

Planning Committee

Notice of Meeting
4 April 2017
5.30pm

Committee Room 1
Ninth Floor
Council House
27 St Georges Terrace, Perth



Agenda

ORDER OF BUSINESS AND INDEX

- 1 Declaration of Opening
- 2 Apologies and Members on Leave of Absence
- 3 Question Time for the Public
- 4 Confirmation of minutes – 7 March 2017
- 5 Correspondence
- 6 Disclosure of Members' interests
- 7 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 attachment/s listed below, it is recommended that Council resolve to close the meeting to the public prior to discussion of the following:

Schedule No.	Item No. and Title	Reason
Confidential Attachment 8.2B	Item 8.2 – 98-100 (Lot 81) Brown Street, East Perth – Micro-Brewery ('Light-Industry') and Tavern ('Dining And Entertainment'), Shopfront Alterations and the Display of Signage for 'Bright Tank Brewing Co.'	s 5.23(2)(e)(ii)
Confidential Attachments 8.4B & 8.4C	Item 8.4 – Barrack Street Improvement Model – Integrated Private Realm Investment with Streetscape Works – Annual Update	s 5.23(2)(e)(ii)
Confidential Attachment 8.5B	Item 8.5 – Barrack Street Improvement Model – Connor Quinlan Estate Update	s 5.23(2)(e)(ii)

- 8 Reports
 - 8.1 Councillor Motion – Publishing of Development Applications Online
 - 8.2 98-100 (Lot 81) Brown Street, East Perth – Micro-Brewery ('Light-Industry') and Tavern ('Dining And Entertainment'), Shopfront Alterations and the Display of Signage for 'Bright Tank Brewing Co.'
 - 8.3 Proposed Amendments to the City Planning Scheme No. 2 – Local Planning Policies, Registers and Precinct Plans to Accord with the Planning and Development (Local Planning Scheme) Regulations

- 8.4 Barrack Street Improvement Model – Integrated Private Realm Investment with Streetscape Works – Annual Update
- 8.5 Barrack Street Improvement Model – Connor Quinlan Estate Update
- 9 Motions of which Previous Notice has been given
- 10 General Business
 - 10.1 - Responses to General Business from a Previous Meeting
 - 10.2 - New General Business
- 11 Items for consideration at a future meeting
 - Outstanding Reports:
 - Nil
- 12 Closure



MARTIN MILEHAM
CHIEF EXECUTIVE OFFICER
30 MARCH 2017

This meeting is open to members of the public

PLANNING COMMITTEE

Established: 17 May 2005 (Members appointed 22 October 2015)

Members:	1st Deputy:	2nd Deputy:
Cr McEvoy (Presiding Member)	Cr Green	Cr Limnios
Cr Adamos		
Cr Yong		

Quorum: Two

Terms Expire: October 2017

TERMS OF REFERENCE: [Adopted OCM 24/11/15]

To oversee and make recommendations to the Council on matters related to:

1. development, building, demolition, sign and alfresco dining applications and proposals for subdivision or amalgamation;
2. the City Planning Scheme and planning policies;
3. identification of long term planning opportunities and major projects, including the Perth City Link, Elizabeth Quay and;
4. strategic town planning initiatives and economic development;
5. Heritage, including:
 - 5.1 the City of Perth Municipal Inventory;
 - 5.2 the Register of Places of Cultural Heritage Significance referred to in City Planning Scheme No. 2, and management of same;
 - 5.3 heritage incentive initiatives;
6. transport and traffic network planning issues;
7. environmental improvement strategies including environmental noise management;
8. liquor licensing;
9. land administration issues, such as street names, closures of roads and rights-of-way and vesting of reserves;
10. applications for events held within the City of Perth that require planning approval as a result of excessive noise or traffic management proposals;
11. legislation and compliance in relation to land use planning.

INFORMATION FOR THE PUBLIC ATTENDING COMMITTEE MEETINGS

Question Time for the Public

- An opportunity is available at all Committee meetings open to 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 at least an hour before the meeting begins. Alternatively, questions can be forwarded to the City of Perth prior to 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.

Deputations

A deputation wishing to be received by a Committee is to apply in writing to the CEO who will forward the written request to the Presiding Member. The Presiding Member may either approve the request or may instruct the CEO to refer the request to the Committee to decide whether or not to receive the deputation. If the Presiding Member approves the request, the CEO will invite the deputation to attend the meeting.

Please refer to the 'Deputation to Committee' form provided at the entrance to the Council Chamber for further information on the procedures for deputations. These forms 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 Committee meeting prior to written advice on the resolution of the Council being received.

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EMERGENCY GUIDE

Council House, 27 St Georges Terrace, 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.



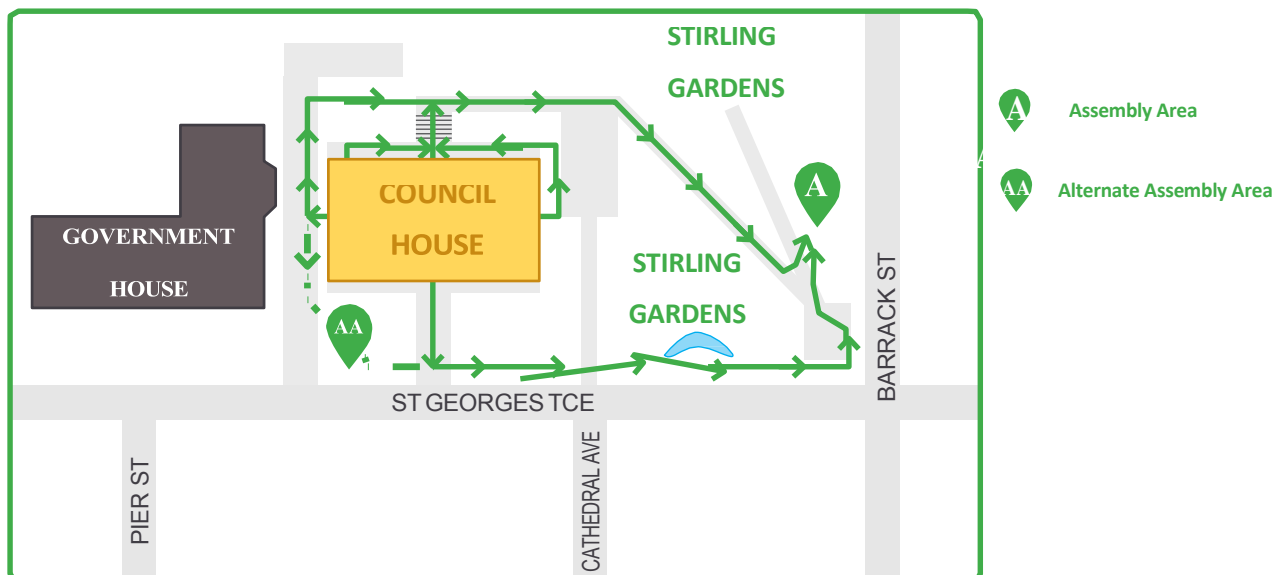
EVACUATION ALARM / PROCEDURES

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



Agenda **Councillor Motion – Publishing of Development Applications**
Item 8.1 **Online**

Councillor Motion:

That the City of Perth publishes on its website all development applications that are requiring community consultation, including details and plans of the application and consultation and including capability to submit responses online, by no later than 1 May 2017.

FILE REFERENCE: P1033023
 REPORTING UNIT: Development Approvals
 RESPONSIBLE DIRECTORATE: Planning and Development
 DATE: 23 March 2017
 ATTACHMENT/S: Nil

Legislation / Strategic Plan / Policy:

Legislation 64(5)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed Provisions for Local Planning Schemes*

Integrated Planning and Strategic Community Plan
Reporting Framework Council Four Year Priorities: Capable and Responsive
Implications Organisation
 S18, Strengthen the capacity of the organisation
 S19, Improve the customer focus of the organisation
 S20 Meaningful and contemporary community
 engagement and communications
 S19 19.5 Deliver Online Customer Service systems
 (including Approvals)
 S20 20.1 Develop Community Engagement Capability

Policy

Policy No and Name: Planning Policy 2.2 ‘Public Notification/Advertising Procedure’

Purpose and Background:

A Notice of Motion was raised at the Council meeting held on **14 March 2017** as follows:

‘That the City of Perth publishes on its website all development applications that are requiring community consultation, including details and plans of the application and consultation and including capability to submit responses online.

That this resolution acknowledges the intended development of e-lodgement by the administration but recognises the importance of an important front end customer engagement process and that this commence by no later than 1 May 2017’

A procedural motion was subsequently passed by the Council: *"That Council refer consideration of the notice of motion received from Cr Green to the Planning Committee for further consideration.*

Details:

As background to the Notice of Motion, Cr Green provided the following:

"Presently applications at the City of Perth are only available by visiting the council office within office hours to view the planning applications. Applications cannot presently be copied and taken out of Council House.

This means people working full time in other areas, or who are based outside of Perth, or who are disabled, cannot get access to plans to make public comment.

The state legislation of Western Australia, The Planning and Development Regulations 2015, Section 64.5 says that the local government:

'may publish the application and the material accompanying it on the website of the local government.'

Other capital cities in Australia such as the City of Melbourne make the plans available online for viewing and download.

NSW legislation actually prescribes that the plans must be made available and copies must be made available.

At the City of Perth, we are presently lagging behind in this process and this is something simple we can do to make the life easier for the public interacting with our organization.

In preparing this motion, I, Cr Green, spoke with a planning officer at the City of Melbourne who said that he thought this was a very good thing to pursue from an administrative point of view as they regularly get comments from the public saying how helpful it is and it also saves on council resources as an officer doesn't need to be tied up while the public views plans and also it means the comments received from the public are coming from a more informed point of view.

Given that the City of Perth has adopted an open government policy, that the Western Australian state legislation says we may do this, and that other capital cities around Australia already do this, I commend this motion to council for approval."

Financial Implications:

There are no financial implications from this report, as online publishing of applications being advertised for public comment can be undertaken utilising existing staff costs and software.

Comments:

In accordance with clause 41 'Advertising Procedure' of City Planning Scheme No. 2 (CPS2) certain applications for development approval are required to be advertised for public comment. These provisions, together with the City's Planning Policy 2.2 'Public

Notification/Advertising Procedure' stipulated the types of applications that are required to be advertised and the way in which they should be advertised. The clause and policy were first drafted in the early 2000s and reflected standard planning and advertising practices of the time. Clause 41 of CPS2 was amended in 2015 by the introduction of clause 64 'Advertising Applications' of the *Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed Provisions for Local Planning Schemes* (Deemed Provisions). The Deemed Provisions were generally consistent with the City's existing requirements but did incorporate some additional provisions and updated options including:

64(5) If an application for development approval is advertised under this clause, the local government —

- (a) must make the application and the material accompanying it available for public inspection during business hours at the offices of the local government; and*
- (b) may publish the application and the material accompanying it on the website of the local government.*

The City's current practice is consistent with clause 64(5)(a) above. Notwithstanding, the City's Officers have been aware that other local governments publish applications on their websites and sought to do the same, recognising that many owners of city properties live interstate or overseas and that they have to rely on local representatives to view plans and make recommendations on their behalf. It is also understood that it would generally be more convenient for members of the public to be able to view applications on-line.

Consequently the City has developed a software solution to enable plans to be published on the City's website and to enable comments to also be submitted to the City on-line. The implementation of this process has been delayed to incorporate it in the current business improvement and e-lodgement projects that the City is undertaking, but it can be reviewed and be brought forward as a stand-alone service initially, if this is considered an appropriate course of action.

Agenda Item 8.2 **98-100 (Lot 81) Brown Street, East Perth – Micro-Brewery ('Light-Industry') and Tavern ('Dining And Entertainment'), Shopfront Alterations and the Display of Signage for 'Bright Tank Brewing Co.'**

Recommendation:

That, in accordance with the provisions of the Local Planning Scheme No. 26, the City Planning Scheme No. 2, the Planning and Development (Local Planning Schemes) and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY, the application for the proposed microbrewery ('Light-Industry') and tavern ('Dining and Entertainment'), shopfront alterations and the display of signage for 'Bright Tank Brewing Co.' at 98-100 Brown Street, East Perth subject to:

- 1. the opening hours of the tavern use being limited to Wednesday 4.00pm to 10.00pm, Thursday 12.00pm (midday) to 10.00pm, Friday and Saturday 12.00pm (midday) to 12am (midnight) and Sunday 10.00am to 10.00pm with any variation to these hours being submitted for approval by the City;*
- 2. any proposed external building plant or services including air condensers, piping, ducting, flues/vents being located to minimise any visual, noise and odour impacts on the adjacent developments and being screened from view of the street, with details of the location and screening of such plant and services being submitted for approval by the City prior to the submission of an application for a building permit;*
- 3. the Waste Management Strategy dated 3 March 2017 prepared by Encycle Consulting being implemented by the proprietor/manager and being expanded to include restrictions on the disposal of bottles and glass, external to the premises, between the hours of 9.00am and 10.00pm Monday to Sunday, with a final waste management plan being submitted for approval by the City prior to applying for a building permit;*
- 4. a management plan for the tavern, detailing the control of noise, patron behaviour, hours of operation, queuing, smoking arrangements, and the procedure for addressing complaints, being submitted to the City for approval prior to the tavern use coming into operation, with the management plan being implemented by the proprietor / manager of the premises on an on-going basis;*

(Cont'd)

5. *the recommendations contained in the Acoustic Assessment Report Reference 21298-2-16281 dated 19 January 2017 by Herring Storer Acoustics, including noise control measures to the four rotary ventilators, being implemented in full prior to the commencement of the approved use and on an ongoing basis, with Noise Management Plans being submitted for approval by the City prior to applying for a building permit; and*
6. *the music levels being limited to ambient or background music levels where normal conversations can occur.*

FILE REFERENCE:	2016/5523
SUBURB/LOCATION:	98-100 (Lot 81) Brown Street, East Perth
REPORTING UNIT:	Development Approvals
RESPONSIBLE DIRECTORATE:	Planning and Development
DATE:	27/03/2017
ATTACHMENT/S:	Attachment 8.2A – Map Confidential Attachment 8.2B – Neighbour Submissions (Confidential Attachments distributed under separate cover to Elected Members)
3D MODEL PRESENTATION:	N/A
LANDOWNER:	H M V Investments Pty Ltd
APPLICANT:	Planning Solutions
ZONING:	(MRS Zone) Urban (Local Planning Scheme Precinct) EP6-Boans
APPROXIMATE COST:	Less than \$50,000

Legislation / Strategic Plan / Policy:

Legislation	<i>Planning and Development Act 2005</i> City Planning Scheme No. 2 Local Planning Scheme No. 26
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Policy

Policy No and Name:	4.1 - City Development Design Guidelines 4.6 – Signs 5.1 – Parking Policy 5.2 – Loading and Unloading Area 31 – Brown and Kensington Streets West
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Details:

The application proposes a change of use of the existing warehouse premises, currently used for the storage of clothing, into a microbrewery ('Light-Industry') and tavern ('Dining and Entertainment'). It is proposed that the tavern will accommodate up to 130 patrons with a large seating area proposed for guests to dine in and consume alcohol on the premises which will accommodate up to 110 guests with capacity for approximately 15-20 patrons in the standing areas around the bar and the seating lounge. The applicant advises that the reason for applying for a tavern rather than small bar use is to allow for greater flexibility in

terms of the sale and supply of the produce including kegs to wholesalers and packaged craft beer to customers.

The tavern and microbrewery will employ approximately 10 members of staff including two-three kitchen staff, two bar staff, two wait staff, one brewer and one administrator. The proposed operating hours will be Wednesday 4.00pm to 10.00pm, Thursday 12.00pm to 10.00pm, Friday and Saturday 12.00pm to 12.00am and Sunday 10.00am to 10.00pm (earlier opening time to allow for brunch service on Sunday).

The application also proposes minor alterations to the front façade including a new entrance door and repainting works. Two wall signs are also proposed on the front façade including a painted wall sign located above the main entrance measuring 2.6 metres in width by 0.2 metres in height displaying 'bar and kitchen' and a painted wall sign measuring 2.9 metres in width by 2 metres in height located adjacent to the entrance displaying the company name 'Bright Tank Brewing Co.'

Compliance with Planning Scheme:

Land Use

The subject site is located within the Boans Precinct (EP6) and Brown Street and Kensington West Design Guideline Area (EP Area 31) under Local Planning Scheme No. 26 – Normalised Redevelopment Areas (LPS26).

The Statement of Intent for the Boans Precinct indicates that its close proximity to the Claisebrook Train Station provides a strong opportunity to continue the medium density residential development and mixed land use function of the Project Area, while ensuring a high quality, connected pedestrian network through the Precinct.

The proposed microbrewery ('Light-Industry') and tavern ('Dining and Entertainment') land uses are contemplated uses within the Boans Precinct under Local Planning Scheme No. 26 and therefore can be considered for approval.

Development Requirements

The proposal will require internal fit-out works to an existing single storey building, which are exempt from approval under LPS26 and City Planning Scheme No. 2 (CPS2). The external modifications including signage and the shopfront alterations and the parking requirements will be discussed in further detail under the comments section of this report.

Comments:

Consultation

The application was advertised to the surrounding property owners for a period of 14 days closing on Tuesday 14 February 2017. The landowners that were consulted included 90-94 Brown Street, 104 Brown Street, 'Boans Warehouse' 7 Glyde Street, 'The Powerhouse Terraces' 12-20 Glyde Street, 129 Kensington Street, 127 Kensington Street and 123 Kensington Street. A total of 23 submissions were received during the advertising period with 22 objections to the proposal including a letter from the WA Housing Authority who own and manage the residential apartments at 90-94 Brown Street and a letter from the

Boans Warehouse Council of Owners. One letter of support from a local resident was also received.

A copy of the submissions is attached to this report (Confidential Attachment 8.2B). The main issues raised during the advertising period are summarised below:

- Concerns regarding traffic congestion, the lack of on-site parking and the impact on residents with residential parking permits and their visitors in terms of finding parking in close proximity to their homes in the evenings;
- The existing antisocial and noise issues associated with homelessness, vagrants and drug users in the area and the lack of security measures and potential for increased antisocial behaviour in the area including drunkenness, vandalism, littering, assaults, drug use and public urination and defecation;
- The residential character of the area and the incongruous nature of the proposed light industrial and dining and entertainment use;
- The generation of odours from the operation of the micro-brewery and restaurant, the waste storage area and from staff and patrons smoking outside the venue;
- Noise pollution generated from inside the venue and when guests are arriving and departing the venue and queuing and smoking outside;
- Concerns regarding the late night operating hours and its impact on local amenity, particularly on weeknights;
- Concerns regarding the type of liquor licence being sought and whether it will permit any live entertainment;
- Concerns the proposal was only advertised to the neighbouring owners and not to tenants, the short timeframe to provide comments and the lack of consultation to residents at the western end of Brown Street;
- The close proximity of the micro-brewery and tavern community centres and drug and alcohol rehabilitation centres within the area; and

The main reasons for support of the proposal include:

- increased activation from bars and restaurants in the area would improve safety; and
- the proposal would enhance local vibrancy and liveliness which is currently lacking in terms of its inner city location.

The issues that have been raised in relation to traffic congestion and parking, noise, odours, residential character, security, antisocial behaviour and operating hours will be addressed in further detail in the comments section of this report.

The issues raised regarding the existing antisocial behaviours in the area associated with vagrants and drug use are outside of the scope of what can be considered as part of the application. These matters should be reported to the local police and community services. Any potential antisocial behaviours associated with the proposed venue will however be addressed in the comments section of this report.

In terms of community consultation, the proposal was advertised in accordance with the City's advertising procedure. This included notifying the owners of the properties located directly adjacent, opposite and to the rear of the site and inviting them to view the plans and to make comments within 14 days. It is noted that residents at the western end of Brown Street and Fielder Street have made submissions and have expressed similar concerns to those that were formally notified and these responses have been tabled and will also be addressed. Submissions that were received outside of the 14 day advertising period have also been included.

Land Use

The application site is located on Brown Street which comprises of a mixture of residential, warehouse and commercial uses. Although Brown Street is predominately residential in nature, the Statement of Intent for the Boans Street Precinct promotes the continuation of the mixed land use function for the area as well as medium density residential development. The proposed light-industrial and tavern uses are therefore consistent with the mixed land use function of the area.

External Alterations and Signage

The application proposes minor external alterations to the front façade including repainting works in the company branding colours and the installation of a new entrance door. The new entrance door will comprise of a single hinged door and a two-door concertina arrangement. The hinged door will be the primary entrance for patrons and will remain closed whilst not in use. The concertina doors will provide for the full door span to be opened to receive deliveries outside of trading hours. The doors will comprise of clear glazing with black aluminium framing. The proposed works are considered to be of an acceptable design and quality and will be an improvement in terms of the presentation of the building to the street and should be supported in accordance with the City's Development Design Policy 4.1.

The application also proposes to remove the existing signage and to replace this with two new wall signs for the new venue. The wall signs which will display the new company name 'Bright Tank Brewing Co' and 'Restaurant and Bar' are considered to be of an appropriate design, scale and quality and should be supported in accordance with the City's Signs Policy 4.6.

Traffic and Parking

The application proposes to retain the existing four covered car parking bays located in the front forecourt of the premises. The applicant advises that these bays will be allocated to staff, with no additional on-site car parking bays proposed. Some concern has been raised

by the neighbouring residents regarding the availability of on-street car parking for the venue and the impact on residents with parking permits and their visitors in finding bays in close proximity to their homes.

The property is located in the Perth Parking Management Area where there is no requirement to provide on-site commercial car parking, only maximum thresholds as stipulated in the Perth Parking Policy 2014. This is consistent with the City's Perth Parking Policy 5.1 which promotes a sustainable and balanced transport system, encouraging the use of alternative modes of transport in the City including public transport, cycling, and taxis.

The subject site is well serviced by a range of public transport options including the yellow CAT service from the City which has a number of stops within walking distance on Royal Street (closest stop Royal Street Central Institute which is approximately 350 metres walking distance), the Claisebrook Train Station which is located 280 metres from the site (approximately 450 metres walking distance). The applicant has advised that there are 868 public car parking bays within 600 metres of the venue.

Whilst it is understood that some patrons will seek to park outside the venue, creating increased competition for on-street car parking bays on Brown Street, a residential parking permit does not guarantee or reserve the right for on-street car parking bays to be available for residents and their guests.

It is considered that the impact of the venue on local traffic conditions and on-street parking is reasonable, particularly given its inner city location. The subject site is well serviced by a range of public transport options including the Yellow CAT bus service and train service. There is also ample availability of public car parking within walking distance of the venue. The application is not proposing any variations to the on-site car parking requirements and complies with the objectives and requirements of the local and State transport planning policy framework including the City's Perth Parking Policy 5.1 and the State Government's Perth Parking Policy 2014. On this basis it is considered that the number of on-site car parking bays provided is acceptable.

Noise and Antisocial Behaviour

With respect to the concerns raised regarding antisocial behaviour and the lack of security personnel, the applicant advises that one security officer/doorman will be employed on Friday and Saturday evening's from 6.00pm to 12.00am to manage guests arriving and departing from the venue. All supervisory and bar staff will also be appropriately trained to deal with antisocial behaviour, with staff undertaking the required training in responsible practices in the sale, supply and service of alcohol, in accordance with the requirements of the *Liquor Control Act 1988*. Any criminal behaviour resulting from patrons will be reported to the police. The applicant advises that security arrangements will also be addressed and managed through the liquor licencing process.

It should also be noted that although the applicant is applying for a tavern use and associated licence, this is for the purpose of allowing for the sale of the locally produced craft beer to wholesalers and customers. The applicant advises that the venue will be more akin to a small bar or restaurant in terms its operation, patron numbers and clientele with full meals and large share plates available to accompany the craft beer and other alcoholic beverages served at the venue. The venue is therefore not anticipated to lead to any antisocial or disorderly behaviour.

With respect to noise impacts an Acoustic Assessment has been prepared by Herring Storer Acoustics. The City's officers have reviewed the Acoustic Report and are satisfied with its findings and recommendations. The Noise Emissions generated by the venue have been calculated to comply with the requirements of the Environmental Protection (Noise) Regulations 1997, with noise control measures recommended to be undertaken to the four rotary ventilators located on the roof. The noise level emissions have been modelled based on patron noise of up to 150 patrons with the assumption music is background/ambient only with no live music. It is recommended that any approval be subject to a condition requiring only background levels of music where normal conversations can occur and the noise measures recommended in the report being implemented.

The applicant has also clarified the opening hours of the tavern and restaurant, which will be restricted to 10.00pm on Sunday night and weeknights (Wednesday and Thursday) and 12.00am (midnight) on Friday and Saturday. These hours are considered reasonable in terms of ensuring the viability of the venue and protecting against any undue adverse amenity impacts to local residents.

Waste Management

A waste management plan has been prepared by Encycle Consulting and endorsed by the City's officers. The revised design relocates the bin storage area from the front forecourt of the property to a bin store room located internally within the building. Staff will be required to place bins out by 6am on collection days, screened from view of the street by the front boundary wall. The revised design is considered an improvement in terms of ensuring the bin storage area will not be visible from the street or have any adverse noise and other impacts on neighbouring properties. It is recommended that the final waste management plan be expanded to include restrictions on the timing of the disposal of waste external to the premises, particularly bottles and glass, and being submitted to the City for approval and included as a condition of any approval.

Odour

Some concern has been raised by the neighbouring residents in relation to odours generated by the operation of the microbrewery and restaurant, the waste storage area and from staff and patrons smoking outside the venue.

Breweries have been known to create an odour which results from vapour emissions generated by the boiling of sweet wort in the beer brewing process. The applicant advises that the brew house has been designed to negate this problem by using an Australian Engineer designed 'Spark Brew House'. This brew house utilises a closed boil so that emitted vapours are sent through piping into a condenser, whereby the steam is condensed back into water and discharged as wastewater. No vapour is therefore released to the atmosphere. The City's officers have reviewed the details of the proposed system and are satisfied with the details provided.

In terms of the generation of cooking fumes the applicant advises that an appropriate ventilation/exhaust system will be provided within the kitchen to deal with odours and fumes. Details of the exhaust system including the location of any external vents should be submitted to the City for approval and therefore included as a condition of any approval.

With respect to the bin storage area, as outlined above, this has been relocated internally within the building. The applicant advises that the bin store will provide for adequate

separate ventilation with a system that complies with the Australian Standards and will not be in the vicinity of any windows or intake vents associated with other ventilation systems. Notwithstanding the above final details of the ventilation outlets for the bin storage room should be submitted to the City for approval and therefore included as a condition of any approval.

In terms of smoking, the revised design includes an indicative smoking zone within the front forecourt of the property. The smoking zone is adjacent to the eastern two-storey solid boundary wall and therefore will not directly impact on any window openings. Patrons and staff will be restricted to smoking only within this area. Any approval should require the submission of a management plan for the tavern use which includes the control of patron and staff smoking.

Conclusion

It is considered that the proposed use of the premises as a microbrewery and tavern is consistent with the Statement of Intent for the Boans Precinct which supports a mixed land use function in the area. The proposed venue is considered to be more akin to a small bar in terms of patron numbers and its operation which includes a large restaurant and dining area. The applicant advises that the tavern use and associated licence will however allow for the operator to sell the craft beer produced on site to wholesalers and in packaged form to customers.

The venue is well serviced by a range of transport options including the Yellow CAT Service, Claisebrook Train Station and public car parks. It is noted that there is no requirement to provide on-site car parking bays in this location however the existing four car parking bays located in the front forecourt will be retained for staff. It is considered that the issues raised by the neighbouring property owners in relation to waste management, noise, odours, antisocial behaviour, smoking and operating hours have been satisfactorily addressed by the applicant and can be managed on an ongoing basis through appropriate conditions of approval.

Based on the above it is recommended that the application for the proposed microbrewery, tavern and associated external alterations and signage for 'Bright Tank Brewing Co.' should be conditionally approved.



ATTACHMENT A (MAP) – (DA-2016/5523) 98-100 (LOT 81) BROWN STREET, EAST PERTH

CONFIDENTIAL ATTACHMENT 8.2B

ITEM 8.2 – 98-100 (LOT 81) BROWN STREET, EAST PERTH – MICRO-BREWERY ('LIGHT-INDUSTRY') AND TAVERN ('DINING AND ENTERTAINMENT'), SHOPFRONT ALTERATIONS AND THE DISPLAY OF SIGNAGE FOR 'BRIGHT TANK BREWING CO.'

FOR THE PLANNING COMMITTEE MEETING

4 APRIL 2017

DISTRIBUTED TO ELECTED MEMBERS UNDER SEPARATE COVER

Agenda Item 8.3 **Proposed Amendments to the City Planning Scheme No. 2 – Local Planning Policies, Registers and Precinct Plans to Accord with the Planning and Development (Local Planning Scheme) Regulations**

Recommendation:

That Council pursuant to clause 5(2) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 adopts the proposed minor modifications to the City Planning Scheme No. 2 – Local Planning Policies, Registers and Precinct Plans as detailed in Attachments 8.3A and 8.3B.

FILE REFERENCE:	P1016318
REPORTING UNIT:	City Planning
RESPONSIBLE DIRECTORATE:	Planning and Development
DATE:	16 March 2017
ATTACHMENT/S:	Attachment 8.3A - Summary of proposed modifications to the City Planning Scheme No. 2 - Local Planning Policies and Registers. Attachment 8.3B - Summary of proposed modifications to City Planning Scheme No. 2 - Precinct Plans

Legislation / Strategic Plan / Policy:

Legislation	Schedule 2 - <i>Planning and Development (Local Planning Scheme) Regulations 2015.</i> City of Perth Planning City Planning Scheme No. 2
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Integrated Reporting Implications	Planning and Framework	Strategic Community Plan
		Council Four Year Priorities: Capable and responsive organisation S18 Strengthen the capacity of the organisation

Policy

Policy No and Name:	City Planning Scheme No. 2- Local Planning Policies and Precinct Plans identified in Attachments 8.3A & 8.3B.
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Purpose and Background:

The purpose of this report is to ensure that the documents made pursuant to the City Planning Scheme No. 2 (CPS2) including Local Planning Policies, Registers and Precinct Plans accord with the *Planning and Development (Local Planning Scheme) Regulations 2015* (hereafter referred to as the Regulations).

The Regulations were gazetted on 25 August 2015 and took effect from 19 October 2015.

They are a major part of the former State Government's planning reform agenda to streamline the planning process and make all local planning schemes across Western Australia more consistent.

The Regulations replace the Town Planning Regulations 1967 and associated Model Scheme Text. The Regulations are set out in three sections, being:

1. Local Planning Scheme Regulations – establishes how local planning schemes are prepared, amended and reviewed;
2. Model Provisions for Local Planning Schemes (Schedule 1 of the Regulations) - comprises scheme provisions that are to be included in local planning schemes when preparing a new local planning scheme; and
3. Deemed Provisions (Schedule 2 of the Regulations) – introduces standardised and non-variable provisions into all local planning schemes. If there is inconsistency between a local planning scheme and a Deemed Provision, the latter prevails.

Additionally, the Deemed Provisions cannot be varied, however there is provision in the *Planning and Development Act 2005* (the Act) to add Supplemental Provisions that may expand on the Deemed Provisions, but cannot act to limit them.

The Deemed Provisions automatically applied to the City Planning Scheme No. 2 (CPS2), in addition to documents made pursuant to CPS2 such as Local Planning Policies, Registers and Precinct Plans.

Previous Council Resolution

At its meeting held on **15 March 2016**, Council resolved to adopt Amendment No. 35 to the City Planning Scheme No. 2 and minor amendments to Town Planning Schemes No's 11, 13, 14, 16, 21, 23, 24 and 26. The amendments were required to align with the Regulations.

The amendments have since been approved by the Minister for Planning and were published in the Government Gazette on 24 February 2017.

Details:

Minor amendments are now proposed to the Local Planning Policies, Registers and Precinct Plans to ensure consistency with both the Regulations and the updated version of CPS2. The key changes include the following:

1. Providing consistent terminology and definitions with the Deemed Provisions including;
 - 'Council', 'City' and 'City of Perth' being replaced with 'local government';
 - 'Metropolitan Region Scheme' being replaced with 'Region Planning Scheme';
 - 'Residential Design Codes' being replaced with 'R-Codes';
 - 'planning approval' being replaced with 'development approval';
 - 'Register of places of cultural heritage significance' being replaced with 'Heritage List'; and

- 'conservation area' being with replaced 'Heritage Area'.
2. Deleting references to CPS2 clauses superseded by the Deemed Provisions.
 3. Cross referencing to the Deemed Provisions and/or the new Supplemental Provisions of the Deemed Provisions where appropriate.
 4. Cross referencing to the renumbered CPS2 clauses and Schedules where appropriate.
 5. Incorporating additional information within the Plot Ratio and Bonus Plot Ratio policies to provide guidance on the use of discretion relating to the general discretionary clause of the Deemed Provisions for heritage purposes.
 6. Minor formatting and editing of the various documents to reduce repetition, address any typographical errors and provide further clarity.
 7. Deleting reference to policy numbers to overcome inconsistencies in the future as policies are amended.
 8. Updating the content pages, maps and renumbering sections where appropriate.

Attachments 8.3A and 8.3B provide details of the minor changes to the Local Planning Policies, Registers and Precinct Plans that are subject to these amendments.

Financial Implications:

ACCOUNT NO:	CL 16201000
BUDGET ITEM:	City Planning Unit – Planning Schemes and Policies
BUDGETED AMOUNT:	\$16,176
AMOUNT SPENT TO DATE:	\$6,873
PROPOSED COST:	\$700
BALANCE REMAINING:	\$4,815
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE OF LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.

Comments:

The City is required to take action to ensure that CPS2 and associated planning documents are aligned with the new legislation.

Clause 5(2) of the Deemed Provisions enables the local government to make an amendment to a local planning policy without advertising the amendment if, in the opinion of the local government, the amendment is a minor amendment. The proposed changes to the Local Planning Policies, Registers and Precinct Plans are administrative in nature and ensure that these documents align with the Regulations and the updated version of CPS2. Accordingly public advertising is not required.

Additional information has been incorporated into the Plot Ratio and Bonus Plot Ratio policies to provide guidance on the use of discretion relating to the general variation clause of the Deemed Provisions for heritage purposes. This is to ensure good planning and built form design outcomes for the city, whilst facilitating the heritage objectives of the Deemed Provisions.

ATTACHMENT 8.3A

Summary of Draft Policy Amendments – City Planning Scheme No.2 (Volumes 2 & 3)

Policy	Summary of Proposed Amendments	Rationale
Register 1 – Places of Cultural Heritage Significance	<ul style="list-style-type: none"> • Replaced the title with ‘Heritage List’. • References to ‘places of cultural heritage significance’ changed to ‘Heritage List’ or ‘Heritage Area’. • Maps to be updated to reflect new terminology. 	<ul style="list-style-type: none"> • The Deemed Provisions replaces the ‘Register of Cultural Heritage Significance’ with the ‘Heritage List’ and ‘conservation area’ with ‘Heritage Area’. • The terminology of the Deemed Provisions uses ‘local government’ rather than ‘Council’ or ‘City of Perth’ and therefore to maintain consistency the terminology has been amended.
Register 2 – Non-conforming uses	<ul style="list-style-type: none"> • Renumbered Register ‘2’ to ‘1’ as the existing Register ‘1’ has been replaced by the ‘Heritage List’. 	<ul style="list-style-type: none"> • Register ‘1’ has been replaced by the ‘Heritage List’.
Register 3 – Transferred of Plot Ratio	<ul style="list-style-type: none"> • Reference to ‘places of cultural heritage significance’ changed to ‘Heritage List’ or ‘Heritage Area’. • ‘Council’ changed to ‘local government’. • ‘City of Perth’ changed to ‘local government’. • Renumbered Register ‘3’ to ‘2’ (as Register ‘1’ has been replaced by the ‘Heritage List’). 	<ul style="list-style-type: none"> • The Deemed Provisions replaces the ‘Register of Cultural Heritage Significance’ with the ‘Heritage List’ and ‘conservation area’ with ‘Heritage Area’. • Terminology consistency.
Policy 1.1 - How it Works	<ul style="list-style-type: none"> • ‘Council’ changed to ‘local government’. • Reference to the Deemed Provisions included as part of the City Planning Scheme 	<ul style="list-style-type: none"> • The Deemed Provisions replaces the ‘Register of Cultural Heritage Significance’ with the ‘Heritage List’.

	<p>No.2 (CPS2).</p> <ul style="list-style-type: none"> • Reference to 'Heritage List'. • Replaced 'Approval Services Unit' with 'Development Approvals Unit'. 	<ul style="list-style-type: none"> • The Deemed Provisions set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015: Schedule 2</i> form part of the City Planning Scheme No.2 (CPS2). • Acknowledgement of the City of Perth's internal organisational restructure. • Terminology consistency.
Policy 2.1 - Applications	<ul style="list-style-type: none"> • 'planning' changed to 'development'. • Reference to 'Application for Development Approval' form and 'Additional Information for Development Approval for Advertising Form' in the Deemed Provisions. • Reference to clause 63 of the Deemed Provisions. • Reference to Metropolitan Region Scheme Form (MRS) Form 1. • Reference to the definition of 'owner' in the Deemed Provisions. • Additional information is provided on the required signatures of owner(s) for common property within a strata development. • Included reference to clause 61 of the Deemed Provisions for development that is exempt from requiring approval. 	<ul style="list-style-type: none"> • Terminology consistency. • A new development application form is required under clause 86 of the Deemed Provisions. An additional form is also required for advertisements. • Clause 63 of the Deemed Provisions outlines information to be accompanied by an application. • MRS Form 1 is still required under the Metropolitan Region Scheme (MRS). • 'Owner' is now defined in the Deemed Provisions. • The Deemed Provisions identifies development for which approval is not required. • Deemed Provisions and Supplemental Provisions are included as part of the CPS2. • Cross referencing to renumbered CPS2 clauses.

	<ul style="list-style-type: none"> • Reference to the Deemed Provisions and Supplemental Provisions included as part of CPS2. • ‘Council’ changed to ‘local government’. • Cross referencing to the Deemed Provisions and renumbered CPS2 clauses (clause 48 to clause 37 and clause 34 to clause 30). • ‘City of Perth’ and ‘City’ changed to ‘local government’. • Reference to ‘places of cultural heritage significance’ changed to ‘Heritage List’ or ‘Heritage Area’. • ‘Residential Design Codes’ changed to ‘R-Codes’. • Deleted reference to policy numbers including Policy 4.6.1 (Bonus Plot Ratio), Policy 4.10 (Residential Design), and Policy 4.11 (Heritage). • Deleted the section on ‘Policy’ and consolidated the information on ‘Development Assessment Panels (DAP) Applications’. • Reworded and edited a number of sections. 	<ul style="list-style-type: none"> • The policy numbers have been removed to overcome inconsistencies in the future as policies are amended. • The Deemed Provisions replaces the ‘Register of Cultural Heritage Significance’ with the ‘Heritage List’ and ‘conservation area’ with ‘Heritage Area’. • Reworded and edited a number of sections to reduce repetition and provide greater clarity. • Incorporated information on the Transfer of Plot Ratio application requirements into a new section which had previously been omitted.
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	<p>For example deleted superfluous information in section 5.0 and consolidated information in sub section 5.1.4.</p> <ul style="list-style-type: none"> • Incorporated a new section 5.2.6 on the Transfer of Plot Ratio application requirements. • Renumbered sections and updated the contents page. 	
<p>Policy 2.2 – Public Notification/Advertising</p>	<ul style="list-style-type: none"> • Cross referencing to the relevant Deemed Provisions. • ‘Council’ changed to ‘local government’. • Reference to the public notification notice that is contained in the Deemed Provisions. • Deleted information superseded by the requirements of the Deemed Provisions, including the Notice form in the attached Appendix. • Provided information on additional advertising requirements for proposed policy amendments. • Included two notes stating that the advertising requirements for minor policy amendments or minor CPS2 variations may be waived as outlined in the Deemed Provisions. 	<ul style="list-style-type: none"> • Referencing to clauses 4, 5 and 64 of the Deemed Provisions relating to the advertising of Development Applications and new or amended policies. • Terminology consistency. • The public notification notice is now contained in Clause 86 the Deemed Provisions. • Additional information is provided on amending local planning policies to reflect current practise. • Clause 64 (2) of the Deemed Provisions enables the local government to waive a requirement for an application to be advertised if the local government is satisfied that the variation to CPS2 requirements is of a minor nature. • Clause 4 of the Deemed Provisions enables the local government to give notice of a proposed local planning policy in any way it considers appropriate.

	<ul style="list-style-type: none"> • Included reference to key stakeholders. 	<ul style="list-style-type: none"> • Clause 5(2) of the Deemed Provisions enables the local government to make minor changes to local planning policy without the need to advertise.
Policy 2.3 - Request for reclassification of land	<ul style="list-style-type: none"> • Council' changed to 'local government'. 	<ul style="list-style-type: none"> • Terminology consistency.
Policy 2.4 – Policy Initiation and Amendment	<ul style="list-style-type: none"> • Cross referencing to the Deemed Provisions. • 'Council' changed to 'local government'. • Procedure amendment included to notify the Western Australian Planning Commission (WAPC) where policy is not consistent with a State Planning Policy (PPP). • Included a note that the advertising requirements for minor policy amendments may be waived. 	<ul style="list-style-type: none"> • Cross referencing of CPS2 clauses that have been revoked by the Deemed Provisions and amended to the Deemed Provisions clauses. • Terminology consistency. • The local government is required to notify the WAPC of a policy that does not comply with a SPP. • Clause 5 (2) of the Deemed Provisions enables the local government to make minor changes to planning policy without the need to advertise.
Policy 3.1 – Design of Residential Development	<ul style="list-style-type: none"> • Included reference in the Deemed Provisions to development that is exempt from requiring approval. 	<ul style="list-style-type: none"> • The Deemed Provisions includes exemptions to single dwellings and structures associated with single dwellings where it complies with the R-Codes and local planning policies.
Policy 3.2 – Ancillary Accommodation	<ul style="list-style-type: none"> • Included a note that certain development is exempt from requiring approval within the Deemed Provisions. • Retained the additional requirements for ancillary accommodation not affected by the R-Codes. 	<ul style="list-style-type: none"> • The Deemed Provisions includes exemptions to single dwellings and structures associated with single dwellings where it complies with the R-Codes and local planning policies. • The Deemed Provisions do not provide any guidance on such structures situated outside of R-Code areas.

	<ul style="list-style-type: none"> • 'Council' changed to 'local government'. 	<ul style="list-style-type: none"> • Terminology consistency.
Policy 3.3 – Determining Development Application for Aged and Dependant Person' Dwellings	<ul style="list-style-type: none"> • 'Residential Design Codes' changed to 'R-Codes'. • 'Council' changed to 'local government'. • Deletion of definition of 'aged or dependant persons' in the text and reference to the definition in the R-Codes. 	<ul style="list-style-type: none"> • Terminology consistency. • Duplication of definitions removed.
Policy 3.4 – Home Occupation	<ul style="list-style-type: none"> • Included a section stating that a home occupation may be exempt from requiring approval if it complies with the policy. 	<ul style="list-style-type: none"> • Reference to Schedule 7 of CPS2 relating to minor development exempt from planning approval.
Policy 3.5 – Non-Residential uses in or Adjacent to Residential Areas	<ul style="list-style-type: none"> • 'Council' changed to 'local government'. 	<ul style="list-style-type: none"> • Terminology consistency.
Policy 3.6 – Residential Uses in Mixed Use Areas	<ul style="list-style-type: none"> • 'Council' changed to 'local government'. • 'City' changed to 'local government'. • 'Residential Design Codes' changed to 'R-Codes'. • Replace 'Council's' with the word 'the' 	<ul style="list-style-type: none"> • Terminology consistency.
Policy 3.8 – Structures within Setback Areas	<ul style="list-style-type: none"> • 'Council' changed to 'local government'. • Included a note that certain development is exempt from requiring approval within the Deemed Provisions. 	<ul style="list-style-type: none"> • Terminology consistency. • The Deemed Provisions include exemptions to single dwellings and structures associated with single dwellings where it complies with the R-Codes and local planning policies.
Policy 3.9 – Special Residential (Serviced and Short Term Accommodation) Policy	<ul style="list-style-type: none"> • 'Council' changed to 'local government'. • 'planning' changed to 'development'. 	<ul style="list-style-type: none"> • Terminology consistency.

	<ul style="list-style-type: none"> • 'City' changed to 'local government'. 	
Policy 4.1 – City Development Design Guidelines	<ul style="list-style-type: none"> • 'Council' changed to 'local government'. • Deleted policy numbers '2.1' for Applications and '5.1' Parking. 	<ul style="list-style-type: none"> • Terminology consistency. • The policy number has been removed to overcome inconsistencies in the future as policies are amended.
Policy 4.2 – Control and Location of Amusement Parlours	<ul style="list-style-type: none"> • 'Council' changed to 'local government'. • 'planning' changed to 'development'. • Reference to advertising procedure of CPS2 changed to refer to the Deemed Provisions. 	<ul style="list-style-type: none"> • Terminology consistency. • The advertising of an application is now in accordance with clause 64 of the Deemed Provisions.
Policy 4.3 – Roller Doors on Shopfronts	<ul style="list-style-type: none"> • 'Council' changed to 'local government'. 	<ul style="list-style-type: none"> • Terminology consistency.
Policy 4.4 – Building Heights and Setbacks	<ul style="list-style-type: none"> • 'City' and 'Council' changed to 'local government'. • Determination of Non-Complying Applications reference changed to clause 36. • Deleted repeated sentence in the introduction. • Deleted reference policy number 4.6.1 for Bonus Plot Ratio. • Update Figure 2. 	<ul style="list-style-type: none"> • Terminology consistency. • The Determination of Non-Complying Application clause of CPS2 has been retained and renumber to clause 36. • Address an editing error. • The policy number has been removed to overcome inconsistencies in the future as policies are amended. • Figure 2 refers to the 'East Perth Redevelopment Authority' which has since changed to the 'Metropolitan Redevelopment Authority' and the city boundary has also been modified.

<p>Policy 4.5 – Plot Ratio</p>	<ul style="list-style-type: none"> • ‘Council’ changed to ‘local government’. • Replaced ‘character area’ with ‘Heritage Area’. • Reference to Transfer of Plot Ratio clause of CPS2 changed to clause 30. • Deleted reference to policy numbers 4.5.1 & 4.5.2. • Inserted additional information stating that the provisions of the Bonus Plot Ratio and Heritage Policies should be used to guide any decisions relating to plot ratio and use of the variation clause under the Deemed Provisions. Additionally, any proposed development should exhibit architectural design excellence and achieve a built form, height and scale that is appropriate to the amenity, streetscape and locality, whilst retaining the intent of the variation clause to facilitate good heritage outcomes. • Included a statement that any proposed internal building works exempt from development approval under the Deemed Provisions will still need to comply with of the plot ratio provisions of CPS2. 	<ul style="list-style-type: none"> • Terminology consistency. • The CPS2 Transfer of Plot Ratio clause has changed from clause 34 to clause 30 as a result of the Deemed Provisions revoking other CPS2 clauses. • The policy numbers have been removed to overcome inconsistencies in the future as policies are amended. • The Deemed Provisions provide a general variation clause for heritage purposes. It is considered that the provisions of the Bonus Plot Ratio and Heritage Policies should be used to guide any decisions relating to plot ratio and use of the variation clause under the Deemed Provisions. It is important that any built form outcomes are reflective of the capital city status, in addition to facilitating good heritage outcomes. • The Deemed Provisions identifies development for which development approval is not required. Legal advice obtained stated that an applicant is still required to comply with clauses 27(1) and 28 (6) of CPS2.
<p>Policy 4.5.1 – Bonus Plot Ratio</p>	<ul style="list-style-type: none"> • ‘City’ and ‘Council’ changed to ‘local government’. 	<ul style="list-style-type: none"> • Terminology consistency. • The Deemed Provisions provide a general

	<ul style="list-style-type: none"> • Inserted additional information stating that the provisions of the Bonus Plot Ratio (with specific reference to Section 5.3) and Heritage Policies should be used to guide any decisions relating to plot ratio and use of the variation clause under the Deemed Provisions. Additionally, any proposed development should exhibit architectural design excellence and achieve a built form, height and scale that is appropriate to the amenity, streetscape and locality, whilst retaining the intent of the variation clause to facilitate good heritage outcomes. • Clause 47 renumbered to clause 36 and replaced reference to clause 46A with clause 35. • Deleted reference to policy numbers 3.9, 4.6.2, 4.1, 4.9, 4.10 and 4.11. • Reference to 'Heritage List' and 'Heritage Area' included. • Replaced reference to clause 30 of CPS2 with clause 8 of the Deemed Provisions. • Deleted reference to clause 30, 31 of CPS2 and Section 8.1: Register of Places of Cultural Heritage Significance. • Clause 40 of CPS2 replaced by clause 66A 	<p>variation clause for heritage purposes. It is considered that the provisions of the Bonus Plot Ratio and Heritage Policies should be used to guide any decisions relating to plot ratio and use of the variation clause under the Deemed Provisions. It is important that any built form outcomes are reflective of the capital city status, in addition to facilitating good heritage outcomes.</p> <ul style="list-style-type: none"> • Section 5.3 of the Bonus Plot Ratio Policy deals with the conservation of a heritage place. • Deleting CPS2 clauses which have been revoked by the Deemed Provisions and renumbering the remaining CPS2 clauses. • The policy numbers have been removed to overcome inconsistencies in the future as policies are amended. • Cross referencing a clause of CPS2 that has been revoked by the Deemed Provisions and retained as a Supplemental Provision. • The Design Advisory Committee (DAC) currently provides advice on the extent of bonus plot ratio which is warranted where a bonus is sought for public facilities, heritage etc. It is recommended that DAC advice also be sought for a variation to plot ratio under clause 12 of the Deemed Provisions.
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	<p>of the Supplemental Provisions to the Deemed Provisions.</p> <ul style="list-style-type: none"> • Included a statement that DAC will be requested to provide advice on the extent of bonus plot ratio which is warranted under clause 12 of the Deemed Provisions. 	
Policy 4.5.2 – Transfer Plot Ratio	<ul style="list-style-type: none"> • ‘Council’ changed to ‘local government’. • ‘City of Perth’ changed to ‘local government’. • ‘planning’ changed to ‘development’. • ‘Register of Places of Cultural Heritage Significance’ changed to ‘Heritage List’. • Conservation Area changed to Heritage Area. • Clauses 34 and 35 renumbered to clauses 30 and 31 of CPS2. • Replaced reference to ‘Register 8.1’ with ‘Heritage List’ and replaced ‘Register 8.2’ with Register 2. • Deleted reference to policy numbers. • Reference related planning material to refer to the Deemed Provisions. 	<ul style="list-style-type: none"> • Terminology consistency. • Renumbering existing CPS2 clauses which have not been revoked by the Deemed Provisions. • The Deemed Provisions replaces the ‘Register of Cultural Heritage Significance’ with the ‘Heritage List’. • The policy numbers have been removed to overcome inconsistencies in the future as policies are amended. • Acknowledgment of the Deemed Provisions as part of CPS2.
Policy 4.6 - Signs	<ul style="list-style-type: none"> • Schedule 8 renumbered to Schedule 7. 	<ul style="list-style-type: none"> • Cross referencing to the renumbered Schedules of CPS2.

Policy 4.8 – Pedestrian Walkways	<ul style="list-style-type: none"> • ‘Council’ changed to ‘local government’. 	<ul style="list-style-type: none"> • Terminology consistency.
Policy 4.9 – Residential Design Policy	<ul style="list-style-type: none"> • Included reference in the Deemed Provisions to development that is exempt from requiring approval. • ‘City’ changed to ‘local government’. • ‘planning’ changed to ‘development’. • Deleted reference to policy numbers 4.1, 5.1 & 5.4. • Deleted ‘in the City of Perth’ and other minor edits. 	<ul style="list-style-type: none"> • Clause 61 of the Deemed Provisions included exemptions to single dwellings and structures associated with single dwellings from the need to acquire a development approval where it complies with the R-Codes. • Terminology consistency. • The policy numbers have been removed to overcome inconsistencies in the future as policies are amended. • Minor edits to improve clarity and formatting.
Policy 4.10 - Heritage	<ul style="list-style-type: none"> • ‘Conservation’ changed to ‘Heritage’. • ‘City of Perth’ changed to ‘local government’. • ‘building’ and ‘properties’ changed to ‘place’. • Cross referencing the Deemed Provisions. • Included reference to the Heritage List. • ‘Council’ changed to ‘local government’. • Reference to exemptions from approval under the Deemed Provisions. 	<ul style="list-style-type: none"> • Terminology consistency. • Cross referencing of clauses of CPS2 that have been amended or revoked by the Deemed Provisions. • The Deemed Provisions include exemptions to the requirement for planning approval. • The policy numbers have been removed to overcome inconsistencies in the future as policies are amended. • Clause 67 of the Deemed Provisions requires the local government to have regard to any relevant

	<ul style="list-style-type: none"> • 'planning' changed to 'development'. • 'City of Perth' changed to 'city'. • Renumbered existing CPS2 clauses. • Deleted reference to policy numbers 4.1, 4.5, 4.6, 4.7, 2.1 & 4.10. • Reference to clause 67 of the Deemed Provisions 	<p>planning policy and, in particular, "the built conservation of any place that is of cultural significance".</p>
Policy 5.1 – Parking Policy	<ul style="list-style-type: none"> • 'City' changed to 'local government'. • 'Council' changed to 'local government'. • Deleted reference to policy numbers 4.1 & 5.2. • 'Residential Design Codes' changed to 'R-Codes'. 	<ul style="list-style-type: none"> • Terminology consistency. • The policy numbers have been removed to overcome inconsistencies in the future as policies are amended.
Policy 5.2 – Loading and Unloading	<ul style="list-style-type: none"> • 'Council' changed to 'local government'. 	<ul style="list-style-type: none"> • Terminology consistency.
Policy 5.3 – Bicycle parking and End of Journey Facilities	<ul style="list-style-type: none"> • 'Council' changed to 'local government'. • 'planning' changed to 'development'. 	<ul style="list-style-type: none"> • Terminology consistency.
Policy 6.1 - Future Development of Northbridge	<ul style="list-style-type: none"> • Deleted reference to 'Council'. 	<ul style="list-style-type: none"> • Terminology consistency.
Policy 6.2 – James, William, Roe and Lake Street Block	<ul style="list-style-type: none"> • 'Perth City Council's' changed to 'local government's'. • 'Council' changed to 'local government'. 	<ul style="list-style-type: none"> • Terminology consistency. • The State Government's 'Perth Parking Policy' has been amended since 1999. Additionally, the incorporation of the policy within CPS2 has since

	<ul style="list-style-type: none"> Deleted reference to when the Perth Parking Policy was gazetted in 1999. Also confirmed that it is a State Planning Policy. Amended minor typographical errors. Renumbered clause 34 to clause 30 of CPS2. 	<ul style="list-style-type: none"> been deleted. Addresses any minor typographical errors within the document. Cross referencing to renumbered CPS2 clauses.
Policy 6.3 – Goderich Design Policy	<ul style="list-style-type: none"> 'Council' changed to 'local government'. Reference to 'Heritage List' included. Modified 'Residential Design Code' to 'R-Code'. Cross referencing to the Deemed Provisions. Deleted definitions of 'amenity' and 'Residential Design Codes' and insert 'defined in Deemed Provisions'. Renumbered clause 47 to clause 36 of CPS2. Included reference to clause 12 of the Deemed Provisions. Deleted reference to policy numbers. 	<ul style="list-style-type: none"> Terminology consistency. The definitions are to be deleted to reduce duplication with a reference included to the Deemed Provisions. A number of clauses are to be renumbered due to others being deleted to accord with the Deemed Provisions. Reference to clause 12 of the Deemed Provisions which enables the local government to vary any requirement of the CPS2 for heritage purposes. The policy numbers have been removed to overcome inconsistencies in the future as policies are amended.
Policy 6.4 – Terrace Road Design Policy	<ul style="list-style-type: none"> 'Council' changed to 'local government'. Reference to 'Heritage List' included. 	<ul style="list-style-type: none"> Terminology consistency. The definitions are to be deleted to reduce duplication with a reference included to the

	<ul style="list-style-type: none"> • Modify 'Residential Design Code' to 'R-Code'. • Cross referencing to the Deemed Provisions. • Deleted definitions of 'amenity' and 'Residential Design Codes' and insert '<i>defined in Deemed Provisions</i>'. • Deleted Appendix 2 'Schedule of Places in the City Planning Scheme. • Deleted reference to policy numbers. • Included reference to clause 12 of the Deemed Provisions. 	<p>Deemed Provisions.</p> <ul style="list-style-type: none"> • Schedule 2 is now part of the 'Heritage List' under the Deemed provisions. • The policy numbers have been removed to overcome inconsistencies in the future as policies are amended. • Reference to clause 12 of the Deemed Provisions which enables the local government to vary any requirement of the CPS2 for heritage purposes.
<p>Policy 6.5 – Mount Street Design Policy</p>	<ul style="list-style-type: none"> • 'Council' changed to 'local government'. • Reference to the 'Heritage List' included. • Modified 'Residential Design Code' to 'R-Code'. • Cross referencing to the Deemed Provisions. • Deleted definitions of 'amenity' and Residential Design Codes' and insert '<i>defined in Deemed Provisions</i>'. • Deleted Appendix 2 'Schedule of Places in the City Planning Scheme. 	<ul style="list-style-type: none"> • Terminology consistency. • The definitions are to be deleted to reduce duplication with a reference included to the Deemed Provisions. • Schedule 2 is now part of the Heritage List under the Deemed Provisions. • The policy numbers have been removed to overcome inconsistencies in the future as policies are amended.

	<ul style="list-style-type: none"> Deleted reference to policy numbers. 	
Policy 6.6 – King Street Heritage Precinct Design Guidelines	<ul style="list-style-type: none"> Change title from ‘King Street Heritage Precinct’ to ‘King Street Heritage Area’. ‘conservation’ changed to ‘heritage’. Cross referencing to the Deemed Provisions with respect to planning policies and Heritage Areas. ‘Council’ and ‘City of Perth’ changed to ‘local government’. ‘planning’ changed to ‘development’. Modify terminology in the maps to be consistent with the Deemed Provisions. 	<ul style="list-style-type: none"> Terminology consistency. Cross referencing of clauses of CPS2 that have been revoked by the Deemed Provisions and amended to the Deemed Provisions clauses.
Policy 6.7 – Hay Street Pedestrian Walkway and Road Reserve Widening Policy	<ul style="list-style-type: none"> ‘planning’ changed to ‘development’. ‘Council’ changed to ‘local government’. ‘City’ changed to ‘local government’. ‘City of Perth’ changed to ‘local government’. Cross referencing the Deemed Provisions with respect to the Heritage List. Included reference to clause 12 of the Deemed Provisions. 	<ul style="list-style-type: none"> Terminology consistency. Cross referencing of clauses of CPS2 that have been revoked by the Deemed Provisions and amended to the Deemed Provisions clauses. Clause 12 of the Deemed Provisions enables the local government to consider variations to the requirements of CPS2 for Heritage purposes.

	<ul style="list-style-type: none"> • 'conservation' changed to 'heritage'. • 'Precinct' changed to 'Area'. 	
Policy 6.8 – William Street Station Precinct	<ul style="list-style-type: none"> • 'Council' changed to 'local government'. • 'City' changed to 'local government'. • 'City of Perth' changed to 'local government'. 	<ul style="list-style-type: none"> • Terminology consistency.
Policy 6.9 – William Street Conservation Area Design Guidelines	<ul style="list-style-type: none"> • Change title from 'William Street Conservation Area' to 'William Street Heritage Area'. • 'conservation' changed to 'heritage'. • Cross referencing the Deemed Provisions with respect to planning policies and Heritage Areas. • Deleted reference to policy number 4.1. • Modify Figure 1 to reflect the new terminology. 	<ul style="list-style-type: none"> • Terminology consistency. • Cross referencing of clauses of CPS2 that have been revoked by the Deemed Provisions and amended to the Deemed Provisions clauses. • The policy numbers have been removed to overcome inconsistencies in the future as policies are amended.

Summary of Policy Amendments – Volume 3

Policy	Summary of Amendments	Reason for Amendments
Planning Policy 1.1 – Claisebrook Village Project Area	<ul style="list-style-type: none"> • Reference to the Deemed Provisions included as part of CPS2. • Clarified that the policy must accord with the Deemed Provisions. 	<ul style="list-style-type: none"> • Acknowledgment of the Deemed Provisions included as part of CPS2. • Under section 257B of the Planning and Development Act, if a Deemed Provision is

	<ul style="list-style-type: none"> • 'City of Perth (the City)' changed to 'local government'. • 'City' changed to 'local government'. • 'City' deleted where not required. 	<p>inconsistent with another provision of a local planning scheme, the Deemed Provision applies.</p> <ul style="list-style-type: none"> • Terminology consistency.
Planning Policy 1.2 – New Northbridge Project Area	<ul style="list-style-type: none"> • Reference to the Deemed Provisions included as part of CPS2. • Clarified that the policy must accord with the Deemed Provisions. • 'City' changed to 'local government'. • 'City of Perth (the City)' changed to 'local government'. • 'Residential Design Codes' changed to 'R-Codes'. • 'heritage precinct' changed to 'Heritage Area'. • 'City's Register of Places of Cultural Heritage Significance' changed to 'local government's Heritage List'. 	<ul style="list-style-type: none"> • Acknowledgment of the Deemed Provisions included as part of CPS2. • Under section 257B of the Planning and Development Act, if a Deemed Provision is inconsistent with another provision of a local planning scheme, the Deemed Provision applies. • Terminology consistency. • The Deemed Provisions replaces the 'Register of Cultural Heritage Significance' with the 'Heritage List' and 'conservation area' with 'Heritage Area'.
<p>Planning Policy 2.2 to 2.34 being East Perth Areas 2 – 34</p> <p>Planning Policy 2.35 to 2.36 Northbridge Areas 34 and 35</p>	<ul style="list-style-type: none"> • Reference to the Deemed Provisions included as part of CPS2. • 'City of Perth' changed to 'local government'. 	<ul style="list-style-type: none"> • Acknowledgment of the Deemed Provisions included as part of the CPS2. • Terminology consistency.

	<ul style="list-style-type: none"> • 'City' changed to 'local government'. • 'planning' changed to 'development'. • 'City's Register of Places of Cultural Heritage Significance' changed to 'local government's Heritage List'. • 'Residential Design Codes' changed to 'R-Codes.' • Update the content/cover page where necessary (e.g. Victory Terrace). • Update figures and maps to reflect the new terminology. 	<ul style="list-style-type: none"> • Addressing some minor errors in the content and cover pages of a few of the planning policy areas.
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ATTACHMENT 8.3B

Summary of Draft Precinct Plans Amendments – City Planning Scheme No.2

Precinct Plan	Existing Clause	Proposed Clause	Rationale
Content	Each precinct plan outlines the Council's town planning intentions for the locality.	Each precinct plan outlines the Council's local government's town planning intentions for the locality.	The Deemed Provisions refer to 'local government' rather than 'Council' and 'Council' has been taken out of the Scheme definitions (referred to as terminology consistency in this table).
	<p>The precinct plans should be read together with:</p> <ol style="list-style-type: none"> 1. Planning policies which contain guidelines for the development and use of land, and which apply to more than one precinct. References are given in the precinct plans to those policies. 2. The Scheme text which contains legal and administrative provisions regarding the use and development of land. 	<p>The precinct plans should be read together with:</p> <ol style="list-style-type: none"> 1. Planning policies which contain guidelines for the development and use of land, and which apply to more than one precinct. References are given in the precinct plans to those policies. 2. The Scheme text which contains legal and administrative provisions regarding the use and development of land. 3. The Deemed Provisions set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015: Schedule 2</i>. 	The Deemed Provisions set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015: Schedule 2</i> form part of the City Planning Scheme No.2 (CPS2).
	You are reminded that before land and	You are reminded that before land	The Deemed Provisions refer

	<p>buildings can be developed or used for another purpose it will probably be necessary to make a planning application and receive approval from the Council</p> <p>Enquiries regarding any of the information on the following pages should be directed to the Council's Planning Officers on Telephone 9461 3333.</p>	<p>and buildings can be developed or used for another purpose it will probably be necessary to make a planning development application and receive approval from the Council local government.</p> <p>Enquiries regarding any of the information on the following pages should be directed to the Council's Planning Officers on Telephone 9461 3333.</p>	<p>to 'development approval' rather than 'planning approval'.</p> <p>Terminology consistency.</p>
Precincts 1-8			
Statement of Intent	Public places such as streets, malls and squares will be enhanced and maintained reinforcing the City's traditional urban structure thereby heightening the interest, comfort and the convenience of the city centre.	Public places such as streets, malls and squares will be enhanced and maintained reinforcing the City's local government's traditional urban structure thereby heightening the interest, comfort and the convenience of the city centre.	Terminology consistency.
Statement of Intent	The Council will endeavour to regulate traffic flow in accordance with the functional road hierarchy plan for the Scheme area and require that development take into consideration pedestrian access, safety and make provision for cyclists.	The Council local government will endeavour to regulate traffic flow in accordance with the functional road hierarchy plan for the Scheme area and require that development take into consideration pedestrian access, safety and make provision for cyclists.	Terminology consistency.
Perth Central Area Policies Review	In 1986 the Council, in association with the Western Australian Planning Commission and the State government.....	In 1986 the Council local government , in association with the Western Australian Planning Commission and	Terminology consistency.

		the State government	
Metropolitan Region Scheme (Mrs) – Clause 32 Resolutions	The Western Australian Planning Commission (WAPC), under Clause 32 of the MRS, has resolved that in the areas listed below and delineated on this plan, applications for development shall, after determination by the Council, be referred to the WAPC for their determination:	The Western Australian Planning Commission (WAPC), under Clause 32 of the MRS, has resolved that in the areas listed below and delineated on this plan, applications for development shall, after determination by the Council local government , be referred to the WAPC for their determination:	Terminology consistency.
Heritage	Heritage items are listed in the Council's Register of Places of Cultural Heritage Significance. Development of property, which involves a heritage item, must have regard for the heritage provisions of the City Planning Scheme text. It should be noted that the city's heritage is under continual assessment and therefore additions to the Register will occur from time to time.	Heritage items are listed in the Council's local government's Register of Places of Cultural Heritage Significance Heritage List . Development of property, which involves a heritage item, must have regard for the heritage provisions of the City Planning Scheme text and clauses 7 to 13 of the Deemed Provisions . It should be noted that the city's Heritage List is under continual assessment and therefore additions to the Register List will occur from time to time.	The Deemed Provisions now contain the heritage provisions and the 'Register of Places of Cultural Heritage Significance' is replaced by the 'Heritage List'.
Precinct 1 - Northbridge			
Statement of Intent	The Council will regulate traffic in accordance with the functional road hierarchy. As such, through traffic will be	The Council local government will regulate traffic in accordance with the functional road hierarchy. As such,	Terminology consistency.

	discouraged in all but the periphery streets of the Precinct.	through traffic will be discouraged in all but the periphery streets of the Precinct.	
Uses – Clause (c)	(c) Al fresco dining and outdoor activities, such as entertainment, markets and festivals will be supported where practicable and compatible with surrounding uses, and in compliance with the Council's Alfresco Dining Policy.	(c) Al fresco dining and outdoor activities, such as entertainment, markets and festivals will be supported where practicable and compatible with surrounding uses, and in compliance with the Council's local government's Alfresco Dining Policy.	Terminology consistency.
Uses - Clause (e)	(e) Where the Council considers that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses), it will be subject to the advertising procedure set down in the Scheme text . Note: Processes for advertising are contained the City Planning Scheme Policy Manual under the section Public Notification / Advertising Procedures.	(e) Where the Council local government considers that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses), it will be subject to the advertising procedure set down in the Scheme text clause 64 of the Deemed Provisions . Note: Processes for advertising are contained in clause 64 of the Deemed Provisions and the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures .	Terminology consistency. The advertising procedure is contained in the Deemed Provisions.
Uses - Clause (f)	(f) Vacant sites must be avoided if at all possible. Where they occur they will be occupied by temporary uses and/or	(f) Vacant sites must be avoided if at all possible. Where they occur they will be occupied by	Terminology consistency.

	landscaped and used as parks until the approved development for the site commences in accordance with Council requirements for the site. The use of vacant sites for car parking is inappropriate.	temporary uses and/or landscaped and used as parks until the approved development for the site commences in accordance with Council the local government's requirements for the site. The use of vacant sites for car parking is inappropriate.	
Reserves and Resolution Areas	The Council nevertheless has management responsibilities for some of these areas, as well as having an opportunity to comment on development relating to any of the above land.	The Council local government nevertheless has management responsibilities for some of these areas, as well as having an opportunity to comment on development.	Terminology consistency.
Northbridge Study Report	This Report should be read in conjunction with the Northbridge Precinct, Development Heights and Setbacks Policy and specific street block guidelines. A copy of the Report and Policy is available from the Council.	This Report should be read in conjunction with the Northbridge Precinct, Development Heights and Setbacks Policy and specific street block guidelines. A copy of the Report and Policy is available from the Council local government .	Terminology consistency.
Precinct 2 – Cultural Centre			
Metropolitan Redevelopment Authority Area	Development approvals in the Cultural Centre Precinct must be obtained from the MRA. The Council nevertheless has an opportunity to comment on development applications, administer building, health and related controls. The matters referred to in this Precinct Plan will be taken into account in providing these comments.	Development approvals in the Cultural Centre Precinct must be obtained from the MRA. The Council local government nevertheless has an opportunity to comment on development applications, administer building, health and related controls. The matters referred to in this Precinct Plan will be taken into	Terminology consistency.

		account in providing these comments.	
Statement of Intent	The Council will endeavour to regulate traffic flow in accordance with the functional road hierarchy for the Scheme area and require that development take into consideration pedestrian access, safety and make provision for cyclists.	The Council— local government will endeavour to regulate traffic flow in accordance with the functional road hierarchy for the Scheme area and require that development take into consideration pedestrian access, safety and make provision for cyclists.	Terminology consistency.
Uses – Clause (d)	(d) Vacant sites must be avoided where possible. Where they occur, they should be occupied by temporary uses and/or landscaped and used as parks until the approved development for the site commences in accordance with Council requirements. The use of vacant sites for car parking is inappropriate.	(d) Vacant sites must be avoided where possible. Where they occur, they should be occupied by temporary uses and/or landscaped and used as parks until the approved development for the site commences in accordance with Council the local government's requirements. The use of vacant sites for car parking is inappropriate.	Terminology consistency.
Precinct 3 - Stirling			
Statement of Intent	The Council will endeavour to regulate traffic flow in accordance with the functional road hierarchy for the Scheme area and require that development take into consideration pedestrian access, safety and make provision for cyclists.	The Council— local government will endeavour to regulate traffic flow in accordance with the functional road hierarchy for the Scheme area and require that development take into consideration pedestrian access, safety and make provision for cyclists.	Terminology consistency.
Uses – Clause (d)	(d) Vacant sites must be avoided where possible. Where they occur, they should be occupied by temporary uses and/or landscaped and used as	(d) Vacant sites must be avoided where possible. Where they occur, they should be occupied by temporary uses and/or	Terminology consistency.

	<p>parks until the approved development for the site commences in accordance with Council requirements. The use of vacant sites for car parking is inappropriate.</p>	<p>landscaped and used as parks until the approved development for the site commences in accordance with Council the local government's requirements. The use of vacant sites for car parking is inappropriate.</p>	
<p>Uses - Clause (e)</p>	<p>(e) Where the Council considers that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses), it will be subject to the advertising procedure set down in the Scheme text.</p> <p>Note: <i>Processes for advertising are contained the City Planning Scheme Policy Manual under the section Public Notification / Advertising Procedures.</i></p>	<p>(e) Where the Council local government considers that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses), it will be subject to the advertising procedure set down in the Scheme text clause 64 of the Deemed Provisions.</p> <p>Note: <i>Processes for advertising are contained in clause 64 of the Deemed Provisions and the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.</i></p>	<p>Terminology consistency.</p> <p>The advertising procedure is contained in the Deemed Provisions.</p>
<p>Reserves and Resolution Areas</p>	<p>The Council nevertheless has management responsibilities for some of these areas, as well as having an opportunity to comment on development. The matters referred to in this Precinct Plan will be taken into account in determining an application relating to any of the above land.</p>	<p>The Council local government nevertheless has management responsibilities for some of these areas, as well as having an opportunity to comment on development. The matters referred to in this Precinct Plan will be taken into account in determining an application</p>	<p>Terminology consistency.</p>

		relating to any of the above land.	
Precinct 4 - Victoria			
Statement of Intent	The Council will endeavour to regulate traffic flow in accordance with the functional road hierarchy for the Scheme area and require that development take into consideration pedestrian access, safety and make provision for cyclists.	The Council local government will endeavour to regulate traffic flow in accordance with the functional road hierarchy for the Scheme area and require that development take into consideration pedestrian access, safety and make provision for cyclists.	Terminology consistency.
Uses - Clause (e)	<p>(e) Where the Council considers that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses), it will be subject to the advertising procedure set down in the Scheme text.</p> <p>Note: <i>Processes for advertising are contained the City Planning Scheme Policy Manual under the section Public Notification / Advertising Procedures.</i></p>	<p>(e) Where the Council local government considers that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses), it will be subject to the advertising procedure set down in the Scheme text clause 64 of the Deemed Provisions.</p> <p>Note: <i>Processes for advertising are contained in clause 64 of the Deemed Provisions and the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.</i></p>	<p>Terminology consistency.</p> <p>The advertising procedure is contained in the Deemed Provisions.</p>
Uses – Clause (f)	(f) Vacant sites must be avoided where possible. Where they occur, they should be occupied by temporary uses and/or landscaped and used as parks until the approved development	(f) Vacant sites must be avoided where possible. Where they occur, they should be occupied by temporary uses and/or landscaped and used as parks	Terminology consistency.

	for the site commences in accordance with Council requirements. The use of vacant sites for car parking is inappropriate.	until the approved development for the site commences in accordance with Council the local government's requirements. The use of vacant sites for car parking is inappropriate.	
Reserves	The Council nevertheless has management responsibilities for some of these areas, as well as having an opportunity to comment on development.	The Council local government nevertheless has management responsibilities for some of these areas, as well as having an opportunity to comment on development.	Terminology consistency.
Public Purpose - Hospital	The City's principal medical area, comprising Royal Perth Hospital together with a wide range of supporting uses, occupies land in the vicinity of Wellington, Moore, Goderich and Lord Streets.	The City's local government's principal medical area, comprising Royal Perth Hospital together with a wide range of supporting uses, occupies land in the vicinity of Wellington, Moore, Goderich and Lord Streets.	Terminology consistency.
Precinct 5 - Citiplace			
Statement of Intent	Endeavours will be made to maintain and enhance streets, Malls and squares reinforcing the City's traditional urban structure thereby heightening the interest, comfort and convenience of the Precinct.	Endeavours will be made to maintain and enhance streets, Malls and squares reinforcing the City's local government's traditional urban structure thereby heightening the interest, comfort and convenience of the Precinct.	Terminology consistency.
	The Council will endeavour to regulate traffic flow in accordance with the functional road hierarchy for the Scheme area and require that development take	The Council local government will endeavour to regulate traffic flow in accordance with the functional road hierarchy for the Scheme area and	Terminology consistency.

	into consideration pedestrian access, safety and make provision for cyclists.	require that development take into consideration pedestrian access, safety and make provision for cyclists.	
Uses – Clause (d)	(d) Al fresco dining and outdoor activities, such as entertainment, markets and festivals will be supported where practicable and compatible with surrounding uses, and in compliance with the City's Alfresco Dining Policy.	(d) Al fresco dining and outdoor activities, such as entertainment, markets and festivals will be supported where practicable and compatible with surrounding uses, and in compliance with the City's local government's Alfresco Dining Policy.	Terminology consistency.
Uses – Clause (e)	(e) In the King Street Heritage Precinct Area (refer to King Street Heritage Precinct Design Guidelines):	(e) In the King Street Heritage Precinct Area (refer to King Street Heritage Precinct Design Guidelines):	Terminology consistency.
Uses – Clause (g)	(g) Vacant sites must be avoided where possible. Where they occur, they should be occupied by temporary uses and/or landscaped and used as parks until the approved development for the site commences in accordance with Council requirements. The use of vacant sites for car parking is inappropriate.	(g) Vacant sites must be avoided where possible. Where they occur, they should be occupied by temporary uses and/or landscaped and used as parks until the approved development for the site commences in accordance with Council the local government's requirements. The use of vacant sites for car parking is inappropriate.	Terminology consistency.
Uses - Clause (h)	(h) Where the Council considers that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses), it will be subject to the advertising procedure set down	(h) Where the Council local government considers that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential	Terminology consistency. The advertising procedure is contained in the Deemed Provisions.

	<p>in the Scheme text.</p> <p>Note: Processes for advertising are contained the City Planning Scheme Policy Manual under the section Public Notification / Advertising Procedures.</p>	<p>uses), it will be subject to the advertising procedure set down in the Scheme text clause 64 of the Deemed Provisions.</p> <p>Note: Processes for advertising are contained in clause 64 of the Deemed Provisions and the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.</p>	
Reserves and Resolution Areas	The Clause 32 resolution determines that any development in this area is of regional significance and ensures that development applications are determined by the Council and the Western Australian Planning Commission.	The Clause 32 resolution determines that any development in this area is of regional significance and ensures that development applications are determined by the Council local government and the Western Australian Planning Commission.	Terminology consistency.
	The Council nevertheless has management responsibilities for some of these areas, as well as having an opportunity to comment on development.	The Council local government nevertheless has management responsibilities for some of these areas, as well as having an opportunity to comment on development.	Terminology consistency.
Perth Railway Station	The railway station and in particular the railway concourse are an integral part of the pedestrian network throughout the City.	The railway station and in particular the railway concourse are an integral part of the pedestrian network throughout the City city.	Typographical error.
Perth City Link Project Redevelopment Area	The Council nevertheless has an opportunity to comment on development within this area and in doing so, will take	The Council local government nevertheless has an opportunity to comment on development within this	Terminology consistency.

	into account the matters referred to in this Precinct Plan.	area and in doing so, will take into account the matters referred to in this Precinct Plan.	
Precinct 6 – St Georges			
Statement of Intent	The Council will regulate traffic flow in accordance with the functional road hierarchy for the Scheme area and require that development take into consideration pedestrian access, safety and make provision for cyclists.	The Council local government will regulate traffic flow in accordance with the functional road hierarchy for the Scheme area and require that development take into consideration pedestrian access, safety and make provision for cyclists.	Terminology consistency.
Uses – Clause (c)	(c) Vacant sites must be avoided where possible. Where they occur, they should be occupied by temporary uses and/or landscaped and used as parks until the approved development for the site commences in accordance with Council requirements. The use of vacant sites for car parking is inappropriate.	(c) Vacant sites must be avoided where possible. Where they occur, they should be occupied by temporary uses and/or landscaped and used as parks until the approved development for the site commences in accordance with Council the local government's requirements. The use of vacant sites for car parking is inappropriate.	Terminology consistency.
Reserves and Resolution Areas	The Clause 32 resolution determines that any development in this area is of regional significance and ensures that development applications are determined by the Council and the Western Australian Planning Commission.	The Clause 32 resolution determines that any development in this area is of regional significance and ensures that development applications are determined by the Council local government and the Western Australian Planning Commission.	Terminology consistency.
	The Council nevertheless has management responsibilities for some of	The Council local government nevertheless has management	Terminology consistency.

	these areas, as well as having an opportunity to comment on development. The matters referred to in this Precinct Plan will be taken into account in determining an application relating to any of the above land.	responsibilities for some of these areas, as well as having an opportunity to comment on development. The matters referred to in this Precinct Plan will be taken into account in determining an application relating to any of the above land.	
Parliament House Precinct and Policy	Particulars of the Clause 32 resolution require that development applications are determined by the Council and the Western Australian Planning Commission if the development lies within the inner precinct boundary or does not comply with the height controls specified in the Policy.	Particulars of the Clause 32 resolution require that development applications are determined by the Council local government and the Western Australian Planning Commission if the development lies within the inner precinct boundary or does not comply with the height controls specified in the Policy.	Terminology consistency.
Elizabeth Quay Project Redevelopment Area	The Council nevertheless has an opportunity to comment on development within this area and in doing so, will take into account the matters referred to in this Precinct Plan.	The Council local government nevertheless has an opportunity to comment on development within this area and in doing so, will take into account the matters referred to in this Precinct Plan.	Terminology consistency.
Precinct 7 - Civic			
Statement of Intent	The Council will regulate traffic flow in accordance with the functional road hierarchy for the Scheme area and require that development take into consideration pedestrian access, safety and make provision for cyclists.	The Council local government will regulate traffic flow in accordance with the functional road hierarchy for the Scheme area and require that development take into consideration pedestrian access, safety and make provision for cyclists.	Terminology consistency.
Uses – Clause (b)	(b) Vacant sites must be avoided where	(b) Vacant sites must be avoided	Terminology consistency.

	possible. Where vacant sites occur, they are to be occupied by temporary uses or landscaped and used as parks until the approved development for the site commences in accordance with Council requirements. The use of vacant sites for car parking is inappropriate.	where possible. Where vacant sites occur, they are to be occupied by temporary uses or landscaped and used as parks until the approved development for the site commences in accordance with Council the local government's requirements. The use of vacant sites for car parking is inappropriate.	
Uses - Clause (c)	(c) Where the Council considers that a particular use could have a detrimental impact on the amenity of the surrounding area it will be subject to the advertising procedure set down in the Scheme text.	(c) Where the Council local government considers that a particular use could have a detrimental impact on the amenity of the surrounding area it will be subject to the advertising procedure set down in the Scheme text clause 64 of the Deemed Provisions.	Terminology consistency. The advertising procedure is contained in the Deemed Provisions.
Reserves	The Council nevertheless has management responsibilities for some of these areas, as well as having an opportunity to comment on development. The matters referred to in this Precinct Plan will be taken into account in determining an application relating to any of the above land.	The Council local government nevertheless has management responsibilities for some of these areas, as well as having an opportunity to comment on development. The matters referred to in this Precinct Plan will be taken into account in determining an application relating to any of the above land.	Terminology consistency.
	Council has also reserved land for public purposes (the Concert Hall and Town Hall land) and therefore retains responsibility	Council The local government has also reserved land for public purposes (the Concert Hall and Town Hall land)	Terminology consistency.

	for development in those areas.	and therefore retains responsibility for development in those areas.	
Civic Domain	This area is the most historic precinct within Perth and arguably Western Australia.	This area is the most historic precinct area within Perth and arguably Western Australia.	Terminology consistency.
Elizabeth Quay Project Redevelopment Area	The Council nevertheless has an opportunity to comment on development within this area and in doing so, will take into account the matters referred to in this Precinct Plan.	The Council local government nevertheless has an opportunity to comment on development within this area and in doing so, will take into account the matters referred to in this Precinct Plan.	Terminology consistency.
Precinct 8 - Foreshore			
Statement of Intent	Views to and from the foreshore and the surrounding features are to be established and enhanced. Landscaping will be ecologically sensitive and be capable of management by the Council.	Views to and from the foreshore and the surrounding features are to be established and enhanced. Landscaping will be ecologically sensitive and be capable of management by the Council local government .	Terminology consistency.
Reserves	The Council nevertheless has management responsibilities for some of these areas, as well as having an opportunity to comment on development. The matters referred to in this Precinct Plan will be taken into account in determining an application relating to any of the above land.	The Council local government nevertheless has management responsibilities for some of these areas, as well as having an opportunity to comment on development. The matters referred to in this Precinct Plan will be taken into account in determining an application relating to any of the above land.	Terminology consistency.
Elizabeth Quay Project Redevelopment Area	The Council nevertheless has an opportunity to comment on development	The Council local government nevertheless has an opportunity to	Terminology consistency.

	within this area and in doing so, will take into account the matters referred to in this Precinct Plan.	comment on development within this area and in doing so, will take into account the matters referred to in this Precinct Plan.	
Precinct 9 – Matilda Bay			
Statement of Intent	The Council will regulate traffic flow in accordance with the functional road hierarchy for the Scheme area and require that development take into consideration pedestrian access, safety and make provision for cyclists.	The Council local government will regulate traffic flow in accordance with the functional road hierarchy for the Scheme area and require that development take into consideration pedestrian access, safety and make provision for cyclists.	Terminology consistency.
Uses	Specialised forms of residential accommodation, such as serviced apartments, lodging houses and hostels, as well as nursing homes and consulting rooms, will be subject to the advertising procedure as set down in the Scheme text . <i>Note: 1. Processes for advertising are contained in the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.</i>	Specialised forms of residential accommodation, such as serviced apartments, lodging houses and hostels, as well as nursing homes and consulting rooms, will be subject to the advertising procedure as set down in the Scheme text clause 64 of the Deemed Provisions . <i>Note: 1. Processes for advertising are contained in clause 64 of the Deemed Provisions and the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.</i>	The advertising procedure is contained in the Deemed Provisions.
Development Standards	Development will generally be in accordance with the Residential Design Codes and with planning policies contained in the City Planning	Development will generally be in accordance with the R-Code and with planning policies contained in the City	Terminology consistency.

	<p>Scheme Policy Manual concerning:</p> <ul style="list-style-type: none"> • Residential Development • Development and Design • Parking and Access <p>In addition, the following standards apply:</p> <p>(1) Residential Design Code Variations: Notwithstanding the provisions of the Residential Design Codes:</p>	<p>Planning Scheme Policy Manual concerning:</p> <ul style="list-style-type: none"> • Residential Development • Development and Design • Parking and Access <p>In addition, the following standards apply:</p> <p>(1) R-Code Variations: Notwithstanding the provisions of the R-Code:</p>	
Reserves	The Council nevertheless has management responsibilities for some of these areas, as well as having an opportunity to comment on development. The matters referred to in this Precinct Plan will be taken into account in determining an application relating to any of the above land.	The Council local government nevertheless has management responsibilities for some of these areas, as well as having an opportunity to comment on development. The matters referred to in this Precinct Plan will be taken into account in determining an application relating to any of the above land.	Terminology consistency.
Functional Road Hierarchy	The Council has adopted a functional road hierarchy for all roads in the Municipality. This hierarchy classifies roads on the basis of their purpose and the destination of the traffic they carry. This will provide the framework for local area traffic management and assist in the assessment of development proposals for adjoining land. A map illustrating the functional road hierarchy is available from the Council.	The Council local government has adopted a functional road hierarchy for all roads in the Municipality. This hierarchy classifies roads on the basis of their purpose and the destination of the traffic they carry. This will provide the framework for local area traffic management and assist in the assessment of development proposals for adjoining land. A map	Terminology consistency.

		illustrating the functional road hierarchy is available from the Council local government .	
Precinct 10 – West Perth			
Statement of Intent	Council will therefore regulate traffic flow in accordance with the functional road hierarchy map for the Scheme area and require that development take into consideration pedestrian access, safety and provision for cyclists.	Council The local government will therefore regulate traffic flow in accordance with the functional road hierarchy map for the Scheme area and require that development take into consideration pedestrian access, safety and provision for cyclists.	Terminology consistency.
West Perth Urban Design Study (1993)	<p>The study looks at landscape, movement, activities and design issues and has provided improvement, policy and action plans along with administration and implementation details for further consideration by the Council and the West Perth community.</p> <p>Any proposal for development in the West Perth Precinct must take into consideration specific development and design criteria the Council—may require as a result of the recommendations of the <i>West Perth Urban Design Study</i>.</p>	<p>The study looks at landscape, movement, activities and design issues and has provided improvement, policy and action plans along with administration and implementation details for further consideration by the Council—local government and the West Perth community.</p> <p>Any proposal for development in the West Perth Precinct must take into consideration specific development and design criteria the Council—local government may require as a result of the recommendations of the <i>West Perth Urban Design Study</i>.</p>	Terminology consistency.
Planning and Development Guidelines	The guidelines do not supersede the Precinct Plan or the Council's—Building Heights and Setbacks Policy.	The guidelines do not supersede the Precinct Plan or the Council's local government's Building Heights and	Terminology consistency.

		Setbacks Policy.	
Town Centre – Uses – Clause 9(b)	<p>(b) Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to the advertising procedure set down in the Scheme text.</p> <p>Note: 1. Processes for advertising are contained in the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.</p>	<p>(b) Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to the advertising procedure set down in the Scheme text clause 64 of the Deemed Provisions.</p> <p>Note: 1. Processes for advertising are contained in clause 64 of the Deemed Provisions and the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.</p>	The advertising procedure is contained in the Deemed Provisions.
Office/Residential Area - Uses	<p>Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to the advertising procedure set down in the Scheme text.</p> <p>Note: 1. Processes for advertising are contained in the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.</p>	<p>Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to the advertising procedure set down in the Scheme text clause 64 of the Deemed Provisions.</p> <p>Note: 1. Processes for advertising are contained in clause 64 of the Deemed Provisions and the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.</p>	The advertising procedure is contained in the Deemed Provisions.
Residential/Commercial – Mounts Bay Road	The protection and maintenance of landscaping, especially the heritage	The protection and maintenance of landscaping, especially the	Terminology consistency.

	classified Plane trees along Mounts Bay Road, will be a high priority.	Heritage classified Listed Plane trees along Mounts Bay Road, will be a high priority.	
Residential/Commercial Areas - Use	Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to the advertising procedure set down in the Scheme text. Note: 1. Processes for advertising are contained in the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.	Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to the advertising procedure set down in the Scheme text clause 64 of the Deemed Provisions. Note: 1. Processes for advertising are contained in clause 64 of the Deemed Provisions and the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.	The advertising procedure is contained in the Deemed Provisions.
Mounts Bay Road Clause (2)	In this regard the Council's Policy on Mixed Residential/Commercial Development should be consulted.	In this regard the Council's local government's —Policy on Mixed Residential/Commercial Development should be consulted.	Terminology consistency and Council's is not required in this clause.
Commercial Areas - Use	Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to the advertising procedure set down in the Scheme text. Note: 1. Processes for advertising are contained in the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.	Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to the advertising procedure set down in the Scheme text clause 64 of the Deemed Provisions. Note: 1. Processes for advertising are contained in clause 64 of the Deemed Provisions and the City Planning Scheme	The advertising procedure is contained in the Deemed Provisions.

		Policy Manual under the section Public Notification/Advertising Procedures.	
Residential Area - Uses	Specialised forms of accommodation, as well as nursing homes and consulting rooms, will be subject to the advertising procedure as set down in the Scheme text.	Specialised forms of accommodation, as well as nursing homes and consulting rooms, will be subject to the advertising procedure as set down in the Scheme text clause 64 of the Deemed Provisions.	The advertising procedure is contained in the Deemed Provisions.
Residential Development Standards(2) - (3)	<p>(2) <u>Residential Density</u>: Residential development shall be in accordance with the Residential Design- Codes R160 standards in relation to density.</p> <p>(3) <u>Residential Development</u>: Where a residential development clearly requires the relaxation and/or variation of the standards specified in the Residential Design Codes to conform with the historic character of the area, particularly with redevelopment on small lots, favourable consideration will be given.</p>	<p>(2) <u>Residential Density</u>: Residential development shall be in accordance with the Residential Design- Codes R160 standards in relation to density.</p> <p>(3) <u>Residential Development</u>: Where a residential development clearly requires the relaxation and/or variation of the standards specified in the R esidential Design- Codes to conform with the historic character of the area, particularly with redevelopment on small lots, favourable consideration will be given.</p>	Terminology consistency.
Reserves	<p>Council has also reserved some land for parks and recreation and retains responsibility for development on this land. All MRS reserves and Council reserves are shown on the Precinct Plan map.</p> <p>The Council also has management responsibilities for the regional reserves, as</p>	Council The local government has also reserved some land for parks and recreation and retains responsibility for development on this land. All MRS reserves and Council local government reserves are shown on the Precinct Plan map.	Terminology consistency.

	well as having the opportunity to comment on all development, and in this regard the matters referred to in this precinct plan will be taken into account in determining an application relating to a MRS reserve.	The Council local government also has management responsibilities for the regional reserves, as well as having the opportunity to comment on all development, and in this regard the matters referred to in this precinct plan will be taken into account in determining an application relating to a MRS reserve.	
Functional Road Hierarchy	The Council has adopted a functional road hierarchy for all roads in the Municipality. This hierarchy classifies roads on the basis of their purpose and the destination of the traffic they carry. This will provide the framework for local area traffic management and assist in the assessment of development proposals for adjoining land. A map illustrating the functional road hierarchy is available from the Council.	The Council local government has adopted a functional road hierarchy for all roads in the Municipality. This hierarchy classifies roads on the basis of their purpose and the destination of the traffic they carry. This will provide the framework for local area traffic management and assist in the assessment of development proposals for adjoining land. A map illustrating the functional road hierarchy is available from the Council local government .	Terminology consistency.
Precinct Plan – Residential Development	The Council will facilitate residential development.....	The Council local government will facilitate residential development.....	Terminology consistency.
Precinct 11 - Hamilton			
Statement of Intent	Council will regulate traffic flow in accordance with the functional road hierarchy map for the Scheme area and require that development take into consideration pedestrian access, safety and	Council The local government will regulate traffic flow in accordance with the functional road hierarchy map for the Scheme area and require that development take into consideration	Terminology consistency.

	make provision for cyclists.	pedestrian access, safety and make provision for cyclists.	
Hamilton Precinct – Urban Design Study	The Council has endorsed the proposed vision, guiding principles, general development parameters, core features and recommendations outlined in the ‘Hamilton Precinct Urban Design Study’ dated November 2011.	The Council local government has endorsed the proposed vision, guiding principles, general development parameters, core features and recommendations outlined in the ‘Hamilton Precinct Urban Design Study’ dated November 2011.	Terminology consistency.
Uses – Clause (b)	Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent to residential uses) it will be subject to the advertising procedure set down in the Scheme text.	Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent to residential uses) it will be subject to the advertising procedure set down in the Scheme text clause 64 of the Deemed Provisions.	The advertising procedure is contained in the Deemed Provisions.
Building Setbacks	For this reason, the Council may consider reducing the side setback standards on narrow lots (less than 17 metres in width). In such cases, the Council may consider variations to the side/rear setback in accordance with clause 47 – Determination of Non-Complying Applications of the Scheme.	For this reason, the Council local government may consider reducing the side setback standards on narrow lots (less than 17 metres in width). In such cases, the Council local government may consider variations to the side/rear setback in accordance with clause 36 – Determination of Non-Complying Applications of the Scheme.	Terminology consistency. Cross referencing to the renumbered Scheme Text clause.
Reserves	The Council nevertheless has management responsibilities for some of these areas, as well as having as opportunity to comment on development. The matters referred to in this Precinct Plan will be taken into account	The Council local government nevertheless has management responsibilities for some of these areas, as well as having as opportunity to comment on	Terminology consistency.

	in determining an application relating to any of the above land.	development. The matters referred to in this Precinct Plan will be taken into account in determining an application relating to any of the above land.	
Functional Road Hierarchy	<p>The Council has adopted a functional road hierarchy for all roads in the Municipality. This hierarchy classifies roads on the basis of their purpose and the destination of the traffic they carry. This will provide a framework for local area traffic management and assist in the assessment of development proposals for adjoining land. A map illustrating the functional road hierarchy is available from the Council.</p> <p>Vehicular access to properties abutting Sutherland, Loftus and Newcastle Streets will be taken from another road or laneway where possible, unless in the opinion of the Council—the amenity of adjacent residential uses will be adversely affected.</p>	<p>The Council local government has adopted a functional road hierarchy for all roads in the Municipality. This hierarchy classifies roads on the basis of their purpose and the destination of the traffic they carry. This will provide a framework for local area traffic management and assist in the assessment of development proposals for adjoining land. A map illustrating the functional road hierarchy is available from the Council local government.</p> <p>Vehicular access to properties abutting Sutherland, Loftus and Newcastle Streets will be taken from another road or laneway where possible, unless in the opinion of the Council local government the amenity of adjacent residential uses will be adversely affected.</p>	Terminology consistency.
Precinct 12 - Langley			
Statement of Intent	The Council will require that any development take into consideration pedestrian and cyclist access and safety.	The Council local government will require that any development take into consideration pedestrian and cyclist access and safety.	Terminology consistency.

Uses	<p>Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area it will be subject to the advertising procedure set down in the Scheme text.</p> <p>Note: 1. Processes for advertising are contained in the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.</p>	<p>Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area it will be subject to the advertising procedure set down in the Scheme text clause 64 of the Deemed Provisions.</p> <p>Note: 1. Processes for advertising are contained in clause 64 of the Deemed Provisions and the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.</p>	The advertising procedure is contained in the Deemed Provisions.
Reserves	<p>Council has also reserved land for parks and recreation and therefore retains responsibility for development in that reserve.</p> <p>The Council nevertheless has management responsibilities for the regional reserves, as well as having the opportunity to comment on all development, and in this regard the matters referred to in this Precinct Plan will be taken into account in determining an application relating to a MRS reserve.</p>	<p>Council The local government has also reserved land for parks and recreation and therefore retains responsibility for development in that reserve.</p> <p>The Council local government nevertheless has management responsibilities for the regional reserves, as well as having the opportunity to comment on all development, and in this regard the matters referred to in this Precinct Plan will be taken into account in determining an application relating to a MRS reserve.</p>	Terminology consistency.
Swan River Foreshore	The this end, the use of the river for intensive motor powered leisure craft will be	The To this end, the use of the river for intensive motor powered leisure	Typographical error.

	discouraged in favour of manual and wind propelled craft.	craft will be discouraged in favour of manual and wind propelled craft.	
Functional Road Hierarchy	The Council has adopted a functional road hierarchy for all roads in the Municipality. This hierarchy classifies roads on the basis of their purpose and the destination of the traffic they carry. This will provide a framework for local area traffic management and assist in the assessment of development proposals for adjoining land. A map illustrating the functional road hierarchy is available from the Council.	The Council local government has adopted a functional road hierarchy for all roads in the Municipality. This hierarchy classifies roads on the basis of their purpose and the destination of the traffic they carry. This will provide a framework for local area traffic management and assist in the assessment of development proposals for adjoining land. A map illustrating the functional road hierarchy is available from the Council local government .	Terminology consistency.
Precinct 13 - Adelaide			
Statement of Intent	The Council will endeavour to regulate traffic flow in accordance with the functional road hierarchy plan for the Scheme area and require that new development and redevelopment take into consideration pedestrian access and safety, and make provision for cyclists.	The Council local government will endeavour to regulate traffic flow in accordance with the functional road hierarchy plan for the Scheme area and require that new development and redevelopment take into consideration pedestrian access and safety, and make provision for cyclists.	Terminology consistency.
Office/Residential Area - Uses	Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to the advertising procedure set down in the Scheme text.	Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to the advertising procedure set down	The advertising procedure is contained in the Deemed Provisions.

	<i>Note: 1. Processes for advertising are contained in the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.</i>	in the Scheme text clause 64 of the Deemed Provisions. <i>Note: 1. Processes for advertising are contained in clause 64 of the Deemed Provisions and the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.</i>	
Residential Area - Uses	Specialised forms of accommodation, as well as nursing homes and consulting rooms, will be subject to the advertising procedure as set down in the Scheme text.	Specialised forms of accommodation, as well as nursing homes and consulting rooms, will be subject to the advertising procedure as set down in the Scheme text clause 64 of the Deemed Provisions.	The advertising procedure is contained in the Deemed Provisions.
Minor Town Planning Scheme No. 14	All town planning schemes are subject to review under town planning legislation and as the Council reassesses development control policies. If further development of land within the Scheme area is contemplated then the Council should be contacted with regard to the current details of the Scheme.	All town planning schemes are subject to review under town planning legislation and as the Council local government reassesses development control policies. If further development of land within the Scheme area is contemplated then the Council local government should be contacted with regard to the current details of the Scheme.	Terminology consistency.
Functional Road Hierarchy	The Council local government has adopted a functional road hierarchy for all roads in the Municipality. This hierarchy classifies roads on the basis of their purpose and the destination of the traffic they carry. This will provide a framework for local area traffic management and assist in the assessment	The Council local government has adopted a functional road hierarchy for all roads in the Municipality. This hierarchy classifies roads on the basis of their purpose and the destination of the traffic they carry. This will provide a framework for local area traffic	Terminology consistency.

	of development proposals for adjoining land. A map illustrating the functional road hierarchy is available from the Council local government.	management and assist in the assessment of development proposals for adjoining land. A map illustrating the functional road hierarchy is available from the Council local government.	
Precinct 14 - Goderich			
Statement of Intent	Council will therefore endeavour to regulate traffic flow in accordance with the functional road hierarchy plan for the Scheme area and require that new development and redevelopment take into consideration pedestrian access and safety, and make provision for cyclists.	Council The local government will therefore endeavour to regulate traffic flow in accordance with the functional road hierarchy plan for the Scheme area and require that new development and redevelopment take into consideration pedestrian access and safety, and make provision for cyclists.	Terminology consistency.
Residential Area	Reductions in on-site parking and open space requirements for residential development will be considered where normal provision is difficult to achieve, or where the Council can be convinced that normal provision is not warranted.	Reductions in on-site parking and open space requirements for residential development will be considered where normal provision is difficult to achieve, or where the Council local government can be convinced that normal provision is not warranted.	Terminology consistency.
Uses	Specialised forms of accommodation, as well as nursing homes and consulting rooms, will be subject to the advertising procedure as set down in the Scheme text.	Specialised forms of accommodation, as well as nursing homes and consulting rooms, will be subject to the advertising procedure as set down in the Scheme text clause 64 of the Deemed Provisions.	The advertising procedure is contained in the Deemed Provisions.

Town Centre- Uses – Clause (b)	<p>Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to the advertising procedure set down in the Scheme text.</p> <p>Note: 1. Processes for advertising are contained in the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.</p>	<p>Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to the advertising procedure set down in the Scheme text clause 64 of the Deemed Provisions.</p> <p>Note: 1. Processes for advertising are contained in clause 64 of the Deemed Provisions and the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.</p>	The advertising procedure is contained in the Deemed Provisions.
Residential/Commercial Areas	Given the proximity of the Precinct to public transport, recreation areas and the city centre, reductions in on-site parking and open space requirements for residential development will be considered where normal provision is difficult to achieve, or where the Council can be convinced that normal provision is not warranted.	Given the proximity of the Precinct to public transport, recreation areas and the city centre, reductions in on-site parking and open space requirements for residential development will be considered where normal provision is difficult to achieve, or where the Council local government can be convinced that normal provision is not warranted.	Terminology consistency.
Residential/Commercial Areas - Uses	Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to the advertising procedure set down in the	Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to the advertising procedure set down	The advertising procedure is contained in the Deemed Provisions.

	<p>Scheme text.</p> <p>Note: 1. Processes for advertising are contained in the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.</p>	<p>in the Scheme text clause 64 of the Deemed Provisions.</p> <p>Note: 1. Processes for advertising are contained in clause 64 of the Deemed Provisions and the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.</p>	
Development Standards – (2)	<p>Conflict between non-residential and residential uses must be minimised. In this regard the Council's policy concerning Mixed residential/commercial development should be consulted.</p>	<p>Conflict between non-residential and residential uses must be minimised. In this regard the Council's local government's-policy concerning Mixed residential/commercial development should be consulted.</p>	Terminology consistency.
Development Standards – (3)	<p>The Council may consider variation of the standards specified in the Residential Design Codes, to enable a mixed use development to conform with the historic character of the area, particularly with redevelopment on small lots.</p>	<p>The Council local government may consider variation of the standards specified in the Residential Design Codes, to enable a mixed use development to conform with the historic character of the area, particularly with redevelopment on small lots.</p>	Terminology consistency.
Reserves	<p>All MRS reserves are shown on the Precinct Plan Map. Council has also reserved land for parks and recreation and therefore retains responsibility for development in that reserve.</p> <p>The Council nevertheless has management responsibilities for the regional reserve, as well as having the opportunity to comment</p>	<p>All MRS reserves are shown on the Precinct Plan Map. Council The local government has also reserved land for parks and recreation and therefore retains responsibility for development in that reserve.</p> <p>The Council local government nevertheless has management</p>	Terminology consistency.

	on all development, and in this regard the following matters referred to in this Precinct Plan will be taken into account in determining an application relating to a MRS reserve.	responsibilities for the regional reserve, as well as having the opportunity to comment on all development, and in this regard the following matters referred to in this Precinct Plan will be taken into account in determining an application relating to a MRS reserve.	
Wellington Square	The Square's historical function as the City's sports ground should be retained together with an enhanced environment for passive recreation to meet the needs of the Goderich and East Perth Precincts' residential population.	The Square's historical function as the City's local government's sports ground should be retained together with an enhanced environment for passive recreation to meet the needs of the Goderich and East Perth Precincts' residential population.	Terminology consistency.
Functional Road Hierarchy	The Council has adopted a functional road hierarchy for all roads in the Municipality. This hierarchy classifies roads on the basis of their purpose and the destination of the traffic they carry. This will provide a framework for local area traffic management and assist in the assessment of development proposals for adjoining land. A map illustrating the functional road hierarchy is available from the Council.	The Council local government has adopted a functional road hierarchy for all roads in the Municipality. This hierarchy classifies roads on the basis of their purpose and the destination of the traffic they carry. This will provide a framework for local area traffic management and assist in the assessment of development proposals for adjoining land. A map illustrating the functional road hierarchy is available from the Council local government .	Terminology consistency.
Precinct 15 – East Perth			
East Perth Precinct	The Council, however, is asked to comment	The Council local government,	Terminology consistency.

	on development applications, administer building, health and related controls and at times is involved in other major works including transport related matters.	however, is asked to comment on development applications, administer building, health and related controls and at times is involved in other major works including transport related matters.	
Precinct Plan – Precinct Boundary	For the “Normalised” area of the East Perth Precinct the Council is the responsible authority for development approvals.	For the “Normalised” area of the East Perth Precinct the Council local government is the responsible authority for development approvals.	Terminology consistency.
Precinct Plan – Metropolitan Redevelopment Authority (MRA)	The Council, however, is asked to comment on development applications, administer building, health and related controls and at times is involved in other major works including transport related matters.	The Council local government , however, is asked to comment on development applications, administer building, health and related controls and at times is involved in other major works including transport related matters.	Terminology consistency.

Agenda **Barrack Street Improvement Model – Integrated Private Realm**
Item 8.4 **Investment with Streetscape Works – Annual Update**

Recommendation:

That Council:

- 1. notes that over 55% of the dilapidation issues identified in the 2014 dilapidation audit of Barrack Street have been addressed in the first two years of the three year Improvement Program by a combination of implemented works, planning approvals to undertake works, and City Heritage or Business Grants;***
- 2. notes that the targeted sites and measures identified in the Improvement Snapshot included in Confidential Attachment 8.4C have been actioned and / or achieved, with grants totalling \$334,498 generating \$4,161,824 of private investment across 19 sites; and***
- 3. notes that the Implementation Staging Strategy is moving from Stage 2 to Stage 3 with remaining dilapidation works in Barrack Street to be addressed by compliance.***

FILE REFERENCE:	P1027696 & P1027697
SUBURB/LOCATION:	Barrack Street, Perth
REPORTING OFFICER:	Place Development Officer
REPORTING UNIT:	Economic Development
RESPONSIBLE DIRECTORATE:	Economic Development and Activation
DATE:	26 January 2017
ATTACHMENT/S:	Attachment 8.4A – Improvement Model Confidential Attachment 8.4B – Implementation Staging Strategy Confidential Attachment 8.4C – Improvement Snapshot – Annual Update (Confidential Attachments distributed under separate cover to Elected Members)

Legislation / Strategic Plan / Policy:

Legislation	Section 2.7(2)(b) of the <i>Local Government Act 1995</i> <i>Building Act 2011</i> <i>Local Government Act 1995</i> <i>Planning and Development Act 2005</i> <i>Health Act 1911</i>
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Integrated Planning and Reporting Framework

Strategic Community Plan

Council Four Year Priorities: Community Outcomes

Perth as a Capital City

The City is recognised internationally as a city on the move and for its liveability, talented people, centres of excellence and business opportunities.

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.

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.

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:

1.2 – Community Consultation

1.3 – Community Participation

2.3 – Graffiti Treatment

6.1 – Heritage Grants

18.13 – Sponsorship

18.15 – Grants

Purpose and Background:

At its meeting held on **9 December 2014**, Council approved a trial ‘Improvement Model’, targeting grants programs and business incentives specifically related to the \$5 million Barrack Street Project, which was completed in November 2015. This included close collaboration with the private sector to leverage City enhancements as acknowledged in the City’s Corporate Business Plan. A particular target was the 144 dilapidation issues identified in the building audit under a broader Improvement Model for Economic Development:

PLACE RESEARCH	COMPETITIVE ADVANTAGE	IMPROVEMENT METHODOLOGY
<ul style="list-style-type: none"> • Economic • Environmental • Social • Cultural • Physical Environment 	Attributes or combination of attributes may allow a place to outperform its competitors either by cost or a point of differentiation	Having an appropriate governance model for community engagement and capital investment relevant to the place

Table 1: Improvement Model for Economic Development: Three Pillars

Council, at its meeting held on **9 December 2014**, resolved the following:

- “1. approves a project to target grant opportunities and incentives detailed in Confidential Schedule 22 [of that report], concurrent with the City’s capital works in Barrack Street, for the purpose of consultation with stakeholders to deliver physical building and

tenancies improvements through formal negotiation, business grants, incentives and compliance activities; and

2. *supports the priority Issues and Actions outlined in the 'Improvement Implementation Staging Strategy' as detailed in Confidential Schedule 20 [of that report], as an appropriate program to progress the identified issues in the Barrack Street study area."*

This approach supports appropriate forward planning of major projects, addresses risk management of committed public funds and maximises the impact of that investment.

Council, at its meeting held on **2 February 2016**, considered the 12 month review and resolved the following:

- "1. notes that the Barrack Street two way civil works were finalised two months ahead of practical completion;*
- 2. notes that over 50% of the dilapidation issues identified in the 2014 audit have been addressed in the first year of the three year Improvement Program by a combination of implemented works, planning approvals to undertake works, and City Heritage or Business Grants;*
- 3. notes that the targeted sites and measures identified in the Improvement Snapshot included in Confidential Schedule 10 have been actioned and / or achieved, with grants totalling \$143,923 generating \$351,249 of private investment across 13 sites;*
- 4. notes that the Implementation Staging Strategy is moving to Stage 2 / 3 with remaining dilapidation works to be addressed by negotiation and compliance; and*
- 5. approves the continuation of the incentive for the removal / relocation of the remaining 25 air conditioning units on facades located within the Barrack Street Conservation Area, at a maximum cost of \$11,000."*

The timeline for the trial is three years from December 2014, to accommodate negotiation on the dilapidation issues and monitoring the impact of the City's civil works across the following areas:

- 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).

These metrics are to be examined at the end of the program in December 2017.

This report examines the impact of the second year of the Improvement Model shown in Attachment 8.4A.

Details:

Overall Summary

- Tenant vacancies appear significant ‘on the ground’, with a quantitative increase from 13% to 17% in the first two years of the program;
- However, the overall vacancy rate has actually reduced from 13% to 9.8% given several major sites have taken vacant possession of tenancies for redevelopments triggered by the City’s interventions via the City Heritage Grants under the Improvement Program or via the City Planning Scheme No. 2 Plot Ratio Bonus provisions (Hotel). This is key evidence of the impact, timing and the appropriateness of the City Improvement Program, statutory and grants framework to stimulate development;
- Barrack Street has welcomed 15 new tenants at street level being a 18.5% overall turnover since 2014: Restless; Sinabro; Work Study; Built; La Vietnam; Edosie; Petition; B & N Optometrists; Clockwork; Burringi & Co Coffee; Alfred’s Pizza; Minu Threading; Honey Cream; La Casi Sinti; and Hot Star Chicken; and
- The completion of the City’s civil works, occupation of the Treasury Site and City Library has had a dramatic impact on stimulating new tenancies and business investment in the last 12 months in a diminishing business climate.

Dilapidation Summary

As shown in Table 1 below, 81 of the 144 dilapidation issues noted in the 2014 audit have now been addressed by a combination of implemented works, planning approvals to undertake works (to be implemented), and City of Perth Heritage or Business Grants (in various stages of implementation).

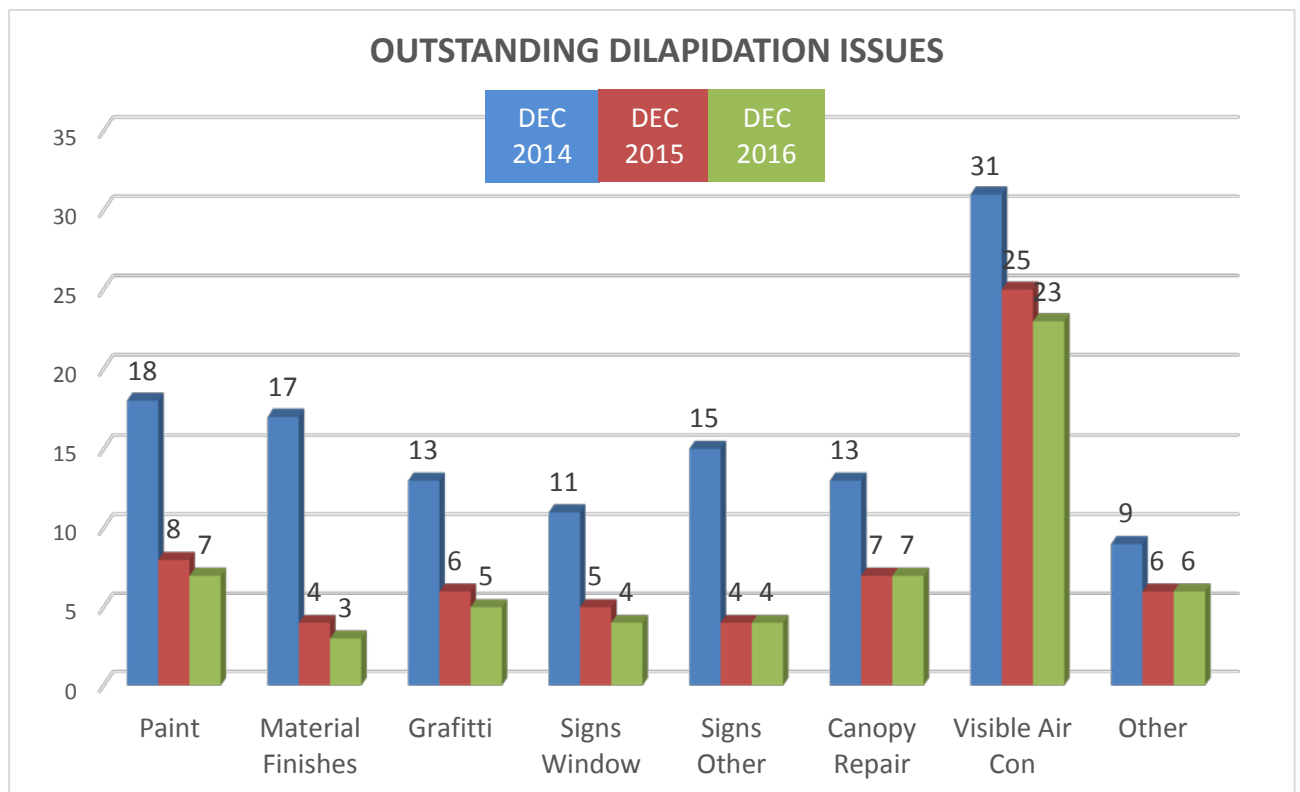


Table 1: Actionable Dilapidation Issues – Annual Update

With limited exception, Stage 1 of the Implementation Staging Strategy, endorsed by Council at its meeting held on **9 December 2014** (refer Confidential Attachment 8.4B) has been completed.

Improvement Program Stages 2 / 3 – Negotiation and Compliance

Incentives to improve building facades were a City initiative to collaborate with the private sector to leverage City enhancements as required by the City's Corporate Business Plan.

Stages 2 and 3 of the Improvement Program require direct negotiation and compliance action to address the remaining dilapidation issues. The legislative framework relevant to the array of dilapidation issues places the onus for works on owner(s) of the land. Any City action in this regard will cause some nuisance to the operation of businesses in the locality with disruption to air conditioning services, hoardings, gantries, and footpath obstructions to implement the required works.

As reported to the **2 February 2016** Council meeting, a hiatus on compliance action was recommended, to give business some respite from the combined impacts of:

- (i) Public Transit Authority bus relocation to William Street (loss of foot traffic);
- (ii) Metropolitan Redevelopment Authority (MRA) works at Barrack Square and EQ;
- (iii) two way traffic civil works; and
- (iv) forecast consumer sentiment.

Accordingly, the progress of dilapidation issues has understandably slowed in year two. It is recommended that stage 2 / 3 negotiation and compliance recommence in the next 12 months, leveraging the City's planning compliance resource improvements in 2017.

Heritage Grants

Council, at its meetings held on **21 July 2015** and **13 December 2016**, conditionally approved the awarding of Heritage Grants for nine buildings, totalling \$315,058 (excluding GST) for:

1. 119-123 Barrack Street, Perth (\$73,808) – For the removal of the steel cladding from the first and second floors and reinstatement of the original street façade. A Heritage Agreement has been signed and development application recently lodged.
2. The six buildings forming the 'Connor Quinlan Estate' located at 618 Hay Street, 612-616 Hay Street and 69-99 Barrack Street, Perth (\$61,250) – These works include repainting the existing street façades and the award is dependent on the owners' relocation of air conditioning units and concealment of services. The works are currently being programmed by the property manager with the timing to consider an overall canopy upgrade.
3. 111 – 113 Barrack Street, "Queens Chambers", constructed in 1897, for the complete internal and external refurbishment of the entire building (\$180,000). Ground level tenants have now been vacated to accommodate the works.
4. 115 – 117 Barrack Street, "Smiths Chambers", constructed in 1901, for the complete internal and external refurbishment of the entire building (\$180,000). Ground level tenants have now been vacated to accommodate the works.

Therefore eight of Council's 10 targeted buildings endorsed under the Improvement Model have been successfully negotiated and awarded. Works have been completed on 113 – 119 Barrack Street with the remainder due for completion in 2017/18.

The proposed works will provide the catalyst and critical mass for the transformation of the Conservation Area. The total heritage grant award of \$315,058 has been matched by \$4,142,384 of direct private investment and potentially a further \$479,250 in canopy works for the Connor Quinlan Estate (being the entire western side of Barrack Street between the Malls).

Small Business Grants

A total of seven key tenancies were identified for Small Business Grants of up to \$2,000 in the 2014 audit to address dilapidation issues. A total of eleven grants have been approved totalling \$19,440. This has been a very effective way to provide façade improvements via direct negotiation with tenants resolving approximately 20% of the dilapidation improvements.

Other Incentives

Council at its meeting held on **2 February 2016**, resolved that the incentive of \$500 per air conditioning unit removal / relocation (up to a maximum of \$1,500 per site) be extended to the current financial year. This was intended to address the 25 noted air conditioning units remaining on building facades or awnings, which are likely to be unauthorised and detract significantly from the visual amenity of the Barrack Street Heritage Conservation Area. The maximum budget implication was \$11,000.

It was anticipated that this would save significant costs in comparison to any legal action relating to unauthorised development.

Further investigation with building owners indicate significant costs in relocating such infrastructure which is examined further in respect to the Connor Quinlan Estate below.

Targeted Sites

Confidential Attachment 8.4C includes an Improvement Snapshot outlining the progress on the key targeted sites, improvements and initiatives endorsed by Council at its meeting held on **9 December 2014**. All outcomes have been either addressed successfully or are subject to on-going negotiation.

Other Key Sites

Connor Quinlan Estate

The six buildings forming the 'Connor Quinlan Estate' are located at 618 Hay Street, 612-616 Hay Street and 69-99 Barrack Street, occupying the entire street block end of buildings between the Malls on the western side of Barrack Street.

Council, at its meeting of **21 July 2015**, considered a grant of 50% of the total works sum of \$674,018, for repainting six building facades, removal of visible air conditioners / conduits and canopy works across all of the buildings within the estate. Council resolved to approve a

grant of \$61,250 to assist with painting the building façade, subject to the owners funding the relocation of air conditioning units and concealment of services.

The upgrade of the façade of the six buildings is a marquee outcome of the Improvement Program with transformative benefits for the Barrack Street Conservation Area and the City's retail core.

The City has continued to liaise with the owners with respect to achieving a satisfactory outcome in relation to the Connor Quinlan Estate. These efforts and a recommendation to Council regarding the grant that has been awarded to the property will be the subject of a separate report.

131-141 Murray Street, Perth

The last annual update noted the transformer works in advance of the redevelopment of the site that is now underway with basement works completed to accommodate the 18 level hotel and residential tower due for completion in 2018.

Treasury Tower – 28 St Georges Terrace, Perth

The major tenant took occupancy in the third quarter of 2016, which has coincided with several new tenancies taking occupancy in Barrack Street in the last six months. The tower accommodates close to 2000 workers which will have a significant impact on foot fall for Barrack Street businesses.

145-151 Barrack Street, Perth

This site marks the northern entry point into Barrack Street and currently has a detrimental impact on the visual amenity of the street by virtue of its vacant and dilapidated condition. Council at its meeting of **20 September 2016**, approved the partial demolition of the existing building and the construction of a nine storey hotel ('special residential') development containing 77 hotel rooms, with basement and ground floor dining uses.

Discussions with the owner's representative indicate a major tenant has been secured and the intension is to pursue the development approval. This site will be monitored in light of the visual amenity and ongoing squatter issues.

Financial Implications:

A total of \$334,498 was spent by the City in the 2014/15 through 2016/17 financial years in regards to the awarding of Heritage and Small Business Grants. Private investment contributing to the Improvement Program has amounted to \$4,161,824 as a result of those grants (over 12 fold the City's investment).

Legal costs associated with implementation of Stage 2 / 3 compliance will be subject to separate compliance reporting, contingent on the implementation of other grants awards.

Comments:

It is acknowledged within the City's Corporate Business Plan that a sophisticated governance model includes close collaboration with the private sector to leverage City enhancement.

This approach supports appropriate forward planning of major projects, addresses risk management of committed public funds and maximises the impact of that investment.

The actions of the Improvement Model in Barrack Street have proven to be a welcome addition to the City's civil works, improving the amenity and functionality of Barrack Street. With over half the identified dilapidation issues actioned via works or development approvals, significant improvements have occurred and will be apparent in the next 12 to 24 months.

The visual impacts of the secured improvements are likely to be fully realised in the coming 12 months with the heritage works and development approvals being implemented. A presentation incorporating the City's 3D model will be provided to Elected Members in the next annual review.

The post implementation assessment of the proposed Barrack Street project will be used to determine if the Improvement Model can be further developed to drive future concurrent public / private improvements. Pending this assessment, the Improvement Model for current public / private improvements will be developed for Council's future consideration.

IMPROVEMENT MODEL

STAGE	KEY ACTIVITIES	DEC 14	DEC 15	DEC 16	ACTION / OUTPUT
Research	Review 5 Year Capital Works	X	X	X	Director to endorse application of model to identified portion of the capital works program
	Review Relevant Grants	X	X	X	
	Review Relevant Legislation	X	X	X	
	Status of development approvals	X	X	X	
	Heritage assessments / context	X	X	X	
Assessment	Review Strategic Context	X	X	X	Base data and opportunities identified in an Improvement Snapshot for Council's consideration
	Dilapidation Survey	X	X	X	
	Land Use Survey	X	X	X	
	Activation Assessment	X	X	X	
	Key focus areas identified	X	X	X	
	Economic Analysis	/	X	X	
	Commercial culture understood	X	X	X	
	Establish other baseline data	X	X	X	
	Pre Consultation Analysis	X	X	X	
Identify Stakeholders	X	X	X		
Engagement and Visioning	Communications Plan (Stage 1)		X	X	Council to endorse options for concurrent private and public realm upgrades
	Engage Stakeholders		X	X	
	Survey business / land owners		X	X	
	Review Analysis		X	X	
	Set Vision		X	X	
	Set Short / Long Term Objectives		X	X	
	Identify Strategic Opportunities		X	X	
	Identify Marketing Opportunities		X	X	
	Identify Sustainable Funding Options		X	X	
	Identify Private Investment Options		X	X	
Outline Actions		X	X		
Implementation	Communications Plan (Stage 2)		X	X	Grants, sponsorship, compliance work, building upgrades, promotion and events completed
	Stakeholder Engagement		/	/	
	Delivery of identified priorities		/	/	
	Aquittal / application of funding		/	/	
	Assistance in negotiation application processes		/	/	
	Implement branding and marketing opportunities		/	/	
	Promotion and launch events		X	X	
Evaluation and Monitoring	Revisit 'Assessment' stage against base indicators		/	/	Improvements against base line data are reportable within the City's Economic Development Annual Report for the two years following completion of capital works
	Finalise 'Lessons Learnt Register'		/	/	
	Review methodology / model				
	Recommend improvements to City process and policy		/	/	
	Review marketing outcomes				
Survey Businesses					

CONFIDENTIAL ATTACHMENTS 8.4B & 8.4C
ITEM 8.4 – BARRACK STREET IMPROVEMENT MODEL –
INTEGRATED PRIVATE REALM INVESTMENT WITH STREETScape
WORKS – ANNUAL UPDATE

FOR THE PLANNING COMMITTEE MEETING

4 APRIL 2017

DISTRIBUTED TO ELECTED MEMBERS UNDER SEPARATE COVER

Agenda Item **Barrack Street Improvement Model – Connor Quinlan Estate**
Item 8.5 **Update**

Recommendation:

That Council:

- 1. amends the 21 July 2015 resolution, awarding a heritage grant of \$61,250 for painting the six buildings facades forming the ‘Connor Quinlan Estate’, at 618 Hay Street, 612-616 Hay Street and 69-99 Barrack Street, by removing the grant funding pre-requisite requiring the owner to fund the removal of visible air conditioners and electricals;***
- 2. pursuant to Council’s endorsed Improvement Model Implementation Staging Strategy, notes that if works on the Connor Quinlan Estate do not proceed in the 17/18 financial year, a report will be prepared for Council to address any non-compliant elements of the Connor Quinlan Estate buildings under Building Act 2011, Local Government Act 1995, Planning and Development Act 2005 or Health Act 1911 (as appropriate); and***
- 3. encourages the owner of the Connor Quinlan Estate to undertake a canopy upgrade to all buildings concurrently with painting the facades, to minimise scaffolding and construction disruption to the Barrack Street businesses and maximise the aesthetic benefits to the Barrack Street Conservation Area;***

FILE REFERENCE:	P1027696 & P1027697
SUBURB/LOCATION:	Barrack Street, Perth
REPORTING UNIT:	Economic Development
RESPONSIBLE DIRECTORATE:	Economic Development and Activation
DATE:	26 January 2017
ATTACHMENT/S:	Attachment 8.5A – Location Plan Confidential Attachment 8.5B – Implementation Staging Strategy (Confidential Attachments distributed under separate cover to Elected Members)

Legislation / Strategic Plan / Policy:

Legislation	Section 2.7(2)(b) of the <i>Local Government Act 1995</i> <i>Building Act 2011</i> <i>Local Government Act 1995</i> <i>Planning and Development Act 2005</i> <i>Health Act 1911</i>
Integrated Planning	Strategic Community Plan

and Reporting Framework

Council Four Year Priorities: Community Outcomes Perth as a Capital City

The City is recognised internationally as a city on the move and for its liveability, talented people, centres of excellence and business opportunities.

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.

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.

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:

- 1.2 – Community Consultation
- 1.3 – Community Participation
- 2.3 – Graffiti Treatment
- 6.1 – Heritage Grants
- 18.13 – Sponsorship
- 18.15 – Grants

Purpose and Background:

At its meeting held on **9 December 2014**, Council approved a trial ‘Improvement Model’, targeting grants programs and business incentives specifically related to the \$5 million Barrack Street Project, which was completed in November 2015. This included close collaboration with the private sector to leverage City enhancements as acknowledged in the City’s Corporate Business Plan. A particular target was the 144 dilapidation issues identified in the building audit under a broader Improvement Model for Economic Development.

Council, at its meetings held on **21 July 2015**, Council conditionally approved the awarding of Heritage Grants for the six buildings forming the ‘Connor Quinlan Estate’ located at 618 Hay Street, 612-616 Hay Street and 69-99 Barrack Street, Perth (\$61,250). These works include repainting the existing street façades and the award is dependent on the owners’ relocation of air conditioning units and concealment of services. The works are currently being programmed by the property manager with the timing to consider an overall canopy upgrade.

Details:

The six buildings forming the Connor Quinlan Estate occupying the entire street block end of buildings between the Malls on the western side of Barrack Street (refer Attachment 8.5A).

Council, at its meeting of **21 July 2015**, considered a grant of 50% of the total works sum of \$674,018, for repainting six building facades, removal of visible air conditioners / conduits and canopy works across all buildings.

Council resolved to grant \$61,250 only, in respect to painting the façade subject to the owner funding the relocation of air conditioning units and concealment of services.

The owners' preliminary quotations provided to Council's meeting of **21 July 2015**, indicated a cost of \$72,268 for air conditioning and electrical work, with subsequent detailed quotation exceeding \$100,000. The owners are not willing to meet Council's pre-requisite condition regarding the air conditioners and conduits to receive the \$61,250 heritage grant for painting the facades (which will cost \$122,500).

The upgrade of the façade of the six buildings is a marquee outcome of the Improvement Program with transformative benefits for the Barrack Street Conservation Area and the City's retail core. It is recommended that:

- (i) the grant pre-requisite be removed in respect to owner funded relocation of air conditioners and conduits in order for the façade works to proceed;
- (ii) the owner be encouraged to upgrade all canopies concurrently with the façade works to minimise construction disruption to the street and maximise the aesthetic benefits to the Barrack Street Conservation Area; and
- (iii) should works not proceed in the 17/18 financial year, a report be prepared to Council to examine the endorsed Improvement Program Stage 2 / 3 'compliance' (Refer Attachment 8.5B) in respect to any non-compliant elements of the Connor Quinlan Estate buildings under *Building Act 2011, Local Government Act 1995, Planning and Development Act 2005 or Health Act 1911* (where appropriate).

Improvement Program Stages 2 / 3 – Negotiation and Compliance

As reported to the **2 February 2016** Council meeting, a hiatus on compliance action was recommended, to give business some respite from the combined impacts of:

- (i) Public Transit Authority bus relocation to William Street (loss of foot traffic);
- (ii) Metropolitan Redevelopment Authority (MRA) works at Barrack Square and EQ;
- (iii) two way traffic civil works; and
- (iv) forecast consumer sentiment.

Accordingly, the progress of dilapidation issues has understandably slowed in year two. As noted in the annual update report being considered concurrently in this agenda, the program is now proceeding to stage 2 / 3 negotiation and compliance recommence in the next 12 months. The recommended approach on this report will facilitate a consistent approach to the City's outstanding dilapidation and compliance issues across the Improvement Program area, pursuant to Council's endorsed Implementation Strategy (Confidential Attachment 8.5B).

Financial Implications:

The Connor Quinlan Heritage Grant of \$61,250 sits within the City's heritage reserve and will facilitate \$122,500 for painting the respective facades. This forms part of a total of \$334,498 committed by the City in the 2014/15 through 2016/17 financial years across Barrack Street in Heritage and Small Business Grants. Private investment contributing to the Improvement

Program has amounted to \$4,161,824 as a result of those grants (over 12 fold the City's investment).

Legal costs associated with implementation of Stage 2 / 3 compliance will be subject to separate compliance reporting, contingent on the implementation of other grants awards.

Conclusion

The actions of the Improvement Model in Barrack Street have proven to be a welcome addition to the City's civil works, improving the amenity and functionality of Barrack Street. With over half the identified dilapidation issues actioned via works or development approvals. The visual impact of the secured improvements is likely to be fully realised in the coming 12 months with the heritage works and development approvals being implemented.

Council's willingness to forgo the pre-requisite air conditioner and conduit works in the short term will ensure the upgrade to the Connor Quinlan Estate facades proceeds in a timely fashion, delivering the marquee outcome of the Improvement Program and transformation of the Barrack Street Conservation Area.

The visual impact of those works will far outweigh the negative impact of several air conditions and conduits on the respective facades that will need to be addressed in a coordinated fashion with the remaining dilapidation issues under the endorsed Implementation Staging Strategy (Confidential Attachment 8.5B).

ATTACHMENT 8.5A – LOCATION PLAN



CONFIDENTIAL ATTACHMENT 8.5B
ITEM 8.5 – BARRACK STREET IMPROVEMENT MODEL – CONNOR
QUINLAN ESTATE UPDATE

FOR THE PLANNING COMMITTEE MEETING

4 APRIL 2017

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