-car' approach, but rather manage traffic and car parking in a way that recognises the role of cars in the wider transport equation, and reflects the negative externalities of excessive car use.
6. Innovative Engagement, Knowledge & Data	The City of Perth becomes a centre of excellence in our management of data and our urban research program. We collaborate with other cities to advance our understanding of shared issues and explore common opportunities. Our data systems are integrated, and we are open in how we share data and knowledge with the community and our stakeholders. We lead other public sector agencies in gathering feedback from our community and stakeholders and embedding this in our planning and project development processes.

Together these Focus Areas seek to progress sustainable and efficient accessibility to and within the City of Perth. Supporting each Focus Area is an explanation of the case for action, as well as multiple objectives which articulate how the City of Perth will achieve progress in each area.

The tangible actions that the City of Perth will progress are included within the Implementation Plan included within the Transport Strategy. This Plan demonstrates the partners the City will work with to achieve each action and an indication of when each action will be progressed.

ITEM NO: 14

PERTH CITY SNAPSHOT 2016

**PLANNING COMMITTEE
RECOMMENDATION:**

(APPROVAL)

That Council:

- 1. endorses the Perth City Snapshot 2016 as detailed in Schedule 32;***
- 2. approves the Perth City Snapshot 2016 for public release for purposes of community engagement to assist the development of the Strategic Community Plan and City Planning Strategy; and***
- 3. notes that the Perth City Snapshot will be used as an informing document within the City of Perth Integrated Planning and Reporting Framework.***

Background:

FILE REFERENCE: P1032602#01
REPORTING UNIT: City Planning
RESPONSIBLE DIRECTORATE: Planning and Development
DATE: 25 November 2016
MAP / SCHEDULE: Schedule 31 – Perth Directions project overview
Schedule 32 – Perth City Snapshot 2016.

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

At its meeting held on **28 June 2016**, Council resolved:

“That Council endorse the initiation of the Perth Directions Project which will deliver a City Planning Strategy, Strategic Community Plan and Perth City Snapshot 2016.”

The City of Perth’s Perth Directions Project brings together the community consultation for three deliverables that will cover the geographic area of the City of

Perth, including the newly incorporated areas of Crawley and Nedlands, University of Western Australia and QEII Medical Centre. The deliverables are:

- A new Strategic Community Plan which sets out the vision for the city together with the City's strategies for implementation of this;
- A City Planning Strategy which is aligned with the strategic vision and the State Government planning framework. This will inform the review of the City's planning scheme; and
- The Perth City Snapshot which provides a picture of the current 'state' or 'health' of the city.

The Perth City Snapshot will be used in the engagement with the community on its aspirations for the future. Community engagement is scheduled for the first quarter of 2017 and the feedback received will help to shape the City of Perth's long term strategic plans for the city.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

City of Perth Act 2016
Local Government Act 1995
Planning and Development Act 2005
Planning and Development (Local Schemes) Reg. 2015

Integrated Planning and Reporting Framework Implications

Corporate Business Plan
Council Four Year Priorities: Capable and Responsive Organisation
S19 Improve the customer focus of the organisation
S19.4 Conduct a review of the Strategic Community Plan

Policy

Policy No and Name: Administration Policy 1 *Decision Making Framework*

DETAILS:

The need for a long term strategic vision and strategy for the city is mandated by both the *Planning and Development Act 2005* and the *Local Government Act 1995* in the form of a Local Planning Strategy (referred to as the City Planning Strategy from hereon) and Strategic Community Plan respectively.

The *City of Perth Act 2016* recognises Perth as the Capital of Western Australia and the special significance of the role and responsibilities of the City of Perth that flow from that. One of the objects stated in the Act is for the City of Perth:

“to initiate and promote the continued growth and environmentally sustainable development of the City of Perth and ensure its continued role as a thriving centre of business with vibrant cultural and entertainment precincts, while enhancing and protecting its natural environment and having due regard to the flow-on impact on the Perth metropolitan area.”

The key project phases and deliverables of the Perth Directions Project are:

Phases	Key Deliverables
1. Information Gathering and Analysis	Perth City Snapshot
2. Community Engagement	Community Aspirations and Priorities
3. Strategy Development	Strategic Community Plan & Draft City Planning Strategy
4. Community Engagement	Community Feedback
5. Strategy Finalisation	City Planning Strategy
6. Formal Approval	Endorsed City Planning Strategy

Perth City Snapshot

The Perth City Snapshot 2016 provides a holistic and high level picture of Perth City as a place. It is organised in a framework of Strategic Themes, Key Elements and Measures, based on a review of best practice sustainability and city indicator frameworks.

The framework enables a large amount of data and information (over 140 data sets) to be organised around easily understood aspects of city life, aiding navigation of information by stakeholders and ensuring a balanced analysis of the city.

Organised across six key themes of People, Culture, Natural Environment, Economy, City Form and Movement, the Snapshot gathers together and analyses city-scale data and information on the current condition of Perth City.

Perth City Snapshot benchmarks the city's performance or state with other places where possible and also identifies key gaps in data and information which will help to inform future strategic research. It analyses selected data and information from a variety of sources, reflecting the contribution of multiple stakeholders to the current state of the city and future progress.

Initially, the Snapshot will form part of a suite of material for the Perth Directions engagement phase. It is intended that the Snapshot will be updated every two years to inform the two yearly review of the Strategic Community Plan, ensuring holistic and regular monitoring of trends and change in the city across the six strategic theme areas.

The Snapshot will be printed in limited numbers and uploaded on the City's website and the Perth Directions Project website at Engage Perth.

The Snapshot is attached in Schedule 32.

The Perth City Snapshot will:

- Inform community engagement and preparation of the Strategic Community Plan and City Planning Strategy;

- Inform a strategic research agenda and development of city targets and indicators;
- Provide a baseline to measure progress; and
- Provide an evidence base to inform decision making.

Community Engagement

Comprehensive community engagement is planned for the first quarter of 2017 and will be used to understand the community's aspirations for the future and priorities.

Community engagement will focus on both Perth as a Capital City and Perth as a series of Places.

A wide range of stakeholders are intended to be engaged including:

- Government;
- Business and Industry;
- Education Institutions;
- Community Groups and NGOs;
- Anchor Uses and Attractions;
- Residents;
- Visitors;
- Workers; and
- Media.

Stakeholders are intended to be engaged through direct meetings and working sessions, key city events and on-line mechanisms. Members of the Perth City community will also be invited to become engagement champions to encourage participation amongst their networks and the wider community.

Strategic Community Plan and City Planning Strategy

Both the Strategic Community Plan and City Planning Strategy will be drafted following community engagement.

The Strategic Community Plan sets out the long term vision for the city together with the City's strategies for implementation of this. It will guide the City's business planning and investment decisions and ensure that these are undertaken in an informed and strategic manner.

The City Planning Strategy will align with the vision of the Strategic Community Plan and the State Planning Framework focusing on the growth/ development of the city and strategies for implementation of this including the review of the City's planning schemes.

The City Planning Strategy will be a holistic and integrated plan of the entire City of Perth area. It will include spatial plans at both a city-wide and precinct level. It is

intended to produce a clearly communicated whole of city vision that aligns both the City's and State's expectations.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CL 16C89000
BUDGET ITEM:	SCD Planning Strategy
BUDGET PAGE NUMBER:	74
BUDGETED AMOUNT:	\$481,000
ACTUALS & COMMITMENTS:	\$165,444
PROPOSED COST:	\$5,000 (printing and binding approx. 120 pages)
BALANCE:	\$315,556

All figures quoted in this report are exclusive of GST.

COMMENTS:

The Perth City Snapshot 2016 contributes to evidenced-based city planning and decision-making through the use and analysis of valid, relevant, current and reliable data as required by the City of Perth Administration Policy 1 – Decision Making Framework and the City's Strategic Community Plan.

It systematically looks at the city across six strategic themes, 23 key elements and 74 measures (indicators) using over 140 individual sets of data. It forms a robust and detailed baseline and a valuable repository of data and information that will be of use and value to multiple stakeholders beyond the initial use in the Perth Directions Project.

Development of the Snapshot internally has enabled the City to gain valuable knowledge and understanding of data availability, specificity and quality, data collection systems and key gaps in information and data for Perth City. In addition, the Snapshot has defined the level of analysis required to draw out meaningful, integrated findings to inform strategy development.

ITEM NO: 15

LAND VALUE CAPTURE

**PLANNING COMMITTEE
RECOMMENDATION:**

(INFORMATION)

That Council:

- 1. receives the report on land value capture; and***
- 2. notes that the proposed City of Perth Transport Strategy includes proposals to investigate land value uplift and new funding models in relation to the delivery of public transport infrastructure in the 2016/17 and 2017/18 financial years.***

BACKGROUND:

FILE REFERENCE:	P1030804
REPORTING UNIT:	City Planning
RESPONSIBLE DIRECTORATE:	Planning and Development
DATE:	25 November 2016
MAP / SCHEDULE:	Schedule 33 – Mapping of the city Schedule 34 – City owned properties in West, East and central Perth.

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

At the Finance and Administration Committee meeting held 4 October 2016, Councillor Green requested:

“Information on potential land value capture opportunities in the city, specifically what land parcels on Wellington Street and Plain Street that may present ‘up-zoning’ opportunities that can be considered by the City of Perth.”

The request relates to the full length of Wellington and Plain Streets, and specifically relates to the potential for developing public transport such as light rail through the city.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Planning and Development Act 2005

Integrated Planning and Reporting Framework Implications

Corporate Business Plan

Council Four Year Priorities: Getting Around Perth
S3 Proactive planning for an integrated transport system, including light rail, that meets community

DETAILS:

Federal Government

In November 2016, the Federal Government released the discussion paper “Using Value Capture to help Deliver Major Land Transport Infrastructure – roles for the Australian Government.’ It is considered that this provides a timely insight into the considerations of the Federal Government in how value capture could be applied; it also demonstrates that significant work is yet to be done to understand when and how it could be applied.

While this report is not intended to be a comprehensive examination of value capture and its application to Wellington and Plain Streets, it is considered that the Federal Government discussion paper provides insight for the Council, noting:

- Value capture occurs when a new piece of infrastructure such as a railway line creates economic value that is an increase in land values higher than if the infrastructure had not been constructed.
- Value capture is an approach to project development that requires integrated land use planning.
- Value capture can occur through:
 - Passive value capture - that is increased property values result in increased government revenue from stamp duties and capital gains tax over time; and
 - Active value capture - where property development is linked to and benefits from the provision of new infrastructure such as a railway line, then some level of property development profits is captured to pay for the infrastructure.
- Consideration to three broad kinds of value taxation capture:
 - Hypothecation of anticipated future taxation revenue;
 - Establishment of a levy or charge; and
 - Sale or rent of a public asset, such as government-owned land or development rights.
- The Western Australian Government has indicated that it is exploring value capture approaches to fund projects.

City of Perth Transport Strategy

The City of Perth Transport Plan identifies Wellington Street and St Georges Terrace as east-west public transport routes in the city. Further, it proposes the following actions regarding land value uplift and financing in relation to public transport:

“Lead research into the wider economic benefits of underground rail extensions, specifically regarding the potential to leverage any land value uplift that may result from such infrastructure.

Investigate new funding models for the development of public transport infrastructure.”

Both these actions identify the need to work in partnership with the Department of Transport and the Public Transport Authority, as the two State Government agencies responsible for the planning and delivery of public transport.

It is considered that with the final approval of the City of Perth Transport Strategy that the City can advocate for the delivery of new public transport infrastructure in the city. Through the identification of routes and detailed planning the opportunity will exist for the City to explore in detail with the State Government the potential opportunities to utilise value capture and/ or the use of public land to catalyse new rail infrastructure.

City of Perth City Planning Scheme

In 2013 and 2014 the City of Perth completed a comprehensive review and update of its plot ratio and built form standards covering most parts of the city, including Wellington Street and Plain Street. The intention was to identify the future floor space growth needs of the city for the next 20 years to ensure that there is sufficient capacity within the City Planning Scheme No. 2 to accommodate future demand.

This work, based on studies from 2009 identified:

- The distribution of office land uses, retail uses and residential land uses;
- The combined distribution and use of plot ratio across the city;
- The location of heritage places; and
- The use/ distribution of development below the permitted plot ratio.

This analysis identified an uneven utilisation of plot ratio, with the highest use being along St George’s Terrace, the lowest utilisation around CityWest, Mclver and Claisebrook train stations.

Of note is the correlation between the highest plot ratio that exists along St Georges Terrace and the density of employment and wages along St Georges Terrace; an area that is not strongly linked to transport infrastructure. This mapping analysis is presented in Schedule 33 of this report.

These changes to the City Planning Scheme ensured the long term development capacity of the city, introducing an additional 1,124,238m² of floor space across parts of the city governed by the City Planning Scheme No. 2.

The work from 2009 considered the primary drivers for development being the economic return noting the following:

“One of the key economic drivers for development is the relationship between land value and the achievable net rent (income) return for the development. The adjacent chart shows that if the prevailing commercial office rent is at \$300 per square metre per annum net, the land must be valued at or less than zero to make a development financially viable, however as rents improve to \$500 per square metre, the land can be valued at up to \$5,000 per square metre when initial yields are at 9.5% and nearing \$10,000 per square metre when initial yields reach 8.5%.

It is interesting to note that the effect of increasing plot ratio (say from 5:1 to 6:1) only increases the land value by around \$1,000 - \$1,500 per square metre when rents are at \$500, however when rents increase to \$600 per square metre, the benefit of increasing plot ratio increases to almost \$2,500 per square metre of land value.

From a residential standpoint, the same critical factors apply, in that the cost of land acquisition forms a crucial part of the economic viability of any development.

However unlike office development, the lag between acquisition of land and actual realisation of value by way of sale in residential development is quite short as the pre-sale of the individual units (thereby realising the improved land value) is a requirement for receiving finance for the development in a vast number of circumstances.

Increasing plot ratio does have a significant effect on the overall land value for residential land, with an increase from 5:1 to 6:1 increasing the implied land value by between \$200 per square metre for units with a median price of \$270,000 up to almost \$800 per square metre for higher priced units.

Supply drivers that impact the demand are only based upon an assumption that a decision between two viable alternatives is already apparent (i.e. there is already primary demand). These drivers will serve to improve the attractiveness of the development to the end user, and include:

- *Accessibility (pedestrian, public transport and motor vehicle);*
- *Amenities (including retail, dining and lifestyle);*
- *Safety and security; and*
- *Adjacent complementary development.”*

Land Values and public ownership

The mapping in Schedule 33 has been broken down into West Perth, Central Perth and East Perth. A detailed analysis of the data has not been undertaken, nor analysis of land value to plot ratio utilisation. However, it does reveal there is in parts

an under development along Wellington Street and that there are significant parcels of land in public ownership especially east of Barrack Street.

The most notable portions of land being the substantial Royal Perth Hospital landholdings both sides of Wellington Street, the former Police building (former Girls School building), Mains Roads offices, vehicle inspection centre, as well as substantial landholdings south of Claisebrook train station including at-grade car parking, TAFE, Departments of Health and Education.

The City of Perth is also an owner of land along Wellington Street and Plain Street; these are listed in Schedule 34 to this report. The most significant landholding of the City of Perth is the Queens Gardens at-grade Car Park at the eastern end of Wellington Street. The Metropolitan Redevelopment Authority through its Hillside Design Guides has identified the potential opportunity to redevelop the land into a high density residential rich precinct.

Unfortunately the continued existence of the *Chevron Hilton Hotel Agreement Act 1960* still constrains the potential of this land by requiring the provision of a minimum 800 public car parking bays on the site.

FINANCIAL IMPLICATIONS:

There are no financial implications attached to this report.

COMMENTS:

The City of Perth Transport Strategy identifies the City will be undertaking, with the State Government, an investigation into land value uplift opportunities in Perth over the current and 2017/18 finance years.

MARKETING, SPONSORSHIP AND INTERNATIONAL ENGAGEMENT COMMITTEE REPORTS

ITEM NO: 16

REVIEW OF SPONSORSHIPS, GRANTS AND DONATIONS POLICIES

**MARKETING, SPONSORSHIP AND INTERNATIONAL
ENGAGEMENT COMMITTEE
RECOMMENDATION:** (APPROVAL)

That Council:

- 1. approves the new policies for Sponsorships, Grants and Donations as detailed in Schedules 35, 36 and 37;***
- 2. revokes the following policies:***
 - 2.1 6.1 Heritage Grants;***
 - 2.2 6.18 Small Business Grants;***
 - 2.3 6.19 Matched Funding Grants;***
 - 2.4 8.3 Environment Grants;***
 - 2.5 8.4 Environment Sponsorship; and***
 - 2.6 18.8 Provision of Sponsorship and Donations.***
- 3. amends the Terms of Reference for the Marketing, Sponsorship and International Engagement Committee to oversee and make recommendations to Council on matters related to:***
 - 3.1 sponsorship of business, events and festivals (excluding City of Perth Parking);***

(Cont'd)

- 3.2** *the provision of donations to eligible organisations; and*
- 3.3** *the provision of any grants to individuals or organisations.*
- 4.** *BY AN ABSOLUTE MAJORITY amends Delegated Authority 1.1.2 so that the Marketing, Sponsorship and International Engagement Committee can approve or decline requests for donations, grants or sponsorships of up to \$15,000*
- 5.** *BY AN ABSOLUTE MAJORITY amends Delegated Authority 1.2.13B so that the Chief Executive Officer can:*
 - 5.1** *determine the allocation of all grants up to a value of \$5,000 in accordance with the Grants Policy; and*
 - 5.2** *determine the allocation of all sponsorship up to a value of \$5,000 in accordance with the Sponsorships Policy.*

BACKGROUND:

FILE REFERENCE: P1014858-2
P1029306
P1027697
P1027692
P1028237

REPORTING UNIT: Business Support and Sponsorship
RESPONSIBLE DIRECTORATE: Economic Development and Activation
DATE: 17 November 2016
MAP / SCHEDULE: Schedule 35 – Draft Sponsorship Policy
Schedule 36 – Draft Grants Policy
Schedule 37 – Draft Donations Policy
Schedule 38 – Marketing, Sponsorship and International Engagement Terms of Reference and Delegated Authority 1.1.2
Schedule 39 – Delegated Authority Register 1.2.13B

The Committee recommendation to the Council for this report was resolved by the Marketing, Sponsorship and International Engagement Committee at its meeting held on 29 November 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

The need to review Council Policy 18.8 was first raised at Marketing, Sponsorship and International Engagement Committee (Committee) on 20 January 2015 in General Business.

On 28 July 2015, the Chief Executive Officer advised Committee that a new Business Sponsorship Unit was to be established within the City and would review Council Policy 18.8 as part of its remit.

On 1 March 2016, Committee was advised that the Business Support and Sponsorship Unit were prioritising a review of the City's approach to sponsorships, grants and donations.

The Business Support and Sponsorship Unit conducted a review, in collaboration with all directorates, based on the Corporate Business Plan 2015-19:

Healthy and Active Perth

15.1 Undertake full review of grants, donations, sponsorships and event funding policies

The City's recommendation is to revoke the six existing policies related to sponsorship, grants and donations and replace them with a simplified framework consisting of three umbrella policies and various guidelines which contain the program specific information.

The new framework will ensure consistency across all Directorates, increased transparency, clear decision making for Elected Members, opportunities for best practice in sponsorship and grants and flexibility for Units to create and modify programs based on links to evolving strategic objectives and budgets.

LEGISLATION / STRATEGIC PLAN / POLICY:

**Integrated Planning
and Reporting
Framework
Implications**

Corporate Business Plan
Council Four Year Priorities: Healthy and Active in Perth
S15 Reflect and celebrate the diversity of Perth
15.1 Undertake full review of Grants, Donations,
Sponsorships and Event Funding Policies

DETAILS:

A summary of the project is listed below:

Elected Member Briefing One

On 15 March 2016, Elected Members received a briefing about the current sponsorship and grants program and areas of concern which formed the basis of the review direction.

Working Group

In May 2016, the review working group commenced and crafted the new proposed framework, with the resulting structure circulated for comment and feedback to internal and external stakeholders.

The working group focused on the following major tasks:

- Reviewing all existing policies;
- Reviewing all current processes and procedures and identifying inconsistencies;
- Defining what sponsorships, grants and donations mean to the City;
- Identifying the ideal framework;
- Drafting, reviewing and improving the proposed new policies within the new framework; and
- Identifying and implementing new tools and resources for best practice.

Elected Member Briefing Two

On 20 October 2016, the Elected Members received a second briefing on the review and its progress to date. The project lead outlined the proposed new framework which received only positive feedback for its overall simplicity. Some proposed improvements to the administration of the program were also discussed, with only positive feedback for these suggested changes by those in attendance.

External Stakeholder Briefing

In early November 2016, a stakeholder briefing was conducted at the City of Perth Library for a selection of past and current funding recipients from the City. Over 100 stakeholders were invited to listen to the proposed changes to the framework and programs. The feedback received by the City was overwhelmingly positive with numerous comments about the leadership the City is taking in this space.

The New Framework

The new framework will see three new policies implemented; a Sponsorship Policy, a Grants Policy and a Donations Policy. These policies will be high level documents consisting of policy information which will be applicable to all of the various programs underneath.

The Guidelines

Sitting underneath the policies will be the guidelines for each program. An example of a program is Arts Sponsorship, and the guideline will contain all of the background information about the program including the full list of eligibility criteria and the specific outcomes that must be addressed by the applicant to successfully receive funding. All guidelines will be provided to Council for information at a future date.

The guidelines under each policy are:

Sponsorship

Events;
Arts;
Business Events; and
Economic Development.

Grants

Community Development;
Arts;
Heritage;
Sustainability;
Business/Economic Development; and
Events.

There are no guidelines for donations. Many previous recipients of donations will now be assessed under the Sponsorship or Grants policies.

Tools and Resources

To assist Business Units in providing a best practice sponsorship and grants program, a number of new tools and resources will be utilised.

SmartyGrants is Australia and New Zealand's most widely used online grants and sponsorship management system used by all capital cities with the exception of Adelaide. It allows the grantmaker to receive online applications and manage the entire grants and sponsorship cycle from application to evaluation. All Units will have access to the program and receive training for any officers who will be managing the programs. This will reduce red tape for applicants and ensure consistent processes across the City.

Culture Counts is a subscription based measurement tool for the City to measure the impacts of events based on defined social, cultural and economic outcomes which can be benchmarked against similar events or projects elsewhere in Australia or Internationally. The City will be able to partner with event organisers to jointly conduct these measurement activities and the resulting outcomes will be available to Elected Members as part of the acquittal process.

The use of Culture Counts will enable to the City to objectively measure our return on objectives and our return on investment in order to make informed future funding decisions.

A new legal agreement has been developed with City lawyers to enable greater protections for the City in all future sponsorship and grant funding arrangements. A letter of agreement will enable a cut down simple version for funding under \$20,000, whilst a more detailed agreement will be in place for annual funding over \$20,000 and a further template will also be available for triennial funding.

FINANCIAL IMPLICATIONS:

There are no financial implications other than the proposal amendments in item 4 and 5 relating to delegations to approve requests.

COMMENTS:

The proposed new framework has received strong endorsement from external stakeholders, internal stakeholders and Elected Members to this point. The working group is extremely satisfied that the proposed framework and program will elevate the City to best practice in grants and sponsorship provision by local government and will ensure increased quality of applicants, new efficiencies, opportunities, transparency and improved decision making.

ITEM NO: 17

CORPORATE SPONSORSHIP – AUSTRALASIAN OIL AND GAS CONFERENCE AND EXHIBITION (AOG) 2017

**MARKETING, SPONSORSHIP (APPROVAL)
AND INTERNATIONAL
ENGAGEMENT COMMITTEE
RECOMMENDATION:**

That Council:

- 1. approves cash Corporate Sponsorship of \$50,000 (excluding GST) to Diversified Communications to present the Australasian Oil and Gas (AOG) Conference and Exhibition from Wednesday, 22 February to Friday, 24 February 2017;***
- 2. notes that the event organisers will provide the following sponsorship benefits to the City:***
 - 2.1 inclusion of the City of Perth crest on AOG website and registration page including link to the City of Perth website;***
 - 2.2 acknowledgement of the City of Perth in all promotions and advertising pertaining to the event (including branding in the 24 page lift-out in The West Australian);***
 - 2.3 inclusion of the City of Perth crest in all promotional material and publications relating to the event (including electronic direct mail to over 54,000 industry contacts, event promotional brochure distributed by direct mail, at show signage, banners throughout the city, trade magazine advertisements and international journals);***
 - 2.4 approximately 24m² floor space to be used for a 'City of Perth Recharge Lounge' in a prominent location within the exhibition;***

(Cont'd)

- 2.5 a welcome from the Lord Mayor in the Conference Guide;**
 - 2.6 a speaking opportunity for the Lord Mayor (or nominated representative) at the AOG Official Dinner;**
 - 2.7 dedicated social media promotion of City of Perth events taking place in conjunction with AOG; and**
 - 2.8 a half page advertisement in the AOG Show Guide.**
- 3. a detailed acquittal report, including all media coverage obtained, by 31 May 2017.**

BACKGROUND:

FILE REFERENCE: P1027727-2
REPORTING UNIT: Business Support and Sponsorship
RESPONSIBLE DIRECTORATE: Economic Development and Activation
DATE: 8 November 2017
MAP / SCHEDULE: N/A

The Committee recommendation to the Council for this report was resolved by the Marketing, Sponsorship and International Engagement Committee at its meeting held on 29 November 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

The City of Perth has received a request for corporate sponsorship of \$50,000 from Diversified Communications, to present the 2017 Australasian Oil and Gas Conference and Exhibition (AOG) to be held at the Perth Convention and Exhibition Centre from Wednesday, 22 February to Friday, 24 February 2017.

Diversified Communications Australia is a proprietary limited company founded in 1982 under the name Australian Exhibition Services (AES) specialising in providing paramount market knowledge for customers across a variety of industries. Carrying an established record of more than 400 successful events the year 2000 saw the acquisition of AES by the US based company, Diversified Business Communications and became part of a global exhibitions network, trading as Diversified Communications.

Diversified Communications have held the AOG Conference in Perth since acquiring the rights to the conference in 2007, with the City of Perth financially supporting the conference since 2009. In addition to the AOG Conference and Exhibition, Diversified Communications also manage a range of major conventions around Australia and in Perth including:

- Subsea Australasia Conference;
- DesignBuild Perth;
- Green Building Seminars;
- Fine Food Perth;
- Hospitality Perth;
- Fitness Show; and
- Good Food and Wine Show.

Summary of Event:

The AOG Conference and Exhibition is Australia's largest and most successful international petroleum industry event. The AOG Conference and Exhibition has been staged in Perth for the past 33 years and in that time has grown to be the largest oil and gas show of its type in the Southern hemisphere.

It has mirrored the growth of the hydrocarbon industry in the region and has been a major contributor to positioning Australia as a world leader in LNG development.

The AOG Conference and Exhibition is held annually in Perth in line with its vision of becoming the largest oil and gas conference of the Asia Pacific region – similar to the likes of the Offshore Technology Conference (OTC) in Houston, Offshore Europe in Aberdeen and Offshore Northern Seas (ONS) Conference in Stavanger.

The AOG Conference and Exhibition is also supported by the Australian Government Department of Industry, the State Government Department of Commerce and corporate partners including Woodside Petroleum, Inpex, Chevron, Society for Underwater Technology, Subsea Energy Australia, Engineers Australia, Industry Capability Network, University of Western Australia (UWA), Curtin University and the Petroleum Club of WA.

In 2014, the Subsea Australasia Conference was merged with the AOG Conference and Exhibition making this combined event one of the largest oil and gas conferences in the Asia Pacific region. The 2016 AOG Conference and Exhibition featured 353 exhibitors representing 438 companies, and attracted over 8,000 participants and 3,000 exhibitor staff.

Other networking events to take place at the AOG Conference and Exhibition 2016 include:

- Official Dinner;
- AOG Women;
- Subsea Welcome Drinks; and the
- Opening Party.

Past support

The City of Perth has provided sponsorship to the AOG Conference and Exhibition for the previous eight years. Sponsorship history is as follows:

Year	Sponsorship Amount	Supported Program
2008/09	\$40,000	AOG Conference and Exhibition
2009/10	\$40,000	AOG Conference and Exhibition
2010/11	\$50,000	AOG Conference and Exhibition
2011/12	\$50,000	AOG Conference and Exhibition
2012/13	\$50,000	AOG Conference and Exhibition
2013/14	\$50,000	AOG Conference and Exhibition
2014/15	\$50,000	AOG Conference and Exhibition
2015/16	\$50,000	AOG Conference and Exhibition
2016/17 Requested	\$50,000	AOG Conference and Exhibition
2016/17 Proposed	\$50,000	AOG Conference and Exhibition

An acquittal report for the 2015/16 supported project has been received (TRIM Ref 87853/16) and is also accessible within the Elected Member Portal. The acquittal demonstrates satisfactory outcomes with some of the highlights being:

- Total regional expenditure of \$30,062,372 from attendees and exhibitors;
- 17% of exhibitors surveyed made investments in Western Australia as a result of AOG 2016;
- 12% of visitors surveyed made investments in Western Australia as a result of AOG 2016; and
- 91% of exhibitors say that exhibiting at AOG is important to their business.

LEGISLATION / STRATEGIC PLAN / POLICY:

**Integrated Planning
and Reporting
Framework
Implications**

Strategic Community Plan

Council Four Year Priorities: Perth as a Capital City
S6 Maintain a strong profile and reputation for Perth
as a city that is attractive for investment.

Policy

Policy No and Name: 18.8 – Provision of Sponsorship and Donations

DETAILS:

Event organisers are expecting over 9,000 people to attend the ninth annual AOG conference and exhibition to be held in Perth at the Perth Convention and Exhibition Centre.

The City of Perth is realigning the sponsorship in 2017 with an increased presence within the exhibition hall which will see the City set up and host a business recharge

lounge which will enable visitors and exhibitors the chance to relax, catch up on work, have informal meetings and recharge smartphones and laptops. This will present a significant opportunity for City of Perth Officers to engage with event attendees.

Eligibility for Sponsorship:

Criterion	Satisfied
Awards, presentations, acknowledgement for excellence in relevant professional fields	Yes
Supports for promotional material (such as publications and films) which positively position the City of Perth	Yes
Support for the activities of organisations or individuals which provide positive positioning for the City of Perth	Yes

Markets / audiences who will be exposed to sponsorship information:

Based on the successful history of this event domestic, interstate and international representatives working in the oil and gas industry will be exposed to the City of Perth brand during the conference. The City of Perth Recharge Lounge will provide active engagement opportunities for the City as well as allowing for the distribution and promotion of recently developed investment focussed collateral for the City.

Promotion of City of Perth to Markets / Audiences:

Perth is a connected and informed Capital City, offering a stable, prosperous foundation to grow a business. The AOG Conference and Exhibition offers an opportunity to market commercial premises to encourage companies to establish their commercial presence in the CBD.

Assessment of Application (Corporate):

1. The opportunity the sponsorship provides to enhance the image of the City of Perth.

- Strengthens the City of Perth’s position as a ‘World Energy City’;
- Promotes Western Australia’s petroleum industry capability;
- Further enhances oil and gas industry clustering in the city of Perth;
- Encourages international and interstate organisations to set up offices in Perth;
- Exposes Perth’s petroleum industry research, education and training facilities to international and interstate audiences;
- Encourages skilled migration from overseas and interstate; and
- Increases brand awareness of the City of Perth in a difficult to reach target market.

2. The value of the increased good will from markets / audiences exposed to the sponsorship by the City of Perth.

The AOG Conference and Exhibition showcases Perth's oil and gas industry capability to a national and international audience of oil and gas professionals and its ability to host such a large world class event.

It is important that the City of Perth continues to support the oil and gas sector since it underpins the Western Australian economy and is a significant employer. The City's support of the conference will increase good will from the local oil and gas industry representatives and companies.

3. Contributes towards the achievement of one or more of the City's economic development objectives.

- to position the city as a city of regional and international significance;
- to increase visitation to the city;
- to increase economic investment in the city; and
- to create a vibrant, energetic 24 hour city.

The event positions the city as a global energy and minerals hub and highlights Perth as the Asia-Pacific capital for the oil and gas industry and a 'World Energy City'.

The oil and gas sector represents WA's second largest segment of the mining and resources industry, providing employment for over 10,000 FTEs and contributing over \$35.28 billion, or 6.8% of the state's economic output.

ABS data shows that the oil and gas sector employs more workers within the City of Perth than the iron ore industry and contributes 16 per cent more value to the local economy (\$20.86 billion to \$8.10 billion).

Economic Impact of AOG 2016

The 2016 AOG Conference and Exhibition featured 353 exhibitors representing 438 companies, and attracted over 8,000 participants and 3,000 exhibitor staff.

The 2016 AOG Conference and Exhibition increased visitation to the city with over 1,770 international and interstate delegates originating from the UK, Norway, USA, China, Italy, Belgium, Singapore, Tasmania and Northern Territory. From the post-show survey, Diversified Communications reported 17% of exhibitors made investments in Western Australia, 6% of which were over \$100,000, while 12% of surveyed visitors have made investments in Western Australia.

The AOG Conference and Exhibition organisers estimate that over \$30 million was spent in Western Australia by visitors, exhibitors and the organisers during the 2016 AOG Conference and Exhibition. This figure (\$30,062,372) is quoted in AOG's sponsorship acquittal to the City of Perth. This does not include a multiplier effect and is based on post event surveys. Therefore, the value of economic investment in the city as a result of the event far exceeds the value of the City's \$50,000 sponsorship.

4. Benefits to be provided to the City of Perth.

The benefits provided to the City of Perth are detailed in the recommendation section of this report.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	9397 3000 7901
BUDGET ITEM:	Resource Sector Support
BUDGET PAGE NUMBER:	85
BUDGETED AMOUNT:	\$65,000
AMOUNT SPENT TO DATE:	\$0
PROPOSED COST:	\$50,000
BALANCE:	\$15,000

All figures quoted in this report are exclusive of GST.

COMMENTS:

It is recommended that the Council approves sponsorship of \$50,000 (excluding GST).

The oil and gas sector is a major contributor to the city's economy, employing over 6,300 FTEs within Perth and contributing an estimated \$20.86 billion, over 26% of the City's total economic output.

The AOG Exhibition and Conference representing the most significant industry event for the Australian oil and gas sector and the economic benefit to the City of Perth that results from this conference annually far outweighs the value of the City's sponsorship contribution.

Continued support for the AOG Conference and Exhibition will reinforce Perth's status as a 'World Energy City' and the City of Perth's positive association with the oil and gas sector.

ITEM NO: 18

EVENT SPONSORSHIP 2016/17 – ROUND TWO ASSESSMENT

**MARKETING, SPONSORSHIP (APPROVAL)
AND INTERNATIONAL
ENGAGEMENT COMMITTEE
RECOMMENDATION:**

That Council:

- 1. *approves Round Two funding of \$284,000 for Event Sponsorship for 2016/17 to the following applicants:***
 - 1.1 *WA Yachting Foundation t/a Swan River Sailing for 'City of Perth Festival of Sail' (\$40,000);***
 - 1.2 *Tee-Ball Association of WA for 'State Tee-Ball Championships' (\$5,000);***
 - 1.3 *TriEvents for the 'City of Perth Triathlon' (\$5,000);***
 - 1.4 *Japan Festival Association for 'Japan Festival' (\$10,000);***
 - 1.5 *Sanitarium Health and Wellbeing for Weet-Bix Kids TRYathlon (\$12,500);***
 - 1.6 *Buddha's Light International Association of WA Inc. for 'Buddha's Birthday and Multicultural Festival' (\$39,000);***
 - 1.7 *Lifeline WA for 'Young Butchers Picnic' (\$20,000);***
 - 1.8 *Perth International Jazz Festival Inc. for Perth International Jazz Festival 2017'(\$25,000);***
 - 1.9 *HBF Health and Wellbeing for 'HBF Run for a Reason' (\$35,000);***
 - 1.10 *Rotary Ramble Inc. for 'Perth Ramble' (\$5,000);***
 - 1.11 *Perth Upmarket for 'Perth Upmarket' (\$7,500);***

(Cont'd)

- 1.12 Women in Super Mother's Day Classic for 'Mother's Day Classic Perth'(\$10,000);**
- 1.13 Chung Wah Association Inc. for 'Perth Chinese New Year Fair'(\$70,000);**
- 2. approves the applicants listed in Part One above being required to provide the benefits to the City of Perth as outlined in the Event Sponsorship Assessment Report attached as Schedule 40;**
- 3. requests the applicants listed in Part One above to provide a detailed acquittal report, including all media coverage obtained, to be submitted to the City within three months of the completion of their event;**
- 4. declines Round Two funding of Event Sponsorship for 2016/17 to the applicants as follows:**
 - 4.1 WA Marathon Club for 'ASICS Bridges Fun Run';**
 - 4.2 Food Truck Rumble for 'Food Truck Rumble';**
 - 4.3 WA Squash for 'Perth International Squash Challenge';**
 - 4.4 WA Fujian Association Inc. for 'Chinese Lantern Festival';**
- 5. notes that no further in-kind funding for City fees and charges will be provided to the applicants listed in Part One above other than what is approved within this report.**

BACKGROUND:

FILE REFERENCE:	P1032438#02
REPORTING UNIT:	Business Support and Sponsorship
RESPONSIBLE DIRECTORATE:	Economic Development and Activation
DATE:	21 October 2016
MAP/SCHEDULE:	Schedule 40 – Assessment Schedule Confidential Schedule 41 – List of Funding Sources (Confidential Schedules distributed to Elected Members under separate cover)

The Committee recommendation to the Council for this report was resolved by the Marketing, Sponsorship and International Engagement Committee at its meeting held on 29 November 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

Policy 18.8 – Provision of Sponsorship and Donations requires the City to hold two funding rounds for event sponsorship applications per financial year. The first round of funding is available for events taking place between 1 July 2016 and 31 December 2016 and the second round is for events taking place between 1 January 2017 and 30 June 2017.

This report details the assessment of applications for the second round of event sponsorship funding for the 2016/17 financial year.

Each application was assessed by a three person panel according to the criteria outlined in Policy 18.8 and within the program guidelines. The amount of funding requested was considered in relation to the benefits to be received in return for sponsorship.

Schedule 40 provides a detailed analysis of each application with reasons for the recommendation of support or refusal.

Confidential Schedule 41 provides details of confirmed, unconfirmed or declined funding sought for each project from other providers.

LEGISLATION / STRATEGIC PLAN / POLICY:

**Integrated Planning
and Reporting
Framework
Implications**

Strategic Community Plan
Council Four Year Priorities: Perth as a Capital City
S5 Increased place activation and use of under-utilised space

Policy

Policy No and Name: 18.8 – Provision of Sponsorship and Donations

DETAILS:

The event sponsorship round was competitive with 19 applications received. Two projects which have been funded annually over recent years did not submit applications due to changes in programming for 2017. Two applications received were subsequently withdrawn. The City of Perth recognises strong merit in one of these projects and is working with the proponent to further develop the concept for potential to be held at a later date.

The remaining 17 applications requested a total sponsorship of \$373,100 with an available budget of \$284,000. All applications were assessed by a three person assessment panel comprised of one Manager and two Officers from the Economic Development and Activation Directorate.

Thirteen applications are recommended for approval and four for refusal.

The tables below outline the events recommended for approval and the applications recommended for refusal.

APPLICATIONS RECOMMENDED FOR APPROVAL

Event Sponsorship – Round Two Budget					\$284,000
Applicant	Event	Sponsorship			
		Requested	Provided 2015/16	Recommend	
WA Yachting Foundation t/a Swan River Sailing	City of Perth Festival of Sail	\$45,000	\$0	\$40,000	
Tee-Ball Association of WA	State Tee-Ball Championships	\$5,000	\$5,000	\$5,000	
TriEvents	City of Perth Triathlon	\$20,000	\$5,000	\$5,000	
Japan Festival Association	Japan Festival	\$15,000	\$8,400	\$10,000	
Sanitarium Health and Wellbeing	Weet-Bix Kids TRYathlon	\$13,500	\$12,660	\$12,500	
Buddhas Light International Association of WA Inc.	Buddha’s Birthday and Multicultural Festival	\$43,200	\$39,000	\$39,000	
Lifeline WA	Young Butchers Picnic	\$20,000	\$20,000	\$20,000	
Perth International Jazz Festival Inc.	Perth International Jazz Festival	\$25,000	\$20,000	\$25,000	
HBF Health and Wellbeing	HBF Run for a Reason	\$35,000	\$26,500	\$35,000	
Rotary Ramble Inc.	Perth Ramble	\$5,000	\$0	\$5,000	
Perth Upmarket	Perth Upmarket	\$10,000	\$0	\$7,500	
Women in Super Mothers Day Classic	Mother’s Day Classic Perth	\$20,000	\$10,000	\$10,000	
Chung Wah Association Inc.	Perth Chinese New Year Fair	\$80,000	\$60,000	\$70,000	
Proposed Event Sponsorship – Round Two					\$ 284,000
Total Event Sponsorship Budget Remaining					\$0

APPLICATIONS RECOMMENDED FOR REFUSAL

Applicant	Event	Requested / Refused
WA Marathon Club	ASICS Bridges Fun Run	\$8,000
Food Truck Rumble	Food Truck Rumble 2017	\$10,000
WA Squash	International Squash Challenge	\$10,000
WA Fujian Association Inc.	Chinese Lantern Festival	\$8,400

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CL9323 1000 7901
BUDGET ITEM:	Recreation and Culture – Other Culture – Other Cultural Activities
BUDGET PAGE NUMBER:	11
BUDGETED AMOUNT:	\$542,944
AMOUNT SPENT TO DATE:	\$258,944
PROPOSED COST:	\$284,000
BALANCE:	\$0

All figures in this report are exclusive of GST.

COMMENTS:

The City of Perth received a strong response for the second round of event sponsorship applications. All applications have been assessed and recommendations for funding have been provided for Council's consideration.

The assessment panel took an approach of supporting the strongest applications to a high level to enable the events to grow and deliver on the benefits for the City, and to decline those events where there was little evidence of potential benefit, activation and economic return for the City. This approach will allow the City to transition to a well-balanced, high performing portfolio with clear and identifiable benefits and return on investment.

ITEM NO: 19

ARTS AND CULTURAL SPONSORSHIPS 2016/17 – ROUND TWO ASSESSMENT

**MARKETING, SPONSORSHIP (APPROVAL)
AND INTERNATIONAL
ENGAGEMENT COMMITTEE
RECOMMENDATION:**

That Council:

1. *approves Round Two Arts and Cultural Sponsorship for 2016/17 to the following applicants:*

1.1 *Arts Projects – Round Two:*

1.1.1 *Emma Humphreys, \$6,000;*

1.1.2 *WA Youth Jazz Orchestra Inc. \$3,000;*

1.1.3 *Music Book Stories Inc. \$7,000; and*

1.1.4 *Uniting Church in the City, \$10,000.*

1.2 *Creative Community Projects – Round Two:*

1.2.1 *Ausdance WA Inc. \$9,500;*

1.2.2 *Camera Story, \$9,000; and*

1.2.3 *Badlands Bar, \$9,000.*

1.3 *Arts and Cultural Sponsorship – Round Two:*

1.3.1 *STRUT Dance, \$12,500;*

1.3.2 *RTRFM, \$5,000; and*

1.3.3 *The Last Great Hunt, \$15,000.*

(Cont'd)

2. ***approves the applicants listed in part one above being required to provide the benefits to the City of Perth as outlined in the Arts and Cultural Sponsorship Assessment Report attached as Schedule 42;***

3. ***declines Round Two funding of Arts & Cultural Sponsorship for 2016/17 to the applicants as follows:***
 - 3.1 ***Catface Productions for “Catface Productions Fringe World 2017 Program”;***

 - 3.2 ***Imaginarium Virtual Reality PTY LTD for “EVR ARK”;***

 - 3.3 ***Association of Australian Gallery Guiding Organisations for “AAGGO Conference”;***

 - 3.4 ***The Song Room for “Community Connections in Perth”;* and**

 - 3.5 ***Propel Youth Arts WA for “MOSAIC 2017”.***

BACKGROUND:

FILE REFERENCE:	P1032432#02
REPORTING UNIT:	Business Support and Sponsorship
RESPONSIBLE DIRECTORATE:	Economic Development and Activation
DATE:	10 November 2016
MAP/SCHEDULE:	Schedule 42 – Assessment Schedule Confidential Schedule 43 – List of Funding Sources (Confidential Schedules distributed to Elected Members under separate cover)

The Committee recommendation to the Council for this report was resolved by the Marketing, Sponsorship and International Engagement Committee at its meeting held on 29 November 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

Policy 18.8 – Provision of Sponsorship and Donations requires the City of Perth to hold two funding rounds for arts and cultural sponsorship applications per financial year. The first round of funding is available for projects taking place between 1 July and 31 December and the second round is for events taking place between 1 January and 30 June.

This report details the assessment of applications for the second round of arts and cultural sponsorship funding for the 2016/17 financial year.

Each application was assessed by a four person panel according to the criteria outlined in Policy 18.8 and within the program guidelines. The assessment panel comprised the Manager Business Support and Sponsorship, Manager Arts, Culture and Heritage, Development and Activation Coordinator and an external arts industry peer. The amount of funding requested was considered in relation to the benefits to be received in return for sponsorship.

Schedule 42 provides a detailed analysis of each application with reasons for the recommendation of support or refusal.

Confidential Schedule 43 provides details of confirmed, unconfirmed or declined funding sought for each project from other providers.

LEGISLATION / STRATEGIC PLAN / POLICY:

**Integrated Planning
and Reporting
Framework
Implications
Policy**

Corporate Business Plan

Council Four Year Priorities: Healthy and Active in Perth
S15 Reflect and celebrate the diversity of Perth

Policy No and Name: 18.8 – Provision of Sponsorship and Donations

DETAILS:

The arts and cultural sponsorship round was considered competitive with 17 applications received. Two applications received were subsequently withdrawn prior to assessment.

The remaining 15 applications requested a total sponsorship of \$185,018 with an available budget of \$87,899. All applications were assessed by a four person assessment panel.

Eight applications were received from first time applicants.

10 applications are recommended for approval and five for decline.

The tables below outline the projects recommended for approval and the applications recommended for refusal.

APPLICATIONS RECOMMENDED FOR APPROVAL

Arts Project Grants – Round 2 - Budget			
Applicant	Project	Amount Requested	Amount Recommended
Emma Humphreys	The Feast of Bacchus	\$8,000	\$6,000
WA Youth Jazz Orchestra	WAYJO's Perth City Concerts	\$10,000	\$3,000
Music Book Stories	<i>Teacup- One Boy's Story of Leaving his Homeland</i>	\$7,260	\$7,000
Uniting Church in the City	Stations of the Cross	\$10,000	\$10,000
Total Arts Project Grants Round 2		\$32,560	\$26,000

Creative Community Project Grants – Round 2			
Applicant	Project	Amount Requested	Amount Recommended
Ausdance WA Inc.	Australian Dance Week	\$10,000	\$9,500
Camera Story	See the Whole World in the City of Perth	\$10,000	\$9,000
Badlands Bar	City Limits Festival	\$10,000	\$9,000
Total Creative Community Grants Round 2		\$30,000	\$27,500

Sponsorship (Project/Program) – Round 2			
Applicant	Project	Amount Requested	Amount Recommended
STRUT Dance	One Flat Thing, Reproduced	\$20,000	\$12,500
RTRFM	In the Pines- 40 th Anniversary Edition	\$20,000	\$5,000
The Last Great Hunt	WILD WILD LOVE and GOOD PEOPLE DO BAD DANCE	\$20,000	\$15,000
Total Sponsorship (Project/Program) Round 2		\$60,000	\$32,500

APPLICATIONS RECOMMENDED FOR REFUSAL

Applicant	Project	Requested / Refused
Catface Productions	Catface Productions Fringe World 2017 Program	\$10,000
Imaginarium Virtual Reality Pty Ltd	EVR ARK	\$10,000
Association of Australian Gallery Guiding Organisations	AAGGO Conference	\$10,000
The Song Room	Community Connections in Perth	\$9,758

Applicant	Project	Requested / Refused
Propel Youth Arts WA	MOSAIC 2017	\$20,000

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	93C480007901
BUDGET ITEM:	Cultural Sponsorship – Arts Partnerships
BUDGET PAGE NUMBER:	85
BUDGETED AMOUNT:	\$1,285,000
AMOUNT SPENT TO DATE:	\$ 771,851
PROPOSED COST:	\$ 86,000
BALANCE:	\$ 427,149

All figures in this report are exclusive of GST.

COMMENTS:

The City of Perth received a strong response for the second round of arts and cultural sponsorship applications. All applications have been assessed and recommendations for funding have been provided for the Council’s consideration.

The City of Perth’s Arts and Cultural Sponsorship Program provides an effective means of engaging Western Australia’s peak art bodies, arts organisations and independent artists to present high quality and diverse cultural activities that encourage people to visit and enjoy the city.

The Arts and Cultural Sponsorship Program rounds ensure that small to medium size organisations and individual artists are encouraged to present activities across a diverse range of art forms, in particular for support of one-off projects that encourage creative exploration or community engagement.

The proposed projects are representative of a broad range of arts and cultural activity and appeal to diverse audiences many of which encourage non-artists to participate in cultural activity. These projects include visual art exhibitions, photography workshops, installations, contemporary dance and theatre performance.

The assessment panel took an approach of supporting the strongest applications to a high level to enable the events to grow and deliver on the benefits for the City, and to decline those events where there was little evidence of potential benefit, activation and economic return for the City of Perth. This approach will allow the City of Perth to transition to a well-balanced, high performing portfolio with clear and identifiable benefits and return on investment.

A total budget allocation of \$87,999 is available to support projects through Arts and Cultural Sponsorship Program - Round Two, a total investment of \$86,000 representing 10 activities is recommended for approval.

ITEM NO: 20

ARTS AND CULTURAL SPONSORSHIP 2016/17 – CIVIC PARTNERSHIP – PERTH INTERNATIONAL ARTS FESTIVAL

**MARKETING, SPONSORSHIP (APPROVAL)
AND INTERNATIONAL
ENGAGEMENT COMMITTEE
RECOMMENDATION:**

That Council:

- 1. approves cash Arts and Cultural Sponsorship - Civic Partnership, of \$360,000 (excluding GST) to Perth International Arts Festival (PIAF) for sponsorship of the 2017 Perth International Arts Festival;***
- 2. notes that PIAF will provide the following event and sponsorship benefits to the City of Perth:***
 - 2.1 acknowledgement as PIAF Civic Partner;***
 - 2.2 written acknowledgement of the City of Perth on sponsor's page of the 2017 Festival brochure (circulation 145,000) and inclusion in the West Australian Newspaper's The West Guide to the Festival (circulation 280,000), Event Programs and Annual Report;***
 - 2.3 inclusion of the City of Perth crest or line acknowledgement on printed materials (Main Brochure, Lotterywest Festival Films, Perth Writers Festival, posters, press advertisements and outdoor advertisements) pertaining to aligned projects;***
 - 2.4 a dedicated full-page advertisement in main brochure and print advertisement in aligned programs (if produced);***
 - 2.5 thirty second television commercial at every Lotterywest Festival Films screening at Joondalup Pines and Somerville Auditorium;***

(Cont'd)

- 2.6 City of Perth crest acknowledgement and hyperlink on Festival Partners webpage (3,600,000 page views) aligned project webpage and aligned project email reminders;**
 - 2.7 City of Perth crest or line acknowledgement on onscreen cross-promotions pertaining to aligned projects at Joondalup Pines and Somerville Auditorium;**
 - 2.8 verbal acknowledgment of the City's support by a Perth International Arts Festival representative at the Perth Festival Program Launch, Development Launch, Opening Party and aligned project launches;**
 - 2.9 inclusion of City of Perth crest in publicity kit distributed to local, national and international media and aligned project press releases;**
 - 2.10 inclusion of the City of Perth crest on all co-signage produced by PIAF for display at the associated venues;**
 - 2.11 opportunity to display signage at aligned project events (to be provided by City of Perth);**
 - 2.12 opportunity to engage in free and on-charged leveraging opportunities;**
- 3. notes that the City of Perth is to be provided with an acquittal report for the supported project within three months of completion of the Perth International Arts Festival and an audited financial report of PIAF within six months of the conclusion of the relevant financial year.**

BACKGROUND:

FILE REFERENCE: P1032405#01
REPORTING UNIT: Business Support & Sponsorship
RESPONSIBLE DIRECTOR: Economic Development & Activation
DATE: 19 October 2016
MAP / SCHEDULE: Schedule 44 – Partnership Alignment Opportunities

The Committee recommendation to the Council for this report was resolved by the Marketing, Sponsorship and International Engagement Committee at its meeting held on 29 November 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

The Perth International Arts Festival (PIAF) has applied for sponsorship to support the presentation of the 2017 Perth International Arts Festival (Perth Festival). The Festival will take place between Friday, 10 February and Sunday, 5 March 2017.

Perth Festival is the longest running multi-arts celebration in the Southern Hemisphere. PIAF and the City of Perth have a strong and long standing partnership spanning over 60 years. Each year the festival brings new experiences and every four years, under a new Artistic Director a fresh creative vision and new opportunities for the cultural development of the Perth community.

PIAF's mission is:

To be recognised as one of the greatest festivals of the world. We will showcase clarity of vision and artistic confidence. We will deliver a significant quality of diverse and high quality arts experiences that are unmissable, irresistible, transformational and unforgettable.

As stated by PIAF, the goals for the Festival are to:

- achieve the Artistic Directors Vision;
- stimulate cultural life in Western Australia;
- be competitive with and distinctive from other international festivals; and
- be valued by more people.

Artistic Director, Wendy Martin's vision for PIAF 2016- 2019 is identified below:

Bringing energy, ideas and arts to the city, and inspiring and engaging our audiences, Perth International Arts Festival provides a unique moment in our year to experience outstanding work by the leading artist and thinkers from our region and across the globe.

We celebrate the role that artists play in creating extraordinary ways for us to see, understand and re-imagine our world.

We will present free and ticketed events in our venues, in our streets, on our beaches, in parklands and in hidden corners of our built and natural environment, connecting with the widest possible audience and transforming our city and our regions into a stage.

We are committed to:

- *presenting and commission work by the world's leading visionary artists;*

- *raising the profile of Western Australia artists by presenting their work in the context of the international arts festival;*
- *creating opportunities for dynamic exchanges between Australian and international artists; and*
- *building a diverse and engaged audience by creating projects with the community that will resonate with the lives of people living in Western Australia today.*

Driven by a sense of place and bound to its people, its landscape and its location, the same characteristics that define Perth and Western Australia will distinguish our Festival.

We explore:

- *Our stories;*
- *Our rich Indigenous culture;*
- *Our splendid isolation;*
- *Our central position on the Indian Ocean Rim;*
- *Our climate and natural environment; and*
- *Our diverse cultural community.*

We will embrace the broadest definition of culture and place values of learning and participation at the heart of what we do. Responding to the ideas of the world's great artists and the daring work they make, Perth International Arts Festival will be a big, bold adventure for all of us.

Perth Festival was founded by the University of Western Australian (UWA) in 1953. Perth Festival is a business operation of the University of Western Australia, which is incorporated under *The University of Western Australia Act 1911*.

UWA is registered with the Australian Charities and Not-for-Profit Commission.

Operations of PIAF are governed by a Festival Board which is appointed and responsible to the University Senate. The formally identified role of the Festival is stated below:

- *To promote and encourage the arts, and the study of the arts, and for these purposes to organise, promote, manage and conduct festivals of music, drama and other entertainments in Perth annually or at such longer intervals as may be determined by the board;*
- *To encourage and employ persons, firms or companies to present and produce such performances and events in Perth and in other cities and territories of Australia as may tend to promote and encourage the arts in Australia; and*
- *To raise money for the purposes of the Festival by grants, guarantees, gifts or donations and to accept the same and to conform so far as it lawfully may to*

any conditions upon which such grants, guarantees, gifts or donations may be made or granted.

PIAF provides an annual report which is presented in a format that is independent from the University's other operations.

Past support

The City of Perth has provided sponsorship for Perth Festival for more than sixty years. The table below identifies support received in the past 10 years.

Year	Sponsorship Amount	Supported Program
2006/07	\$300,000	Perth International Arts Festival
2007/08	\$309,000	Perth International Arts Festival
2008/09	\$419,043	Perth International Arts Festival
2009/10	\$325,423	Perth International Arts Festival
2010/11	\$333,559	Perth International Arts Festival
2011/12	\$342,232	Perth International Arts Festival
2012/13	\$350,788	Perth International Arts Festival
2013/14	\$359,558	Perth International Arts Festival
2014/15	\$368,578	Perth International Arts Festival
2015/16	\$365,000	Perth International Arts Festival
<i>Requested 2016/17</i>	<i>\$365,000</i>	<i>Perth International Arts Festival</i>
<i>Proposed 2016/17</i>	<i>\$360,000</i>	<i>Perth International Arts Festival</i>

An acquittal report for the 2016 PIAF and audited financial statements have been received and are accessible within the Elected Members Portal (TRIM 146700/16).

This information has been reviewed and demonstrates a satisfactory acquittal of the City's previous funding and fair self-assessment of the project's success in meeting a range of cultural, community and activation outcomes:

- 50,000 people attended the free Festival Opening Event *Home* at Langley Park;
- 500 Western Australian artists participated in *Home*; and
- More than 350 events including two World Premieres, eight Australian premieres, 13 Australian exclusives and four commissions.

LEGISLATION / STRATEGIC PLAN / POLICY:

**Integrated Planning
and Reporting
Framework
Implications
Policy**

Strategic Community Plan

Council Four Year Priorities: Healthy and Active in Perth
S15 Reflect and celebrate diversity of Perth

Policy No and Name: 18.1 – Arts and Culture
18.8 – Provision of Sponsorship and Donations

Eligibility:

Policy 18.1 establishes the principles for the City of Perth supporting Arts and Culture and these principles are used to determine the level of consistency with the program or event proposed for sponsorship funding.

Policy 18.8 establishes the criteria for the City’s assessment of sponsorship applications requiring the applicant to demonstrate alignment with the policy’s objectives and selection criteria as follows:

Category of Sponsorship: Major Partnership	
Applicant Eligibility Criteria	
<i>The applicant must:</i>	
Have formally identified arts and/ or culture as its primary purpose.	Criterion met
Be a formally constituted not-for-profit, benevolent or charitable organisation.	Criterion met
Project Eligibility Criteria	
Be an Australian legally constituted entity.	Criterion met
<i>The applicant must not be:</i>	
A government authority, agency or department.	Criterion met
An individual.	Criterion met
An applicant that has previously submitted unsatisfactory or incomplete reports.	Criterion met
An applicant that has outstanding debts to the City of Perth.	Criterion met
An applicant that has already received support from the City of Perth for this project or any City of Perth sponsorship in the same financial year.	Criterion met
Project Eligibility Criteria	
<i>The project must:</i>	
Provide a public outcome within the City of Perth boundaries.	Criterion met
Occur with the specified timeframe.	Criterion met
<i>The project must not be:</i>	
For profit or commercial purposes.	Criterion met
For fundraising.	Criterion met
An award ceremony or industry specific presentation.	Criterion met
Training, workshops, research or professional development.	Criterion met

DETAILS:

Project Summary

The 2017 Perth Festival opening event will showcase Kings Park in an unprecedented journey of animation, sound, music and storytelling, with large scale three dimensional projections in the tree tops of Kings Park. This installation encourages audiences to move through the cathedral of trees along Fraser Avenue in an immersive exploration of the Noongar history of the site and the concepts of heritage, conservation and preservation of the World's largest natural urban parkland. The themes explored in the opening event are underpinned by Artistic Director Wendy Martin's vision to create an enduring sense of place for West Australians. The opening event will be held over three nights and marketed to regional, interstate and international visitors, increasing tourism economy for the City.

The City of Perth Business Support Officers will explore ways to engage city businesses to offer food and beverage options to the increased visitors to the West Perth/Kings Park precinct.

As a result of City of Perth boundary changes, City of Perth will be acknowledged as a supporter of the Festival's *Chamber Music Series*, *Lotterywest Festival Films* and *Perth Writers Festival* presented at UWA as part of Perth Festival.

Chamber Music Series features a weekend of world renowned music ensembles in addition to the Australian String Quartets and local and national musicians in a series of free and ticketed performances in the gardens of Winthrop Hall. In 2017, the *Chamber Music Series* will extend to Government House ballroom for an international exclusive performance featuring the Calder and Brodsky Quartets performing as an Octette. This event is expected to attract local and national audiences.

The *Perth Writers Festival* profiles national and international authors for a weekend of artist talks, interviews, discussions, lectures and other engagements and will incorporate family and school days. In 2017, *Perth Writers Festival* will launch a new program at State Theatre Centre of WA intended to appeal to a broad audience. The 2017 *Perth Writers Festival* will feature 30 international, 60 national and 20 local writers and will include a number of free activities.

In 2017, *Chevron Festival Gardens* will reside at Elizabeth Quay and provide a comprehensive program of international contemporary artists of all genres. Free access to the gardens is offered nightly outside the main auditorium and will feature a casual dining environment. In 2017 the garden will feature free DJ and local band sets from Wednesday to Sunday throughout the festival.

PIAF's curated program of multi-arts events will be presented over 23 days. This year's festival will include works of theatre, visual arts, literature, new media, performance, classical music, contemporary music and film from around the world.

A table of the aligned activity has been provided within Schedule 44.

Venues

2017 Festival venues within the City of Perth include:

- Perth Concert Hall;
- Kings Park;
- State Theatre Centre of WA;
- Perth Institute of Contemporary Arts;
- MOANA;
- Government House Ballroom;
- St George's Cathedral;
- His Majesty's Theatre; and
- University of Western Australia.

Times and dates

PIAF will run for three weeks from Friday, 10 February to Sunday, 5 March 2017.

Ticket Prices

The sponsorship application proposes the City's investment to be aligned with the Festival's opening celebrations, and other encompassing programs *Perth Writers Festival*; *Chamber Music Series*; *Chevron Festival Gardens* and *Lotterywest Film Festival*. These programs, with the exception of *Lotterywest Festival Films*, offer free performances and/or supplementary events to the ticketed program. *Lotterywest Festival Films* ticket prices range in price from \$13.50 to \$18.00.

The free opening celebration is the festival's largest event and anticipated to attract around 60,000 people based on similar events presented during the festival in past years.

Of the ticketed performances, audiences contribute to the cost of a ticket which is heavily subsidised through corporate and government supporters to ensure that outstanding international standard work is accessible to Perth audiences.

ASSESSMENT:

The application was measured against the objectives and criteria outlined in the *Arts and Cultural Sponsorship Guidelines* and in accordance with Policy 18.8 and Policy 18.1.

The identified objectives of *Arts and Cultural Major Partnership* are to support arts and cultural activities that:

- Facilitate the dynamic celebration of the city through major arts and cultural festivals and activities;
- enhance social well-being and encourage community;

- provide support for the city's key arts and cultural organisations to provide high quality arts and cultural experiences; and
- contribute to the economy of the city.

The project must demonstrate shared objectives as a Major / Civic Partner

PIAF is Australia's longest running cultural festival which adds to Perth's reputation as a highly desirable cultural destination nationally and internationally.

The festival program is represented in some of the city and state's premiere cultural venues and provides a stimulus for cultural activity to expand to the streets, parks and temporary venues.

As demonstrated by the proposed program, PIAF remains committed to the continued provision for free events and has a strong emphasis on community engagement, new commissions and interactive work.

PIAF boosts the local economy and positively impacts on local retail and hospitality operators. REMPLAN, the City's Economic Impact Modelling Tool estimates the direct economic impact of the festival to be \$56,158,000 with total economic movement of \$88,996,000. Additionally, 227 employment opportunities are created as a result of the festival.

The project must be of high artistic quality / cultural relevance

PIAF's program is artistically diverse and offers opportunities for all people to engage with the festival and provides the calibre of programming expected by the Festival patrons. The quality of each annual program is benchmarked alongside Australia's major arts festivals.

In 2017, the festival program includes presentations from international artists from USA, UK, Argentina/Chile, Russia, Vietnam, South Africa, Nigeria and Canada. The majority of events in the festival program will be presented within the City's boundaries.

A significant component of the supported program should be free or low cost

In accordance with the objectives of this category of sponsorship, high quality arts activities remain a core focus of the City's PIAF investment. The free opening event, in addition to the free or low cost events within the aligned programs are indicative of the intention to support activities that provide improved access to high quality arts programs.

The organisation must have an established relationship with the City of Perth and has demonstrated a high standard of service and program delivery

PIAF has a professional management team with considerable experience in the successful delivery of this festival.

PIAF has determined the following measurement strategy to measure the outcomes of the festival:

- PIAF will record paid and free attendances for all events including tourist visitation;
- Market Research studies including brand saliency conducted by Catalise;
- Artistic Vibrancy - based on the Australia Council Model; and
- Media and artistic reports.

All previous funding has been acquitted to a satisfactory standard. All past obligations relating to Activity Approvals, Environmental Health and Traffic Management have been met. PIAF has demonstrated a proactive approach with regards to complying with the regulations governing its large scale events in public spaces.

At the time of preparing this report, preliminary discussions with City of Perth Officers with regards to traffic management plans have occurred, however have not been approved or finalised. It has been noted that no road closures will be required in relation to 2017 festival events; however, road closures will form part of contingency plans.

Applicants must demonstrate a financial contribution to the project derived from other sources

PIAF has provided budget information in relation to the delivery of the aligned program.

The budget includes both confirmed and unconfirmed contributions from Government and corporate supporters. PIAF has also anticipated box office revenue and a confirmed contribution of \$610,000 from UWA and \$7,793,000 from Lotterywest. PIAF anticipates total government and corporate sponsorship of \$10,861,066 will be achieved.

The requested contribution from the City of Perth represents approximately 2% of the total project budget.

Acknowledgement

City of Perth funding of \$360,000 would secure the sponsorship acknowledgement benefits outlined in the recommendations sections 2.1 to 2.12 of this report.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	93C4 8000 7901
BUDGET ITEM:	Recreation and Culture – Other Culture – Donations and Sponsorship
BUDGET PAGE NUMBER:	TBA
	BUDGET ITEM
BUDGETED AMOUNT:	\$1,285,000
AMOUNT SPENT TO DATE:	\$766,851
PROPOSED COST:	\$360,000
BALANCE:	\$153,149

All figures quoted in this report are exclusive of GST

COMMENTS:

The amount of \$360,000 is recommended to support the presentation of the 2017 PIAF.

The recommendation reflects a slight decrease (\$5,000) from 2015/16. The reduced allocation has been considered in the context of the agreed reduction in sponsor benefits associated with invitations, ticketing and hospitality.

PIAF has significant support from the State Government, business and the community and the recommended level of sponsorship reflects the City's ongoing commitment to the event, for which the City benefits greatly, in terms of cultural development, community well-being, city vibrancy and economic development.

PIAF is one of the preeminent cultural events in Western Australia and helps to significantly position Perth as a vibrant Capital City.

ITEM NO: 21

ARTS AND CULTURAL SPONSORSHIP 2016/17 – ASSOCIATE PARTNERSHIP – WEST AUSTRALIAN BALLET – GREAT LEAPS PROGRAM

MARKETING, SPONSORSHIP AND INTERNATIONAL ENGAGEMENT COMMITTEE RECOMMENDATION: (APPROVAL)

That Council:

- 1. approves cash sponsorship - Associate Partnership, of \$55,000 (excluding GST) to West Australian Ballet for sponsorship of the Great Leaps Program;***
- 2. notes that West Australian Ballet will provide the following sponsorship benefits to the City of Perth:***
 - 2.1 City of Perth crest acknowledgement as Great Leaps Partner on the sponsor 'Applause' page of each season program;***
 - 2.2 City of Perth crest acknowledgement as a Partner in the 2017 annual subscription brochure;***
 - 2.3 City of Perth crest acknowledgement as Great Leaps Partner on West Australian Ballet's website including a link to City of Perth website;***
 - 2.4 City of Perth crest acknowledgement as Great Leaps Partner on the 'Applause' board in His Majesty's Theatre during all His Majesty's Theatre seasons each year;***
 - 2.5 City of Perth crest acknowledgment as Great Leaps Partner on 2017 Access literature where appropriate;***
 - 2.6 City of Perth crest acknowledgment as Great Leaps Partner on all 2017 Great Leaps literature associated with the program;***

(Cont'd)

- 2.7 City of Perth crest displayed on screens alongside other partners in auditorium prior to all Access performances acknowledging the city's support;**
 - 2.8 Opportunity to display City of Perth signage at Great Leaps events;**
 - 2.9 One promotional opportunity for City of Perth in West Australian Ballet e-newsletters and one cross-promotional opportunity via social media, where appropriate;**
 - 2.10 Half page City of Perth advertisement in the performance programs for His Majesty's theatre main stage seasons.**
- 3. notes that the City is to be provided with an acquittal report for the supported project within three months of completion of the supported projects and an audited annual financial report of West Australian Ballet within six months of the conclusion of the relevant financial year.**

BACKGROUND:

FILE REFERENCE: P1032405#06
REPORTING UNIT: Business Support and Sponsorship
RESPONSIBLE DIRECTOR: Economic Development and Activation
DATE: 1 November 2016
MAP / SCHEDULE: N/A

The Committee recommendation to the Council for this report was resolved by the Marketing, Sponsorship and International Engagement Committee at its meeting held on 29 November 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

West Australian Ballet (WAB) has applied for sponsorship of \$63,000 to support its *Great Leaps Program*, a ballet performance access program for dance students between five and 17 years of age.

WAB, founded in 1952, is the oldest ballet company in Australia. It is an incorporated association and registered as a charitable institution.

Whilst the foundation of the company's repertoire is classical ballet, WAB increasingly programs contemporary works, and is particularly committed to new Australian choreographies.

The company offers an annual programme, education and community outreach programmes, in addition to regional, national and international touring and employs 32 full time professional dancers, including eight young artists and full time production and wardrobe departments. WAB states that it attracts some of the best artists from around the world contributing to the development of new Australian artists and spirit of aspiration for young dancers.

The vision and mission of WAB is as follows:

Vision

To be a world class ballet company for the benefit of all Western Australians and the pre-eminent ballet company in the Asia Pacific region.

Mission

To present outstanding classical and contemporary dance, for the enjoyment, entertainment and enrichment of our communities.

Past support

Year	Sponsorship Amount	Supported Program
2009/10	\$40,800	Three Seasons at His Majesty's Theatre
2010/11	\$51,820	Three Seasons at His Majesty's Theatre
2011/12	\$53,167	Three Seasons at His Majesty's Theatre
2012/13	\$54,496	Three Seasons at His Majesty's Theatre
2013/14	\$55,857	Three Seasons at His Majesty's Theatre
2014/15	\$57,253	Three Seasons at His Majesty's Theatre
2015/16	\$55,000	Three Seasons at His Majesty's Theatre
2016/17 Requested	\$63,000	Great Leaps Program
2016/17 Proposed	\$55,000	Great Leaps Program

An acquittal report for the 2015/16 supported project and the 2015 Annual Report has been received and are accessible within the Elected Member portal (TRIM 198586/16)

This information has been reviewed and demonstrates a satisfactory acquittal of the City's previous funding, as demonstrated by the following summary:

- 78 main stage performances were held in 2015 attracting a total of 44,941 attendances at His Majesty's Theatre;
- Ballet at the Quarry season was extended due to high demand;

- Co-production of Coppelia developed with Queensland Ballet;
- Enrolments in Great Leaps increased to 1,300 (+6.2%);
- Four Australian dancers joined the company, and three dancers from the 2014 Young Artists Scholarship Program were offered ballet positions; and
- Seven Australian dancers were awarded Young Artist Scholarships in 2015.

LEGISLATION / STRATEGIC PLAN / POLICY:

**Integrated Planning
and Reporting
Framework
Implications**

Strategic Community Plan

Council Four Year Priorities: Healthy and Active in Perth
S15 Reflect and celebrate the diversity of Perth

Policy

Policy No and Name: 18.1 – Arts and Culture
18.8 – Provision of Sponsorship and Donations

Eligibility:

Policy 18.1 establishes the principles for the City of Perth supporting Arts and Culture and these principles are used to determine the level of consistency with the program or event proposed for sponsorship funding.

Policy 18.8 establishes the criteria for the City’s assessment of sponsorship applications requiring the applicant to demonstrate alignment with the policy’s objectives and selection criteria as follows:

Category of Sponsorship: Associate Partnership	
Applicant Eligibility Criteria	
<i>The applicant must:</i>	
Have formally identified arts and/ or culture as its primary purpose.	Criterion met
Be a formally constituted not-for-profit, benevolent or charitable organisation.	Criterion met
Be an Australian legally constituted entity.	Criterion met
<i>The applicant must not be:</i>	
A government authority, agency or department.	Criterion met
An individual.	Criterion met
An applicant that has previously submitted unsatisfactory or incomplete reports.	Criterion met
An applicant that has outstanding debts to the City of Perth.	Criterion met
An applicant that has already received support from the City of Perth for this project or any City of Perth sponsorship in the same financial year.	Criterion met

Project Eligibility Criteria	
<i>The project must:</i>	
Provide a public outcome within the City of Perth boundaries.	Criterion met
Occur with the specified timeframe.	Criterion met
<i>The project must not be:</i>	
For profit or commercial purposes.	Criterion met
For fundraising.	Criterion met
An award ceremony or industry specific presentation.	Criterion met
Training, workshops, research or professional development.	Criterion met

DETAILS:

Project Summary

Students of dance, who are currently enrolled in a WA dance school and are aged between five and 17, are eligible to become a *Great Leaps* member.

Great Leaps is a free program that offers members increased access to WAB and its networks, enriching students' ballet experience and providing opportunities for greater development. *Great Leaps* membership benefits include:

- Two \$15 tickets per year to be used at any WAB productions at His Majesty's Theatre (excluding opening nights, closing nights);
- discounts on WAB workshops;
- Ballet News newsletter twice per year;
- regular WAB updates; and
- invitations to special *Great Leaps* events.

Venues

His Majesty's Theatre, WA Ballet Headquarters in Maylands and local dance schools all across Western Australia.

Ticket Prices

Great Leaps membership is free for dance students aged between five and 17. Membership includes two \$15 tickets to WAB His Majesty's main stage theatre performances.

The regular price charged for A-Reserve Child tickets is \$57. *Great Leaps* members are entitled to two tickets annually at the reduced rate; this represents a saving of \$84 per member annually.

ASSESSMENT:

Arts and Cultural Sponsorship Guidelines and in accordance with Policy 18.8 and Policy 18.1.

The identified objective of an *Arts and Cultural Associate Partnership* is to support arts and cultural activities that:

- Invest in the development and presentation of local arts and cultural activity;
- Enhance the profile of the city of Perth as a pre-eminent cultural destination;
- Enhance the corporate profile of the City of Perth; and
- Contribute to the economy of the city.

WAB is the State's flagship ballet company and is invested in the development and presentation of high quality ballet performance. His Majesty's Theatre performances attract approximately 45,000 people to the city throughout the year. In addition to the recurrent program of ballet performance, WAB offers support and development opportunities for West Australian dancers through *Great Leaps* and other access and engagement programs.

The project must demonstrate shared objectives as an Associate Partner

This sponsorship category provides support to arts and cultural programs by established partners and supports the development and presentation of local arts and cultural activity.

WAB reaches approximately 64,000 people annually through performances, workshops and development programs. In 2015 *Great Leaps* achieved a 6.2% increase in membership, for which members are offered attractive benefits including reduced main stage performance tickets. *Great Leaps* achieved a total membership of 1,300 in 2016.

WAB is committed to offering world-class ballet performances to the people of Perth. While the foundation of the company's repertoire is classical ballet, the company reports that it has gained a reputation for adventurous programming and distinctive contemporary outlook.

The company also supports the development of the local dance sector more broadly through its first class dance repertoire, education and access programs. The delivery of consistently high quality performances and programs by WAB, reinforces Perth's status as a cultural destination and as a highly desirable and liveable city for metropolitan residents.

The project must be of high artistic quality/ cultural relevance.

WAB regularly seeks feedback from audiences, community program participants and peers to ensure the high levels of programming are maintained. The company benchmarks the artistic quality of its performances against national and international ballet companies.

WAB provides important professional development opportunities for local and international dancers and is committed to regional, school and community based programs.

WAB market research has found their audience is more interested in experiencing ballet outside of the traditional context. The company aims to fulfil this interest by providing audiences with fresh and new experiences.

Great Leaps is a high quality free program aimed to provide increased access to high quality performances and provide engagement and development opportunities to young dancers.

The organisation must have an established relationship with the City of Perth and has demonstrated a high standard of service and program delivery.

WAB has been in operation for over 60 years and is an incorporated entity. WAB has a professional management and creative team with many years of experience who manage the daily operations under the supervision of a board of directors.

This is the fourth annual program developed under Aurelien Scannella as Artistic Director. Mr Scannella has an international career as a principal dancer, rehearsal director and ballet master.

WAB has submitted an audited annual report and artistic report for 2015 with its application for sponsorship. An acquittal has been received which relates to the 2015 annual season.

The City of Perth has supported WAB's annual season for more than fifteen years. In a move to support programs that provide increased community access and opportunities for young artists, WAB were invited to apply for sponsorship of its access program initiative *Great Leaps*.

The company has developed an extensive marketing plan which includes:

- Print advertisements in The West Australian and community newspapers;
- Radio campaigns through Nova 93.7;
- Television advertising through Channel 7;
- Online advertising including social media campaigns and digital channels;
- 'Out of Home' advertising in the form of billboards on buses;
- Digital media mail out (up to 12,000 per mail out);
- Ticketmaster and Ticketek agency marketing support;
- Leveraging sponsorship and stakeholder relationships; and
- Ongoing publicity campaigns.

Applicant must demonstrate a financial contribution to the project derived from other sources.

WAB has provided a total program budget for 2017 which includes State and Federal Government Grants (44% of the budget) and an estimated amount for ticket sales

and corporate sponsorship. The recommended level of sponsorship equates to 5.8% of the total budget.

WAB's major sponsors include Woodside, Wesfarmers Arts, Healthway, Ernst and Young and Singapore Airlines.

Acknowledgement

City of Perth funding of \$55,000 would secure the benefits outlined in Parts 2.1 to 2.10 of this report.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	93C4 8000 7901
BUDGET ITEM:	Recreation and Culture – Other Culture – Donations and Sponsorship
BUDGET PAGE NUMBER:	TBA
	BUDGET ITEM
BUDGETED AMOUNT:	\$1,280,000
AMOUNT SPENT TO DATE:	\$766,851
PROPOSED COST:	\$55,000
BALANCE:	\$458,149

All figures quoted in this report are exclusive of GST

COMMENTS:

WAB is an important contributor to the life of the city and is one of Western Australia's flagship arts organisations. The City's support of WAB contributes to the profile of the City of Perth as a city of regional and international significance. Sponsorship of *Great Leaps* will support the development of young dancers and ensures increased access to high quality affordable arts activity.

WAB has identified *Great Leaps* participants as the future generation of a loyal and invested audience. By offering *Great Leaps* tickets at an affordable price, WAB is ensuring it's activities are accessible to all children and families. WAB believe the 30,000 children who take extra-curricular dancing lessons across WA are the future audiences, supporters and participants of ballet in WA. By exposing children to high-quality ballet productions from a young age, the theatre experience becomes less intimidating and an enjoyable, sought-after activity for years to come.

Sponsorship of \$55,000 is recommended to support *Great Leaps*. This level of sponsorship is consistent with previous sponsorship of WAB Annual Seasons.

FINANCE AND ADMINISTRATION COMMITTEE REPORTS

ITEM NO: 22

FINANCIAL STATEMENTS AND FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 OCTOBER 2016

FINANCE AND ADMINISTRATION COMMITTEE (APPROVAL)
RECOMMENDATION:

That Council approves the Financial Statements and the Financial Activity Statement for the period ended 31 October 2016 as detailed in Schedule 45.

BACKGROUND:

FILE REFERENCE: P1014149-25
REPORTING UNIT: Finance
RESPONSIBLE DIRECTORATE: Corporate Services
DATE: 18 November 2016
MAP / SCHEDULE: Schedule 45 – Financial Statements and Financial Activity Statement for the period ended 31 October 2016

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Section 6.4(1) and (2) of the *Local Government Act 1995*
Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996*

**Integrated Planning
and Reporting
Framework
Implications**

Strategic Community Plan

Council Four Year Priorities: Community Outcome
Capable and Responsive Organisation

A capable, flexible and sustainable organisation with a strong and effective governance system to provide leadership as a Capital City and deliver efficient and effective community centred services.

DETAILS:

The Financial Activity Statement is presented together with a commentary on variances from the revised budget.

FINANCIAL IMPLICATIONS:

There are no direct financial implications arising from this report.

COMMENTS:

The Financial Activity Statement commentary compares the actual results for the four months to 31 October 2016 with the original budget approved by Council on **28 June 2016** and budget adjustments adopted by Council on **30 August 2016**.

ITEM NO: 23

FINANCIAL STATEMENTS AND FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 NOVEMBER 2016

**FINANCE AND ADMINISTRATION (APPROVAL)
COMMITTEE
RECOMMENDATION:**

***That Council approves the Financial Statements and the
Financial Activity Statement for the period ended 30 November
2016 as detailed in Schedule 46.***

BACKGROUND:

FILE REFERENCE: P1014149-25
REPORTING UNIT: Finance
RESPONSIBLE DIRECTORATE: Corporate Services
DATE: 6 December 2016
MAP / SCHEDULE: Schedule 46 – Financial Statements and Financial
Activity Statement for the period ended 30 November
2016

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Section 6.4(1) and (2) of the *Local Government Act 1995*
Regulation 34(1) of the *Local Government (Financial
Management) Regulations 1996*

**Integrated Planning
and Reporting
Framework
Implications** **Strategic Community Plan**
Council Four Year Priorities: Community Outcome
Capable and Responsive Organisation
A capable, flexible and sustainable organisation with a
strong and effective governance system to provide
leadership as a Capital City and deliver efficient and
effective community centred services.

DETAILS:

The Financial Activity Statement is presented together with a commentary on variances from the revised budget.

FINANCIAL IMPLICATIONS:

There are no direct financial implications arising from this report.

COMMENTS:

The Financial Activity Statement commentary compares the actual results for the five months to 30 November 2016 with the original budget approved by Council on **28 June 2016** and budget adjustments adopted by Council on **30 August 2016** and **1 November 2016**.

ITEM NO: 24

PAYMENTS FROM MUNICIPAL AND TRUST FUNDS – OCTOBER 2016

**FINANCE AND ADMINISTRATION (APPROVAL)
COMMITTEE
RECOMMENDATION:**

That in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended 31 October 2016, be received and recorded in the Minutes of Council, the summary of which is as follows:

FUND	PAID
Municipal Fund	\$ 15,675,014.39
Trust Fund	\$ 33,655.54
TOTAL:	\$ 15,708,669.93

BACKGROUND:

FILE REFERENCE: P1032265-61
REPORTING UNIT: Finance
RESPONSIBLE DIRECTORATE: Corporate Services
DATE: 7 November 2016
MAP / SCHEDULE: TRIM ref. 202056/16 (Summary available on the Elected Members Portal)

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*

**Integrated Planning
and Reporting
Framework
Implications**

Strategic Community Plan

Council Four Year Priorities: Community Outcome
Capable and Responsive Organisation

A capable, flexible and sustainable organisation with a strong and effective governance system to provide leadership as a Capital City and deliver efficient and effective community centred services.

COMMENTS:

Payments for the month of October 2016 included the following significant items:

- \$1,230,458.15 to LGIS Workcare, LGIS Liability and LGIS Property for the second instalment of the City's insurance renewals for 2016/17;
- \$711,834.69 to the Western Australian Treasury Corporation for the loan payment for the City of Perth Library and Public Plaza Project; and
- \$494,650.30 to the Department of Fire and Emergency Services for the adjustment of the emergency services levy first quarter contribution for 2016/17.

ITEM NO: 25

REVIEW COMPLETED – CITY OF PERTH THOROUGHFARES AND PUBLIC PLACES LOCAL LAW 2007 – REPEAL AND REPLACE

**FINANCE AND ADMINISTRATION (APPROVAL)
COMMITTEE
RECOMMENDATION:**

That Council:

- 1. in accordance with Section 3.16(4) of the Local Government Act 1995, receives this report to complete the review of the City of Perth Thoroughfares and Public Places Local Law 2007 and determines, BY AN ABSOLUTE MAJORITY, to repeal the local law, as detailed in Schedule 47;***
- 2. approves in accordance with Section 3.12(3) of the Local Government Act 1995, the giving of State-wide public notice of the intention to make the City of Perth Thoroughfares and Public Places Local Law 2016, as detailed in Schedule 49, with the purpose and effect being:***

2.1 Purpose:

The purpose of this local law is to provide for the regulation, management and control of activities in thoroughfares and public places throughout the district;

2.2 Effect:

The effect of this local law is to establish requirements with which any persons using, or on, thoroughfares and public places throughout the district must comply.

BACKGROUND:

FILE REFERENCE: P1015922-2
RESPONSIBLE UNIT: Governance
RESPONSIBLE DIRECTORATE: Corporate Services
DATE: 3 October 2016
MAP / SCHEDULE: Schedule 47 – *City of Perth Thoroughfares and Public Places 2007* (Current Local Law)
Schedule 48 – Comparison of changes
Schedule 49 – Proposed City of Perth Thoroughfares and Public Places Local Law 2016

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

The current *City of Perth Thoroughfares and Public Places Local Law 2007* was approved by Council at its meeting held on **30 January 2007**, gazetted on 2 March 2007 and effective as of 16 March 2007.

Amendments were made to the local law as follows:

Title	Approval	Notes
<i>City of Perth Thoroughfares and Public Places Amendment Local Law 2013</i>	27 August 2013 (approved by Council) 3 September 2013 (gazetted in WA Government Gazette)	The 2013 amendment local law specifically introduced a new clause to prohibit smoking in mall reserves in the City of Perth.
<i>City of Perth Thoroughfares and Public Places Amendment Local Law 2015</i>	15 December 2015 (approved by Council) 8 January 2016 (gazetted in WA Government Gazette)	The 2015 amendment local law was necessary in order to repeal the <i>City of Perth Signs Local Law 2005</i> and to include new enforceable signage clauses in the <i>City of Perth Thoroughfares and Public Places Local Law</i> . (Advice from the Department of Local Government and Communities (DLGC) and Parliament's Joint Standing Committee on Delegated Legislation (JSCDL) indicated that local governments only have the power to regulate signs on thoroughfares or public places).

The amendment local laws as indicated above, together with the originally made local law (*City of Perth Thoroughfares and Public Places Local Law 2007*), constitute the Principal Local Law.

As part of the City of Perth's continuous review and improvement of local laws, there have been a number of factors identified within the Principal Local Law affecting its application and interpretation in the contemporary environment. This includes the recent introduction of the *City of Perth Act 2016* and the changes to the boundaries of the City of Perth and the City of Subiaco impacting on the enforcement of the City of Perth's local laws.

The local law review process is initiated by State-wide public notice calling for submissions. On finalisation of the public submission period, Council is to consider submissions received and to finalise the review by determining if the local law is required to be amended or repealed. In the case where Council determines a local law is to be repealed, then in accordance with Section 3.12 of the *Local Government Act 1995*, a new local law can be established.

Advice received from the Department of Local Government and Communities (DLGC) has indicated that as the Principal Local Law is currently split into three different pieces of legislation, Council should, upon its next review of the local law, consider repealing the Principal Local Law and replacing it with a new version.

Section 3.12 of the *Local Government Act 1995* details the procedure for making new local laws as follows:

- Council is to approve the giving of State-wide public notice of the intention to make a local law or to review an existing local law. The public notice is to include the purpose and effect of the local law, inspection details and advice regarding the six week public submission period;
- As soon as the public notice is given, the City of Perth is to provide a copy of the proposed local law to the Minister of Local Government and Communities, and any other relevant Ministers to which the local law relates and to any person requesting a copy;
- After the last day for submissions, Council is required to consider any submissions received and may resolve by an absolute majority decision to make the local law, or to make a local law that is not significantly different from the proposed local law as advertised;
- If adopted, the City will subsequently be required to undertake the following to finalise this process:
 - Publish the local law in the *Government Gazette*;
 - Provide a copy of the relevant document to the Joint Standing Committee on Delegated Legislation 10 days after its publication in the *Government Gazette*;
 - Provide a copy of the Gazettal to the Minister for Local Government and Communities and any other relevant Minister; and
 - Publish a local public notice advising the title of the local law, its purpose and effect, the day on which it becomes effective and advising that it may be inspected at the local government's offices.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	Sections 3.12 and 3.16 of the <i>Local Government Act 1995</i>
Integrated Planning and Reporting Framework Implications	Strategic Community Plan Council Four Year Priorities: Community Outcome Capable and Responsive Organisation A capable, flexible and sustainable organisation with a strong effective governance system to provide leadership as a Capital City and deliver efficient and effective community centred services.

DETAILS:

An internal statutory review of the Principal Local Law (refer to Schedule 47) has been conducted by the City of Perth. A number of changes have been identified that will improve the clarity and effectiveness of the legislation and are detailed in the attached Schedule 48:

- The interchangeable use of the terms “Council”, “City or “local government” have been addressed within the proposed local law. It is proposed to use the term “local government” to provide clarity. This point has also been subject to advice received from the DLGC and Joint Standing Committee on Delegated Legislation (JSCDL), and the City of Perth will consistently use the term “local government” in future reviews of all its local laws;
- Amendments to a number of definitions have been proposed to ensure that they align with standard definitions in other State legislation;
- Five penalties have been increased by 100% in order to provide for a more sufficient deterrent in the event of offences occurring. 12 new penalties have been proposed for new clauses;
- Drafting changes, such as the correct numbering of clauses and minor wording amendments, have been used in the new local law to align it with current drafting standards adopted by the Office of Parliamentary Counsel; and
- New clauses have been drafted to regulate the potential obstructions caused by waste receptacles left in thoroughfares for an extended period of time, and also, to deter the entry of persons into closed or locked thoroughfares.

Modified Penalties

The majority of Modified Penalties detailed in the First Schedule of the Principal Local Law have been carried over into the proposed penalties for offences within the proposed City of Perth Thoroughfares and Public Places Local Law 2016. There are also proposed new penalties that align with new clauses and five penalties have been proposed for increases to ensure appropriate deterrents.

New penalties are proposed in relation to:

- New clauses 2.1(5) to 2.1(8) regarding general prohibitions in relation to road reserves (penalty amount of \$125);
- New clause 2.1(16) regarding the unattended bags or baggage in any mall reserve, thoroughfare or public place (penalty of \$125);

- New clause 2.2(1)(o) to 2.2(1)(q) regarding unauthorised activities on a thoroughfare or public place (penalty of \$125); and
- Waste receptacles that cause obstruction in thoroughfares (penalty of \$100).

In order to act as sufficient deterrents, increased penalties (100%) are proposed for activities in relation to unauthorised digging, unauthorised items being placed on verges, and unauthorised activities that cause obstruction to persons or vehicles.

The comparison between the Modified Penalties of the existing Principal Local Law and the proposed new local law is detailed in Schedule 48.

Risk Management Implications

It is noted that should the City of Perth not follow the local law creation process as detailed in the *Local Government Act 1995*, the local law may be disallowed by the JSCDL. The local law must also be cognisant of previous findings of the JSCDL, specifically with regard to provisions that the JSCDL has stated are outside the local law making power of local governments

FINANCIAL IMPLICATIONS:

Costs of approximately \$2,000 will be incurred for the Public Notice and gazettal of the Local Law. These costs will be met through existing operating budgets.

All amounts quoted in this report are exclusive of GST.

COMMENTS:

In accordance with Section 3.12(3) of the *Local Government Act 1995*, it is recommended that Council resolves to repeal the *City of Perth Thoroughfares and Public Places Local Law 2007* and in accordance with Section 3.12(3) of the *Local Government Act 1995*, give state-wide public notice of its intention to make the proposed City of Perth Thoroughfares and Public Places Law 2016 as detailed in Schedule 49.

ITEM NO: 26

REVIEW OF COUNCIL POLICY 10.16 – LEGAL REPRESENTATION FOR MEMBERS AND EMPLOYEES

**FINANCE AND ADMINISTRATION (APPROVAL)
COMMITTEE
RECOMMENDATION:**

That Council:

- 1. in accordance with Section 2.7(2)(b) of the Local Government Act 1995, adopts amendments to Council Policy 10.16 – Legal Representation for Members and Employees as detailed in Schedule 50;***
- 2. in accordance with Section 5.42 of the Local Government Act 1995 authorises, BY AN ABSOLUTE MAJORITY, the Chief Executive Officer to determine an application for legal representation costs for an amount not exceeding \$5,000 and in accordance with the proposed new delegated authority in Schedule 52 - Delegated Authority Register 2016/2017 1.2.13 C – Determine Applications for Payment of Legal Representation Costs; and***
- 3. in accordance with Section 9.49A(4) of the Local Government Act 1995 grants the Chief Executive Officer the authority to sign the Financial Assistance for Legal Expenses Deed on behalf of the City.***

BACKGROUND:

FILE REFERENCE:	P1023394
REPORTING UNIT:	Governance
RESPONSIBLE DIRECTORATE:	Corporate Services
DATE:	31 October 2016
MAP / SCHEDULE:	Schedule 50 – Policy 10.16 - Legal Representation for Members and Employees (with proposed amendments) Schedule 51 – Financial Assistance for Legal Expenses Deed Schedule 52 –Delegated Authority Register 2016/2017 1.2.13 C – Determine Applications for Payment of Legal Representation Costs

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

At its meeting held on **15 July 2008**, Council resolved to adopt Policy 10.16 - Legal Representation for Members and Employees.

The objective of the Policy was to provide a framework and guidelines to assist Council in determining when the City should provide financial assistance to members and employees for legal representation.

The Policy was last reviewed and amended by Council on **1 February 2011**. The review of this Policy is required to ensure it operates efficiently and continues to support the performance of official duties and functions under the *Local Government Act 1995* (the Act).

Section 9.56 of the Act provides protection from civil liability for members or employees for anything they have done, in good faith, in the performance of a function under the Act or another written law. However, the legislation does not prevent people taking action against individual members or employees if they believe the individual has not acted in good faith.

Sections 3.1 and 6.7(2) of the Act allow the City to assist individual members or employees in meeting reasonable legal expenses. Funds may be applied towards the performance of the functions and the exercise of the powers conferred on the local government by the Act or any other written law. A general function of a local government is to provide for the good government of persons in its district. Assisting with legal expenses where Council believes the individual has acted in good faith, and in the performance of their official duties, assists with supporting the performance of functions under the Act (or other written laws) and good governance.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	Sections 3.1 and 6.7(2) of the <i>Local Government Act 1995</i>
Integrated Planning and Reporting Framework Implications	Strategic Community Plan Council Four Year Priorities: Community Outcome Capable and Responsive Organisation A capable, flexible and sustainable organisation with a strong and effective governance system to provide leadership as a Capital City and provide efficient and effective community centred services.
Policy	
Policy No and Name:	10.16 – Legal Representation for Members and Employees

DETAILS:

Governance has undertaken a review of Policy 10.16 – Legal Representation for Members and Employees. During the review amendments were proposed to ensure the Policy would continue to operate effectively and support the performance of functions under the Act. The Policy was then reviewed by City of Perth external solicitors, McLeods, who made drafting amendments for clarity and to comply with changes in legislation. They also amended a “Financial Assistance for Legal Expenses Deed” for use in matters where a security agreement is a condition of providing assistance.

The main policy changes are outlined below:

- The requirement for a formal agreement to be completed in all circumstances where the estimated legal expenses are over \$5,000. A proposed Deed is attached at Schedule 51;
- The increase of maximum amount the Chief Executive Officer (CEO) can approve in urgent circumstances from \$2,000 to \$5,000 to reflect increases in legal expenses over time;
- The insertion of a new clause 5.8, that requires when Council amends or reverses a prior approval in circumstances where there is no determination that the individual did not act in good faith, that the applicant is notified as soon as possible to prevent them incurring further costs; and
- Clause 5.8 also prevents recovery of costs incurred prior to notification. This is to protect the applicant from bearing costs they have incurred in good faith. This amendment does not prevent Council making a later determination that the person did not act in good faith and is therefore required to repay costs.

Proposed Changes

Clause	Original Clause	Proposed New Clause	Reason for Change
Policy Statement	Under the <i>Local Government Act 1995</i> , the City of Perth is empowered to protect the interests of individual members and employees (including past members and former employees) where they become involved in civil legal proceedings because of their official functions.	Under the <i>Local Government Act 1995</i> , the City of Perth is empowered to protect the interests of individual members and employees (including past members and former employees) where they become involved in civil legal proceedings because of their official functions.	The definition of legal proceedings includes civil, criminal and investigative legal proceedings.
Definitions	“approved solicitor” is to be: a) a “certified	“approved solicitor” is to be: a) <u>an “Australian certified Legal practitioner”</u> under the	To reflect the current applicable legislation.

Clause	Original Clause	Proposed New Clause	Reason for Change
	practitioner” under the <i>Legal Practice Act 2003</i> ; and	<i>Legal Practice Profession Act 2008</i> ; and	
1.1(c)	in performing his or her function, to which the legal representation relates, the member or employee, in the opinion of the Chief Executive Officer’s, or, where the employee is the Chief Executive Officer, in the Council’s, opinion must have acted in good faith, and conduct under the City’s Code of Conduct, the City’s policies, and the <i>Local Government (Rules of Conduct) Regulations 2007</i> or other written law; and	in performing his or her function, to which the legal representation relates, the member or employee, in the opinion of the Chief Executive Officer’s, (or, where the employee is the Chief Executive Officer, in the Council’s opinion <u>opinion of the Council</u>) must have acted <u>reasonably</u> , in good faith, and <u>consistently with</u> conduct under the City’s Code of Conduct, the City’s policies, and the <i>Local Government (Rules of Conduct) Regulations 2007 (in the case of an Elected Member)</i> or <u>and</u> other written laws; and	This change clarifies that the <i>Local Government (Rules of Conduct) Regulations 2007</i> only applies to Elected Members. There are also minor changes to better align this clause with clauses 5.6 and 5.7 and for grammatical clarity.
1.1(d)	the legal representation costs do not relate to a matter or dispute in respect of a Local Government Election process.	the legal representation costs do not relate to a matter or dispute in respect of a local government election process .	This change is because “Local Government Election process” is not a defined term so this drafting is more accurate.
5.3	New clause inserted	5.3 A member or employee in respect of whom payment of legal representation costs [that exceed or may exceed \$5,000] has been approved must, before receiving any payment, execute a security deed, prepared by the City, which sets out the terms and conditions on which the payment is to be made, including any repayment requirements under clauses 5.7 and 7.	The new clause requires a formal agreement to be executed in all circumstances (proposed Deed included at Schedule 51) where the anticipated expenses are more than \$5,000. This is to protect the City’s financial interests.
5.8	New clause inserted	5.8 Where the Council resolves to cancel or vary an approval under clause 5.5, but no determination has been made under clause 5.6: - (a) the member or	This clause is to protect an employee or member from bearing costs incurred in good faith prior to the Council resolving to cancel or vary an approval. This is only

Clause	Original Clause	Proposed New Clause	Reason for Change
		<p>employee is to be notified as soon as possible of the decision; and</p> <p>(b) subject to clauses 5.7 and 7, the member or employee is not required to bear the cost of or to refund, any legal representation costs incurred prior to notification as long as those costs were incurred in accordance with the prior approval.</p>	<p>to apply where there is no determination by Council that the conduct of the individual was unlawful or in bad faith.</p>
5.9	New clause inserted	5.9 Nothing in clause 5.8 prevents a later determination being made under clause 5.6 that requires repayment under clause 5.7 or clause 7.	This clause is to prevent the new clause 5.8 being interpreted in a way that prevents recovery when it is later determined an individual acted in bad faith.
6.1	6.1 In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO, subject to clause 6.2, may exercise, on behalf of the Council, any of the powers of the Council under clause 5.1 and 5.2, to a maximum of \$2,000 in respect of each application.	6.1 In cases Where a delay in the approval of an application will <u>would</u> be detrimental to the legal rights of the applicant, the CEO, subject to clause 6.2, may exercise, on behalf of the Council, any of the powers of the Council under clause 5.1 and 5.2, to a maximum of \$2,000 <u>\$5,000</u> in respect of each application.	<p>The \$2,000 limit has not been reviewed in several years. The limit should be reviewed to ensure that it is line with inflation in legal expenses over time. \$2,000 may now be insufficient depending on the nature and urgency of the matter.</p> <p>The other amendments are to allow consideration of detriment to the applicant other than specifically the legal rights of the applicant.</p>

FINANCIAL IMPLICATIONS:

The future financial implications of this policy are not certain as the amounts depend on the nature of the legal assistance sought and approved. The increased limit amounts proposed are intended to ensure there is no gap in coverage and sufficient provision is made for urgent circumstances but not to increase the total amount of expenses incurred.

Sufficient funds are included within the Governance Units legal services budget for such expenses.

COMMENTS:

The incorporation of the financial assistance for legal expenses deed (Schedule 51) is industry best practice.

ITEM NO: 27

TENDER 046- 16/17 – MECHANICAL VENTILATION MAINTENANCE IN CAR PARKS

**FINANCE AND ADMINISTRATION (APPROVAL)
COMMITTEE
RECOMMENDATION:**

That Council accepts the most suitable tender, being that submitted by BSA Limited for Mechanical Ventilation Maintenance in Car Parks (Tender 046-16/17), for a period of three years with an option to extend for a further period of two years, as per the schedule of rates detailed in Confidential Schedule 54 including CPI increases.

BACKGROUND:

FILE REFERENCE: P1033216
REPORTING UNIT: Commercial Parking
RESPONSIBLE DIRECTORATE: Community & Commercial Services
DATE: 23 November 2016
MAP / SCHEDULE: Confidential Schedule 53 – Tender Evaluation Matrix
Confidential Schedule 54 – Schedule of Rates
(distributed to Elected Members under separate cover)

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

The City has mechanical ventilation systems installed in nine of its undercover car parks for the purpose of keeping carbon monoxide (CO) levels in the car parks at acceptable levels. Some of the installations are over 30 years' old and experiencing high failure rates resulting in increased cost of maintenance. At the end of last year the City appointed a mechanical engineering services consultant to undertake condition assessments for all the installations and come up with a new maintenance specification together with recommendations on upgrade works that are necessary to bring all installations up to a good state of repair.

The request for tender sought submissions from suitably qualified mechanical service maintenance contractors to maintain the installations and undertake the required upgrade works.

Tender 46 16/17 – Mechanical Ventilation Maintenance in Car Parks was advertised in The West Australian on Wednesday, 21 September 2016. At the close of the tender on Tuesday, 25 October 2016 at 2.00pm, four submissions were received from the following:

- MIZCO Pty Ltd;
- KD Aire Mechanical Services Pty Ltd;
- Mechanical Project Services Pty Ltd; and
- BSA Limited.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Section 3.57 of the *Local Government Act 1995* of the Part 4 of the *Local government (Functions and General) Regulations 1996*

Integrated Planning and Reporting Framework Implications **Corporate Business Plan**
Council Four Year Priorities: Capable and Responsive Organisation
S19 A capable, flexible and sustainable organisation with a strong and effective governance system to provide leadership as a Capital City and deliver efficient and effective community centred services.

Policy
Policy No and Name: 9.7 - Purchasing Policy

DETAILS:

The tender submissions were evaluated on the following qualitative selection criteria specified in the request for tender:

- Experience with similar works;
- Methodology and demonstration of understanding scope of works;
- Experience of Key Personnel and Support Resources; and
- Quality Assurance Procedures.

MIZCO Pty Ltd

The tender evaluation panel (panel) found that Mizco Pty Ltd (Mizco) did not have adequate experience to service the mechanical services part of the contract. Their submission was based on engaging a subcontractor to undertake this part of the contract. This was in contrast to the objective of the tender which requested for submissions from suitably qualified mechanical services contractors. The Mizco submission also failed to demonstrate an understanding of the scope of works as

inadequate information was provided in response to this criterion. The panel noted Mizco had good experience and understanding of the controls part of the tender. It was noted that the submission from Mizco contained a number of exclusions from the specified works. The panel after careful consideration of the submission in its entirety agreed that this was a non-compliant tender.

KD Aire Mechanical Services Pty Ltd

The panel found the KD Aire Mechanical Services Pty Ltd (KD Aire) submission had deficiencies in the responses to the criteria for experience with similar works and demonstration of understanding of the scope of works. Not enough detail was provided to address these criteria. There was also no evidence of the provision of a web-based electronic maintenance reporting and asset management structure provided to comply with the tender specification. The panel also found the experience provided for key personnel to be mainly for refrigeration services and the response lacked detail on subcontract work. KD Aire however, provided good details of quality assurance procedures and scored high in this criterion.

Mechanical Project Services Pty Ltd

Mechanical Project Services Ltd (MPS) scored low in all criteria except for quality assurance procedures. It was noted that based on a clarification request that had been made to MPS, it had submitted an incorrect version of its prepared tender, and this did not address most of the qualitative criteria requirements. The panel could therefore only evaluate the MPS tender based on the copy that was submitted.

BSA Limited

BSA Limited (BSA) scored the highest in all criteria and had the highest aggregate weighted score. It was the only tenderer that met all the qualitative selection criteria. It provided a comprehensive submission, with detailed responses to each of the selection criteria. This included details on past similar projects, profiles of nominated key personnel and an implementation plan together with a Gantt chart showing the duration for undertaking the rectification works.

The tender evaluation panel was in agreement that BSA Limited was the only tenderer that had met the qualitative selection criteria requirement. It was agreed that the pricing comparison with other tenderers would be for information purposes only.

Pricing Evaluation

Mizco's overall tender price submission was found to be the most expensive at approximately 237% above the lowest overall tender price submission. It was also observed that Mizco's tender submission included a significant number of exclusions, which were not included in the tender price.

KD Aire's overall tender submission was the second most expensive.

BSA and MPS submitted the two lowest tender prices. The difference in the overall preventative maintenance cost submitted was \$1,240. However, the rectification

works cost submitted by MPS was found to be significantly higher than BSA, with a difference of \$112,558.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CW1807 & CW2088 & CL09 B13 000 7214
BUDGET ITEM:	CO Monitoring & Mechanical Ventilation
BUDGET PAGE NUMBER:	37
BUDGETED AMOUNT:	CW \$473,794 Maintenance 16/17 \$79,060
AMOUNT SPENT TO DATE:	CW \$ 45,620 Maintenance 16/17 \$34,488
PROPOSED COST:	CW \$272,602
BALANCE:	\$201,192 To be used for upgrade of CO sensor & DDC systems plus Builder's works and crantage
ANNUAL MAINTENANCE:	\$70,000 plus CPI
ESTIMATED WHOLE OF LIFE COST:	\$2,000,000

All figures quoted in this report are exclusive of GST.

COMMENTS:

Based on a combination of qualitative factors and pricing to ascertain the best value for money, it is recommended that BSA Limited be awarded the tender for the Mechanical Ventilation Maintenance in Car Parks (Tender 46 16/17) as per the Schedule of Rates outlined in Confidential Schedule 54.

ITEM NO: 28

RESOURCES TRIBUTE PROJECT – PERTH PUBLIC ART FOUNDATION REQUEST FOR SUPPORT

**FINANCE AND ADMINISTRATION (APPROVAL)
COMMITTEE
RECOMMENDATION:**

That Council:

- 1. provides in principle support of the Resources Tribute Project in the form of:***
 - 1.1 confirmation of in-kind contribution of a site for the Resources Tribute, as per Schedule 55;***
 - 1.2 administrative support to obtain all approvals, licences, and other requirements under City of Perth policy;***
 - 1.3 provision of an Officer representative(s) from the City of Perth to sit on the artwork selection panel;***
 - 1.4 upon completion of the project, acceptance of the Resources Tribute accessioned into the City of Perth Public Art Collection as an asset under the care and custodianship of the City of Perth,***
- 2. nominates _____ to represent Council on the artwork selection panel;***
- 3. support as per part 1 above is in principle; final approval is subject to the submission of a final project plan, artwork design, and, in due course, a completed artwork, that meets all relevant City policy and procedural requirements, including, but not limited to:***
 - 3.1 Policy 1.5 – Public Art; and***
 - 3.2 Policy 1.6 – Commemorative Works,***

(Cont'd)

4. ***authorises the Chief Executive Officer, or his delegate, to represent the City of Perth as at 1.3; and***
5. ***notes that the final proposed artwork design as per part 3 above will be submitted to Council for approval, prior to execution.***

BACKGROUND:

FILE REFERENCE: P1029507
REPORTING OFFICER: Tabitha McMullan
REPORTING UNIT: Arts, Culture & Heritage
RESPONSIBLE DIRECTORATE: Economic Development & Activation
DATE: 18 November 2016
MAP / SCHEDULE: Schedule 55 – Proposed sites for the Resources Tribute
Confidential Schedule 56 – The Resources Tribute Project Plan
(distributed to Elected Members under separate cover)

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

In May 2012, the Board of the Perth Public Art Foundation (PPAF) (then known as City of Perth Art Foundation), determined that the Foundation would act as the triage organisation to facilitate and manage funds associated with a fundraising campaign launched by Miners' Promise to raise funds from the corporate and public sector to build a public artwork known as Miners' Tribute.

Miners' Tribute was at this point expected to raise funds from the private and public sector to develop a public artwork that recognised the role of the Mining Industry whilst providing a public acknowledgement of those who had lost their lives through their role in the Mining Sector.

In late 2013 the PPAF embarked on a transformation, positioning the organisation as an independent not-for-profit cultural charity. Whilst supporting the City of Perth's Arts, Culture and Heritage Unit and underpinning all projects within the Public Art Strategy, the PPAF was now positioned and resourced to engage with the public and private sector on projects that assisted the City in realising its public art aims.

Since this transformation, the PPAF has reviewed existing arrangements whilst simultaneously conducting research and scoping of the existing project and development of a new vision for the project that broadens the scope to capture the entire resources sector ie: Oil and Gas / Mining.

The PPAF has developed a new detailed project plan (Confidential Schedule 56), defined a public and corporate fundraising strategy that aims to result in the development of a destination public artwork now known as the Resources Tribute.

The PPAF has also established a fundraising committee, undertaken research and consultation to determine the financial climate and ability to raise the funds for the project and complete a Cultural Mapping of the City of Perth, as a rationale for identifying and confirming a suitable site for the Resources Tribute.

In order to progress the project and implement the fundraising strategy the PPAF has requested that the City of Perth confirm it's in principle support of the project as per part 1 above.

LEGISLATION / STRATEGIC PLAN / POLICY:

Integrated Planning and Reporting Framework Implications

Corporate Business Plan

Council Four Year Priorities: Healthy and Active in Perth
S15 Reflect and celebrate the diversity of Perth
S15.3 Develop Public Art Strategy and Implementation Plan

Policy

Policy No and Name: 1.5 – Public Art Policy
1.6 – Commemorative Works Policy

DETAILS:

Western Australia has been a beneficiary of significant investment in resources development over the years and the sector is a cornerstone in the settlement history of the State. Today, Western Australia is world ranking in liquefied natural gas and oil and gas industries; iron ore development and production; has a burgeoning resource services and construction industry, which services Australian and international resource development. Western Australia also has a leading role supplying gold, nickel, alumina and other commodities to global markets. The benefits from the Western Australian resource sector activity have flowed through to the Western Australian economy, making it the stand out economic performer in Australia over recent years whilst driving substantial income growth and prosperity for many adjacent industries in Western Australia.

During 2013 – 2014, there were 17 fatalities across the sector nationally. This is the third worst in 15 years. In the six months leading up to June 2014, a sector worker was killed on average every 15 days. The rising toll of injury and death ensures companies and Government agencies conduct regular reviews and implement investigations to learn from these incidents and develop strategies to avoid and minimise their reoccurrence; however the impact for families affected by these tragedies is long lasting. When the organisational process of supporting employees and families through an incident is complete, families are often left feeling isolated, trying to cope emotionally and financially with their loss. The journey of bereavement can often be a life long journey.

There is no permanent public legacy that provides a destination at which to congregate, to remember and celebrate. The opportunity to develop a public dedication that is accessible to all communities, which provides a focal point for commemoration whilst recognising the role the resources sector has played in the development of Western Australia is an opportunity for all West Australians to support and be a part of.

Aim of the Resources Tribute

The Resources Tribute aims to achieve two core goals:

- Recognise the role the Resources Sector has played in the development of Western Australia; and
- Offer a destination for celebration and commemoration for those who have been injured or suffered loss of life as a result of their or their families' role in the Sector.

The Site

The site of the Resources Tribute requires careful consideration in order to achieve the key aims of the project and ensure engagement with the community as a destination, landmark public artwork.

The PPAF has consulted with several City of Perth Officers in exploring options for locating the Resources Tribute. Many factors have been taken into consideration during the scoping of the project and consultation with City Officers including the following:

- The artwork should ideally be located in or close to the 'Resources Precinct' of Perth, which is broadly defined, as the St Georges Terrace, Mount Street, Spring Street, Esplanade and Barrack Street perimeter of the Perth CBD.
- The location must be considered within the context of future strategic planning and urban regeneration and development; specifically, the emphasis of North/South axis of the CBD and the connection between the Swan River and Northbridge.
- The PPAF has developed a Cultural Mapping Plan (CMP). The CMP is not a Public Art Master Plan but rather a critical foundation and rationale that will assist the identification and approval of sites relating to the Resources Tribute and how they sit within Perth's cultural/historical narratives and the overall built environment. The CMP provides an informed context to identify and assist with identification and confirmation of a site.
- The annual calendar of events and activations expected to take place in city public open spaces.
- Considerations specific to the nature of the Resources Tribute:
 - A location that permits contemplation, i.e. scale, peaceful, outlook;

- A site of significant size that enables people/groups to congregate, events to be executed, and industry announcements/key dates to be presented or acknowledged;
- Consideration to the surrounding environment and environmental issues;
- A high profile location within the 'Perth Resources Precinct';
- Consideration of the built environment;
- Community engagement, tourism, accessibility and public realm activation; and
- Consideration of non-physical properties of the surrounding area including economic, social and cultural development.

Based on these considerations, the recommended locations for the artwork are as follows (subject to State Heritage Office approval and development of the artwork project plan and design):

- Option 1 (preferred): Stirling Gardens; and
- Option 2 (default): Corner of Riverside Drive and Governors Avenue, to the South of Terrace Road Car Park

In the event that Option 1 is not suitable, permissible, or desirable, Option 2 will be the default location for the artwork. (See Schedule 55)

Ownership of the Artwork

As the commissioning agent, the PPAF is officially the owner of any completed work. The PPAF however is not an art collection but rather a commissioning organisation.

As part of the PPAF's principal partnership with the City of Perth, and subject to Policy 1.5 – Public Art, all artwork commissions developed by the PPAF are, upon completion, transferred to the City of Perth Public Art Collection, accessioned and registered as an asset. This transfer must be approved by the City of Perth to ensure the completed work is within the standard of their public art collection and meets all policy requirements.

As an accessioned artwork, the Resources Tribute would benefit from asset management; interpretation, community engagement and public relations strategies, and dedicated long term maintenance and conservation, as is standard for all artworks in the City of Perth Collections.

FINANCIAL IMPLICATIONS:

The PPAF has not requested any funding for the project. Costs to the City of Perth will be in ongoing maintenance costs for the artwork, which will not be known until the final artwork design and maintenance schedule is determined. Low maintenance requirements will be mandatory for the artwork design. Other costs may be in waiving of fees for City approvals.

COMMENTS:

State Heritage Office has not yet provided feedback on the proposal.

ITEM NO: 29

LORD MAYORS DISTRESS RELIEF FUND – ADMINISTRATION AND SUPPORT SERVICES

**FINANCE AND ADMINISTRATION (APPROVAL)
COMMITTEE
RECOMMENDATION:**

That Council:

- 1. supports the City of Perth's continued administration of the Lord Mayor's Distress Relief Fund at no financial cost to the Lord Mayor's Distress Relief Fund;***
- 2. approves the inclusion of funds in future budgets for the ongoing administration of the Lord Mayor's Distress Relief Fund; and***
- 3. recognises the City's significant contribution to the administration of the Fund and the costs associated with that function as its financial contribution to any future appeals.***

BACKGROUND:

FILE REFERENCE: P1005842-15
REPORTING UNIT: Community Services
RESPONSIBLE DIRECTORATE: Corporate Services and Community and Commercial Services Directorates
DATE: 17 November 2016
SCHEDULE: Schedule 57 – Lord Mayor's Distress Relief Fund - Appeal History

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

The Lord Mayor's Distress Relief Fund (the Fund) was established, in conjunction with the State Government, in 1961 to provide financial assistance to individuals for the alleviation and relief of distress, suffering and personal hardships, brought about

by any disaster or emergency within Western Australia declared by the Western Australian Government or for which the Board considers warrants assistance.

The perpetual fund is incorporated under the *Charitable Collections Act 2003* and has Australian Taxation Office tax deductibility status. The Fund is administered by an independent board of eight members who meet on an 'as required' basis, but at least twice annually. The Board comprises:

- The Rt. Hon. The Lord Mayor, Ms Lisa Scaffidi (Chairman);
- Noelene Jennings;
- Robert Gillam;
- Rob Rowell;
- Jennifer Smith;
- Ian Taylor;
- Michael Wallwork, PSM; and
- Lynne Craigie.

The roles of Honorary Treasurer and Honorary Secretary are fulfilled by City of Perth Officers. The Honorary Treasurer position is held by the Director Corporate Services who has performed this role for the past eleven years, and the Honorary Secretary position is currently held by the Manager Community Services, which was previously held by the Chief Executive Officer of the City.

The City of Perth has donated administrative and other support services to the Fund since its foundation.

LEGISLATION / STRATEGIC PLAN / POLICY:

Integrated Planning and Reporting Framework Implications

Strategic Community Plan

Council Four Year Priorities: Community Outcome
Capable and Responsive Organisation

A capable, flexible and sustainable organisation with a strong and effective governance system to provide leadership as a Capital City and deliver efficient and effective community centred services.

Policy

Policy No and Name: State Emergency Management Committee 5.12 – Funding for emergency responses
State Emergency Management Committee Recovery Procedure 1 – Management of public fundraising and donations

DETAILS:

The State Emergency Management Committee, the peak emergency management body in Western Australia responsible for the development of emergency management arrangements, has identified the Lord Mayor's Distress Relief Fund as

the official coordinating body for launching and operating natural disaster appeals within the state of Western Australia.

Many communities across Western Australia have experienced hardships resulting from natural disasters and have been assisted by the Lord Mayor's Distress Relief Fund. Since 1996, the Lord Mayor's Distress Relief Fund, with the assistance of the City of Perth, has raised and distributed almost \$25 million to over 2,000 West Australians.

In the last 10 years the following appeals were launched by the Fund:

Year	Appeal	Amount Raised / Disbursed (,000s)	Number of applicants
Jan-2007	Dwellingup Fires	\$185	16
Dec-2009	Toodyay	\$300	92
Dec-2010	Gascoyne & Mid West Floods	\$2,610	199
Jan-2011	Lake Clifton Fire	\$520	24
Feb-2011	Perth Hills Fire	\$3,770	116
Nov-2011	Margaret River Fire	\$1,150	94
Jan-2014	Parkerville Fire	\$2,600	148
Nov-2015	Esperance Fires	\$1,700	67 (included 4 next of kin)
Jan-2016	Waroona and District Fire	\$8,899	525 (included 2 next of kin)

In addition to the above appeals, the Fund provided individuals with assistance as a result of the following natural events that were not public appeals:

Year	Appeal	Amount Raised / Disbursed (,000s)	Number of applicants
Feb-2006	Lake Grace Floods	\$14	5
Mar-2006	Gascoyne / Murchison Floods	\$75	2
Jan-2008	Stoneville Fires	\$5	1
Jan-2009	Bridgetown Fires	\$27.5	6
Jan-2012	Pastoral Wildfires	\$80	16

City of Perth administration costs

City of Perth Officers currently fulfil the roles of Honorary Treasurer and Honorary Secretary. In the event of an appeal additional City of Perth resources are utilised to assist with the following functions:

- Administration associated with the launch of an appeal, receipting and acknowledgement of donations, assessing claims for assistance and disbursement of funds to those affected by natural disaster event;
- Liaison with relevant local government authorities and local recovery committees;
- Financial reporting;

- Media communications; including media releases, updating the Fund's website, social media, speech notes; and
- Coordination of organisations wishing to fundraise on behalf of the Fund.

The City of Perth seeks no reimbursement for the costs associated with providing support to the Fund; this ensures that 100% of all money donated goes directly to those in need. This arrangement is unlike any other Australian state where it is usual for appeals to operate through a Premier's appeal managed by organisations, such as Australian Red Cross, who take a percentage of the donations raised to cover their administration costs.

The below table reflects the estimated cost to administer the Lord Mayor's Distress Relief Fund. The cost may vary based on the scale of the event, the affected Local Government's available resources and their unique community needs; as some communities require more assistance from the Fund than others.

	No events	Small scale	Medium scale	Large scale
Description	No natural disaster events and therefore no appeals called. Min. 2 Board meetings.	Fire affected less than 100 properties	Fire affected 100-500 properties	Fire affected 500+ properties
Estimated cost per annum	\$2,000	Up to \$50,000	\$75,000-\$150,000	\$150,000+

The most recent appeals, the Esperance Fires Appeal in November 2015 (considered to be a small scale event) and the Waroona and District Fire in January 2016 (considered a large scale event) are estimated to have cost the City in the vicinity of \$200,000. This amount includes:

- staff salaries, in particular an estimated total of 1,500 hours contributed by the Manager Community Services, Director Corporate Services and previous Chief Executive Officer over a five month period;
- the assistance of the City's Customer Service Centre, which received 1,939 calls over an eight week period and a large number of over-the-counter transactions; and
- the City's Communications team and five administration staff across two directorates, totalling 1,004 hours.

The City of Wanneroo donated a full-time resource for a period of two weeks to assist during the Waroona and Districts Fire appeal.

The City's administration will be reviewing current systems and structures to reduce the amount of manual processing and in turn reduce administration costs by utilising its resources more effectively and efficiently. This will include the purchase of

accounting software for the Fund, and an online donations and electronic payment system with the Funds bankers.

It is preferred that the roles of Honorary Secretary and Honorary Treasurer remain within the City of Perth and are not outsourced. It is recommended that both positions sit within the Community and Commercial Services Directorate, with the Honorary Treasurer role transitioning from the Director Corporate Services to the Director Community and Commercial Services. The Honorary Secretary position will be held by the Manager Community Services. In addition, a position within the Community Services Unit will be funded to carry out the administrative duties associated with the Fund in particular during appeals, and other resources will be contracted if and when required.

Other cash support

In addition to administration costs, the City has provided a cash donation to most appeals. Since 2009 donated amounts are:

Year	Appeal	Amount donated
Dec-2009	Toodyay	\$50,000
Dec-2010	Gascoyne & Mid West Floods	\$20,000
Feb-2011	Perth Hills Fire	\$20,000
Nov-2011	Margaret River Fire	\$10,000
Jan-2014	Parkerville Fire	\$25,000
Nov-2015	Esperance Fires	\$10,000
Jan-2016	Waroona and District Fire	\$20,000

Noting the role the City of Perth plays in the administration of the Fund and the costs associated with that function, it is recommended that the City does not provide a cash donation to any future appeals launched by the Lord Mayor's Distress Relief Fund and administratively supported by the City of Perth.

FINANCIAL IMPLICATIONS:

\$20,000 has been budgeted in the 2016/17 to purchase accounting software and an online donations and electronic payments system to reduce manual processing.

No funds have been budgeted for the administration of an appeal should they be required. An amount of \$50,000 will be included as part of the 2016/17 budget review process. If a medium to large scale event were to occur prior to the budget review this amount will be increased to reflect the scale of the event/s.

ACCOUNT NO: CL 55C7 6000
BUDGET ITEM: Community Services – Lord Mayor's Distress Relief Fund
BUDGET PAGE NUMBER: 55
BUDGETED AMOUNT: \$ 20,125
AMOUNT SPENT TO DATE: \$ 66
PROPOSED COST: \$ 20,000

ITEM NO: 30

PARKING PROMOTION JANUARY 2017

**FINANCE AND ADMINISTRATION (APPROVAL)
COMMITTEE
RECOMMENDATION:**

That Council:

- 1. approves the implementation of Option 2: \$5 flat fee parking at two inner CBD car parks and free parking at four outer CBD car parks with CAT bus access to the inner CBD, commencing on the weekend of 17 December 2016 and every weekend up until 15 January 2017 between 8.00am and 6.00pm; and***
- 2. notes the administration will provide a report to the Finance and Administration Committee on the outcome of the promotion.***

BACKGROUND:

FILE REFERENCE: P1003659-7
REPORTING UNIT: Commercial Parking
RESPONSIBLE DIRECTORATE: Community and Commercial
DATE: 28 November 2016
MAP / SCHEDULE: Confidential Schedule 58 – Rate-Payer Subsidised Parking Options - January 2017 (distributed to Elected Members under separate cover)
Schedule 59 – Map of car parks included in Option 2

At the Finance and Administration Committee meeting held on 6 December 2016 Part 1 of the Officer Recommendation was amended as follows:

- 1. approves the implementation of Option 2: \$5 flat fee parking at two inner CBD car parks and free parking at four outer CBD car parks with CAT bus access to the inner CBD, ~~on 7 to 8 January 2017 and 14 to 15 January 2017~~ commencing on the weekend of 17 December 2016 and every weekend up until 15 January 2017 between 8.00am and 6.00pm; and***

Reason: The Finance and Administration Committee considered it appropriate to amend the Officer recommendation to change the dates to include the two weeks leading up to Christmas due to the peak trading period.

The following notice of motion was received from Deputy Lord Mayor Limnios on 16 November 2016 for the Council Meeting on Tuesday, **22 November 2016**:

- “1. *That Council approve from 3 to 31 December 2016 that City of Perth Parking (CPP) provide free parking (from 10.00am to 7.00pm) on Saturdays and Sundays to the following car parks:*
 - *His Majesty Car Park;*
 - *Citiplace Car Park;*
 - *State Library Car Park;*
 - *Pier Street Car Park;*
 - *Council House Car Park;*
 - *Terrace Road Car Park;*
 - *James Street Car Park;*
 - *Roe Street Car Park;*
 - *Aberdeen Street Car Park;*
 - *Cultural Centre Car Park;*
 - *Fire Station Car Park; and*
 - *The Garage Car Park*
2. *City of Perth Officers meet with representatives of the Public Transport Authority and consider a strong public transport incentive for future retail trading months with the costs to be funded from the Perth Parking Levy; and*
3. *a report be presented back to Council on the effectiveness of the free parking and public transport initiative.”*

In response to the Notice of Motion, Council passed a procedural motion requesting that the City consider options for the introduction of ratepayer subsidised parking in January and present to Council.

It is recognised that the macro economic impacts such as the mining downturn has reduced the number of commuters into the city on a daily basis and therefore foot traffic.

The City's retail provision enjoys significant points of difference from large suburban shopping malls. With an active economic development program including business support, the City works with operators including retailers to attract new and world class retailers and businesses to the city. Additionally, the City's strong support of large and small scale events attracts visitors to the city who may otherwise choose to shop at suburban retail centres. It is recognised that attendees at events can have a strong economic return on retailers and hospitality outlets. For example, the Friday night Hawkers' Market attracts 6,000 to 10,000 people per event and the economic modelling demonstrates a flow on impact to retail of \$87 per person.

Projects such as the Industry Superannuation Property Trust redevelopment will have a longer term positive impact on the surrounds that will attract people to use the City. Other issues such as anti-social behaviour are being addressed by the Police and the City Rangers with support from the Surveillance Centre.

The major metropolitan retail centres are currently expending \$4 billion on upgrades. One of the biggest challenges these centres face is from online shopping not from parking fees.

Compared to other suburban shopping centres the City pays a levy to the State Government depending on the type of bay in operation:

	Short Term	Long Term	Tenant Parking
Parking Licence per bay	\$1,005.80	\$1,088.60	\$1,132.00

This amounts to an annual Parking Levy payment of over \$17 million.

December is traditionally the busiest month for trading, whilst January and February tend to be the quietest months of the year. Moreover, there are very few events scheduled to be staged in January 2017.

The City has conducted a review of options in terms of managing in/out flow of vehicles, system and software programming

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

6.16 and 6.17 of the *Local Government Act 1995*
Perth Parking Management Act 1999
Perth Parking Management Regulations 1999

Integrated Planning and Reporting Framework Implications

Strategic Community Plan

Council Four Year Priorities: Getting Around Perth
S4 Enhanced accessibility in and around Perth
including Parking

DETAILS:

Option 1: \$5 flat fee parking at two inner CBD car parks, for 7 to 8 January 2017 and 14 to 15 January 2017 between 8.00am and 6.00pm

The two car parks proposed are Pier Street (716 Bays) and Concert Hall (399 bays). Both car parks are a short walk to the malls, undercover car parks and are family friendly parking options.

Free all day parking is not recommended due to the close proximity of competitor car parks. The provision of free all day parking may also cause traffic and congestion issues in the area.

The provision of a flat fee rate requires manual implementation. Additional staff will need to be rostered on duty to operate the encoders which allow tickets to be re-programmed.

Confidential Schedule 58 shows patronage at the above two car parks over two weekends in January 2016. The estimated sum of revenue loss due to the

implementation of the \$5 flat fee is shown in the same Schedule. Calculations are based on 2016 patronage and revenue figures:

Additional labour costs and advertising costs to implement Option 1 amount to **\$70,478.80**.

Option 2: \$5 flat fee parking at two inner CBD car parks and free parking at four outer CBD car parks with CAT bus access to the inner CBD, for 7 to 8 January 2017 and 14 to 15 January 2017 between 8.00am and 6.00pm

A \$5 flat fee is proposed at the following car parks:

Pier Street (716 bays)	\$5 flat fee all day (8.00am-6.00pm)
Concert Hall (399 bays)	\$5 flat fee all day (8.00am-6.00pm)

Both car parks are a short walk to the malls, undercover car parks and are family friendly parking options.

As with Option 1, this will require manual implementation.

Free all day parking (8am – 6pm) is proposed at the following car parks:

Regal Place (289 bays)	Gates to be raised between 8.00am and 6.00pm
	Serviced by Yellow CAT bus route
	Supports East Perth traders and activates East Perth precinct
Mayfair Street (441 bays)	Gates to be raised between 8.00am and 6.00pm
	Serviced by Green, Red and Yellow CAT bus routes
	Supports West Perth traders and activates West Perth precinct
	This car park is normally closed on weekends
Goderich Street (176 Bays)	Gates to be raised between 8.00am and 6.00pm
	Serviced by Red CAT bus route
Queens Gardens (863 bays)	Normally a pay and display car park – ticket machines to be hooded
	Serviced by the Red CAT bus route

Free all day parking at these car parks would help minimise traffic management and congestion issues which could eventuate if the same were to be provided in inner CBD car parks. CAT buses operate every 10 minutes on weekends and provide free and convenient transit to the CBD. The positioning of these outer CBD car parks provides easy access to the Freeways, allowing for reduced congestion in the City centre.

Moreover, increased activity in East and West Perth and the potential of increased trade within these precincts is an added advantage. Food and beverage outlets in

West Perth and the Claisebrook Cove locales could potentially benefit from greater footfall.

This option also supports the Principles of the Perth Parking Policy 2014 (Western Australian Gazette) which states (at Clause 5):

“In the heart of the city, pedestrians will have priority; surrounding the pedestrian heart, the emphasis will be on the provision of short term public parking.”

The provision of free all day parking close to the pedestrian heart of the City would encourage long term parking, in contradiction to this listed Principle of the Perth Parking Policy. The provision of free parking outside the inner CBD facilitates compliance with the Policy.

Due to the number of car parks included in this Option, a map is provided at Schedule 59.

Implementation of the \$5 flat fee will incur revenue loss as per Confidential Schedule 58. Calculations are based on 2016 patronage and revenue figures:

Free parking at Regal Place, Mayfair Street, Goderich Street and Queens Gardens Car Parks will see revenue loss as detailed in Confidential Schedule 58. Calculations are based on 2016 patronage and revenue figures.

Additional labour and advertising costs to implement Option 2 amount to **\$106,758.80**.

Option 3: Three hours free parking at four inner CBD car parks, for 7 to 8 January 2017 and 14 to 15 January 2017 between 8.00am and 6.00pm

The four proposed car parks are Terrace Road, Concert Hall, His Majesty’s and Council House.

His Majesty’s Car Park (654 bays) is a high volume and highly utilised shopper car park which is also close to other competitor car parks. The provision of free parking within this inner CBD area would likely cause significant traffic management and congestion issues. The one way traffic flow system on Murray Street at the entry to the car park, coupled with its proximity to the Murray Street/Milligan Street intersection means high traffic volume would severely impact the flow of traffic in the area.

Furthermore, provision of free parking close to the pedestrian heart of the City would encourage long term parking, in contradiction to the Principles of the Perth Parking Policy 2014 (Western Australian Gazette).

Council House (94 bays) is a low capacity car park used by church patrons on Sundays and is the closest car park to a number of key worship locations (e.g. St George’s Cathedral, All Saints Catholic Chapel, Perth City Musallah).

Implementation costs for this option would be significant. Software programming would be required on two different car park operating systems – pay on foot and licence plate recognition. The encoding would be both time and labour intensive; and therefore costly for the City.

The estimated cost of the free parking in simple revenue loss terms is shown in Confidential Schedule 58. This does not account for programming labour costs. Additional labour and advertising costs to implement Option 3 amount to **\$80,300.80**.

COMMENTS:

Option 2 is recommended as the most operationally effective option, whilst providing the broadest benefits not only to Perth CBD but also to the East Perth and West Perth precincts.

Implementation of Option 2 would also provide good empirical evidence of any increase in the usage of the car parks, return to retailers and also use of CAT buses as an alternative transport option.

Please note:

- All calculations include GST; and
- Payment by credit card will incur a credit card surcharge in addition to the promotional rate.

ITEM NO: 31

SAFECITY STRATEGY

FINANCE AND ADMINISTRATION (APPROVAL)
COMMITTEE
RECOMMENDATION:

That Council endorses the SafeCity Strategy 2016 – 2020 as detailed in Schedule 60.

BACKGROUND:

FILE REFERENCE: P1029480
REPORTING UNIT: Community Amenity and Safety
RESPONSIBLE DIRECTORATE: Community and Commercial Services
DATE: 28 November 2016
MAP / SCHEDULE: Schedule 60 – Draft SafeCity Strategy 2016 - 2020

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 6 December 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

The SafeCity Strategy 2016 – 2020 (Strategy) has been developed in consultation with internal and external stakeholders and is presented to Council for endorsement.

The Strategy identifies the key safety issues and areas of focus for the City of Perth for the next four years. The five areas of focus are:

1. Safe environments;
2. Surveillance and Monitoring;
3. Homelessness;
4. Drugs and Alcohol; and
5. Emergency Management.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Nil

**Integrated Planning
and Reporting
Framework
Implications**

Corporate Business Plan

Council Four Year Priorities: Perth at Night

S14 Further improve safety and security

14.1 Review and Implement the Community Safety and Crime Prevention Plan.

14.2 Identify and commit to key stakeholders with a focus on communication relationship building, to address social issues.

DETAILS:

The City of Perth has previously developed two SafeCity Community Safety and Crime Prevention Plans; 2006 - 2009 and 2010 – 2013. Evaluation of the 2010 - 2013 SafeCity Plan was completed in 2014, however the development of the new Strategy was delayed due to the proposed local government boundary changes and the City of Perth restructure.

During the intervening period many previous actions were continued and others developed. Reviews of both CCTV and graffiti management were also undertaken and the CCTV Implementation Plan 2016 - 2020 and Graffiti Management Plan 2016 – 2020 were developed.

A detailed SafeCity resident, business and visitor survey was commissioned by the City in May 2014 to determine the public's perception of safety and crime prevention, and use of safety services in the City of Perth. Results from this study and evaluation of actions from the previous 2010 – 2013 SafeCity Plan have been used in the development of the SafeCity Strategy 2016 - 2020.

The Strategy works to inform and ensure the community that the City takes community safety seriously. It also supports any funding applications that are made to the WA Police or other funding agencies.

Unlike previous SafeCity Plans, this new strategy includes Emergency Management to highlight the importance of City staff, agencies and the community in preparing and responding to emergency situations.

Each focus area includes a number of objectives which will be actioned through annual implementation plans, to ensure that the actions remain current, are relevant and will contribute to achieving the strategy objectives.

Some areas within the Strategy have more detailed plans including the 2016 – 2020 CCTV Implementation Plan and Graffiti Management Plan. Emergency management plans and arrangements are also currently undergoing extensive review and development to meet the needs of the growing city.

It is proposed that reference groups will be utilised to share information and resources to address the five focus areas. In some areas, existing groups including the Local Emergency Management Committee (LEMC), Parks People working group and / or Police Integration group will be utilised rather than replicating meetings.

New groups will be developed and meet quarterly with internal and external stakeholders to support Safe Environments; Surveillance and Monitoring; and Drugs and Alcohol. Updates on actions and progress on each focus area will be shared between groups and wider safety forums will be organised as required to develop wider links between groups working in the five focus areas and Council.

Monitoring the Strategy will be undertaken through a bi-annual perception survey of residents, businesses and visitors. Such work was last undertaken in early 2014 and will be undertaken again in early 2017.

FINANCIAL IMPLICATIONS:

Implementing projects as associated with the strategy and implementation plan as identified in operation and capital budgets.

COMMENTS:

The SafeCity Strategy 2016 – 2020 has been built on the work and evaluation of previous safety strategies and actions. This new Strategy views safety as a continuous cycle of prevention, preparation, response and recovery.

In taking a more holistic and strategic approach it is expected that the City of Perth, its environments and its people will be safer and when incidents do occur, harm will be minimised and recovery will be efficient and effective.

**WORKS AND URBAN DEVELOPMENT
COMMITTEE REPORTS**

ITEM NO: 32

TENDER 056-16/17 – RIVERSIDE DRIVE FOOTPATH UPGRADE

**WORKS AND URBAN
DEVELOPMENT COMMITTEE
RECOMMENDATION:**

(APPROVAL)

That Council BY ABSOLUTE MAJORITY:

- 1. approves the most suitable tender, being that submitted by MXMLXX Pty Ltd ATF PaveWA Holding Family Trust T/As Pave WA and Access Brickpaving, for the Riverside Drive Footpath Upgrade (Tender no 056-16/17) at a lump sum price of \$215,259.00 (excluding GST);***
- 2. notes that the expenditure in part 1 above will be charged to the account number CW 1962;***
- 3. notes that the allocated budget is insufficient, additional funds of \$102,737 are necessary to undertake the works as per attached plan Schedule 61;***
- 4. notes that additional expenditure for the part 3 can be transferred from account CW 2002 \$1million Parliament Place Road Reconstruction, identified as having surplus funds;***
- 5. notes that the construction is anticipated to commence in early January 2017.***

BACKGROUND:

FILE REFERENCE: P1033253
REPORTING UNIT: Construction
RESPONSIBLE DIRECTORATE: Construction and Maintenance
DATE: 18 November 2016
MAP / SCHEDULE: Schedule 61 – Riverside Drive Footpath Upgrade
Layout Plan
Confidential Schedule 62 – Tender Assessment Matrix
(Confidential Schedules distributed to Elected Members
under separate cover)

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 29 November 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

With the opening of Elizabeth Quay, it is noted that there is currently no footpath link to support the pedestrian movement from the on-street parking bays and bus bays along Riverside Drive between Barrack Square and Governors Avenue.

The footpath upgrade works are intended to provide a safe and comfortable environment for the bus tour customers visiting Elizabeth Quay thus directly improving economic activity within this City precinct.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Local Government (Functions & General Regulations) 1996
Part 4 – Tenders for Providing Goods and Services.

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
Council Four Year Priorities: Getting around Perth
S4 Enhance Accessibility Including Parking

Policy
Policy No and Name: 9.7 – Purchasing Policy

DETAILS:

Technical Requirements and Background

The project objective is to provide a new hard standing for the bus bay, a new 143 metre long footpath to the east of Barrack Square and new permanent vehicular access for the WA Rowing Club.

The existing vehicular access was constructed as a temporary construction access for the nearby hotel development site. With the hotel forward works to be completed

in December 2016, this access will now be reconstructed to serve as a permanent access for the WA Rowing Club.

Due to a number of constraints imposed by other surrounding construction activities construction of this project is required to commence in January 2017. The hotel development site will be demobilising their 80 tonnes crane off site by mid-December 2016 and there is a planned ATCO Gas works along Riverside Drive and Plain Street between February to May 2017. The works therefore have a limited window of opportunity during January and early February 2017.

Asset Write-Off Implications

The asset disposal value is \$44,474.53.

Communications

A communications plan will be developed, and this will be implemented following Council approval of the works. Consultation with the affected stakeholders is on-going.

The communication of these works to the wider community will commence early December 2016.

Contract Arrangements

The works will be delivered under a lump sum contract arrangement. Only partial road closures will be permitted during construction.

Working hours will be Monday to Sunday, 7.00am and 7.00pm. The construction is anticipated to commence on 9 January 2017 and the preferred contractor is currently indicating 11 February 2017 as the completion date.

Summary of Submitted Tenders

Three lump sum offers were received through the City of Perth's electronic tender website from the following contractors on 20 October 2016:

- Civcon Civil & Project Management Pty Ltd (\$204,565.98 exc. GST);
- Menchetti Consolidated Pty Ltd T/As MG Group WA (\$264,966.74 exc. GST); and
- MXMLXX Pty Ltd ATF PaveWA Holding Family Trust T/As Pave WA and Access Brickpaving (\$215,259.00 exc. GST).

Tender Assessment and Evaluation Summary

The submissions received were assessed against the following six criteria:

- SC1: Management and Personnel;
- SC2: Project Appreciation and Methodology;

- SC3: Relevant Experience;
- SC4: Safety and Risk Management;
- SC5: Quality Control Procedures; and
- SC6: Tendered Price.

A confidential Tender Assessment Matrix (Confidential Schedule 62) is attached. An evaluation summary against the non-priced based selection criteria has been provided below:

Civcon Civil and Project Management Pty Ltd

Employees allocated for this tender have extensive experience in major projects within confined work zone but the entity has not provided information demonstrating specifically how it would manage the public traffic volume (both pedestrian and cyclists) through a live work site.

The entity's proposed work zone area indicated that two businesses would be in total isolation and therefore at risk of losing patronage throughout the construction period. This submission has therefore not demonstrated a full understanding of the project brief.

Menchetti Consolidated Pty Ltd T/As MG Group WA

The submission is generic and did not address the project's specific requirements. The lack of construction management plan, stakeholder management plan, traffic management plan and communication plan has raised concerns whether the project can be delivered to the satisfaction of the City whilst keeping the affected businesses operational during the construction period.

The entity has extensive brickwork paving experience but also tendered the highest price. The submission has neither demonstrated value for money nor the understanding of the project brief.

MXMLXX Pty Ltd ATF PaveWA Holding Family Trust T/As Pave WA and Access Brickpaving

The entity has submitted a high quality methodology including a communication plan demonstrating a full understanding of the project brief. It addresses the complexity of the proposed site whilst keep the adjacent dual use path open for public use.

Part of the project brief requires relocation of the existing irrigation system away from the newly constructed footpath. The entity has submitted an additional maintenance plan to water the plants, gardens and lawn during the construction period over the summer season.

The price submitted is the second lowest and demonstrates the best value for money as well as the best understanding of the project requirements.

Pre-Tender Estimate

The approved budget was \$185,000 prior to the completion of the detailed design package and cost estimate exercise. This approved budget includes a contribution from MRA of \$7,826.65 exc. GST, to provide a permanent access to the Rowing Club as part of the Elizabeth Quay Project.

The original budget estimate was not based on a formal estimating process, but assumed that the works would be staged to suit available budgets. Since that time the constraints of adjacent construction works have limited the options to stage the works. The staging will also result in an additional cost burden for repeat mobilisations and traffic management. Given there are savings on other capital works projects it is now recommended that the City undertake the full project scope now, and not stage it.

The pre-construction estimate cost including staff costs for the full project is \$287,737. This represents a budget shortfall of \$102,737. The pre-construction estimate includes 10% contingency, project management staff costs and the shortfall on the submitted tender price.

The additional funds are proposed to be sourced from CW 2002, Parliament Place Road Reconstruction where a significant surplus is available following award of the works.

Combined Qualitative and Priced Based Assessment Ranking

The table in Confidential Schedule 62 details the relative scores of the three submissions when both the qualitative and price based criteria were taken into consideration.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CW - 1962
BUDGET ITEM:	Riverside Drive Footpath Upgrade
BUDGET PAGE NUMBER:	38
BUDGETED AMOUNT:	\$ 185,000.00
AMOUNT SPENT TO DATE:	\$ 22,177.00
PROPOSED CONTRACT COST:	\$ 215,259.00
CONTINGENCY (10%)	\$ 21,526.00
FUTURE CITY COSTS	\$ 28,775.00
BALANCE:	- \$ 102,737.00
ANNUAL MAINTENANCE:	\$ 1,896.07
ESTIMATED WHOLE OF LIFE COST:	\$ 75,842.80 (without cost escalation)
ACCOUNT NO:	CW - 2002
BUDGET ITEM:	Parliament Place Reconstruction
BUDGET PAGE NUMBER:	38
BUDGETED AMOUNT:	\$ 1,900,000.00
FORWARD SPENDING COST:	\$ 827,000.00
AVAILABLE BALANCE:	\$ 1,073,000.00
FUNDS TRANSFER TO CW 1962	\$ 102,737.00

All figures quoted in this report are exclusive of GST.

COMMENTS:

The offer provided by MXMLXX Pty Ltd ATF PaveWA Holding Family Trust T/As Pave WA and Access Brickpaving (Pave WA) demonstrates the best value for money given that they have scored the highest when the tender price component is taken into consideration with the six qualitative selection criteria.

Pave WA has considered the wellbeing of adjacent City's assets impacted by the on-going construction activities during summer months and identified a feasible mitigation solution. This will safeguard City's assets against further damage or unnecessary replacement arising from the on-going construction activities.

There is a high level methodology and communication plan in place to notify the surrounding businesses and affected bus and tour operators throughout the construction period as well as keeping the adjacent dual shared path open for public usage.

Pave WA has demonstrated their understanding of the project brief and they have extensive paving experience through working on Adelaide Terrace footpath maintenance works with City's Street Presentation and Maintenance Unit (SPM).

Pave WA has been evaluated as the preferred tenderer with the ability to complete the project within the required timeframe. Other benefits include minimising disruptions and inconvenience to external stakeholders and general public.

A modification to the award is proposed, which is to delete the replacement of the access way south of the dual-use path. This section of path has current works programmed by SPM for drainage upgrades and repairs following damage by other contractor accessing Barrack Square for the hotel development forward works.

Construction and Maintenance Directorate is seeking to avoid rework, and therefore proposes that the upgrade of the access way south of the dual use path by combined with (SPM) upgrade and repair works. This will also allow the best management of risks associated with the river wall which is directly adjacent to SPM's works area. SPM will complete the relevant portion of the works, charged against CW 1962 \$20,000.00 and this portion of work would be deleted from the contract scope awarded to Pave WA.

ITEM NO: 33

MOUNT STREET BRIDGE NODE ENHANCEMENT

WORKS AND URBAN DEVELOPMENT COMMITTEE (APPROVAL)
RECOMMENDATION:

That Council:

- 1. receives the results of the stakeholder consultation on the Mount Street Bridge Node Enhancement – Draft Concept Plan as detailed in Schedule 63;***
- 2. approves the final concept plan for implementation as detailed in this report and Schedule 64 noting that construction is scheduled to be completed by 30 June 2017;***
- 3. notes that a separate budget will be required in 2018/19 for Stage Two following the completion of the Capital Square development.***

BACKGROUND:

FILE REFERENCE: P1033195
REPORTING UNIT: Coordination and Design
RESPONSIBLE DIRECTORATE: Planning and Development
DATE: 17 November 2016
MAP / SCHEDULE: Schedule 63 – Consultation Results Report
Schedule 64 – Final Concept Plan

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 29 November 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

The Mount Street Bridge Node – Draft Concept Plan was presented to the Council at its meeting held on the **1 November 2016**. Council endorsed the following resolutions:

- 1. approves the draft concept plan for the upgrade of Mount Street Bridge Node as detailed in this report and schedules;***

2. *approves the release of the draft concept plan for consultation with stakeholders; and*
3. *notes that the results of the stakeholder consultation, together with the final plans and cost estimate for progressing the physical works will be presented to the Works and Urban Development Committee for further consideration.*

This report presents the results of the public consultation on the Draft Concept Plan and provides details on the Final Concept Plan included estimated costs and a proposed construction program.

LEGISLATION / STRATEGIC PLAN / POLICY:

**Integrated Planning
and Reporting
Framework
Implications**

Strategic Community Plan
Council Four Year Priorities:
Perth as a Capital City
S5 Increase place activation and use of under-utilised
space

DETAILS:

Draft Concept Plan External Stakeholder Consultation

Meetings were held with the following property owners and tenants directly adjacent to the site to present the draft concept plan:

- 24 Mount Street;
- 18 Mount Street;
- 22 Mount Street; and
- 98 Mounts Bay Road

All stakeholders provided conditional support.

Schedule 63 documents the consultation responses.

Final Concept Plan

Key components of the enhancement will be:

Item	Comment
Reducing visual obstructions	Pruning and consolidation of the existing tall shrubs that are structurally unsound at both ends of the bridge will clear views and enable successful growth of proposed native planting.
Consolidation and relocation of parking bays	The proposed parking bay amendments have been approved by the Parking Working Group.
Display planting bed	The native planting display will be designed to enhance

Item	Comment
	existing shrubs and trees. The display bed aligns with the objectives of the Intergovernmental Wildflowers WA initiative.
Main Roads WA (MRWA) verges	Working with MRWA, rejuvenation of the freeway embankments will include clearance of dead and dying vegetation, new native groundcover planting will be selected for colour and low maintenance.
Seating	New bespoke furniture integrated with lighting will be nestled under trees. These will be designed to align with the Florence Hummerston palette using low maintenance materials.
Lighting	Feature lighting will enhance planting, furniture and future public artwork.
Central Node Paving	The centre of the landscape node will feature quality paving consisting of Donnybrook sandstone with basalt edging, to be installed on a rigid concrete base to ensure longevity and ease of maintenance.
WIFI and CCTV	Provision for the future extension of the City's network.

With the Capital Square development currently under construction a small component of the works will need to be completed at a later date. These works, Stage Two, will include the following:

- WIFI and CCTV provision;
- new ACROD bay;
- new barrier kerbs;
- relocation of taxi bays; and
- resurfacing of asphalt.

A workzone area currently occupies the southern parking bays to facilitate the construction of the new Woodside building. Woodside anticipate their new premises will be completed by the end of 2018. The City will liaise with Woodside to finalise the kerbside parking layout.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CW 1990
BUDGET ITEM:	Mount Street - Bridge Node
BUDGET PAGE NUMBER:	38
BUDGETED AMOUNT:	\$385,000
PROPOSED CONSTRUCTION COST:	\$280,773
PROPOSED DESIGN AND PROJECT MANAGEMENT COST (FY 16/17)	\$ 47,176
AMOUNT SPENT TO DATE:	\$ 16,410
PROPOSED COST:	\$344,359
BALANCE:	\$ 40,641

ANNUAL MAINTENANCE:	TBC
ESTIMATED WHOLE OF LIFE COST:	TBC

All figures quoted in this report are exclusive of GST.

An independent quantity surveyor has estimate the above construction costs based on the 50% design documentation drawings. This includes a 10% contingency for unforeseen costs and latent site conditions.

In addition to this Capital works budget, the design and construction of bespoke furniture will be funded from the Greening the Landscape and Street Furniture budget.

Provision for the future extension of the City's WIFI network will be funded from the IT Optical Fibre Budget.

Stage Two will be completed at a later stage with a separate budget allocation in 2018/19.

COMMENTS:

The first stage of the construction for the enhancement of Mount Street Bridge Node is programmed to commence in April 2017. The works are anticipated to be completed by the end of June 2017. During the construction the focus will be on minimising disruption to pedestrians, vehicles, cyclists and businesses.

A communications plan will be developed to ensure that all stakeholders are adequately notified of construction and to deal with any specific needs around access requirements during the works.

ITEM NO: 34

TENDER 028-16/17 - PROVISION OF PLUMBING SERVICES

**WORKS AND URBAN
DEVELOPMENT COMMITTEE
RECOMMENDATION:**

(APPROVAL)

That Council:

1. accepts the most suitable applications, being those submitted by the following, to form a panel of pre-qualified suppliers:

1.1 Majestic Plumbing Pty Ltd;

1.2 Richpoint Pty Ltd ATF The Young Family Trust T/A HA Young Plumbing Contractor;

1.3 Swift Flow Pty Ltd ATF The Swift Flow Unit Trust (Swift Flow Pty Ltd);

1.4 Rowson's Plumbing Services Pty Ltd;

for the provision of plumbing services (Tender 028-16/17) for a period of three years, commencing 16 January 2017, with an option for a further two year extension, in accordance with the schedule of rates in Confidential Schedule 65 – Response Rates, subject to annual CPI increases; and

2. authorises the Chief Executive Officer to enter into a contract, or contracts, for the provision of the services.

BACKGROUND:

FILE REFERENCE:	P1033107
REPORTING UNIT:	Properties
RESPONSIBLE DIRECTORATE:	Construction and Maintenance
DATE:	14 November 2016
MAP / SCHEDULE:	Confidential Schedule 65 - Assessment Matrix Confidential Schedule 66 – Schedule of Rates (Confidential Schedules distributed to Elected Members under separate cover)

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 29 November 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation 3.57 of the *Local Government Act 1995*
Division 3 of the *Local Government (Functions and General)*
Regulations 1996

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
Council Four Year Priorities: Capable and Responsive Organisation
S18 Strengthen the capacity of the organisation

Policy

Policy No and Name: CP 9.7 Purchasing

DETAILS:

Tender 028-16/17 – Provision of Plumbing Services was advertised in the West Australian on Saturday, 20 August 2016. Tenders closed at 2:00pm on 8 September 2016, with the following tenders received:

- Fireball Enterprises Pty Ltd ATF The Trustee for the Talbot Family Trust T/A Affordable Plumbing and Gas Services (Affordable Plumbing and Gas Services);
- Bromar Nominees Pty Ltd ATF Altona Unit Trust T/A Altona Plumbing (Altona Plumbing);
- SYME, REGAN T/A Home Solutions (Home Solutions);
- Swift Flow Pty Ltd ATF The Swift Flow Unit Trust (Swift Flow Pty Ltd);
- Tunnel Vision (WA) Pty Ltd T/A Tunnel Vision (Tunnel Vision);
- Use Your Local Man Pty Ltd;
- PAC Developments Pty Ltd ATF The Campbell Allsworth Family Trust T/A Snap Plumbing and Construction Pty Ltd (Snap Plumbing and Construction Pty Ltd);
- REPIPE Pty Ltd T/A Repipe Pty Ltd (Repipe Pty Ltd);
- Rowson's Plumbing Services Pty Ltd
- Pride Plumbing and Gas Pty Ltd ATF The Pride Trust T/A Pride Plumbing and Gas (Pride Plumbing and Gas);
- Majestic Plumbing Pty Ltd;
- McDermott Group Pty Ltd;
- Boeing Holdings Pty Ltd;
- Brian Gregson Management Services Pty Ltd T/A Australian Utility Services (Australian Utility Services);
- Richpoint Pty Ltd ATF The Young Family Trust T/A HA Young Plumbing Contractor (HA Young Plumbing Contractor);

- Design Plumbing WA Pty Ltd ATF Bennett Family Trust & Polson Family Trust (Design Plumbing WA Pty Ltd); and
- Finestone Investments Pty Ltd T/A Ace Plus (Ace Plus).

This tender seeks to engage a panel of contractors to undertake planned and unplanned plumbing maintenance services for the City of Perth's buildings and facilities.

The City intends to establish a Panel Arrangement of between three and four plumbing services contractors and to endeavour, as far as possible, that each contractor receive sufficient amount of work whilst achieving economies of scale, however the City makes no guarantee that the City will purchase goods or services from any contractor under this arrangement.

Should a panel member leave the Panel, they may be replaced by the next ranked supplier determined in the value for money assessment should the supplier agree to do so.

The Panel Arrangement period will initially be for three years commencing from the date specified in the letter(s) of acceptance. The Panel Agreement has one extension option of two years and subject to both parties' mutual consent to extend.

The tendered rates shall remain fixed for 12 months and then subject to review. On the anniversary of the Commencement Date, the Rates may be varied in accordance with the Perth Consumer Price Index effective as at the date of review.

The City received 17 tender submissions. The tender submissions were evaluated by the assessment panel based the following selection criteria:

Response Times

The City of Perth issues work orders to contractors on the basis of:

1. Urgent Response – site attendance is required within one hour;
2. Priority Response – work order to be completed within 24 to 48 hours; and
3. Routine Response – work order where works are programmed in advance as agreed with the City of Perth.

Tender submissions were evaluated based on their methodology to accommodate the required response times.

The submissions which met the requirements of this criterion with no deficiencies were Swift Flow Pty Ltd, Snap Plumbing and Construction Pty Ltd, Rowson's Plumbing Services Pty Ltd, Majestic Plumbing Pty Ltd, Australian Utility Services, HA Young Plumbing Contractor; Design Plumbing Pty Ltd and Ace Plus.

Experience of Key Personnel and Company

Tender submissions were evaluated based on details provided regarding experience and qualifications of key personnel, similar works undertaken by the company and if the company is accredited by any relevant Plumbers Association (e.g. MPMSAA).

The submissions which met the requirements of this criterion with no deficiencies were Altona Plumbing, Swift Flow Pty Ltd, Snap Plumbing and Construction Pty Ltd, Rowson's Plumbing Services Pty Ltd, Majestic Plumbing Pty Ltd, Boeing Holdings Pty Ltd, Australian Utility Services, HA Young Plumbing Contractor, Design Plumbing WA Pty Ltd and Ace Plus.

Support Resources – Equipment, Material and Spare Parts

Tender submissions were evaluated based on details provided regarding their equipment, materials and availability of spare parts.

The submissions which met the requirements of this criterion with no deficiencies were Altona Plumbing, Swift Flow Pty Ltd, Snap Plumbing and Construction Pty Ltd, Rowson's Plumbing Services Pty Ltd, Pride Plumbing and Gas, Majestic Plumbing Pty Ltd, Australian Utility Services, HA Young Plumbing Contractor, Design Plumbing WA Pty Ltd and Ace Plus.

Safety Management System

Tender submissions were evaluated based on details provided regarding their safety management practices including traffic management experience.

The submissions which the tender assessment panel considered to have met the requirements of this criterion with no deficiencies were Affordable Plumbing and Gas Services, Altona Plumbing, Swift Flow Pty Ltd, Snap Plumbing and Construction Pty Ltd, Pride Plumbing and Gas, Majestic Plumbing Pty Ltd, Australian Utility Services, HA Young Plumbing Contractor and Ace Plus.

Note: The OH&S assessment of Finestone Investments Pty Ltd T/A Ace Plus (Ace Plus) and Brian Gregson Management Services Pty Ltd T/A Australian Utility Services conducted by the City's Safety Officers concluded that these tenderers have not provided satisfactory information.

Quality Management System

Tender submissions were evaluated based on details provided regarding the company's quality management systems and practices that would be utilised in the contract to provide the City of Perth with a high level of customer service and accountability.

The submissions which met the requirements of this criterion with no deficiencies were Affordable Plumbing and Gas Services, Swift Flow Pty Ltd, Snap Plumbing and Construction Pty Ltd, Pride Plumbing and Gas, Majestic Plumbing Pty Ltd, Australian Utility Services HA Young Plumbing Contractor and Ace Plus.

Price

Tendered rates were assessed by estimating the number of hours of each type of call out used by the City in one year, and then using the rates submitted by each tenderer to assess the likely cost over one year. The lowest price was submitted by McDermott Group Pty Ltd, resulting in this company receiving a 5/5 score for Price. All other tenderers were given a score based on their price in relation to the cheapest tenderer.

The Assessment Matrix is attached.

The six highest scoring tenderers were (in order from highest score to lowest):

1. Majestic Plumbing Pty Ltd;
2. Richpoint Pty Ltd ATF The Young Family Trust T/A HA Young Plumbing Contractor (HA Young Plumbing Contractor);
3. Brian Gregson Management Services Pty Ltd T/A Australian Utility Services (Australian Utility Services);
4. Finestone Investments Pty Ltd T/A Ace Plus (Ace Plus);
5. Swift Flow Pty Ltd as Trustee for The Swift Flow Unit Trust; and
6. Rowson's Plumbing Services Pty Ltd.

Following the qualitative and quantitative assessments, a financial capacity assessment and an occupational health and safety assessment were conducted on each tenderer.

The OH&S assessment of Finestone Investments Pty Ltd T/A Ace Plus (Ace Plus) found that they have not provided sufficient safe systems of work information, nor a Safety Management Plan. Additionally, a plumbing license that they submitted a copy of with their tender submission expired in August 2016. It is not recommended that the City includes Finestone Investments Pty Ltd T/A Ace Plus (Ace Plus) in the panel.

The OH&S assessment of Brian Gregson Management Services Pty Ltd T/A Australian Utility Services found that they have not provided copies of licenses and qualifications and their safe work method statements were not of sufficient detail and quality. It is not recommended that the City includes Brian Gregson Management Services Pty Ltd T/A Australian Utility Services in the panel.

It is therefore recommended that Council appoint the following four tenderers to form a Panel Arrangement of contractors to provide plumbing services to the City of Perth:

1. Majestic Plumbing Pty Ltd;
2. Richpoint Pty Ltd ATF The Young Family Trust T/A HA Young Plumbing Contractor (HA Young Plumbing Contractor);
3. Swift Flow Pty Ltd ATF The Swift Flow Unit Trust (Swift Flow Pty Ltd); and
4. Rowson's Plumbing Services Pty Ltd.

The four tenderers have demonstrated that they meet the requirements of the assessment criteria and their tendered rates provide good value for money for the City.

FINANCIAL IMPLICATIONS:

Various operational expenditure accounts hold sufficient budget to cover the cost for each facility.

All figures quoted in this report are exclusive of GST.

Properties spend for the last financial year was approximately \$240,000.

COMMENTS:

Following a thorough tender assessment process, the assessment panel recommends appointing four tenderers to form a Panel Arrangement to provide plumbing services to the City of Perth. The four recommended tenderers have demonstrated that they meet the requirements of the assessment criteria and their tendered rates provide good value for money for the City of Perth.

ITEM NO: 35

TENDER 035 - 16/17 PROVISION OF SPECIALISED MAINTENANCE/REINSTATEMENT OF GRANITE/STONE FOOTPATHS, KERBS, CHANNELS, ROAD PAVEMENTS AND ASSOCIATED WORKS FOR THE CITY OF PERTH

WORKS AND URBAN DEVELOPMENT COMMITTEE RECOMMENDATION: (APPROVAL)

That Council:

- 1. accepts the most suitable Tender, being that submitted by Lightning Brick Pavers for the Provision of the Specialised Maintenance & Reinstatement of Granite/Stone Footpaths, Kerbs, Channels, Road Pavements & Associated Works for a period of one year at the rates supplied in Schedule 67, 68 and 69 – Tender 035 – 16/17 – with the option to extend for a further two years with each subsequent year increase based upon the Consumer Price Index for the preceding year;***
- 2. accepts the Lump Sum price of \$38,842.00 for “Modifications to 21 Granite/Stone Hydrant Pit Lids” as per Schedule 70.***
- 3. authorises the Chief Executive Officer to enter into a contract, or contracts for the provision of services.***

BACKGROUND:

FILE REFERENCE: P1033153
REPORTING UNIT: Street Presentation and Maintenance
RESPONSIBLE DIRECTORATE: Construction and Maintenance
DATE: 17 November 2016

MAP / SCHEDULE:	Schedule 67 – Schedule of Rates - Rigid Pavement Schedule 68 – Schedule of Rates – Flexible Pavement Schedule 69 - Schedule of Rates – Road Traffic Management Schedule 70 – Lump Sum Confidential Schedule 71 - Price Modelling for Rigid Pavement Confidential Schedule 72 – Price Modelling for Flexible Pavement Confidential Schedule 73 – Price Modelling for Road Traffic Management Confidential Schedule 74 – Price Modelling for Lump Sum Confidential Schedule 75 – Scoring Price Criteria Confidential Schedule 76 – Tender Assessment Matrix (Confidential Schedules distributed to Elected Members under separate cover)
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The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 29 November 2016.

The Committee recommendation to the Council is the same as that recommended by the Officers.

Tender 035 - 16/17 – Provision of Specialised Maintenance & Reinstatement of Granite/Stone Footpaths, Kerbs, Channels, Road Pavements & Associated Works, was advertised in the West Australian on Saturday, 3 September 2016. Tenders closed at 2.00pm on Thursday 20 September 2016, with the tenders received from:

- Lightning Brick Pavers;
- BOS Surveying;
- Pave WA;
- Civcon; and
- HCC.

The Street Presentation and Maintenance Unit maintains all footpaths, kerbs, channels, road pavements and associated works as part of the City's assets maintenance requirements. The maintenance of granite/stone is a specialised job and City maintenance personnel are not trained, and do not have expertise in undertaking special maintenance of granite footpaths, road pavement, kerbs, etc.

The tender is divided in two main components: rigid and flexible pavement. The city has some areas in which the granite/stone paving had been installed with a concrete slab underneath (rigid pavement) and there are other areas of the city in which the granite/stone had been installed on a sand bed (flexible pavement).

The tenderer has also been requested to provide a lump sum price for "Modifications to 21 Granite/Stone Hydrant Pit Lids" – (9 in St. Georges Terrace; 5 in Hay Street Mall; 6 in Murray Street Mall; and 1 in Northbridge Piazza). As per details in Schedule

70. This Lump Sum activity is part of a joined agreement signed between Water Corporation, Department of Fire and Emergency Authority and the City of Perth. The pits to be modified are located within areas of rigid and flexible pavement.

The objective of this Tender is to engage a Contractor for this specialised maintenance not covered by any of the current maintenance contracts. The City of Perth is undertaking footpath upgrades with granite in high profile areas such as St Georges Terrace, Wellington Street, etc. and these areas require specialised maintenance that:

- improves the presentation and image of the Capital City;
- withstands occasional impact from vehicles; and
- provides a sustainable and long-term cost benefit solution to the City.

The Contractor is required to supply all equipment, plant and labour necessary for undertaking, efficient and timely maintenance of these works.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation *Local Government Act 1995*
Local Government (Functions and General)
Regulations 1996

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
Council Four Year Priorities: Capable and Responsive Organisation

Policy
Policy No and Name: 9.7 – Purchasing Policy

DETAILS:

A mandatory Site Inspection was held on 7 September 2016 to provide more clarity to Tenderers of the City's expectations about the works. This mandatory Site Inspection also provided the Tenderers the opportunity to ask any questions related to this Tender. The following six Companies attended the Site Inspection:

- Lightning Brick Pavers;
- BOS Surveying;
- Pave WA;
- Civcon;
- HCC; and
- Conplant.

From the six Companies which attended the mandatory Site Inspection, the City received five submissions from:

- Lightning Brick Pavers;
- BOS Surveying;

- Pave WA;
- Civcon; and
- HCC.

Tenderers were required to address the selection criteria in the specification to demonstrate their relevant experience, safety management expertise, resources (personnel, plant and equipment), methodology and any assumptions made. The Tenderers were also required to submit a Form of Tender which included a Schedule 70 of Rates and Lump Sum price for replacement of hydrant pit lids.

The criteria were:

- Relevant Company Experience in the Provision of Similar Works;
- Safety Management Expertise;
- Resources - Personnel, Plant and Equipment;
- Methodology and Assumptions Made; and
- Price (see table below showing price ranking).

The five submissions were assessed and ranked according to the qualitative criteria with particular emphasis on relevant experience, safety management, predominantly in respect to relevant experience with similar work, resources available for the mentioned works and any proposed methodology to undertake the works. Each submission was assessed individually and ranked in order of merit against the qualitative criteria.

To facilitate the comparison between the offers, the panel agreed to undertake a “model” based on quantities from previous years which are likely to be used for subsequent maintenance. As such, the attached tables are showing four particular scenarios: Rigid pavement (scenario #1), Flexible pavement (scenario #2), Hydrant Pit Lids (scenario #3 - Lump Sum price) and Traffic Management (scenario #4). Estimated quantities were taken into account and a total value given based on those quantities.

The panel analysed the four scenarios, combining all of them to obtain a scoring price to be used as part of the evaluation matrix. The offers were ranked from one to five with their respective scores being taken.

Lightning Brick Pavers

Lightning Brick Pavers submitted a thorough and concise offer with informative responses to all criteria. The panel considered this submission as conforming and for all four qualitative areas it met the criteria. It was the only proposal which met all criteria.

They have demonstrated the most important parameter which is their relevant experience reaching a high score in this criterion and have submitted an excellent explanation of their proposed methodology to undertake the works, and a thorough breakdown of each rate. They met all criteria being the only Tenderer reaching this level.

They demonstrated to have availability of resources and personnel with relevant experience in similar projects. Lightning Brick Pavers currently undertakes different works for the City of Perth and they have demonstrated good capabilities with enough resources and expertise in the field.

BOS Civil

BOS Civil submitted a fair offer with deficiencies and low scores in two criteria. The main concern with their submission was that they could not demonstrate their relevant experience in similar works as requested in the specifications. While BOS Civil is currently undertaking various works for the City, they could not demonstrate any substantial relevant experience with granite pavers which is the core activity of this Tender, except some minor maintenance work. However, the panel acknowledges that their price was the lowest from all proposals and also for all schedules (including the Lump Sum) and ranked first on price.

The panel is of the view that not having any of the four qualitative criteria met and only being competitive in price, it was not enough to qualify this as a good submission and therefore as best value for money.

Pave WA

Pave WA submitted an offer with only a few deficiencies which almost met criteria. Only one of the four criteria was met, being the relevant experience in similar works. The other three criteria were almost met. Pave WA is currently undertaking various works for the City installing the standard pavers across the City. The main issue was being within the two most expensive proposals with a considerable difference.

The panel is of the view that having only met one qualitative criterion and also being one of the two most expensive proposals, their offer could not be considered.

Civcon

Civcon's offer did not meet any of the four qualitative criteria with low scores in two of them. Only one criterion was almost met, being the safety management expertise. As for the other three qualitative criteria, they have deficiencies and/or could not demonstrate to have enough resources (personnel, plant and equipment) to undertake the works.

This was the most expensive proposal under the combined scoring price criteria basis of the Tenders analysis. As such, the panel is of the view that having only met one qualitative criterion and also being the most expensive proposal, their offer did not have merits to be considered.

HCC

HCC submitted an offer with only a few deficiencies which almost met criteria. Only one of the four criteria was met, being the methodology and assumptions made. The other three criteria were almost met and they demonstrated good relevant

experience, safety management expertise and also having enough resources (personnel, plant and equipment) to undertake the works.

HCC ranked second overall. The panel is of the view that having only met one qualitative criterion and being close in three of the other four, their offer could not be considered.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CL711232107260
BUDGET PAGE NUMBER:	67
BUDGETED AMOUNT:	\$849,999.96
AMOUNT SPENT TO DATE:	\$133,578.10
PROPOSED COST:	\$271,234.04 (Estimated cost for the first year)
BALANCE:	\$445,187.82

All figures quoted in this report are exclusive of GST.

The proposed costs of \$271,234.04 includes projected estimated costs for maintenance of granite paving amounting to \$232,391.64 and \$38,842.40 at a lump sum price for the replacement of hydrant pit lids.

COMMENTS:

In conclusion of the tender evaluation process, HCC, Pave WA, BOS and Civcon has deficiencies in their offers, but Lightning Brick Pavers presented an excellent explanation of proposed methodology and relevant experience and met all criteria being the only offer which reached this level.

The prices submitted by Lightning Brick Pavers are higher in comparison with BOS Civil (the cheapest offer) for the main items. However, the panel is of the view that considering the profile of the area, the challenges, and the proposed methodology to undertake the works under this Tender, only Lightning Brick Pavers has demonstrated enough evidence of relevant experience and expertise to undertake the works.

The panel considers Lightning Brick Pavers as being capable of fulfilling the obligations required under the tender specifications. It is therefore recommended that Tender be awarded to Lightning Brick Pavers.