

# Agenda Briefing Session

## Notice of Meeting

Tuesday, 22 October 2019

4.00pm

Council Chamber  
Level 9  
Council House  
27 St Georges Terrace, Perth WA  
6000



City of Perth

## Agenda

### ORDER OF BUSINESS AND INDEX

- 1 Acknowledgment of Country
- 2 Declaration of Opening
- 3 Apologies and Leave of Absence  
Commissioner McMath (apology)
- 4 Disclosure of interests

Reporting Officer Disclosure of Interest	Item No. and Title	Nature/Extent of Interest
Mr Seidl – Alliance Manager Community Amenity and Safety	Item 6.19 – Third Party Travel Contribution - Alliance Manager Community Safety and Amenity - SEAL 2020 (Securing Environments, Assets and Landmarks 2020)	<b>Nature:</b> Direct Financial Interest – Mr Seidl – Alliance Manager Community Amenity and Safety would benefit from third party travel contribution. <b>Extent:</b> Significant - Removed from all matters related to the consideration of this item. <b>(General Disclosure of Interest)</b>

- 5 Matters for which the session may be closed

Attachment No.	Item No. and Title	Reason
Confidential Attachments 6.21A, 6.21B and 6.21C	Item 6.21 - Tender 123-18/19 - Design and Supply of Illuminated Christmas Decorations	s5.23(2)(e)(ii)

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Closure

**MURRAY JORGENSEN**  
**CHIEF EXECUTIVE OFFICER**  
18 October 2019

**This meeting is open to members of the public**

Please convey apologies to Governance on 9461 3250  
or email [governance@cityofperth.wa.gov.au](mailto:governance@cityofperth.wa.gov.au)



## INFORMATION FOR THE PUBLIC ATTENDING AGENDA BRIEFING SESSIONS

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

### **Presentations**

Applications for presentations to an Agenda Briefing Session must be in writing to the CEO and sent to [info.city@cityofperth.wa.gov.au](mailto:info.city@cityofperth.wa.gov.au) and received by midday on the day of the meeting.

Please refer to the City's website [www.perth.wa.gov.au](http://www.perth.wa.gov.au) for further information on making a presentation.

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# EMERGENCY GUIDE

Council House, 27 St Georges Terrace, Perth



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## 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.



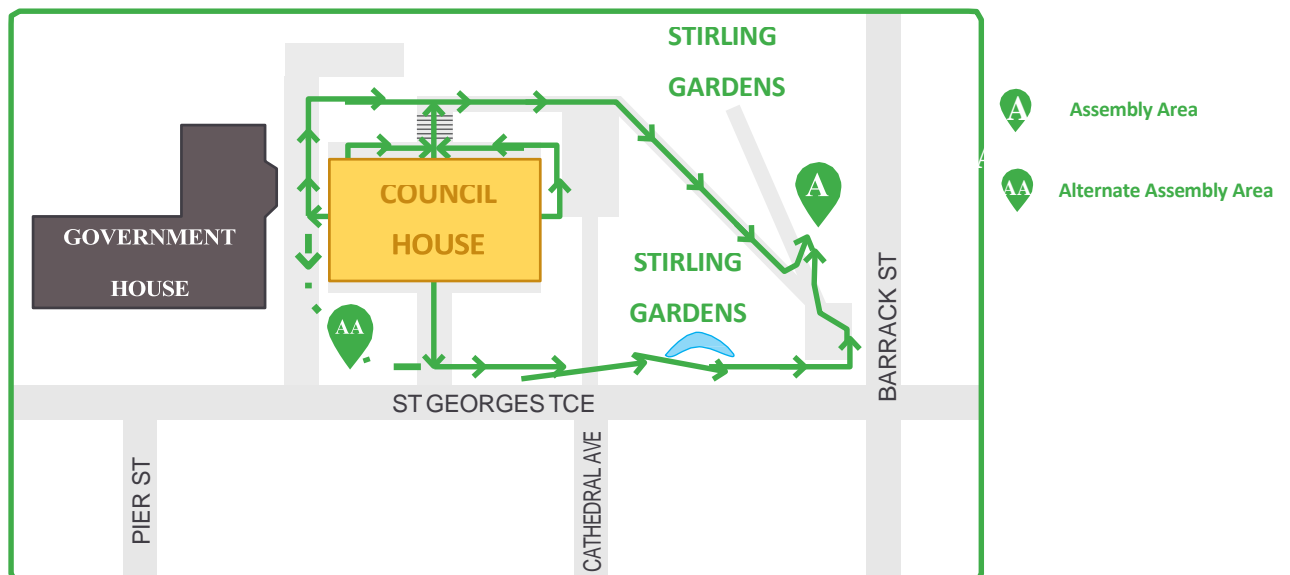
### EVACUATION ALARM / PROCEDURES

**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



Report to the Agenda Briefing Session

<b>Agenda Item 6.1</b>	<b>180 (Lot 2) Bennett Street, East Perth – Proposed 17 Level Hotel Development Comprising 110 Hotel Rooms and Associated Restaurant and Bar Uses</b>
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**Recommendation:**

*That Council, in accordance with the provisions of the City Planning Scheme No. 2, the Metropolitan Region Scheme and the Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed Provisions for local planning schemes, **APPROVES** the application for the proposed demolition of the existing single-storey commercial building and for the construction of a seventeen-level hotel ('Special Residential') development containing 110 hotel rooms and associated dining and entertainment uses at 180 (Lot 2) Bennett Street, East Perth, as indicated on the Metropolitan Region Scheme Form One dated 24 June 2019, and as shown on the plans received on 17 July 2019 subject to:*

- 1. the proposed development being restricted to a maximum plot ratio of 4:1 (2,022m<sup>2</sup> plot ratio floor area) inclusive of:*
  - 1.1 20% bonus plot ratio (304m<sup>2</sup> plot ratio floor area) for incorporating a new special residential use in accordance with clause 28 of City Planning Scheme No. 2 and Bonus Plot Ratio Policy 4.5.1; and*
  - 1.2 the transfer of 200m<sup>2</sup> of transferable plot ratio from 76 (Lot 5) Wittenoom Street, East Perth, in accordance with clause 30(5) of City Planning Scheme No. 2 and the Transfer Plot Ratio Policy 4.5.2;*
- 2. the owner submitting evidence to the City that the transaction in respect to the transfer of plot ratio has been finalised between the owners of unused plot ratio at 76 (Lot 5) Wittenoom Street, East Perth and 180 (Lot 2) Bennett Street, East Perth, enabling the City to register the transfer of plot ratio prior to applying for a building permit;*
- 3. any subsequent change of use of the Special Residential portions of the development being prohibited within 10 years following the date on which those portions of the development are lawfully occupied, pursuant to clause 35(1)(b) of City Planning Scheme No. 2;*
- 4. the exterior of the hotel building being constructed from high quality and durable materials, colours and finishes with final details of the design and a sample board*

*of the materials and finishes being submitted for approval by the City prior to applying for a building permit;*

5. *any proposed external building plant, lift overruns, piping, ducting, water tanks, transformers, air condensers and fire booster cabinets shall be located so as to minimise any visual and noise impact 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;*
6. *a Vehicular, Service and Delivery Access Plan, outlining the management strategies to deal with the dropping off and picking up of hotel guests via taxi or other transport; strategies for advising guests upfront of limitations in parking in the locality; and frequency and method of servicing the hotel in the absence of any on-site parking or service/loading bays, being submitted for approval by the City prior to the occupation of the hotel building with the approved plan being implemented by the hotel proprietor/manager thereafter to the satisfaction of the City;*
7. *A Hotel Management Plan addressing the operation of the hotel in accordance with the provisions of the City's Special Residential (Serviced and Short Term Accommodation) Policy, including but not being limited to the following:*
  - 7.1 *Company name and relevant experience of management/operator;*
  - 7.2 *Cleaning and laundry services, where applicable;*
  - 7.3 *Opening hours for guest check-ins and check-out including the method of reservations/bookings;*
  - 7.4 *Security of the guests and their visitors;*
  - 7.5 *Control of noise and other disturbances; and*
  - 7.6 *A complaints management service;*

*being submitted for approval by the City prior to the occupation of the hotel building, with the management plan being implemented by the proprietor/manager on an ongoing basis to the satisfaction of the City;*

8. *a final Waste Management Plan, identifying a permanent storage and wash down facility for bins for both recyclables and general waste and including a waste disposal/collection strategy demonstrating how these facilities will be serviced by the City, being submitted for approval by the City prior to applying for a building permit;*

- 9. details of on-site stormwater disposal/management being to the City's specifications and being submitted for approval by the City prior to applying for a building permit;**
- 10. the proposed floor levels of the pedestrian entrances to the building being designed to match the current levels of the adjacent footpath on Bennett Street, to the City's satisfaction, with details being submitted for approval by the City prior to applying for a building permit;**
- 11. any signage for the hotel being integrated into the design of the building with any signs that are not exempt from approval under the City's Signs Policy 4.6 requiring a separate application for approval;**
- 12. in the event that the approved development has not been substantially commenced within six months of the demolition of the existing building on site, the site is to be aesthetically screened or landscaped and thereafter maintained, at the owner's cost, with details being submitted for approval by the City prior to installation, in order to preserve the amenity of the area and to prevent dust and sand being blown from the site and unauthorised on-site car parking, with the site being maintained in a clean and tidy state to the City's satisfaction;**
- 13. the works referred to in Condition 12, being secured by a bond/deed of agreement between the owner and the City, to the value of the proposed works, with the cost of the deed to be borne by the applicant, prior to the demolition of the existing building on site; and**
- 14. a demolition and a construction management plan for the proposal, prepared in accordance with the City's Construction Management Plan Proforma and requirements, being submitted for approval by the City prior to applying for a demolition and/ or a building permit.**

FILE REFERENCE:	2019/5257
REPORTING OFFICER:	Michaela Trlin, Senior Statutory Planner
REPORTING UNIT:	Development Approvals
RESPONSIBLE ALLIANCE:	Planning and Economic Development
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	8 October 2019
ATTACHMENT/S:	Attachment 6.1A – Location Map Attachment 6.1B – Coloured Perspectives Attachment 6.1C – Development Plans
LANDOWNER:	M Cube Charles Properties Pty Ltd
APPLICANT:	The Buchan Group Perth Pty Ltd

ZONING: (MRS Zone) Central City Area Zone  
(City Planning Scheme Precinct) Goderich (P14)  
(City Planning Scheme Use Area)  
Residential/Commercial

APPROXIMATE COST: \$13.8 million

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input type="checkbox"/>            | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input checked="" type="checkbox"/> | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

**Legislation / Strategic Plan / Policy:**

**Legislation**

*Planning and Development Act 2005  
Planning and Development (Local Planning Schemes)  
Regulations 2015  
Perth Parking Management Act 1999  
City Planning Scheme No. 2*

**Policy**

Policy No and Name:

State Planning Policy 7.0 - Design of the Built Environment  
Perth Parking Policy 2014  
3.9 Special Residential (Serviced and Short Term  
Accommodation) Policy  
4.1 City Development Design Guidelines  
4.5.1 Bonus Plot Ratio  
4.5.2 Transfer Plot Ratio  
5.1 Parking Policy  
5.3 Bicycle Parking and End of Journey Facilities  
6.3 Goderich Design Policy

## **Purpose and Background**

The 506m<sup>2</sup> subject site is located on the eastern side of Bennet Street opposite Wellington Square in East Perth. The site adjoins a right of way to its eastern lot boundary and is currently occupied by a single storey commercial building.

At its meeting held on 21 November 2017, Council granted approval for the demolition of the existing building on the site and the construction of a 16 level hotel development containing 85 hotel rooms with ground floor dining and entertainment uses. The approved development has not proceeded and will expire on 21 November 2019).

## **Details:**

The application proposes the demolition of the existing, vacant single storey commercial building and the construction of a seventeen-level hotel development consisting of 110 hotel rooms and associated restaurant and bar facilities on the subject site.

The development is seeking 20% bonus plot ratio for the provision of a new hotel ('Special Residential') use and includes 13% (200m<sup>2</sup>) transfer plot ratio from 76 Wittenoom Street, East Perth (former East Perth Primary School) which is a donor site listed on the City Planning Scheme (CPS) 2 Register 2 - Transferred Plot Ratio.

The proposed building consists of a basement, ground and 4 level podium, with an eleven-level tower above. The podium generally has a nil setback to Bennett Street with the glazed transparent ground level setback from the street, and protected from the weather by a glazed canopy and a feature bronze colour folded perforated screen to level one above. The glazing to levels 2 to 4 is screened by dark grey powdercoated slats (or composite timber). The upper levels to the front and rear, consist of light grey curtain wall glass. Perforated metal sun screening with a 'corten colour' powdercoat finish is provided to the western façade fronting Bennett Street. The northern and southern elevations consist of fine ribbed precast concrete and include glazing and metal matching the front and rear.

Details of the proposed development are as follows:

<b>Basement Level</b>	This level includes plantrooms, change rooms and staff amenity spaces. The plantrooms contain two fire service water tanks and pump rooms, a stormwater retention tank, grease trap room, electrical substation and switch room.
<b>Ground Level</b>	This level includes the hotel reception and lobby, lounge area, cafe, staff office and back of house facilities, lift and stair access and an outdoor garden area. It also includes twelve bicycle parking bays, bin storage area and a paved service yard with restricted access from the adjoining right of way.
<b>Level 1</b>	This level includes a common dining room, hotel lounge, kitchen and outdoor deck, lift foyer, store rooms and lift and stair access.

<b>Levels 2 to 4</b>	These levels each have 10 one-bedroom hotel rooms with typical floor areas of 21m <sup>2</sup> . Each floor also includes an accessible hotel room. Levels three and four also have one two-bedroom hotel room.
<b>Level 5</b>	This level contains six one-bedroom hotel rooms with typical floor areas of 21m <sup>2</sup> . The hotel lounge bar is located on the northern side of this level with an open roof terrace.
<b>Levels 6 and 7</b>	This level contains nine one-bedroom hotel rooms with typical floor areas of 21m <sup>2</sup> .
<b>Levels 8 to 14</b>	These levels each contain eight one-bedroom hotel rooms ranging in size from 21m <sup>2</sup> to 23m <sup>2</sup> .
<b>Level 15</b>	This level accommodates a penthouse hotel suite with a roof terrace overlooking Wellington Square. Building plant is also located on this level.

### Land Use

The subject site is located within the 'Residential/Commercial' use area of the Goderich Precinct (P14) under the City Planning Scheme No. 2 (CPS2). This area will accommodate a greater portion of residential uses, strengthening the Precinct as a residential neighbourhood. Contemporary, innovative designs will be encouraged however, development is to be sympathetic to original inner city housing and commercial buildings. The protection and enhancement of the amenity of existing and future residential development in and around the Precinct is important.

A Hotel ('Special Residential') use, incorporating an ancillary restaurant and bar, is a preferred ('P') uses in the 'Residential/Commercial' use area. It is considered that the proposed hotel and associated uses are consistent with the intent of the Precinct and will be compatible with the surrounding land uses.

### Development Requirements

Development within the Goderich Precinct shall comply with the Goderich Design Policy, particularly with the guidelines on built form, building design, impact on the surrounding environment, and access and parking issues. Innovative, high quality building design that respects the existing streetscape will also be encouraged. Along Bennett Street development will have a nil street setback. Development will be of a low scale along the street frontage with additional building height setback from all lot boundaries.

The proposal's compliance with the CPS2 and Goderich Design Policy development requirements is summarised below:

<b>Development Standard</b>	<b>Proposed</b>	<b>Required / Permitted</b>
<b>Maximum Plot Ratio:</b>	<b>4:1 (2,022m<sup>2</sup>) inclusive of 20% bonus plot ratio (304m<sup>2</sup>) for including Special Residential</b>	Base Plot Ratio 3.0:1.0 (1,518m <sup>2</sup> )  Maximum 50% Bonus Plot Ratio consisting of a



Development Standard	Proposed	Required / Permitted
	<b>development and 13% transfer plot ratio (200m<sup>2</sup>)</b>	combination of any of the below:  Special Residential Development (20% or 40% for high quality hotel) Residential Development (20% maximum) Heritage Conservation/Public Facilities (20% maximum) Transfer Plot Ratio (20% maximum)
<b>Maximum Street Building Height:</b>	13.4 metres	21 metres
<b>Maximum Building Height:</b>	50.6 metres	No prescribed limit
<b>Setbacks:</b>		
Front (Bennett Street)	Nil	Nil
Side (south) - Lower building levels	<b>Nil to 3 metres with openings</b>	Nil (no openings/balconies) 4 metres (with openings/balconies)
- Upper building levels	<b>Nil (No openings) 3 metres with openings</b>	3 metres (no openings/balconies) 4 metres (with openings/balconies)
Side (north) - Lower building levels	Nil (no openings)	Nil (no openings/balconies) 4 metres (with openings/balconies)
- Upper building levels	<b>Nil (no openings)</b>	3 metres (no openings/balconies) 4 metres (with openings/balconies)
Rear (east) - Lower building levels		Nil (no openings/balconies)

Development Standard	Proposed	Required / Permitted
- Upper building level	<b>1 metre (no opening on first floor), 2.7 metres to lower building</b>  5 metres	4 metres (with openings/balconies)  3 metres (no openings/balconies) 4 metres (with openings/balconies)
<b>Landscaping:</b>	Nil	25% of the site
<b>Car Parking:</b> - Tennant car parking - Service bays	Nil (service bays provided)	12 bays (maximum) No specific requirement
<b>Bicycle Parking</b>	<b>12 bays</b>	36 bays (minimum)

Variations to the development standards applicable to the development can be granted by an absolute majority decision of the Council, in accordance with Clause 36 of the CPS2 and provided the Council is satisfied that:

*'36(3)(c)(i) if approval were to be granted, the development would be consistent with:*

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

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

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

In accordance with Clause 28 of the CPS2 the Council may permit bonus plot ratio:

*"(2)(c)(i) up to a maximum of 20% per lot where the development incorporates a new special residential use and the development is located within the area shown on the Special Residential Bonus Plot Ratio Plan as being eligible for a maximum of 20% or 40% special residential bonus plot ratio."*

*"(3) The local government may permit a combination of bonus plot ratio under clause 28 and transfer of transferrable plot ratio under clause 30 provided that the resulting increase in plot ratio does not exceed:*

- (a) 20% above the maximum plot ratio specified for the lot or part of the lot due to a combination of bonus plot ratio under clause 28(2)(a) and transfer of transferrable plot ratio; and*

*(b) the maximum plot ratio specified for the lot or part of the lot by more than the maximum bonus plot ratio for the lot or part of the lot, in all other cases.”*

*(4) Where bonus plot ratio is permitted for development which incorporates:*

*(b) a special residential use under subclause (2)(c)(i) or 2(c)(ii) the floor area of the building derived from the bonus plot ratio shall be used solely for the special residential use.*

## **Comments:**

### **Consultation**

Due to the request for bonus plot ratio, transfer of plot ratio and proposed setback variations to City Planning Scheme No. 2, the application was advertised to all adjoining landowners for a period of 14 days, closing on 3 September 2019. A total of 22 submissions were received during the advertising process. The submissions raised the following concerns with the application:

- The proposed building height is excessive and double the height of adjacent buildings and all other buildings in the area;
- The building is not being consistent with the Goderich Design Policy objectives which requires development to have ‘a continuous edge of appropriately scaled peripheral buildings of relatively consistent height, abutting the front boundaries of the site’;
- The lack of on-site car parking and the potential issues this will cause for residents and clients of the hotel, their staff and delivery vehicles;
- The overshadowing impact on adjoining properties to the south of the subject site for extended periods of the day during both summer and winter months;
- The character and amenity of the proposed building on Bennett Street and its impact on existing surrounding properties;
- The reduced rear setback to the laneway;
- The use of the laneway for service vehicles and the potential issues with vehicles manoeuvring in the laneway given its narrowness;
- Potential noise created during the construction of the building and its potential impact on neighbouring properties as well as airborne debris as a result of the construction.

The concerns identified during the consultation period have been noted and will be addressed later in the report.

### **Design Advisory Committee**

The application was considered by the Design Advisory Committee (DAC) at its meeting held on 8 August 2019 at which the Committee resolved to support the awarding of the 20% bonus plot ratio for the provision of a new Special Residential use in accordance with the City’s Bonus Plot Ratio Policy 4.5.1 and advised that it;

- “1. supports the proposed side and rear setback variations but considers that additional articulation should be provided to the northern façade to add visual interest to this prominent element;*
- 2. notes that the proposed design presents a mix of materials and architectural languages and considers that the design and aesthetic quality of the development could be enhanced by ensuring the development presents as a more unified and simplified combination of materials as viewed ‘in the round’.*
- 3. seeks further details of the servicing of the development, noting the narrow width of the rear lane and the on-street parking restrictions;*
- 4. requests that careful consideration be given to the design of the front canopy to minimise the impact on internal views to Wellington Square;*
- 5. considers that the layout of the hotel rooms on the lower levels on the southern side of the building should be reviewed to maximise daylight to the bedrooms;*
- 6. notes that the future redevelopment of the adjacent site to the north could impact on the amenity and access to day light of the decks and bridging spaces and that this aspect of the design should be reviewed to address these longer-term impacts.”*

In response to item 1 of the DAC’s comments, the applicant has advised that more detailed consideration has been given to the side elevations with a striated linear texture to be used for the surface of the concrete panels. The linear pattern on the concrete panels will be highlighted when the sun hits the northern façade of the building, creating greater visual interest to this exposed facade of the building. This approach to the treatment of the northern and southern elevations is considered a suitable response that will improve the visual appearance of the building from every aspect.

Further consideration has also been given to the façade treatments to present more unification and simplicity as sought by the DAC. The thin vertical battens to the Bennett Street podium have been replaced with thin ‘bark-like’ elements. This façade treatment, together with the striated concrete panels will improve the unification of the building’s exterior.

The applicant has provided updated waste management details, with collection of bins to be off Wittenoom Street and not via the rear laneway, given its narrow width and problems with trucks servicing. The revised waste collection point is considered acceptable with further details regarding on-site waste management practices to be finalised as a condition of approval prior to the submission of a building permit application.

In response to item 4, the applicant has advised that the front canopy will be vertically mounted with undulating perforated aluminium and glass above the entry only. The level of transparency and openness will be monitored in the design development phase to ensure the outlook to Wellington Square is maintained.

In response to item 5, the applicant has advised that from an operational perspective, there are guests who request quiet rooms, with less bright day light and away from the street. Having six of these types of rooms is necessary to complement most of the rooms, which are well served by daylight.

In response to item 6, the applicant has advised that only one small terrace on level two of the proposed development may be impacted by the redevelopment of the adjacent site to the north. The main impact of any future development will be on daylight within the hotel corridors, however all corridors have more than two sources of natural daylight, including one from the north and two windows from the south.

It is considered that the applicant has adequately addressed each of the DAC's recommendations through either further information regarding materials and design being provided and through written justification in support of the proposal.

### **Bonus Plot Ratio**

Bonus plot ratio will only be granted where a development will deliver a high standard of architectural and design quality appropriate within the capital city. The applicant has revised the design of the hotel façade treatments to present a higher standard of design quality as sought by the DAC. This amended design is considered to be an appropriate response and will improve the unification of the building's exterior.

An objective of the Bonus Plot Ratio Policy 4.5.1 is to encourage the provision of residential and special residential accommodation within the city to address an identified need which is not being met by the market and which will assist in creating a vibrant capital city. The extent of bonus plot ratio awarded for a new special residential use will be fixed at 20%.

The application is seeking a total of 20% bonus plot ratio for a new Special Residential use. This is based on the application complying with the requirements specified under clause 28 of the CPS2 and the City's Bonus Plot Ratio Policy 4.5.1. In support of the request for 20% bonus plot ratio, the applicant has confirmed the provision of the following facilities and amenities in accordance with Section 7.1 - Design Criteria of the City's Bonus Plot Ratio Policy 4.5.1:

- a dedicated hotel lobby and reception desk at ground level;
- back of house facilities, office space, staff rooms and storage rooms to enable the efficient functioning of the hotel; and
- each room has been designed with a bathroom which incorporates a basin, shower and toilet facilities.

Noting the above, and the support from the City's DAC, it is considered that the proposal generally satisfies the Policy requirements to be awarded bonus plot ratio of 20% for the provision of a new 'Special Residential' use.

Where bonus plot ratio is granted for development that incorporates a special residential use, the special residential use must be maintained in its entirety for a minimum period of ten years

in accordance with clause 35 of City Planning Scheme No. 2. This can be further addressed as a condition of any approval.

### **Transfer of Plot Ratio**

The transfer of plot ratio is an incentive to conserve cultural heritage places by transferring a portion of unused plot ratio from a place (donor site) to a receiving site (recipient site) where the transfer will not adversely impact on the cultural heritage and general amenity of the city. Once a donor site is listed in the Register of Transfer of Plot Ratio, the Council may approve the use of its transferable plot ratio, in whole or part, at a recipient site(s).

In accordance with clause 30(5) of CPS2, the application is proposing a transfer of 200m<sup>2</sup> of transferable plot ratio (or 13%) from 76 Wittenoom Street, East Perth (former East Perth Primary School) which is listed in the City's Register of Transferred Plot Ratio as a donor site, which indicates the availability of plot ratio for transfer.

The applicant has provided a written offer and acceptance for the purchase of the plot ratio from 76 Wittenoom Street as required under Clause 30(7) of CPS2.

It is considered that the proposal satisfies the policy requirements for the transfer of plot ratio subject to a standard condition requiring evidence that the transaction has been completed.

### **Building Height**

Objections have been raised regarding the proposed building height of 50.6 metres, which owners of adjacent properties consider is excessive as it is 'double the height' of other buildings in the area. It is acknowledged that the building will be substantially higher than adjacent and nearby buildings, however, it is important to note that the site has no prescribed maximum building height under the provisions of CPS2 and the Goderich Design Policy and that the building reflects contemporary expectations for the scale of development in this locality. A maximum street building height of 21 metres along Bennett Streets is prescribed. The subject development proposes a lower street building height of 13.4 metres to reflect the height of the adjacent five-storey residential development to achieve an objective of the Goderich Design Policy to provide a continuous edge to Wellington Square of appropriately scaled buildings of relatively consistent height, abutting the front boundaries of the site. Therefore, the proposed height of the podium and tower elements of the development are considered appropriate for the location, noting the respective plot ratio and building height control measures in the locality which encourage redevelopment of existing sites to provide for larger scale developments in contrast to the existing scale of development.

### **Setbacks**

The application proposes variations to the rear setback requirements of CPS2 to the lower building levels and objections have been raised to the variations. Located to the rear is a four storey apartment building, with limited openings on the elevation facing this site, and with a solid brick fence along the right of way boundary. A reduced setback of 990mm is proposed to the lower building level to the rear (east) of the site, in lieu of the required 4 metre setback. The

ground floor level has an open service yard, whilst the first-floor level has a balcony / deck to the common dining area for the hotel, with the main building setback four metres. The hotel rooms located on the third level of the hotel to the rear of the site are setback 2.7 metres from the rear property boundary. Given the rear of the subject site abuts a right-of-way, which is 2.6 metres wide, the impact of the setback variations to the lower building levels is reduced with the abutting laneway providing a permanent separation to the adjoining property. The result is a distance between the hotel rooms and the neighbouring property that exceeds the minimum setback requirement. It is therefore recommended that the setback variation to the rear of the building be supported in accordance with Clause 36 of CPS2.

The application also proposes setback variations to the southern side of both the lower and upper levels of the building, with a three-metre setback proposed to the lower levels of the building as well as the upper levels that have openings, in lieu of the required four metre setback. The three-metre setback provides a void to the hotel foyer below that will provide natural light to the internal lobby space on the ground floor. A nil setback is proposed to a portion of the northern lot boundary on the lower and upper levels of the building. This has been designed to provide an increased setback to the southern lot boundary to provide greater separation between the proposed hotel and the existing adjacent residential development to the south. The nil setback to the northern lot boundary for both the lower and upper levels will also reduce the extent of overshadowing on adjacent lots.

The subject site is 13.6 metres wide therefore making a three-metre side setback difficult to achieve whilst still achieving a functional hotel layout. The adjoining residential property to the south is five storeys high with a parapet wall extending along most of the length of the common lot boundary. The proposed reduced setback of three metres, in lieu of four metres on the upper levels poses no overlooking or privacy issues between the proposed hotel and the existing residential building. It is recommended that the proposed side setback variations to the upper and lower building levels be supported in accordance with Clause 36 of CPS2.

### **Overshadowing**

The Goderich Design Policy states that 'all development should be designed to maximise sunlight penetration into streets, public spaces and buildings and provide for moderate to high levels of sunlight in to key public spaces in the middle of the day (10am to 2pm) from August through to April.'

Overshadowing diagrams show that the existing residential building at 178 Bennett Street, which is directly south of the subject site, will be affected by overshadowing in the morning from April to August and a portion of the building to the rear will also be affected in the afternoon. The overshadow diagrams show that 52 Wickham Street will also be affected by overshadowing from the proposed development however, only in the afternoons between April and August, with solar access maintained in the mornings.

There are no prescribed maximum building height limits under the Goderich Design Policy for buildings along Bennett Street. As previously stated, the proposed development proposes a lower street building height to the podium, which allows more sunlight penetration. While the building seeks rear and side setback variations, it is noted that a fully compliant development

would significantly overshadow adjoining properties to the south for a part of the day, given its location, and that the proposed setback variations contribute to only minor additional overshadowing.

### **Landscaping**

In the Goderich Precinct a general standard is applied requiring 25% of the site to be landscaped. This is generally encouraged to contribute to attractive and mature planting in the streets and to provide predominantly private open space for residents. This standard is however, only appropriate to the secondary streets in the precinct where buildings are required to be setback 4.5m from the streets. On the primary streets, which include Bennett Street, a nil setback is required to the street and furthermore nil side setbacks are encouraged to achieve a continuous lower building edge to maximise opportunities for interaction between private and public realms under the Goderich Design Policy. Noting that the development does not include any residential use, noting the locality where interaction of hotel visitors and occupants with Wellington Square is encouraged and compliance with the Policy provisions for the building to actively address the street, the variation to the landscaping standard is supported in accordance with Clause 36 of CPS2.

### **Car Parking**

The State Government's Perth Parking Policy 2014 provides guidance to the State Government, responsible planning authorities, developers, owners and managers of parking in making and assessing applications for parking planning approvals and parking licences. This policy recognises that vehicular access to, from and within central Perth is a critical element in ensuring its continued economic and social viability. Under this policy, parking for hotel guests and staff is defined as tenant parking to which maximum, but no minimum, parking standards apply. The proposed develop does not propose any on-site car parking for guests, staff or the daily servicing of the hotel.

The absence of on-site parking complies with the Policy requirements and it is acknowledged that providing on-site parking would have detrimental impacts on the design of the building and particularly on the building's engagement with and activation of Bennett Street. The Special Residential (Serviced and Short Term Accommodation) Policy requires all applications for Special Residential use to submit a Management Plan, which includes a Parking Management Plan. The applicant has submitted a Parking Management Plan for the hotel which will direct hotel guests to paid parking facilities in the area.

The applicant is proposing to service the hotel by utilising existing on-street car parking bays on Bennett and Wittenoom Streets. The applicant will request, under separate application, that the City convert the existing loading bay on Bennett Street to an on-street car parking bay for drop-off and pick-up of hotel guests and converts the existing on-street car parking bay on Wittenoom Street to a loading bay for service vehicles.

The Hotel Management Plan states that all cleaning and laundering services will be contracted out to local companies, with soiled linen being stored in the basement level and collected twice weekly. All servicing of the hotel will be from the adjacent streets, with vehicles parking in the on-street loading bay proposed to be on Wittenoom Street and all deliveries entering and exiting



the hotel via the rear of the building. Further details regarding times and frequency of deliveries will need to be carefully managed to ensure nearby residents are not unduly affected.

Further details relating to the parking management and servicing of the hotel will be required as a condition of any approval.

### **Bicycle Parking and End of Trip Facilities**

A minimum total of 28 bicycle parking bays are required under the City's Bicycle Parking and End of Journey Facilities Policy 5.3, with 12 bicycle parking bays proposed. The minimum bicycle parking requirement is considered onerous for a hotel development given guests are unlikely to be arriving by bicycles or requiring these facilities. Given the anticipated low demand, a variation to the Policy can be supported in this case.

### **Amenity Impacts and Orderly and Proper Planning**

It is evident from the submissions received that there is concern from the local community that the proposed development, due to its bulk and scale, will have a detrimental impact on the character and amenity of the locality.

It is acknowledged that much of the concern has arisen as the proposal will be among the first few major scale redevelopments within the immediate locality under the revised plot ratio and building height provisions of CPS2 which were introduced in 2013 and 2014. The provisions were introduced to ensure development and redevelopment within the City is undertaken in a sustainable and integrated manner. Relevant increases in plot ratio and building heights were also seen as integral to achieve the relevant activity, vitality and population targets of the City's 'Urban Design Framework'.

The previous hotel development approved for this site was of a similar bulk and scale to the proposed development with objections regarding the building height, setback, overshadowing and car parking all raised by adjoining landowner, however approval was granted.

Given the development's bulk and scale is generally consistent with the provisions of CPS2 it is considered that impacts relating to parking and traffic management, overshadowing, access to natural sunlight and ventilation have been adequately addressed by the proposal.

### **State Planning Policy 7.0 - Design of the Built Environment**

State Planning Policy 7.0 - Design of the Built Environment addresses design quality and built form outcomes seeking to deliver the broad economic, environmental, social and cultural benefits that derive from good design outcomes. It sets out the objectives, measures, principles and processes which apply to the design and assessment of built environment proposals through the planning system.

The application has been assessed against the design principles of the Policy and has been summarised below:

Design Principle	Comments
<p>1. Context and character</p> <p>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</p>	<ul style="list-style-type: none"> <li>• The site is close to public transport, retail and recreational activities;</li> <li>• The design provides an active pedestrian interface with the street, passive surveillance from a level one lounge area and level five bar area and the provision of a continuous pedestrian awning to improve the pedestrian amenity around the site.</li> </ul>
<p>2. Landscape quality</p> <p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</p>	<ul style="list-style-type: none"> <li>• There is limited potential for landscaping within the site, however plantings within the interior hotel foyer and upper deck levels will be used to soften and define the area of communal spaces.</li> </ul>
<p>3. Built form and scale</p> <p>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</p>	<ul style="list-style-type: none"> <li>• The proposed scale of the building is considered to be appropriate to the setting. The building presents a slender profile reflective of the future character of the street whilst the lower scale podium height aligns with the smaller scale buildings nearby.</li> </ul>
<p>4. Functionality and build quality</p> <p>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.</p>	<ul style="list-style-type: none"> <li>• The development has been designed to be highly functional and accessible, catering for a wide range of guests.</li> <li>• At grade movement between the building and the street and lift access to all rooms maximises the ease of movement between the street and rooms.</li> </ul>
<p>5. Sustainability</p> <p>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes</p>	<ul style="list-style-type: none"> <li>• The building has been designed with adequate natural daylight to all hotel corridors from numerous sources that will not be negatively impacted should the adjoining site be redeveloped.</li> </ul>

Design Principle	Comments
<p>6. Amenity</p> <p>Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy</p>	<ul style="list-style-type: none"> <li>• External amenity has been enhanced through the provision of a pedestrian awning, activated building frontage and passive surveillance of Wellington Square.</li> <li>• Internal amenity has been enhanced through the provision of a variety of hotel facilities dispersed throughout the building that provide a range of gathering places and facilities for guests to use.</li> </ul>
<p>7. Legibility</p> <p>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around</p>	<ul style="list-style-type: none"> <li>• The overall layout and configuration of the proposed development is extremely legible and easy to navigate. Building entrances are clearly visible.</li> <li>• Each floor is laid out with a similar floor plate that makes navigation of the building simple and intuitive. Hotel corridors have been designed with numerous daylight sources to enhance the internal experience.</li> </ul>
<p>8. Safety</p> <p>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</p>	<ul style="list-style-type: none"> <li>• The inclusion of a ground floor lobby, hotel lounge and bar areas overlooking Bennett Street will maximise passive surveillance of the front entrance and streetscape. The hotel will be staffed 24/7 to ensure passive surveillance.</li> <li>• Vehicle access arrangements are safe and supported by a Parking and Access Management Plan.</li> </ul>
<p>9. Community</p> <p>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</p>	<ul style="list-style-type: none"> <li>• The building is designed to support and enhance the experience of a range of users. Multiple opportunities for engagement and interaction are provided within the building including the hotel foyer, dining, lounge and bar areas.</li> <li>• A range of accessible rooms and room types of varying sizes and arrangements are capable of supporting a range of people, including singles and couples.</li> </ul>
<p>10. Aesthetics</p> <p>Good design is the product of a skilled, judicious design process that results in attractive and</p>	<ul style="list-style-type: none"> <li>• The overall building aesthetic has been amended to ensure the building is viewed 'in the round' from various aspects. The podium level is designed to be slightly lower than the adjacent residential development which will provide a continuous streetscape along Bennett Street. The ground floor</li> </ul>

Design Principle	Comments
inviting buildings and places that engage the senses.	café and lobby area are accessible directly from the street and will provide activation and interest at street level.

## Conclusion

The proposed hotel development will add to the short-stay accommodation offerings in East Perth, being conveniently located in close proximity to the CBD and attractions such as the new Optus stadium. The proposed setback variations can be supported in accordance with Clause 36 of CPS2 given that the development will be consistent with the orderly and proper planning of the locality; the statement of intent set out in the Goderich Precinct Plan; and that the non-compliance would not have any undue adverse effect on the property in, or the inhabitants of, the locality.

In response to the concerns of the Design Advisory Committee, the applicant has provided revised plans and elevations to improve the overall presentation and quality of the design. Noting the concerns of adjacent landowners, the revised plans aim to integrate the development more sympathetically with surrounding development and minimise any negative impacts on existing development within the vicinity.

Given the above, it is recommended that the proposed development be supported subject to relevant conditions.



2019/5257; 180 (LOT 2) BENNETT STREET, EAST PERTH





**2019/5257; 180 (LOT 2) BENNETT STREET, EAST PERTH**



**2019/5257; 180 (LOT 2) BENNETT STREET, EAST PERTH**

<b>Agenda Item 6.2</b>	<b>1060 (Lot 100) Hay Street, West Perth – Proposed LED Roof Sign Displaying Variable Third Party Advertising Content and Plant Room Additions to the Existing Office Building</b>
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**Recommendation:**

*That Council, in accordance with the provisions of the City Planning Scheme No. 2, the Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed Provisions for Local Planning Schemes and the Metropolitan Region Scheme, **REFUSES** the application for an LED roof sign displaying variable third party advertising content and plant room additions to the existing office building at 1060 (Lot 100) Hay Street, West Perth as indicated on the Local Planning Scheme Form and Metropolitan Region Scheme Form One dated 10 July 2019 and as shown on the plans and details received on 15 July 2019 and 2 September 2019 for the following reasons:*

- 1. the proposed sign is considered to be contrary to the orderly and proper planning of the locality and will be inconsistent with conservation of the amenities of the locality given that:*
  - 1.1 the roof sign is contrary to clause 5.0 (c) ‘General Principles’ of City Planning Scheme No. 2 Policy 4.6 Signs as it is not designed as an integral part of the building and will be excessive in scale;*
  - 1.2 the third party advertising content is contrary to clause 5.0 (h) ‘General Principles’ of City Planning Scheme No. 2 Policy 4.6 Signs as it will impact on the visual quality, amenity and safety within the area;*
  - 1.3 the sign is contrary to clause 5.0 (j) ‘General Principles’ and clause 6.3 (e) ‘Safety’ of City Planning Scheme No. 2 Policy 4.6 Signs as the sign is likely to cause a distraction to road users as it is intended to be viewed by passing motorists entering and exiting various intersections and freeway lane changes and interchanges, creating potential traffic safety hazards;*
  - 1.4 the sign is contrary to clause 6.6 (c) (i) (A) ‘Sign Content’ and 6.8 (c) (i) ‘Variable Content’ of City Planning Scheme No. 2 Policy 4.6 Signs as the sign is not facing or in a public space as intended in the Policy where the viewing area is designed and intended for pedestrians to linger for an extended period of time and are oriented for viewing within the space and not from adjacent streets;*
  - 1.5 the sign is contrary to clauses 7.8 (a), (b) and (d) ‘Roof signs’ of City Planning Scheme No. 2 Policy 4.6 Signs as the sign as it is not designed as an integral part of the building, has a vertical dimension greater than the maximum provision which is one tenth of the building’s height and/or the combined height of two typical floors of the building and contains third-party content; and*



- 2. *the proposed sign is not considered to meet the objectives and intentions of the City Planning Scheme No. 2 in regard to health, safety and general welfare under clause 6(3)(c) as the sign is expected to have an adverse impact on traffic safety given that it does not satisfy the 'site selection' and 'physical characteristics' (size and shape) criteria of Main Roads Western Australia's 'Policy and Application Guidelines for Advertising Signs'.***

FILE REFERENCE:	DA-2019/5248
REPORTING OFFICER:	Roberto Colalillo, Senior Statutory Planner
REPORTING UNIT:	Development Approvals
RESPONSIBLE DIRECTORATE:	Planning and Development
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	14 October 2019
ATTACHMENT/S:	Attachment 6.2A – Location Plan Attachment 6.2B – Perspective Attachment 6.2C – Development Plans Attachment 6.2D – Signs Policy Place Specific Requirement Areas Attachment 6.2E – Applicant's response to City and MRWA
3D MODEL PRESENTATION:	N/A
LANDOWNER:	Primewest (1060 Hay Street) Pty Ltd
APPLICANT:	Planning Solutions
ZONING:	(MRS Zone) Central City Area (City Planning Scheme Precinct) West Perth (P10) (City Planning Scheme Use Area) City Centre
APPROXIMATE COST:	\$250,000

### **Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input type="checkbox"/>            | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input checked="" type="checkbox"/> | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

**Legislation / Strategic Plan / Policy:****Legislation**

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

***City of Perth Act 2016*****Objects of the City of Perth**

8(1)(j) - to strike an appropriate balance among civic, economic, social, cultural and environmental considerations

**Integrated Planning and Reporting Framework Implications****Strategic Community Plan**

Strategic Priority - Built Environment

**Policy**

Policy No and Name: 4.6 - Signs

**Purpose and Background:**

The subject site is bounded by Murray Street to the north, George Street to the east, Hay Street to the south and one and two storey office buildings to the west and the south. The site has an area of 5797m<sup>2</sup> and is occupied by a five storey office building known as the 'IBM building'.

At its meeting held on **24 September 2019**, Council resolved to:

*"DEFER consideration of the report titled 1060 (Lot 100) Hay Street, West Perth – Proposed LED Roof Sign Displaying Variable Third Party Advertising Content and Plant Room Additions to the Existing Office Building to allow a more comprehensive review of the additional information that has been submitted and a review of the precedent matters raised."*

*Reason: To allow a more comprehensive review of the additional information that has been submitted and a review of the precedent matters raised."*

**Details:**

The application proposes the addition of a plant room and a LED sign panel on the roof of the existing five storey office building on the site to display third-party advertising. The applicant has provided the following details in relation to the proposed plant room and sign:

- the plant room will accommodate solar power infrastructure and future battery storage, as related to approved rooftop solar panels;
- the structure is to be located within the eastern portion of the building's roof, perpendicular to the building's eastern roofline;
- the roof plant will be entirely enclosed within the cladded structure, which will be setback approximately 9.6m from the site's eastern boundary (George Street), and approximately 18.2m from the northern boundary (Murray Street);
- the dimensions of the proposed plant room structure are 4.5 metres in width, 16 metres in length and 10.5 metres in height above the finished roof level;
- one digital sign is to be installed on the northern façade of the proposed the plant room. The sign will sleeve the northern side of the plant room and is intended for viewing by

southbound Mitchell Freeway motorists. The signage panel is to be nine metres in height and 16 metres in length with an area of 144m<sup>2</sup>;

- treatments of the hoarding structure include louvered panels of various colours and sizes, to be designed and configured in a pattern consistent with the IBM building's existing facades;
- the sign is proposed to digitally display a range of third-party advertising material generally related to products and services offered by businesses within the Perth CBD, the broader metropolitan area and nationally;
- the digital advertisements will be static images, and will not display any animations, moving graphics or flashing lights. The sign will have an ambient light detector built into the screen which automatically adjusts the brightness and ensures best chrominance contrast to give crisp images during the day, and to prevent flaring or excessive luminance levels at night;
- the sign is proposed to operate 24 hours a day, seven days a week; and
- any complaints received in relation to the content of the sign, will be dealt with by the advertising content managers or at the executive level as quickly as possible and to the City's satisfaction. Any content subject to complaint will be removed immediately once the complaint is received, until the issue is resolved

### **Compliance with Planning Scheme:**

#### **Development Requirements**

The City Planning Scheme No. 2 (CPS2) Signs Policy 4.6 sets out the requirements for the erection and management of signs on or adjacent to buildings within the city, providing guidelines for their acceptable design and location. Under the Policy the proposed sign falls within the following definitions:

*"Roof Sign" means a sign fixed to the wall of a roof top plant room setback from the main elevation of the building or to an architectural feature at the top of a building and that may extend no more than 200mm above the roof top plant room or architectural feature that it is fixed to.*

*Third Party Advertising Content means sign content that advertises businesses, products, goods or services not located or available at the premises where the sign content is displayed.*

*Variable Content means static sign content that changes automatically by electronic or programmable methods on a specified time cycle. Where displaying variable content, a small sign is one that has a sign face with an area of 2m<sup>2</sup> or less and a large sign is one that has a sign face with an area of greater than 2m<sup>2</sup>."*

### **Comments:**

#### **Consultation**

As the subject site is in the vicinity of a Primary Regional Road Reserve identified under the Metropolitan Region Scheme (MRS), the proposal was referred Main Roads Western Australia (MRWA) for comment, noting the potential traffic safety implications on the Mitchell Freeway and adjacent roads.

In correspondence dated 28 August 2019, MRWA advised:

*"An assessment has been made against the applicable criteria of the Main Roads Policy and Application Guidelines for Advertising Signs within and Beyond State Road Reserves (The Policy) resulting in a Main Roads refusal to support the application due to the following:*

- 1. The location of the LFDS does not comply with the Policy for site selection criteria Section 5, part 5.3.2 and is within a Conflict Zone.*
- 2. Physical Characteristics - The sign exceeds Main Roads maximum permissible area by 59m<sup>2</sup>.*
- 3. The crash assessment was not conducted in accordance to section 3.1.3 of the Policy."*

In response to item 1 above, the applicant advised:

*"the location of the signage is not within the road reserve, therefore it is subject to Local Government control and enforcement. It is unclear how it was concluded that the device is located within a conflict zone noting the Conflict Zone for Freeways and roads of Freeway standard is at merge and diverge points for free flowing ramps. While left turn on George Street provides further access to southbound lanes on Mitchell Freeway / Kwinana Freeway, these are fully controlled by signals. The sign is not generally visible from George Street for vehicles travelling northbound due to height of the building and direction of signage. The sign is also not visible for vehicles getting off George Street on to southbound on-ramp due to terrain and retaining walls obscuring the sign."*

The MRWA has not responded to the above advice at the time of this report however it should be noted that although the sign is not located within a road reserve, it is primarily directed to be viewed by southbound occupants of vehicles on the Mitchell Freeway. Furthermore, it is in close proximity to the Market Street on-ramp merging with the Mitchell Freeway which follows the busy Charles Street link on-ramp within the southbound Mitchell Freeway.

With regards to item 2, the applicant contends that whilst the current proposed sign area exceeds the maximum prescribed sign area of 85m<sup>2</sup>, the final sign area is yet to be confirmed.

Noting the dimensions of the plant room structure and the sign panel as included in the application and plans, the plans before Council show a sign panel of 144m<sup>2</sup>.

In relation to item 3 above, the applicant advised:

*"the associated crash analysis was undertaken for 3 locations within 110m from the proposed sign location being:*

- 1. Intersection of George and Murray Street*
- 2. Intersection of George Street, Hay Street and Mitchell Freeway off to Hay Street*
- 3. Mitchell Freeway SLK [1.29-1.42]*

*None of the examined locations has Killed and Serious Injury (KSI) crashes within the last five years. Therefore, there was no need for calculation as per Appendix C of the Policy. Furthermore it is not reasonable to assess crash statistics for 500 metres on one side and 1 kilometre on the other side of the sign for following reasons:*

- a) Due to the direction of the sign positioning, vehicles south of the sign location cannot see the content.*

- b) *Due to general road geometry, vegetation and man made structures the sign simply isn't visible for the required in approach.*

*The submitted road safety report used standard crash analysis to provide additional insight into the road safety in the vicinity of the proposed sign location looking into the area generally defined by clause 3.1.3 of the Policy."*

The MRWA has not responded to the above in time for this report.

## **Signs Policy**

The City's Signs Policy 4.6 acknowledges that signage plays an important role in way-finding, identifying and promoting businesses and buildings within the city whilst having a significant impact on the visual quality of the urban environment and on amenity and safety. The Policy seeks to enable signage which is well designed and positioned, innovative, responds to its setting and makes a positive contribution to the public realm and the visual appeal of the city without adversely affecting amenity and safety. Innovative signage that is appropriate to buildings and their setting are encouraged.

Large variable third party content signs are encouraged within specific locations within the city, being the entertainment area (Northbridge), retail core area (Hay, Murray and Wellington Streets) and St Georges and Adelaide Terrace areas, where it is considered that such signs will enhance and positively impact on the visual quality, amenity and vibrancy within the city. Refer to the Signs Policy areas map attachment to this report.

The Policy includes the following relevant provisions with regards to the assessment and approval of sky signs and large third-party variable content signs:

### *'5.0 General Principles*

- c) *Signs should be compatible in scale and integrated with the architectural design of the building on which they are erected or adjacent to, having regard to the form, materials, finishes, colours and fenestration of the building/s. Architectural features of a building should not be obscured and daylight into and reasonable vision into and out of buildings should be maintained.*

## **6.6 Sign Content**

- (c)(i) *Third party advertising or on-premises advertising content shall only be considered for development approval on:*
- A) *a sign facing or in a public space within the Entertainment Area, the Retail Core Area, a Town Centre Area or The Terraces Area (as identified in Figure 2) where the sign is oriented for viewing within the space and not from adjacent streets;*
- (ii) *Third party advertising or on-premises advertising content shall only be considered for development approval on a sign facing or in a public space in accordance with (i)(A) above where the local government is satisfied that it:*
- A) *is compatible with the desired character of the public space;*  
B) *will enhance the visual quality of the public space; and*  
C) *will increase the use and vibrancy of the public space, particularly at night.*

## 6.8 Animated or Variable Content

- (c) *Variable content on a large sign (>2m<sup>2</sup> sign face) shall only be considered for development approval:*
  - i) *facing or in a public space within the Entertainment Area, the Retail Core Area or The Terraces Area and where:*
    - A) *the viewing area is designed and intended for pedestrians to linger for an extended period of time; and*
    - B) *the sign is oriented for viewing within the public space and not from adjacent streets and can only be viewed by road users if:*
      - 1. *it has content that is completely static without any motion, animation or special effects for the duration of its display;*
      - 2. *it has a specified duration of display and a transition time between display that comply with standards specified by the State Government transport authority or another authority considered appropriate by the local government;*
      - 3. *each display comprises no more than 20% of its area as text and the text is large scale so that it can be easily and quickly read by road users; and*
      - 4. *it does not include any content that could be perceived to be providing public safety instructions to road users.*
- d) *Animated or variable content on a large sign facing or in a public space shall only be considered for development approval where the local government is satisfied that it:*
  - i) *is compatible with the desired character of the public space;*
  - ii) *will enhance the visual quality of the public space; and*
  - iii) *will make a positive contribution to the public space and its activation, particularly at night.*

## 7.8 Roof Signs

- a) *A roof sign must achieve a high degree of integration and compatibility with the form of the building that it is attached to. A roof sign should appear as if it is part of the original building, or otherwise match or complement its architecture, and not appear as an afterthought.*
- b) *A roof sign should have a maximum vertical dimension equal to one tenth of the building's height, but not more than the combined height of two typical floors of the building.*
- c) *Only one roof sign or one wall sign at the top of the building shall be permitted per building elevation, except where the local government is satisfied that a further sign would be compatible with the design and scale of the building, would not lead to visual clutter and would make a positive contribution to the city skyline.*
- d) *A roof sign shall not display third party advertising or on-premises advertising content.*
- e) *The illumination of roof signs on buildings will be encouraged in locations where it will add interest and vibrancy to the city's night skyline and will not adversely affect the amenity of occupants of nearby buildings.'*

The proposal does not comply with the above provisions, specifically clauses 6.6(c)(i)(A) and 6.8(c)(i), given that the sign is proposed to take advantage of the location's exposure to passing motorists on the freeway and surrounding streets and will be located within a private commercial

property and not within or facing a 'public space' which has been designed for pedestrians to linger for an extended period of time.

Whilst the application could potentially be conditioned to comply with the requirements specified in subclauses 1. to 4. of clause 6.8(c)(i)(B) to control the content and duration of images displayed on the sign, it does not comply with this clause and it is considered that the proposed sign does not have sufficient planning merit to vary this policy requirement as the sign is not oriented for viewing within a public space and is orientated to be viewed by users of the adjacent streets, including the freeway.

In accordance with the provisions of clauses 6.6(c)(ii) and 6.8(d), approval of any large variable content sign is subject to Council being satisfied in regard to its potential to being compatible with, enhancing and making a positive contribution to a public space. Notwithstanding, the proposed sign is not appropriately located within or adjacent to a public space in the first instance, and the addition of the sign above the existing office building will not be compatible with the desired character of this locality and it does not meet the criteria specified in the clauses.

The proposed sign is also contrary to clauses 7.8(a) and 7.8(b) of the Policy which requires roof signs to be suitably integrated and limits the size and scale of such signs to ensure their compatibility with buildings to which they are attached. Whilst the side and rear elevations of the plant infrastructure which supports the sign are proposed to be treated and clad consistent with the existing building facades, the vertical design of the addition and its location means it still will present as an inconsistent addition to the roof level. The applicant has also advised that the plant room is likely to accommodate future battery storage associated with the solar panels however it is considered that these facilities could be accommodated elsewhere within the building or roof level. There is a lack of justification for the plant infrastructure to be designed with a vertical orientation noting there is scope for existing plant rooms on the roof to be extended to accommodate the solar power infrastructure additions.

The existing building has a height of approximately 18 to 20 metres, whereas the sign's vertical dimension is nine metres which is well in excess of the 'one tenth of the building's height' or 'two typical floors' recommended by the Policy. In this regard, it is noted that the sign will effectively sit above the main roof line and whilst the supporting structure is proposed to be finished and coloured to match the existing building, the scale and positioning of the sign is contrary to these relevant clauses of the policy.

The sign is also contrary to clause 7.8(d) of the policy which specifically precludes roof signs from displaying third party advertising content.

The policy's design, scaling and content restrictions on roof signs is partly linked to clause 5.0 c) which requires signs to be integrated into the design of buildings and not ad hoc additions which detract from the visual quality of existing buildings or from the outlook from surrounding properties or public realm. It is considered that the application offers insufficient planning merit to warrant varying the above requirements.

### **Traffic Impact**

As previously outlined, the applicant submitted a road safety assessment in support of the application noting the location of the proposed sign in the vicinity of the Mitchell Freeway and its potential impact on traffic safety. Whilst the assessment addresses some of the criteria contained within the MRWA's 'Policy and Application Guidelines for Advertising Signs', MRWA advised of their objection to the proposed sign based on the proposal not satisfying the policy's

site selection and sizing criteria. City officers concur with the advice of MRWA in terms of potential traffic safety impacts noting the proposal does not satisfy the provisions of clause 6 'Objectives and Intentions' of CPS2, specifically clause 6(3)(c) as follows:

*'6(3)(c) to protect and enhance the health, safety and general welfare of the local government's inhabitants and the social, physical and cultural environment of the local government'*

Consistent with the above, it is considered that the proposed variations to the signs policy do not warrant support in accordance with the provisions of clause 36 of CPS2.

## **Precedents**

The applicant contends that signage of a similar nature, size and context has been approved by the City within proximity to the subject site. These being the rooftop plant room and LED third party variable content sign at 267 St Georges Terrace, Perth, and the LED third party variable content sign at 2 Elder Street, Perth. Consistent with the proposal, both approved signs are located on private land adjacent to, and oriented to, Mitchell Freeway. In addition, neither of the approved signs are located within or facing a public space which has been designed for pedestrians to linger for an extended period of time.

Whilst the above signs were approved by Council, it is noted that both were approved under the framework of the previous iteration of the City's Signs Policy. At the time of approvals, the Signs Policy did not contain specific requirements for the location of large 'variable content' and 'third party' signs to the level and detail of the current Policy. These provisions were specifically included in the current version of the Policy to address the suitability, design and safety concerns related to inappropriate location of large digital signs such as the above. Therefore, it is not considered appropriate in this case to align the proposed sign with any 'precedent' approvals noting the planning framework is not consistent and was modified to specifically address issues stemming from the approval of such signs.

## **Additional information**

During a deputation to the Council, the applicant mentioned that their detailed response to issues raised by the City and MRWA had not been included in the report to Council. It was the applicant's view that access to this response in full would assist the Council to make a more informed decision about the proposed advertising sign. The Applicant's response is attached to this report (refer Attachment 6.2E).

## **Precedent matters**

In regard to the matter of precedent, the applicant raised an additional example during a deputation to the Council to those applications discussed under the "Precedent" section of this report, being an approval for an advertising sign at 190 Aberdeen Street, Northbridge. Council considered this similar proposal to the subject application at its meeting held on **30 October 2018**, for an LED sky sign on the roof of the existing four-storey mixed use building displaying variable third party advertising content. The sign was approximately 6.3 metres high and 19.1 metres in width, with a screen area of 120m<sup>2</sup>. The Officer's report explained that the proposed sign did not meet the criteria for large 'variable content', 'third party' and 'sky signs' applicable under the Signs Policy. The sign was considered to be inappropriately located, being directed towards the Graham Farmer Freeway and not being in a public space where people gather or linger and where it might contribute to the vibrancy of a gathering space, as intended in the Policy. It was also noted that the Main Roads WA Network Operations Branch - Advertising



Section did not support the proposed advertising sign due to noncompliance with criteria within the department's *'Policy and Application Guidelines for Advertising Signs within and beyond state road reserves'*. Council considered the relevant matters and formed the view that the *"LED sky sign will add vibrancy and amenity to the city and does not impact on the overall amenity of the area"*. Therefore, Council resolved to grant conditional approval to the application.

As outlined in this report, Council approved a similar advertising sign to the subject application at its meeting held on **30 October 2018**, at 190 Aberdeen Street, Northbridge. The similarities extend to this approval being for a large LED sign on a four-storey building displaying variable third-party advertising content, orientated towards a freeway. The size of the sign was slightly different, being 6.3 metres high and 19.1 metres in length, with a screen area of 120m<sup>2</sup> compared to the sign the subject of this application which is nine metres in height and 16 metres in length with an area of 144m<sup>2</sup>. The approved sign was a 'sky sign', sitting up above the roof of the building, being a type of sign discouraged under the City's Signs Policy. The addition of the sky sign exceeded the building height requirements for the site. Notwithstanding, the Council considered that the sign was appropriately located and would add vibrancy and amenity to the locality and would not impact on the overall amenity of the area.

## **Conclusion**

The City's Signs Policy 4.6 seeks to enable signage which is well designed and positioned, innovative, responds to its setting and makes a positive contribution to the public realm and the visual appeal of the city without adversely affecting amenity and safety. Large variable third party content signs are encouraged within specific locations within the city, being the entertainment area (Northbridge), retail core area (Hay, Murray and Wellington Streets) and St Georges and Adelaide Terrace areas, where it is considered that such signs will enhance and positively impact on the visual quality, amenity and vibrancy within the city.

The proposed sign does not meet the criteria for large 'variable content', 'third party' and 'roof signs' applicable under the Signs Policy. The sign is positioned with the significant Parliament House precinct as its backdrop and, therefore, is considered to be out of character with this part of West Perth and is inappropriately located, being directed towards the Mitchell Freeway and not being in a public space where people gather or linger and where it might contribute to the vibrancy of a gathering space, as intended in the Policy. Given that the revisions to the signs policy undertaken in April 2017 included specific requirements for the location of large 'variable content' and 'third party' signs, it would be contrary to orderly and proper planning to consider approving a format of sign which is non-compliant with respect to the general principles and siting requirements of the Policy.

Based on the above it is considered that the variations proposed to the relevant provisions of the signs policy would be inconsistent with the orderly and proper planning of the locality, the conservation of the amenities of the locality. In addition, the proposal lacks planning merit and therefore cannot be supported in accordance with the provisions of clause 36 of CPS2.

It is therefore recommended that the application be refused for the reasons as outlined in the sections above.





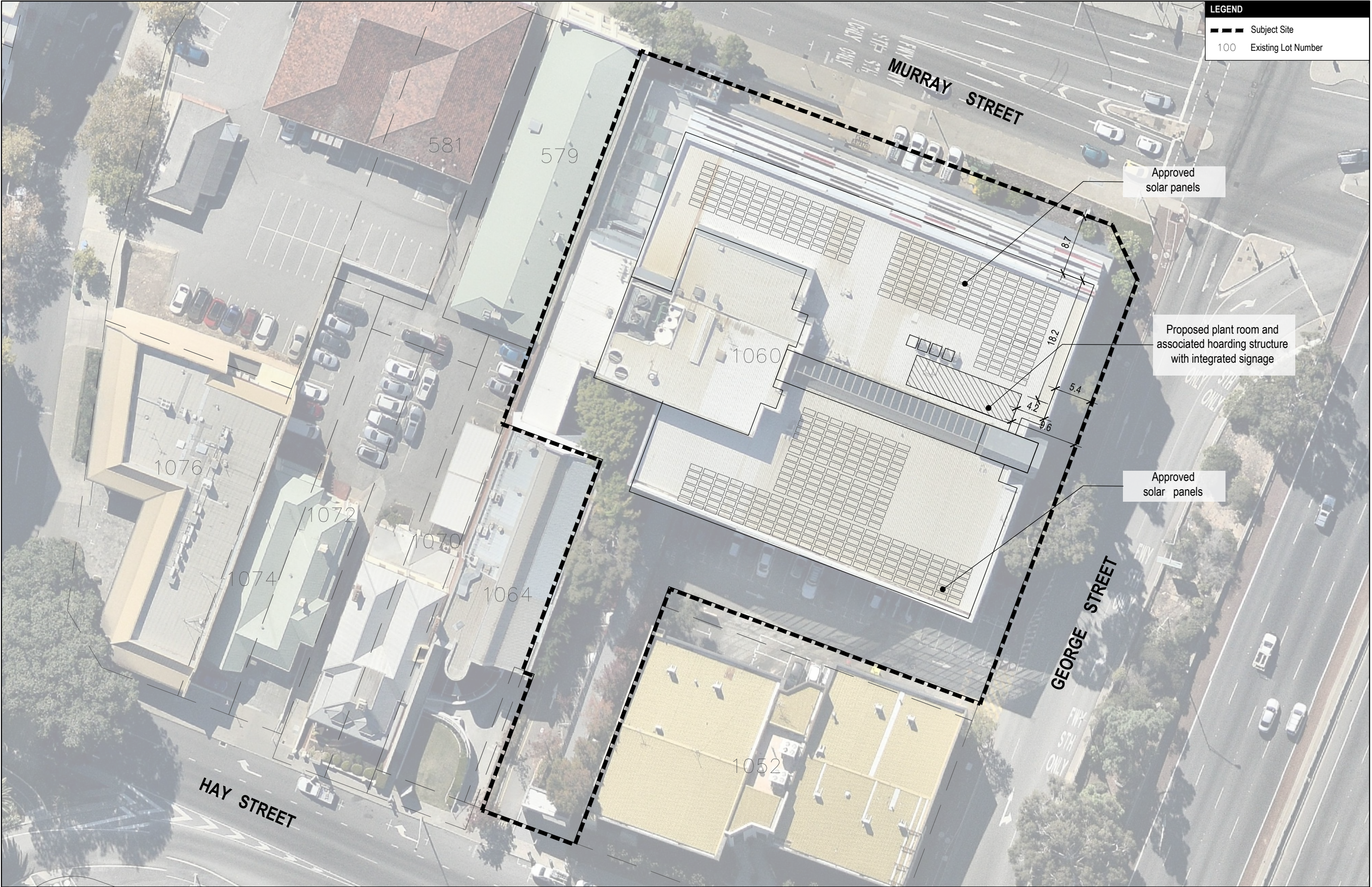
2019/5248 – 1060 (LOT 100) HAY STREET, WEST PERTH



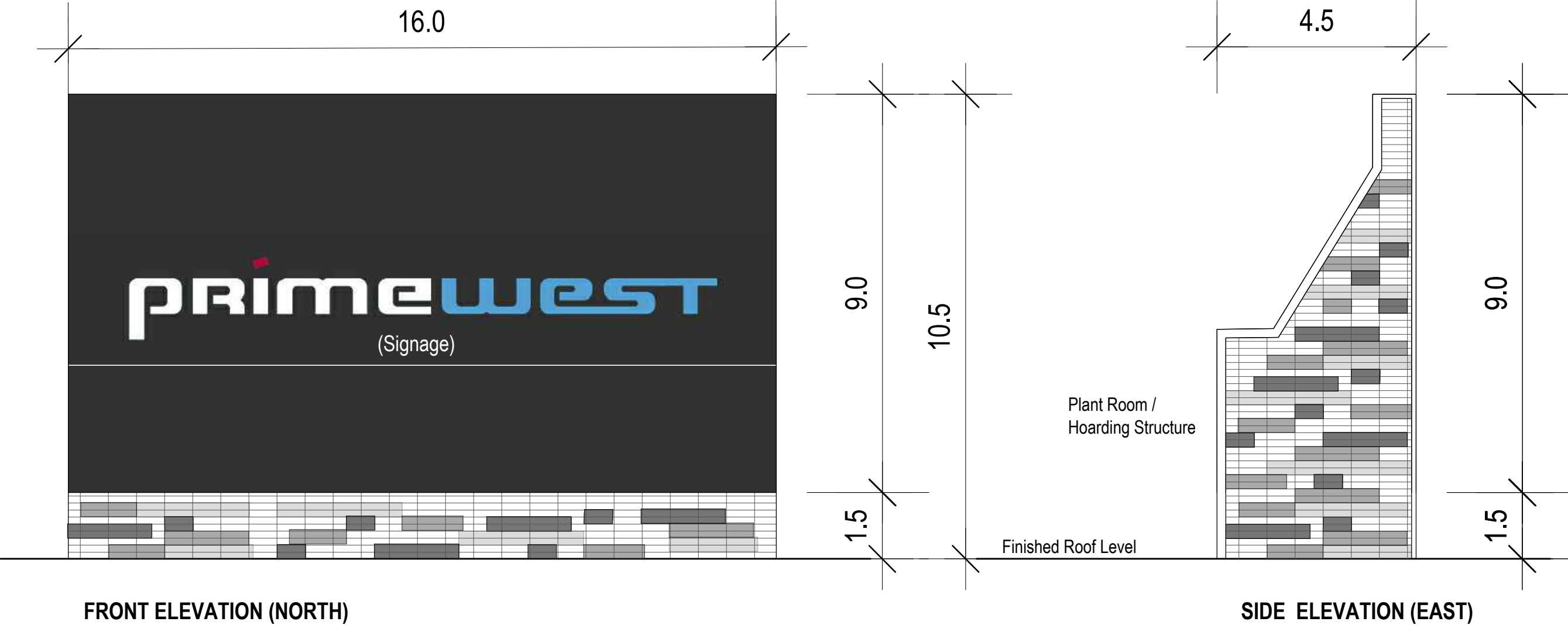


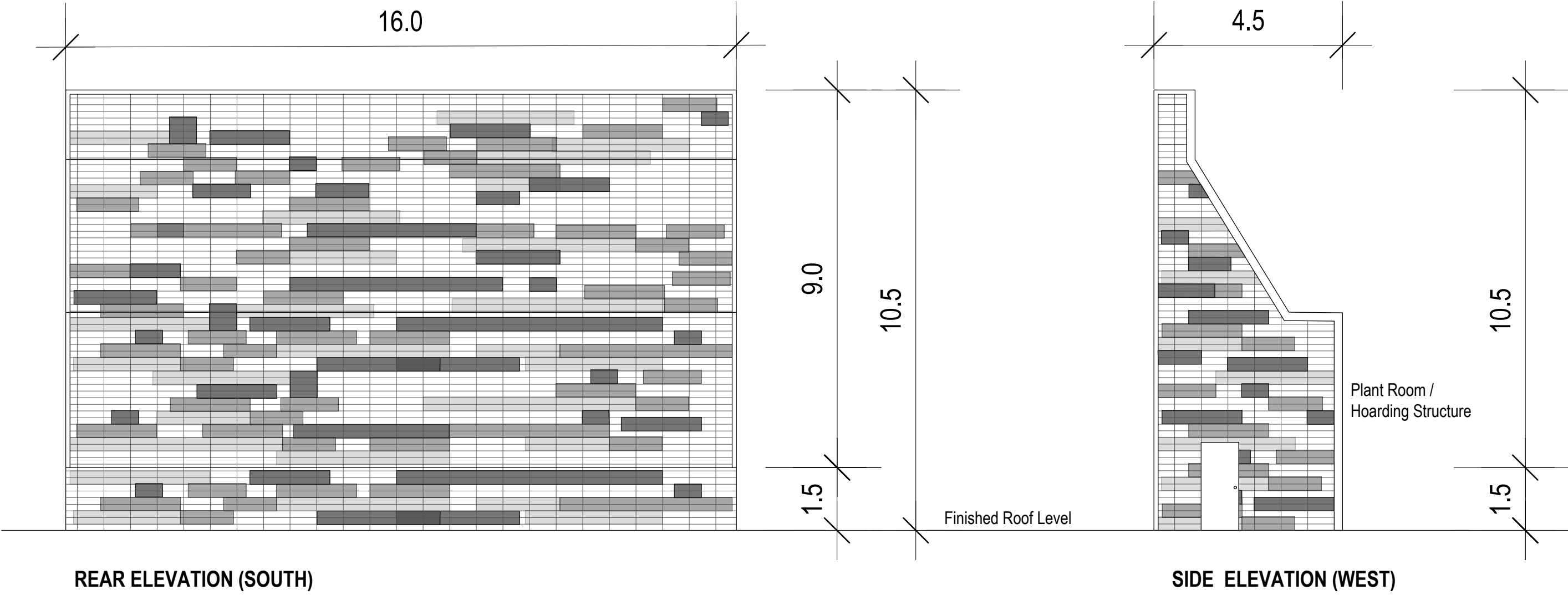
2019/5248 – 1060 (LOT 100) HAY STREET, WEST PERTH (PERSPECTIVE)













LEGEND

- Scheme Area Boundary

Metropolitan Redevelopment Authority Area
- Entertainment Area

Retail Core Area

Town Centre Area

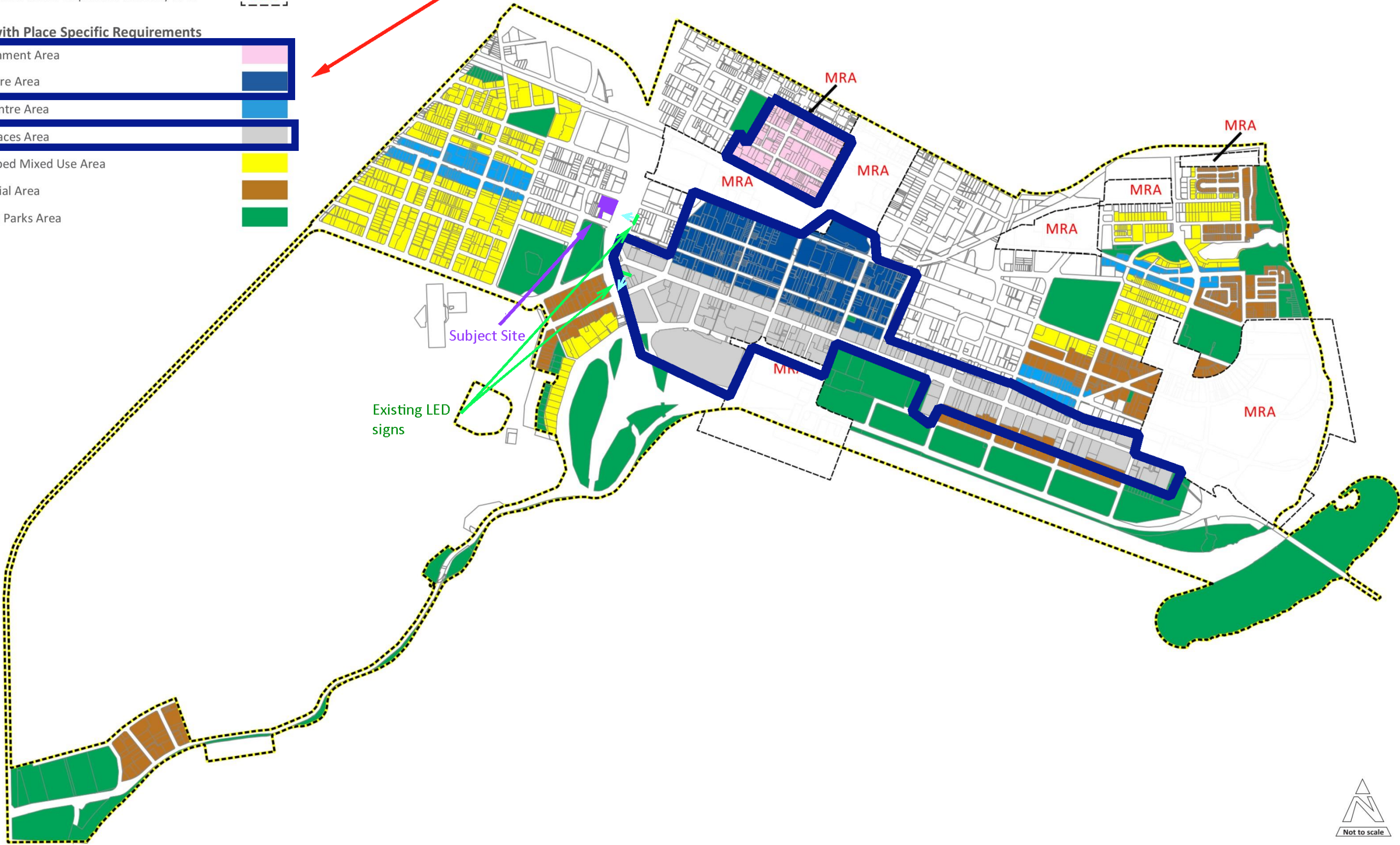
The Terraces Area

Landscaped Mixed Use Area

Residential Area

Civic and Parks Area

Areas where large signs with variable and third party content are encouraged to be located



PS ref: 5985  
City Ref: DA2019/5248

2 September 2019

Chief Executive Officer  
City of Perth  
GPO Box C120  
PERTH WA 6839

Attention: Roberto Colalillo, Senior Statutory Planner

Dear Sir,

**LOT 100 (1060) HAY STREET, WEST PERTH  
PROPOSED ROOF PLANT AND LED THIRD PARTY VARIABLE CONTENT SIGN  
RESPONSE TO CITY'S PRELIMINARY ASSESSMENT COMMENTS**

Planning Solutions acts on behalf of AD Billboards Pty Ltd in support of an Application for Development Approval for Lot 100 (1060) Hay Street, West Perth (**subject site**). The proposal comprises a roof plant and LED third party variable content sign to be installed on the roof of the existing IBM Centre building on the subject site.

We refer to the email from the City of Perth (**City**) dated 2 August 2019 outlining the City's Design Review Group (**DRG**) comments and recommendations. This submission letter primarily addresses these considerations.

We also refer to the emails from the City dated 28 August 2019 and 29 August 2019 comprising referral comments from the City's Transport Unit and Main Roads WA. In response, we refer to the attached traffic engineering letter prepared by KCTT traffic engineers which specifically addresses the referral comments and demonstrates the proposal is acceptable from a traffic safety and visual amenity perspective.

**RESPONSE TO CITY'S ASSESSMENT COMMENTS**

**1. Photomontage**

Refer **Table 1** below for the applicant's response to the City's comments regarding a photo montage.

City's Comment	Applicants Comment
<i>A photo montage of the proposed sign and associated roof plant structure is required in order to adequately assess the visual impact of the proposed roof level additions noting signage is required integrated into the design of buildings under the Signs Policy 4.6. This is consistent with other applications for large scale signs added to existing building within the City and is considered a standard requirement.</i>	Refer <b>Attachment 1 photomontage</b> depicting the proposed plant room and LED third party variable content sign. The proposed development will provide for an innovative and modern architectural feature and form of digital advertising signage on the roof of the existing IBM Centre building on the subject site. In addition, the proposal incorporates high quality materials that complement the architectural style and design of the existing IBM building, including the use of similar materials and colours on the hoarding structure which sleeves the plant room. It is therefore considered the proposal will have no adverse impacts on the visual amenity of the existing building onsite or surrounding area.



## 2. Signs Policy compliance

We refer to the City's assessment comments regarding compliance with the City's Signs Policy, and provide our response below. The City's comments are as follows:

*The proposal, as outlined in previous correspondence with Dewald Gericke, Principal Statutory Planner, is inconsistent with clauses 6.6(c)(i)(A) and 6.8(c)(i) of the City's Signs Policy given it is located within a private commercial property and not within or facing a 'public space' which has been designed for pedestrians to linger for an extended period of time. The intent of these clauses is for large format digital signs to be restricted to plazas, piazzas and gathering spaces of that nature and not standard street environments, or major access gateways to the City. At this stage it is not considered that the proposal warrants variation of the Policy's requirements despite the justification provided.*

The proposed development comprises variations to the City's Signs Policy, specifically clauses 6.6(c)(i)(A) and 6.8(c)(i).

Pursuant to the City's City Planning Scheme No. 2 (**CPS2**), Clause 36 – Determination of Non-complying Applications defines a non-complying application as follows and includes discretionary clauses to be met in order for non-complying applications to be granted approval by the City. Clause 36(1)(a) states that the following –

*an application which does not comply with a standard or requirement of this Scheme (including a standard or requirement set out in a planning policy, the relevant precinct plan or minor town planning scheme), is called a 'non-complying application';*

As stated above, the proposed development includes variations to the City's Signs Policy and is therefore considered a 'non-complying application' pursuant to CPS2. Therefore, we address the following components of Clause 36 of CPS2 below and respectfully request the proposal be considered on its merits and granted discretionary approval by the City.

Under clause 36(3)(c) of CPS2, the City may grant approval for a non-complying application where the local government is satisfied that –

- (i) *the development would be consistent with –*
  - (A) *the orderly and proper planning of the locality;*
  - (B) *the conservation of the amenities of the locality; and*
  - (C) *the statement of intent set out in the relevant precinct plan.*
- (ii) *the non-compliance would not have undue adverse effect on–*
  - (A) *the occupiers or users of the development;*
  - (B) *the property in, or the inhabitants of, the locality; and*
  - (C) *the likely future development of the locality.*

An assessment of the proposal against the above Clause 36(3)(c) provisions is provided below.

### Orderly and Proper Planning

A decision of the Supreme Court of Western Australia provided the first judicial discussion in Western Australia of the commonly used planning phrase 'orderly and proper planning'. The Court in *Marshall v Metropolitan Redevelopment Authority* [2015] WASC 226 provided the following interpretation of the phrase 'orderly and proper planning':

*'[T]o be orderly and proper, the exercise of a discretion within the planning context should be conducted in an orderly way – that is, in a way which is disciplined, methodical, logical and systematic, and which is not haphazard or capricious'.*

Precedents have also been set by State Administrative Tribunal (**SAT**). In the matter of *Caltex Australia Petroleum Pty Ltd and the Town of Vincent* [2010] WASAT 174, the SAT considered the relevant issues to determine if an application for development approval was consistent with orderly and proper planning.

The WASAT 174 decision is relevant to this application as the Town of Vincent resolved to refuse a development application based off inconsistencies with a due regard document and considered the application as contrary to orderly and proper planning.

The SAT recognised the importance and role of policy in guiding planning decisions and promoting rational and consistent decision-making, however, ultimately resolved that policies '*should not be applied so inflexibly that where a variance may be appropriate, it is simply ignored*'. As pointed out by *Nicholson J in Falc Pty Ltd and Anor v State Planning Commission (1991) 5 WAR 522*:

*'the function of the Tribunal is to have regard to that policy but to exercise its discretion in relation to it in the light of the evidence in the particular case'.*

Lastly, we refer to the *Development Assessment Panel Practice Notes: Making Good Planning Decisions*, which states –

*it is important that policy is not applied inflexibly – it is a tool to assist with decision-making, not a document requiring slavish compliance regardless of other competing planning considerations.*

The proposed development is considered to be in accordance with the principles of orderly and proper planning for the following reasons:

- the proposal is consistent with the City's CPS2 and Signs Policy Objectives;
- although variations are proposed, the proposal is consistent with many other relevant provisions of the Signs Policy, effectively having due regard for this document;
- the City has granted approval for similar signage in a similar context; and
- the proposal will have no adverse impact on the amenity of the site or surrounding area.

A further discussion of the above is provided below, demonstrating the proposal is consistent with the principles of orderly and proper planning and warrants approval accordingly.

#### Assessment of CPS2 objectives

CPS2 contains the following objectives relevant to the proposal:

- *to recognise and reinforce the role of Perth as the capital of Western Australia and the administrative, financial and political centre of the State;*
- *to protect and enhance the health, safety and general welfare of the local government's inhabitants and the social, physical and cultural environment of the local government;*
- *to ensure that all development is of a high architectural design quality, delivers a high level of amenity within the public realm and buildings, and contributes to an attractive city skyline.*

The proposed development contains a large LED third party variable content sign fronting Mitchell Freeway, which is consistent with LED signs found in capital cities around Australia and the world. The sign's advertising material will generally relate to the products and services offered by businesses within the Perth CBD and the broader metropolitan area, as is seen on other LED third party advertising signs in Perth. It is therefore considered the proposed development will reinforce Perth's role as a capital city.

The proposed sign does not pose any risk to the health, safety and general welfare of local residents or the local area. The proposed sign is strategically positioned on the roof of the building to be visible to southbound traffic on Mitchell Freeway, but will not be prominent from the surrounding local streets. The proposal is also supported by expert traffic engineering input that confirms the proposed development will have no adverse impact on traffic safety (Refer to **Attachment 2**).

The proposed LED sign will utilise the latest technology in digital signage and has been specifically designed to ensure motorists travelling southbound on Mitchell Freeway can view the advertising sign safely. The proposed LED sign will operate 24 hours a day, 7 days a week, adding interest and vibrancy to the city's night skyline.

The proposal will have no adverse impacts on the amenity of the site and locality, as discussed further below. The intended purpose is to provide advertising signage for southbound travellers on Mitchell Freeway, with limited and obscured exposure to the local surrounding streets.

In consideration of the above, the proposed development is consistent with the relevant objectives of the CPS2, and warrants approval accordingly.

### Assessment of Signs Policy objectives

With respect to the City's Signs Policy objectives, we refer to section 5.3.2 of the initial development application submission letter which provides a response to the relevant objectives. As discussed within the application submission, the proposal is entirely consistent with the objectives of this Policy. In consideration of the above, the proposed development is consistent with the objectives of the City's Signs Policy, and warrants approval accordingly.

### Precedent

Signage of a similar nature, size and context has been approved by the City within proximity to the subject site. A direct example is the approved rooftop plant room and LED third party variable content sign at 267 St Georges Terrace, Perth, and the approved LED third party variable content sign at 2 Elder Street, Perth.



Photograph 1: The LED third party variable content sign at 267 St Georges Terrace, as viewed from west of the Mitchell Freeway.



Photograph 2: The LED third party variable content sign at 2 Elder Street, as viewed from the Elder Street on ramp to Mitchell Freeway.

The sign at 267 St Georges Terrace is viewed by northbound motorists traveling on Mitchell Freeway and the sign at 2 Elder Street is viewed by southbound motorists entering the Mitchell Freeway via the Elder Street on-ramp. The similarities between the two approved LED third party variable content signs and the proposed sign are unrivalled.

Consistent with the proposal, both approved signs are located on private land adjacent to, and oriented to, Mitchell Freeway. In addition, neither of the approved signs are located within or facing a public space which has been designed for pedestrians to linger for an extended period of time. This means the City has twice exercised its discretion in granting approval for similar signage in a similar context, and the proposed variations to clauses 6.6(c)(i)(A) and 6.8(c)(i) of the Signs Policy are the same variations proposed as part of this application.

The proposed signage at 1060 Hay Street, West Perth is particularly similar to the approved development at 267 St Georges Terrace, in terms of the type of development, location and context. The proposed and approved development both comprise a plant room and large LED third party variable content sign on the roof of a four storey office building. The location of the approved and proposed signage is similar, being adjacent to Mitchell Freeway in a commercial/office area of the City of Perth. The approved sign at 267 St Georges Terrace faces northbound motorists on Mitchell Freeway, whereas the proposed sign will face southbound traffic on Mitchell Freeway. Given the City has granted approval for similar developments in a similar context, it is considered that the exercise of discretion to grant approval for the proposed development is warranted and in accordance with a decision of orderly and proper planning.

### **Amenity impacts**

The proposed development will not have any significant impact on the amenity of the locality, adjoining properties or streetscape. The subject site is located within an established commercial/office precinct in West Perth, opposite Mitchell Freeway and the Perth CBD to the east. The subject site adjoins a similar office building to the north and vacant land to the south. The proposed development comprises a rooftop structure on an existing four storey office building, which will be set back approximately 18m from the northern edge of the building (Murray Street frontage) and approximately 4m from the eastern edge of the building (George Street frontage).

The proposed development will not result in any traffic impacts, noise impacts, or result in any significant impact on sunlight penetration to adjoining streets. Given the surrounding context and nature of the proposal, the proposed development is not considered to result in any detrimental impact on the amenity of the building or surrounding locality.

### **Precinct plan statement of intent**

We refer to section 5.2 of the initial development application submission letter which demonstrates the proposal is consistent with the statement of intent for Precinct 10 West Perth, as applicable.

### **Other considerations**

The proposed sign will have no adverse impact on the occupiers of the IBM Centre building, the property or inhabitants of the locality, or the likely future development of the locality, for the following reasons:

- The sign will have no impact on residential amenity, given the commercial nature of buildings and uses in the immediate vicinity of the subject site.
- The proposed additional building height resulting from this development would be considered acceptable if the proposal comprised a structure only, with no signage.
- The proposed development is strategically positioned on the roof of the IBM building so that it will be predominantly viewed by southbound Mitchell Freeway motorists, and will not be viewed as prominently from the surrounding local streets.
- The proposed development will result in no traffic or noise impacts.
- The proposed development will have minimal impact on the sunlight penetration into the adjoining streets, given its position on the roof of the existing building.
- The proposed development will in no way constrain the future development of the locality, comprising a proposed plant room with integrated signage that is consistent with the surrounding commercial context and existing approved development in the area.

Based on the above, the proposed development is considered acceptable and appropriate for the building / subject site, and warrants approval accordingly.

### 3. Proposal

We refer to the City's assessment comments regarding the proposed sign. The City's comments are as follows:

*The requirement for plant infrastructure to support the approved solar panels is questionable noting the approval for the panels did not include or foreshadow the requirement for a dedicated plant room of the size and scale proposed. It is noted that in the absence of being attached to this facility the signage would be a standalone 'sky sign' which is not permitted by the Policy.*

The proposed development comprises a plant room and hoarding structure with integrated signage to be developed on the roof of the existing IBM Centre building. As outlined in the initial development application submission, the proposed plant room will be used for purposes associated with the recently approved solar panels. Specifically, it is intended the proposed plant room will accommodate solar power infrastructure and be used for future battery storage.

### 4. Traffic Engineering Comments

The City's Transport Unit provided no objection to the proposal on traffic safety grounds in their email on the 28 August 2019. They advised that Main Roads WA comments and any potential safety impacts raised would be critical for the approval process. A Technical Note (Traffic Engineering Letter) has been prepared by KCTT Traffic Engineers in response to the Main Roads WA comments received on the 29 August 2019. Specifically, the traffic engineering letter addresses the above Main Roads WA comments, demonstrating the proposal is acceptable from a road safety perspective and consistent with existing and approved signage in the area (Channel 9 building). Refer to **Attachment 2** for the traffic engineering letter prepared by KCTT.

### CONCLUSION

In summary, the photomontage, traffic engineering letter and additional supporting information forming part of this package appropriately address the City's assessment comments. More specifically:

- The photomontage depicts the proposed plant room and LED third party signage on the roof of the existing IBM Centre building on the subject site, as requested.
- The proposed variations to the City's Signs Policy requirements are considered acceptable given the site context and consistency with existing approved developments in the area.
- The proposal is consistent with orderly and proper planning and will have no significant impact on the amenity of the subject site or surrounding area.
- The proposed development is acceptable from a road safety perspective, as detailed in the traffic engineering letter submitted in support of the initial application.

Accordingly, we respectfully request the application for development approval be considered on its merits and the City makes a favourable determination.

Should you have any queries or require further clarification in regard to the proposal, please do not hesitate to contact the undersigned on (08) 9227 7970.

Yours faithfully,

PP



**INGRID MAHER**  
**PLANNING CONSULTANT**

190830 5985 Letter to City (RFI response)

Encl. Photomontage depicting the proposed development.  
Traffic engineering letter prepared by KCTT.

**ATTACHMENT 1**  
**PHOTOMONTAGE**











**Traffic Engineering Letter**

KC01014.000 Lot 100 (1060) Hay Street, West Perth

29-08-2019

Planning Solutions  
1/251 St Georges Terrace,  
Perth WA 6000

**Attn:** Ingrid Maher

**Re: Response to MRWA comments**

Ingrid,

This letter has been prepared in order to respond to Main Roads WA comments regarding proposal to install variable advertising signage proposed at 1060 Hay Street, West Perth.

The sign is proposed to be located at the IBM Building rooftop within the southern portion of the rooftop in view of vehicles travelling southbound on the Mitchell Freeway.

As similar signs can be found posted outside of road reserve zone along Mitchell Freeway KCTT believe there should be no issues with the proposed sign location.

On subsequent pages are details of our findings. If you have any queries, please don't hesitate to contact us.

Regards,

**Marina Kleyweg**

Director | Principal of Traffic and Transport

**Ana Nikolic**

Traffic Engineer



**Prepared by:**

**ABN**

**Postal**

**Phone:**

**Website:**

**KCTT (Trading as Traffic and Transport Pty Ltd)**

35 148 970 727 |

**PERTH:** Unit 7, No 10 Whipple Street Balcatta WA 6021 | **BELGRADE:** 23 Hilandarska, Beograd

08 9441 2700 |

www.kctt.com.au |

## Response to MRWA comments

MRWA comment	KCTT response
<i>"The location of the LFDS does not comply with the Policy for site selection criteria Section 5, part 5.3.2 and is within a Conflict Zone."</i>	<p>As shown in the letter the location of the signage is not within the road reserve, therefore it is subject to Local Government control and enforcement. It is unclear how it was concluded that the device is located within a conflict zone as Figure 2, appendix A clearly shows that Conflict Zone for Freeways and roads of Freeway standard is at merge and diverge points for free flowing ramps. While left turn on George Street provides further access to southbound lanes on Mitchell Freeway / Kwinana Freeway, these are fully controlled by signals.</p> <p>As shown on images, the sign is not generally visible from George Street for vehicles travelling northbound due to height of the building and direction of signage. The sign is also not visible for vehicles getting off George Street on to southbound on-ramp due to terrain and retaining walls obscuring the sign.</p>
<i>"Physical Characteristics - The sign exceeds Main Roads maximum permissible area by 59m<sup>2</sup>."</i>	Yes – the maximum proposed sign area is 85m <sup>2</sup> , however the actual sign area is yet to be confirmed.
<i>"The crash assessment was not conducted in accordance to section 3.1.3 of the Policy."</i>	<p>Section 3.1.3 states:</p> <p><i>"3.1.3.1 A billboard sign is subject to amendment when the proposed site has a vehicle crash history of three (3) or more Killed and Serious Injury (KSI) crashes at any intersection within 'd' metres (see Table 3.1) of the approach to the proposed billboard sign location.</i></p> <p><i>3.1.3.2 A billboard sign is not permitted where sections of the road on a carriageway have a crash rate higher than the critical crash rate."</i></p> <p>d=110m for speed limit 80km/h (as per table 3.1)</p> <p>KCTT performed crash analysis for 3 location within 110m from the proposed sign location (screenshot below):</p> <ol style="list-style-type: none"> <li>1. Intersection of George and Murray Street</li> <li>2. Intersection of George Street, Hay Street and Mitchell Freeway off to Hay Street</li> <li>3. Mitchell Freeway SLK [1.29-1.42]</li> </ol> <p>None of the examined locations has KSI crashes within the last 5 years. Therefore, there was no need for calculation as per Appendix C. furthermore it is not reasonable to assess crash statistics for 500m on one side and 1km on the other side of the sign for following reasons:</p> <ol style="list-style-type: none"> <li>a) Due to the direction of the sign positioning, vehicles south of the sign location cannot see the content.</li> <li>b) Due to general road geometry, vegetation and man made structures the sign simply isn't visible for the required in approach.</li> </ol> <p>KCTT used standard crash analysis to provide additional insight into the road safety in the vicinity of the proposed sign location looking into the area defined by clause 3.1.3.1.</p>

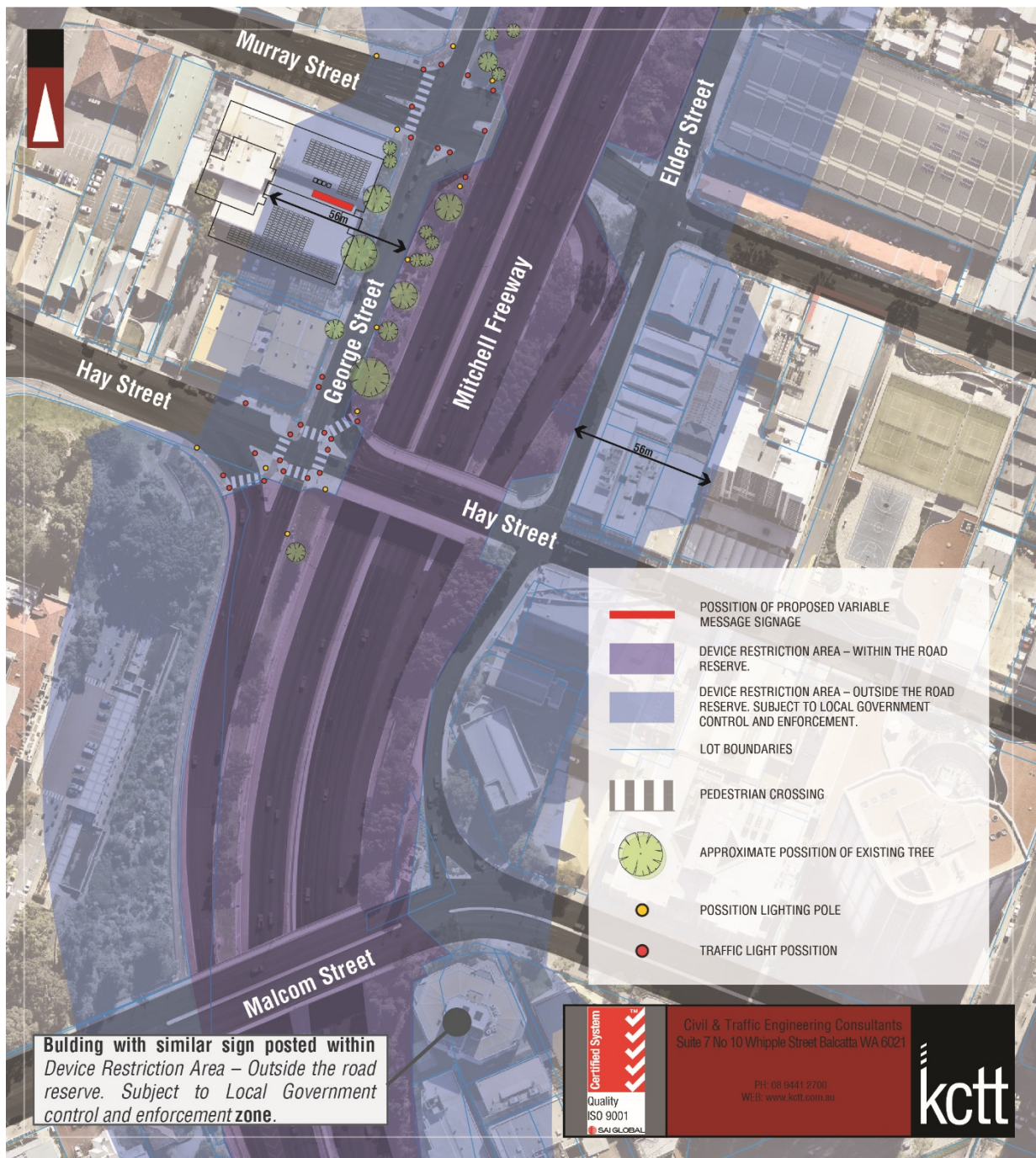


## Additional details

Similar signs erected within the Device Restriction Area – Outside Road Reserve can be found along Mitchell Freeway. One of those examples is located approximately 350 m to the south on the eastern side of Mitchell Freeway road reserve. Refer to graphic below for context.

**Traffic Engineering Letter**

KC01014.000 Lot 100 (1060) Hay Street, West Perth





**Recommendation:*****That Council:***

1. ***APPROVES sponsorship of \$20,000 (excluding GST) to the Western Australian Indigenous Tourism Operators Council for a First Nations Cultural Sharing Program; and***
2. ***DECLINES sponsorship of the following applicants:***
  - 2.1 ***Karda Designs (Barbara Matters); and***
  - 2.2 ***Goolamwiin.***

FILE REFERENCE:	P1033763
REPORTING OFFICER:	Virginia Withers, Sponsorship Officer
REPORTING UNIT:	Activation and Cultural Experience
RESPONSIBLE DIRECTORATE:	Economic Development and Activation
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	7 October 2019
ATTACHMENT/S:	Attachment 6.3A – Detailed Officer Assessment

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

**Legislation / Strategic Plan / Policy:****Legislation**Section 8 of the *City of Perth Act 2016****City of Perth Act 2016*****Objects of the City of Perth**

8(1)(g) - to strengthen Perth's reputation as an innovative, sustainable and vibrant city that attracts and welcomes all

**Integrated Planning and Reporting Framework Implications****Strategic Community Plan**  
Strategic Priority - Social**Policy**

Policy No and Name:

18.13 – Sponsorship and Grants

**Purpose and Background:****San Diego Sister City Agreement**

The City of Perth shares relationships with eleven cities across the world, through a series of Sister City Agreements and Charters of Mutual Friendship.

The City of Perth and the City of San Diego signed a Sister City Agreement in 1987. The agreement is centred around developing an understanding of each City's respective community life, customs and traditions. Among other attributes, Perth and San Diego share a strong First Nations heritage and living culture.

**First Nations Cultural Sharing Program**

The City of Perth and City of San Diego, have initiated discussions with the Whadjuk Nyoongar Elders and the Sycuan Band of the Kumeyaay Nation respectively, to progress a First Nations Cultural Sharing Program that engages First Nations communities (Whadjuk Nyoongar and Kumeyaay Nation) from both cities. The Kumeyaay Nation are the original Indigenous people of the land that is now called San Diego.

Guided by the objectives of the City's recently adopted Cultural Development Plan, the First Nations Cultural Sharing Program has the objectives to:

- promote knowledge sharing, strengthen Aboriginal cultural industries and support Aboriginal/First Nations cultural development;
- increase economic diversity for both cities, through strengthening Aboriginal/First Nations cultural industries;
- increase the capacity of an Aboriginal/First Nations organisation or business and provide Aboriginal organisations with opportunities to develop new relationships and international partnerships; and
- promote Perth as important cultural tourism destination.

**Sponsorship Invitation**

The City of Perth has invited sponsorship applications from Aboriginal creative and cultural organisations, and/or Aboriginal businesses with a cultural heritage focus, to develop and

deliver a First Nations Cultural Sharing Program. Applicants were required to demonstrate a strong connection to Whadjuk Nyoongar country.

The Cultural Sharing Program will enable the successful organisation to:

- travel to San Diego and engage in cultural activity and develop their creative practice with The Sycuan Band of the Kumeyaay Nation; and
- reciprocate the experience by hosting the visiting guests from the Sycuan Tribe of the Kumeyaay Nation in Perth, facilitating a tailored program of cultural activity.

During their stay in the host city it is envisioned that First Nations representatives from both cities will have the opportunity to:

- meet with Aboriginal/First Nations elders to learn about and share the cultural heritage and history of the city, undertake research, visit cultural organisations and local cultural workers;
- meet with local First Nations cultural practitioners to discuss contemporary culture and actively promote West Australian and San Diego cultural workers during the visit;
- give cultural talks to the public and students at various educational facilities;
- act as ambassadors for their own cities; and
- visit regional areas to explore and understand the region's culture in more detail.

It is expected a public facing outcome will be presented during the Cultural Sharing Program (this could be in the form of an exhibition, screening, performance, cultural tours (virtual and/or real world), or any other format that will convey the outcomes of the cultural sharing in a broadly accessible way).

### **Sponsorship Funding Available**

The successful applicant will receive sponsorship funding of up to \$20,000 to assist with costs associated with delivery of the program.

### **Anticipated Timeline**

It is expected that both the San Diego and Perth components of the Cultural Sharing Program will be delivered during the 2020 calendar year.

### **Details:**

The City of Perth conducted a call-out and three applications were received for consideration:

APPLICANT	SPONSORSHIP REQUEST	ASSESSMENT SCORE	RECOMMENDATION	FUNDING
WAITOC	\$20,000	70.5 out of 100 (70%)	Approval	\$20,000
Karda Designs (Barbara Matters)	\$78,204	67.25 out of 100 (67%)	Decline	\$0
Goolamwiin	\$20,000	37.25 out of 100 (37%)	Decline	\$0

The sponsorship applications received were assessed by a four-person assessment panel, against the following criteria:

1. Quality of Proposal (40%)

To what extent does the applicant demonstrate:

- An understanding and appreciation of the project aims
- Provision of high-quality cultural and community engagement activities which represent Perth's unique Whadjuk Nyoongar cultural identity
- That the project fosters meaningful collaborations across the local cultural industries and/or communities?
- That the project raises the profile and reputation of the City of Perth as a premier Capital City and cultural leader
- That the project provides professional development opportunities for the participants from both cities
- That the project contributes to a unique cultural tourism offering for the local, national and international audiences

2. Capability of Delivery (30%)

To what extent does the applicant demonstrate:

- capacity to manage all aspects of the project?
- suitably experienced personnel?
- experience in working with and providing creative/cultural development opportunities for Aboriginal creative and cultural practitioners?

3. Budget (30%)

- To what extent are the project plan and budget realistic and value for money?

A detailed assessment of each application is included at Attachment 6.3A.

**Financial Implications:**

ACCOUNT NO:	PJ 1430 80270 0000
BUDGET ITEM:	Grants & Sponsorships
BUDGETED AMOUNT:	\$25,000
AMOUNT SPENT TO DATE:	\$2,736
PROPOSED COST:	\$20,000
BALANCE REMAINING:	\$2,264
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.



## **Comments:**

### **Alignment to Strategic Community Plan**

The First Nations Cultural Sharing Program supports the objectives of the City of Perth's Strategic Community Plan to:

- S2.1 Strengthen the city's thriving cultural diversity; and
- S2.1.1 Nurture and celebrate Aboriginal culture.

### **Alignment to Cultural Development Plan**

The initiative supports Action 3.8 of the City's Cultural Development Plan:

- 3.8 Leverage Sister City relationships by connecting local cultural institutions with international counterparts, to develop cultural exchange and local capacity of cultural workers.
- 4.1 Celebrate and make visible Aboriginal and Torres Strait Islander cultures through community-led initiatives.

### **Alignment to the Reconciliation Action Plan (RAP)**

The First Nations Cultural Sharing Plan also supports the following deliverables of the RAP:

- 16 Evaluate the existing sponsorship of Aboriginal Tourism and investigate opportunities for further involvement.
- 17.5. Through the City's Arts Sponsorship programs, continue to support and fund Aboriginal and Torres Strait Islander arts projects, and investigate opportunities to build on the level of funding available for organisations in the 2019/2020 financial year.

The project will assist the City in fostering new relationships and enhancing cultural networks between Perth and San Diego and enhancing the visibility of Perth's Whadjuk Nyoongar arts and culture on an international platform.

Participation in the Cultural Sharing Program will provide professional development and networking benefits to WAITOC, which will assist them in their mission to assist in the creation of a vibrant and authentic Aboriginal tourism industry as a key component of the West Australian tourism industry and positioning Perth as a leading destination for authentic Aboriginal experiences.

Having worked with representatives with WAITOC previously, City officers are confident that the organisation will be able to successfully manage the initiative.

## ATTACHMENT 6.3A

**FIRST NATIONS EXCHANGE | 2019/20 | WAITOC****Applicant Details**

Entity Name	WAITOC Association Incorporated
ABN	88 206 818 729
Entity Type	Other Incorporated Entity
ABN Status	Active
ATO Endorsed Charity Type	Not endorsed

**Project Details**

<b>Total Project Cost</b>	\$23,000
<b>Total Amount Requested</b>	\$20,000
<b>Recommendation</b>	<b>Approval</b>
<b>Recommended amount</b>	<b>\$20,000</b>
<b>Assessment Score</b>	70.5 out of 100 (70%)

Established in 2000, the West Australian Indigenous Tourism Operators Council (WAITOC) is a non-profit, membership-based organisation and the peak representative for Aboriginal tours and experiences in Western Australia.

WAITOC's vision is to:

- assist in the creation of a vibrant and authentic Aboriginal tourism industry as a key component of the West Australian tourism industry;
- promote authentic Aboriginal cultural experiences at a state, national and international level; and
- for Western Australia to become the premier destination in Australia for authentic Aboriginal experiences.

**Project Description**

WAITOC has proposed a 16-day itinerary, with the guests attending the World Indigenous Tourism Summit 2020 (WITS 2020) at Crown Perth from the 5-9 April 2020. WAITOC, with support from the State Government, is hosting the biennial, international conference.

WITS 2020 will bring together First Nations representatives from around the world to discuss Aboriginal tourism. The mission of the event is *"empowering opportunity through tourism"* and

*“collaboration, fellowship and the sharing of strong commitment to improving the well-being of Indigenous societies and sacred Mother Earth”*. The conference aims to facilitate cultural development and knowledge sharing. The summit will attract over 300 delegates with focus on Research, Government, Youth and Women in Business.

In addition to the conference, WAITOC have proposed a further 12-day program to allow the guests to engage with local culture, Nyoongar elders and emerging youth leaders, including:

- accommodation with local Whadjuk Nyoongar host families;
- tours including Wadjemup (Rottnest), foreshore tour, Yagan Square, Djarandi Dreaming Night Tour at Elizabeth Quay, Koomal Dreaming Tours and overnight camp experience;
- community interaction including overnight at the Roelands Village, one of the Aboriginal missions in WA, to hear stories on the past, present and future; and
- exposure to local artists, storytellers and creative and cultural practitioners where they can share heritage and further develop opportunities in Aboriginal tourism.

#### **Previous five years City of Perth Support and Acquittals**

<b>Year</b>	<b>Amount</b>	<b>Project</b>
2015	Nil	
2016	Nil	
2017	\$15,000	Aboriginal Tourism Development Initiative Pilot
2018	\$30,000	Aboriginal Tourism Development Initiative
2019	\$30,000	Aboriginal Tourism Export Ready Initiative
	<b><u>\$75,000</u></b>	

#### **FIRST NATIONS EXCHANGE 2020 | Assessment Score Card**

The application was assessed by a three-person assessment panel and the scoring has been averaged for each outcome.

<b><u>ESSENTIAL ASSESSMENT CRITERIA</u></b>	<b><u>SCORE (5)</u></b>
<u>Quality of Proposal (weighting 40%)</u>  <i>To what extent does the applicant demonstrate:</i> - An understanding and appreciation of the project aims? - Provision of high-quality cultural and community engagement activities which represent Perth's unique Whadjuk Nyoongar cultural identity? - That the project fosters meaningful collaborations across the local cultural industries and/or communities? - That the project raises the profile and reputation of the City of Perth as a premier Capital City and cultural leader?	3.75

<ul style="list-style-type: none"> <li>- That the project provides professional development opportunities for the participants from both cities?</li> <li>- That the project contributes to a unique cultural tourism offering for the local, national and international audiences?</li> </ul>	
<u>Capability of Delivery (weighting 30%)</u> <i>To what extent does the applicant demonstrate capacity to manage all aspects of the project?</i>	3.5
<u>Budget (weighting 30%)</u> <i>To what extent are the project plan and budget realistic and value for money?</i>	3.25
<b>TOTAL ASSESSMENT SCORE   70.5 out of 100 (70%)</b>	

### Comments

- WAITOC have successfully delivered programs with the City of Perth in the past and the assessment panel have confidence that WAITOC would be able to successfully deliver this initiative;
- the Assessment Panel agreed that WAITOC are well placed to secure additional financial support to complement the City of Perth funding; and
- an associated benefit of the program is that it will allow WAITOC to showcase Aboriginal tourism businesses.

**FIRST NATIONS EXCHANGE | 2019/20 | KARDA DESIGNS****Applicant Details**

Entity Name	Karda Designs
ABN	69 672 462 399
Entity Type	Individual/Sole Trader
ABN Status	Active
ATO Endorsed Charity Type	Not endorsed

Karda Designs is an Indigenous arts, culture and heritage business managed by Barbara Bynder, a Whadjuk Ballardong woman. Karda Designs has previously produced research and educational projects using art as a vehicle to express the richness and diversity of Aboriginal (particularly Nyoongar) knowledge, culture and heritage. Kara, Cassandra and Rosalyn are Whadjuk Ballardong women working as Yok Moort, a family owned and operated business specialising in the research, sharing and support of Aboriginal arts, culture and heritage.

**Project Details**

<b>Total Project Cost</b>	\$78,204
<b>Total Amount Requested</b>	\$78,204
<b>Recommendation</b>	<b>Decline</b>
<b>Recommended amount</b>	\$0
<b>Assessment Score</b>	67.25 out of 100 (67%)

**Project Description**

Karda Designs and Yok Moort have proposed a program of cultural activities, performances and workshops presented by Nyoongar artists, makers and educators from around Perth.

The applicant proposes the cultural exchange will take place over a two-to-four-week period, commencing with a Welcome to Country as the guests arrive at Perth Airport. Each week would include two workshop/activities, site visits, creative sessions, media opportunities, local artist studio visits and networking opportunities. An intimate closing dinner would close out the program and a smoking ceremony to farewell the guests before departure at the airport.

Proposed workshops and activities include:

- Basket weaving with Sharon Eagan;
- Bush medicine with Viv Hansen (whole day/walking tour);
- Astronomy - dreaming and connections with Noel Nannup;
- West Australian Museum tour for object and artefacts;

- Gallery visits to view aboriginal art;
- Kookaburra club - morning tea;
- Meeting with the Nyoongar Language Centre to discuss language;
- Nyoongar artist tours with Ron Bradfield Jnr;
- Wadjemup with Go Cultural;
- Yarning, singing and storytelling with Wirlomin family group; and
- Community learning and engagement with the Langford Aboriginal Association.

The applicants would source a creative space for the visitors, based on the visiting artists' working medium. It is proposed a mixture of visual artists, musicians and writers will be included.

#### **Previous five years City of Perth Support and Acquittals**

The applicant has not previously received sponsorship from the City of Perth.

#### **FIRST NATIONS EXCHANGE 2020 | Assessment Score Card**

The application was assessed by a three-person assessment panel and the scoring has been averaged for each outcome.

<b><u>ESSENTIAL ASSESSMENT CRITERIA</u></b>	<b><u>SCORE (5)</u></b>
Quality of Proposal (weighting 40%)  <i>To what extent does the applicant demonstrate:</i> <ul style="list-style-type: none"> <li>- An understanding and appreciation of the project aims</li> <li>- Provision of high-quality cultural and community engagement activities which represent Perth's unique Whadjuk Nyoongar cultural identity</li> <li>- That the project fosters meaningful collaborations across the local cultural industries and/or communities?</li> <li>- That the project raises the profile and reputation of the City of Perth as a premier Capital City and cultural leader</li> <li>- That the project provides professional development opportunities for the participants from both cities</li> <li>- That the project contributes to a unique cultural tourism offering for the local, national and international audiences</li> </ul>	4.00
Capability of Delivery (weighting 30%) <i>To what extent does the applicant demonstrate capacity to manage all aspects of the project?</i>	3.88
Budget (weighting 30%) <i>To what extent are the project plan and budget realistic and value for money?</i>	2.00
<b><u>TOTAL ASSESSMENT SCORE   67.25 out of 100 (67%)</u></b>	

#### **Comments**

- The proposed program demonstrates a strong understanding of Aboriginal cultural protocols and the project aims and a high standard of unique cultural and community engagement activities; and

- The proposed budget included (\$78,204) far exceeds the \$20,000 stipulated by the City of Perth. While the applicant notes that other sources of funding could be approached, there is a high risk to the City if the additional funding cannot be sourced. There are also significant fees itemised for administration, consultation and management.

**FIRST NATIONS EXCHANGE | 2019/20 | GOOLAMWIIN****Applicant Details**

Entity Name	Goolamwiin
ABN	32 145 530 746
Entity Type	Family Partnership
ABN Status	Active
ATO Endorsed Charity Type	Not endorsed

Goolamwiin is an Aboriginal cultural organisation that was founded by Trevor and Kerry Stack and is based in Mandurah. Goolamwiin was formed in 2018 to help strengthen individuals and communities by showcasing Nyoongar culture in the tours, experiences, training workshops and programs.

Goolamwiin specialises in:

- Aboriginal Cultural Awareness Training;
- Koorlankas Cultural Reconnection, reconnecting Aboriginal children to their culture;
- Cultural Supervision;
- Youth Mentoring Programs; and
- Bush Cultural Experiences and on-country cultural experiences and overnight camps, delivered on Goolamwiin's property in Yalgorup National Park.

**Project Details**

<b>Total Project Cost</b>	\$20,000
<b>Total Amount Requested</b>	\$20,000
<b>Recommendation</b>	<b>Decline</b>
<b>Recommended amount</b>	\$0
<b>Assessment Score</b>	37.25 out of 100 (37%)

**Project Description**

Goolamwiin proposed the following itinerary for the guests visiting Perth:

- Welcome to Country and Smoking Ceremony;
- Walk in my Shoes – Nyoongar Cultural Awareness Training;
- Bush Cultural Experience, Lake Clifton, Peel Region -an interactive bush experience on country, where the guests will have the opportunity to taste traditional Nyoongar food including native plants and bush foods, and experience making Nyoongar tools and dance;
- Go Cultural tours - tour of Perth and Kings Park;



- Walk in my Shoes – Stolen Generation;
- New Norcia Mission Tour;
- Public Performance coordinated by Walleystack International; and
- Cultural Tour of Mandurah area with Mandjoogoordap Dreaming Tour

### **Previous five years City of Perth Support and Acquittals**

The applicant has not previously received sponsorship from the City of Perth.

### **FIRST NATIONS EXCHANGE 2020 | Assessment Score Card**

The application was assessed by a three-person assessment panel and the scoring has been averaged for each outcome.

<b><u>ESSENTIAL ASSESSMENT CRITERIA</u></b>	<b><u>SCORE (5)</u></b>
Quality of Proposal (weighting 40%)  <i>To what extent does the applicant demonstrate:</i> - An understanding and appreciation of the project aims - Provision of high-quality cultural and community engagement activities which represent Perth's unique Whadjuk Nyoongar cultural identity - That the project fosters meaningful collaborations across the local cultural industries and/or communities? - That the project raises the profile and reputation of the City of Perth as a premier Capital City and cultural leader - That the project provides professional development opportunities for the participants from both cities - That the project contributes to a unique cultural tourism offering for the local, national and international audiences	2.13
Capability of Delivery (weighting 30%) To what extent does the applicant demonstrate capacity to manage all aspects of the project?	2.38
Budget (weighting 30%) To what extent are the project plan and budget realistic and value for money?	1.00
<b><u>TOTAL ASSESSMENT SCORE   37.25 out of 100 (37%)</u></b>	

### **Comments**

- Unfortunately, the applicant had only found out about the sponsorship on the final day, and didn't have time to develop a comprehensive application. The lack of a budget prohibited a full assessment;
- The application proposed cultural offerings that are meaningful and good value and would likely provide an engaging and enriching experience for the visitors and foster deep cultural exchange, however, lacked many of the details required for an adequate assessment of the proposal; and

- The experiences offered by Goolamwiin are of a high-quality, and there may be opportunities to incorporate into WAITOC's programming as they are a member organisation.

**Recommendation:*****That Council:***

1. ***APPROVES a Strategic Event Sponsorship of \$30,000 (excluding GST) to Seven West Media for the 2019 Resources Technology Showcase; and***
2. ***AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the applicant the final list of sponsorship benefits according to the Council approved funding amount.***

FILE REFERENCE:	P1037825#02#01
REPORTING OFFICER:	Virginia Withers, Sponsorship Officer
REPORTING UNIT:	Activation and Cultural Experience
RESPONSIBLE DIRECTORATE:	Economic Development and Activation
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	9 October 2019
ATTACHMENT/S:	Nil

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

**Legislation / Strategic Plan / Policy:**

<b>Legislation</b>	Section 8 of the <i>City of Perth Act 2016</i>
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***City of Perth Act 2016*****Objects of the City of Perth**

8(1)(g) - to strengthen Perth's reputation as an innovative, sustainable and vibrant city that attracts and welcomes all

**Integrated Planning and  
Reporting Framework  
Implications**

**Strategic Community Plan**  
Strategic Priority - Economic

**Policy**

Policy No and Name: 18.13 – Sponsorship and Grants

**Purpose and Background:**

**Applicant Details**

Entity Name	Seven West Media Limited
ABN	91 053 480 845
Entity Type	Australian Public Company
ABN Status	Active
ATO Endorsed Charity Type	Not endorsed

Seven West Media is an Australian integrated media company, with a market presence in broadcast television, magazine and newspaper publishing and online.

**Details:**

<b>Sponsorship Category</b>	Strategic Event Sponsorship
<b>Project Title</b>	2019 Resources Technology Showcase
<b>Project Dates</b>	26 - 28 November 2019
<b>Venue</b>	Perth Convention and Exhibition Centre Elizabeth Quay (Lot 4 and The Landing)
<b>Estimated attendance</b>	15,700
<b>Total Project Cost</b>	\$1,800,000
<b>Total Amount Requested</b>	\$55,000 (3% of the total project budget)
<b>Recommendation</b>	Approval
<b>Recommended amount</b>	<b>\$30,000 (1.5% of the total project budget)</b>
<b>Assessment Score</b>	28 out of 35 (80%)

Seven West Media will host the inaugural Resources Technology Showcase in 2019, supported by Austrade, the Government of Western Australia and mining, oil and gas companies. The event aims to be a public-facing celebration of the technological breakthroughs which have made Australia's resources industry the most innovative and competitive in the world.

Seven West Media will promote the events through an integrated marketing campaign.

**Resources Technology Showcase 2019 Public Exhibition**

Date: 26 - 28 November 2019  
 Venue: Perth Convention and Exhibition Centre  
 Anticipated attendance: 15,000 attendees (including the Elizabeth Quay activations)  
 Ticket price: Free to the public

A free public exhibition of the technology that is transforming the resources industry will be held over two days. Showcase partners include Woodside Energy, BHP, Caterpillar, Curtin University, INPEX, Shell, Chevron, Fortescue Metals Group, Rio Tinto, Risk Management Technologies and IBM.

The exhibition halls at Perth Convention and Exhibition Centre (PCEC) will be transformed by real-life demonstrations of robotics, augmented reality, remote operations and autonomous transport.

The exhibition is designed to reshape public perceptions of the resources industry. Large interactive displays of the technology driving the sector will aim to challenge the perception that the industry is about “*red dust, hi-vis and FIFO*”. The showcase of robotics programs, augmented reality and autonomous haulage initiatives will transform the venue into a technology hub.

Education and career opportunities are key themes of the public exhibition. Seven West Media is subsidising the 2019 WA Department of Education Innovation Summit, allowing 80 schools and 540 educators to be collocated at PCEC for the duration of the event, giving schools a wide audience to demonstrate STEM-based activities. An organised school excursion program will further increase student attendance.

#### Elizabeth Quay Activations

Date:	23 – 30 November 2019
Venue:	Lot 4, Elizabeth Quay
Anticipated attendance:	15,000 attendees (including the Public Exhibition)
Ticket price:	Free-to-the-public

A ten day activation of mining technology will occur at Elizabeth Quay. The precinct will be activated with mining equipment, demonstrations and displays which will put the focus on the city as a centre of excellence in resources technology.

The assembly of a Caterpillar 785 Haulpac truck will be billed as the world's biggest Mechano set and the public will be encouraged to see it and other impressive mining kit. The truck will be constructed onsite so that the public can see its progress. Lot 4 will be transformed into “the Pilbara in the CBD” and organisers will aim to bring to life the scale of mining operations to Perth residents and visitors.

Scitech will create and administer an interactive, education-based program to the estimated 5,000 school children who are expected to attend.

#### Resources Technology Showcase 2019 Conference

Date:	27 – 28 November 2019
Venue:	Perth Convention and Exhibition Centre
Anticipated attendance:	700 attendees
Ticket price:	\$1,500 (Adult); \$1,200 (Concession)

A two-day conference comprising keynote speeches and panel discussions from leading national and international resource executives. The aim of the event is to position Perth as a centre of excellence for the resources industry and showcase how technology is rapidly reshaping the sector.

The conference will focus on how artificial intelligence, augmented reality, robotics and automation is being applied and how industry leaders are adapting to these advancements.

#### **Previous five years City of Perth Support and Acquittals**

While the City of Perth has not previously sponsored this event, the City is a long-term sponsor of the Christmas Pageant which is produced by the same applicant.

Year	Amount	Project
2015	\$140,000	Christmas Pageant
2016	\$150,000	Christmas Pageant
2017	\$120,000	Christmas Pageant
2018	\$120,000	Christmas Pageant
2019	\$120,000	Christmas Pageant
<b>TOTAL</b>	<b>\$650,000.00</b>	

### Sponsorship Benefits

Organisers will provide the following benefits for the requested sponsorship:

The City of Perth would be recognised as a Conference Partner and would receive logo recognition in all communications and collateral related to the Elizabeth Quay activation.

### Strategic Event Sponsorship Assessment Score Card

The application was assessed by a three-person assessment panel and the scoring has been averaged for each outcome.

Essential Assessment Criteria	Score /5
<b>Cultural Outcomes</b>	
To what extent does the event celebrate the diversity of Perth as a capital city?	2.17
<b>Social Outcomes</b>	
To what extent does the event strengthen social cohesion and provide opportunities to connect?	2.33
<b>Civic Outcomes</b>	
To what extent does the event have a point of difference, making it a drawcard to the city, and raising Perth's profile as a premier capital city?	4.17
<b>Economic Outcomes</b>	
Does the event stimulate the local economy and provide opportunities for engagement with local business?	3.83
<b>Organisational Competency</b>	
Does the applicant have a demonstrated capacity to manage all aspects of the event?	4.33
Does the event demonstrate financial viability through evidence of support from other government agencies, business or community organisations?	4.33
<b>Benefits</b>	
Does the event offer adequate benefits/ recognition for the City?	3.00
<b>Subtotal 24.17 out of 35</b>	
<b>Optional Assessment Criteria</b> <i>The below are non-essential criteria (optional) based on goals identified in the Strategic Community Plan. Applicants who can demonstrate their project achieves any of these outcomes can receive additional assessment points for each of these criteria</i>	
To what extent does the event celebrate Aboriginal Culture?	1.50
To what extent does the event create a sense of community in the city or one of its precincts?	
To what extent does the event activate the riverfront or underutilised locations with vibrant activity?	2.33
<b>TOTAL ASSESSMENT SCORE 28 out of 35 (80%)</b>	

**Financial Implications:**

ACCOUNT NO:	PJ 13958098000007901
BUDGET ITEM:	Resources & Energy
BUDGETED AMOUNT:	\$80,000
AMOUNT SPENT TO DATE:	\$50,000
PROPOSED COST:	\$30,000
BALANCE REMAINING:	\$0
ANNUAL MAINTENANCE:	\$0
ESTIMATED WHOLE LIFE COST:	\$0

All figures quoted in this report are exclusive of GST.

**Comments:**

The event supports the Economic Strategic Priorities of the City's Strategic Community Plan, including:

Outcome 1: Strategic economic growth

E.1.1 Position the city for continued business, employment and economic growth

E.1.2 Position the city as a thriving centre of business

- The resource industry continues to be a key pillar of Western Australia's economy and the event will promote Perth as a centre of excellence for the international resources industry;
- The sponsorship aligns with the City's objective to support large scale events such as this which will strengthen and promote the local industry, increase visitors to the City and promote Perth as a capital city leader;
- The conference speakers are of a very high calibre and the application demonstrates considerable support and investment from the business community;
- The assessment panel noted that local bricks and mortar businesses should be prioritised for any pop-up opportunities; and
- The applicant had originally proposed complimentary ticketing to the value of \$15,000 as part of the Sponsorship Benefits (10 delegate passes to the conference and one table of 10 at conference dinner). As the City of Perth does not accept ticketing as part of sponsorship agreements these have been removed and deducted when considering the funding recommendation. A more suitable benefit to be negotiated would include an exhibition space, which allows the City to represent and promote itself to delegates.

**Recommendation:*****That Council:***

1. ***APPROVES a Strategic Arts Sponsorship of \$25,000 (excluding GST) to the West Australian Ballet Company for the Community Dress Rehearsal program; and***
2. ***AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the applicant the final list of sponsorship benefits according to the Council approved funding amount.***

FILE REFERENCE:	P1037135#06
REPORTING OFFICER:	Virginia Withers, Sponsorship Officer
REPORTING UNIT:	Activation and Cultural Experience
RESPONSIBLE DIRECTORATE:	Economic Development and Activation
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	3 October 2019
ATTACHMENT/S:	Nil

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

**Legislation / Strategic Plan / Policy:**

<b>Legislation</b>	Section 8 of the <i>City of Perth Act 2016</i>
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***City of Perth Act 2016*****Objects of the City of Perth**

8(1)(j) - to strike an appropriate balance among civic, economic, social, cultural and environmental considerations



**Integrated Planning and  
Reporting Framework  
Implications**

**Strategic Community Plan**  
Strategic Priority - Social

**Policy**

Policy No and Name: 18.13 – Sponsorship and Grants

**Purpose and Background:**

**Applicant Details**

Entity Name	West Australian Ballet Company Inc
ABN	55 023 843 043
Entity Type	Other Incorporated Entity
ABN Status	Active
ATO Endorsed Charity Type	Charity

West Australian Ballet is the state ballet company of Western Australia. The company was founded in 1952 and is one of the oldest ballet companies in Australia.

**Details:**

<b>Sponsorship Category</b>	Strategic Arts Sponsorship
<b>Applicant</b>	West Australian Ballet Company
<b>Project Title</b>	Community Dress Rehearsals
<b>Project Dates</b>	6 May 2020 – 30 September 2020
<b>Venue</b>	His Majesty's Theatre and State Theatre Centre
<b>Estimated attendance</b>	2,550 (1,750 free-to-the-public and 800 ticketed)
<b>Total Project Cost</b>	\$232,340
<b>Total Amount Requested</b>	\$30,000
<b>Recommendation</b>	Approval
<b>Recommended amount</b>	<b>\$25,000</b>
<b>Assessment Score</b>	43.67 out of 70 (62%)

**Project Description**

West Australian Ballet (WAB)'s mission is to enrich people's lives through dance. WAB run an annual Access Program, a portfolio of transformational programs for disadvantaged community groups as well as an educational outreach program with individuals, schools and ballet schools in metropolitan and regional areas. Key initiatives in the Access Program which bring people into the City of Perth include the Community Dress Rehearsal and School Matinee programs.

**Community Dress Rehearsals**

Date: 6 May 2020 – 30 September 2020  
 Venue: His Majesty's Theatre, Hay Street and the State Theatre Centre  
 Anticipated attendance: 1,750 attendees  
 Ticket price: Complimentary

The Community Dress Rehearsal program offers complimentary tickets for community organisations to attend the final dress rehearsal before the opening night of each main-stage WAB production.

The program aims to provide opportunities for people experiencing hardship, disadvantage, illness, bereavement, domestic violence and community isolation or disconnection, as well as other difficulties or personal challenges, to participate in the arts, to connect with people in need and provide inspiration, happiness and respite.

Participants will be selected through an application process, managed by WAB, to ensure tickets go to those who are most in need, and allow WAB to track the impact of the program. Dates for the 2020 Community Dress Rehearsals are: 6 May, 2 June and 10 September 2020.

### School Matinees

Date: 6 May – 30 September 2020  
 Venue: His Majesty's Theatre, Hay Street and the State Theatre Centre  
 Anticipated attendance: 800 attendees  
 Ticket price: Adult \$35; Concession \$22

Each year approximately 2,000 school students attend a WAB program through the provision of heavily subsidised tickets. WAB data demonstrates the majority of students will not have previously visited His Majesty's Theatre or the State Theatre Centre or experienced professional live theatre. Resources are provided free of charge to schools to enable teachers to connect the performance to the curriculum within their classrooms.

Complimentary tickets will be provided children from schools identified as disadvantaged (16% of the total audience). In 2020, WAB will also introduce a bus subsidy for schools with a high number of students experiencing disadvantage.

### **Previous five years City of Perth Support and Acquittals**

Year	Amount	Project
2015	\$57,253	Season 2015
2016	\$55,000	Season 2016
2017	\$55,000	Great Leaps Program
2018	\$0	
2019	\$20,000	2019 Community Dress Rehearsals
TOTAL	<b><u>\$187,253.00</u></b>	

### **Sponsorship Benefits**

- The City of Perth will be recognised as an Access Partner, and receive recognition on WAB's season programs for three seasons of 2020, Annual Season brochure on the 'Applause' page, Access Program brochure and on the WAB website;
- The City of Perth will be acknowledged via WAB's social media channels and in WAB's digital newsletter ('Straight to the Pointe'); and
- WAB will work with City Officers on content creation opportunities to the City of Perth, such as PR opportunities, Instagram and Facebook posts, blog content and giveaway promos.

**Strategic Arts Sponsorship Assessment Score Card**

The application was assessed by a three-person assessment panel and scoring has been averaged for each outcome.

<b><u>ESSENTIAL ASSESSMENT CRITERIA</u></b>	<b><u>SCORE out of 5</u></b>
Does the project reflect or add value to the City of Perth's strategic objectives, as outlined in the Strategic Community Plan?	2.33
Does the project demonstrate arts and cultural activity of a high calibre, with suitably experienced personnel?	4.50
Does the project deliver arts activity that represents Perth's unique cultural identity?	2.50
Does the project increase opportunities for the community to participate in cultural life and/or identify strategies to widen audience engagement?	4.50
Does the project foster meaningful collaborations across the local arts industry and/or community?	2.67
Does the project contribute to a positive sense of place within the city?	2.33
Does the project raise the profile and reputation of the City of Perth as a premier Capital City and arts industry leader?	2.67
Does the project provide professional development opportunities for local artists and/or cultural workers?	3.00
Does the project attract a broad audience, stimulate the local economy and provide opportunities for engagement with local businesses?	3.17
Does the project support the ongoing development, viability and sustainability of the organisation and the local arts industry?	3.67
Has the applicant demonstrated capacity to manage all aspects of the project?	4.50
Does the project contribute to a unique cultural tourism offering for local, national and international audiences?	1.50
Are the project plan and budget realistic and value for money?	3.50
Does the project demonstrate financial viability through evidence of support from other government agencies, businesses or community organisations?	2.83
<b><u>Sub total 43.67 out of 70</u></b>	
<b><u>OPTIONAL ASSESSMENT CRITERIA</u></b>	
<i>The below are non-essential criteria (optional) based on goals identified in the City of Perth Strategic Community Plan. Applicants who can demonstrate their project achieves any of these outcomes can receive additional assessment points for each of these criteria.</i>	
Does the project activate underutilised locations or locations prioritised for activation by the City in interesting and engaging ways?	0
Does the project celebrate Indigenous culture?	0
Does the project activate places along the riverfront?	0
<b><u>TOTAL ASSESSMENT SCORE   43.67 out of 70 (62%)</u></b>	

**Financial Implications:**

ACCOUNT NO:	13958005000007901
BUDGET ITEM:	Arts Annual Sponsorship
BUDGETED AMOUNT:	\$680,500
AMOUNT SPENT TO DATE:	\$643,000
PROPOSED COST:	\$25,000
BALANCE REMAINING:	\$12,500
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.

**Comments:**

The programs support the strategic priorities of the City's Strategic Community Plan, including:

- S1.1.1 Improve active community participation and connection;
- S 1.1.3 Support and provide opportunities for educational learning; and
- S 3.1.1 Provide support and promote wellbeing of the community.

WA Ballet should be commended for engaging with a considerable number of community organisations. Providing access to arts experiences for people who may not be able to attend otherwise will increase community wellbeing and further promote the value of arts within the community.

**Agenda  
Item 6.6**

**Signing of Memorandum of Understanding with Denpasar City,  
Indonesia**

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**Recommendation:**

***That Council APPROVES the City, by way of the Chair Commissioner (or representative), becoming a signatory to a Memorandum of Understanding with Denpasar City, Indonesia, regarding cooperation on creative and digital economy ecosystems.***

FILE REFERENCE:	P1038698
REPORTING OFFICER:	Erin Sanders, International Engagement Officer
REPORTING UNIT:	Economic Development
RESPONSIBLE DIRECTORATE:	Economic Development and Activation
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	7 October 2019
ATTACHMENT/S:	Attachment 6.6A – Memorandum of Understanding between Denpasar City and City of Perth Attachment 6.6B – Plan of Action between Denpasar City and the City of Perth Attachment 6.6C – Letter of Intent between Denpasar City and City of Perth

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

**Legislation / Strategic Plan / Policy:**

**Legislation**

N/A

***City of Perth Act 2016***

**Objects of the City of Perth**

8(1)(g) - to strengthen Perth's reputation as an innovative, sustainable and vibrant city that attracts and welcomes all

**Policy**

Policy No and Name: N/A

**Purpose and Background:**

In April 2017, the Australian Consul General in Bali, Dr Helena Studdert, met with representatives from the City of Perth to discuss the Consulate's role in Bali and to identify opportunities for possible collaborations between Perth and Indonesia.

Following initial discussions, Dr Studdert advised of an opportunity to progress a cooperative arrangement with Denpasar City around digital start-ups, and creative and digital ecosystems.

Following these discussions, a six-person delegation from Denpasar City, including the Mayor, visited Perth from 22-26 November 2018 to sign a Letter of Intent (Attachment 6.6C). As part of this visit, City Officers also coordinated a visit program that showcased the City's co-working spaces, business incubators, universities and digital ecosystem, as well as tourism and liveability aspects of Perth.

The Memorandum of Understanding (MoU) (Attachment 6.6A) is the next step in solidifying a collaborative working relationship with the respective cities to focus on opportunities that will strengthen the exchange of skills, knowledge, business to business trade opportunities and resources.

**Details:**

Building on the text of the Letter of Intent, the MoU outlines the agreement between the cities regarding collaboration and partnership for:

- Development of the Creative Economy;
- Build Capacity of Human Resources; and
- Development Science and Technology sectors.

To achieve these outcomes, the cities will establish a Joint Working Group to plan, prepare and recommend programs pertaining to this MoU.

This MoU would be in force for an initial period of five years.

**Stakeholder Engagement**

The City has liaised with various stakeholders involved in the local startup and innovation ecosystem regarding the collaboration opportunities with Denpasar including:

- Startup WA;
- Spacecubed;
- Curtin University;
- Australia Indonesia Business Council;
- Office of the Minister for Asian Engagement;
- Department of Jobs, Tourism, Science and Innovation

All have expressed support for the City's relationship with Denpasar and are positive about the opportunities this collaboration may create.

### **Financial Implications:**

ACCOUNT NO:	1370805700000
BUDGET ITEM:	Travel Expenses
BUDGETED AMOUNT:	\$15,000
AMOUNT SPENT TO DATE:	\$358
PROPOSED COST:	\$2,000
BALANCE REMAINING:	\$12,642
ANNUAL MAINTENANCE:	\$2,000
ESTIMATED WHOLE LIFE COST:	\$10,000

The costing outline above includes a conservative estimate of expenses for City of Perth representatives to travel to Denpasar twice for the annual Joint Working Group meetings as well as the potential MoU signing ceremony.

It is intended that where possible/appropriate, ongoing communications and discussions will be conducted via relevant technology.

Any specific programs or initiatives arising from the MoU would be subject to their own business case and subsequent relevant approvals.

### **Comments**

Australia is working towards strengthening the vast potential of the bilateral economic partnership by building on the ASEAN-Australia-New Zealand Free Trade Agreement and creating the Indonesia-Australia Comprehensive Economic Partnership Agreement (IA-CEPA).

In line with the IA-CEPA, this MoU would increase the level of collaboration and knowledge exchange related to start-ups and innovation between Perth and Denpasar which will benefit the stakeholders and residents of each of the respective cities. The City's role as a facilitator in helping to foster and encourage this collaboration will also strengthen connections and relationships between the City and local stakeholders.

Progressing this MoU between Perth and Denpasar is in strong alignment with the City's economic development objectives, which prioritise increased engagement and economic activities with cities within the Indian Ocean Rim region.

Similarly, the Western Australian Government has just released their Asian Engagement Strategy 2019-2030 which commits the State Government to deepening connections with "the world's most exciting region." As per the market snapshots outlined in this strategy, Indonesia consistently ranks in the top 10 export markets, international visitors and migrant source countries.

Initiatives such as this will help to position Perth as a key destination for future Indonesian investment.

Finally, execution of the MoU in 2019 would also capitalize on the 70<sup>th</sup> Anniversary of diplomatic relations between Australia and Indonesia as an example of partnership and collaboration between the two nations and their citizens.

It is recommended the City progress and sign the Memorandum of Understanding in collaboration with the Denpasar City Government.



**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE CITY GOVERNMENT OF DENPASAR  
BALI PROVINCE, THE REPUBLIC OF INDONESIA  
AND  
THE CITY OF PERTH, WESTERN AUSTRALIA,  
CONCERNING  
CREATIVE ECONOMY ECOSYSTEMS**

The City Government of Denpasar, Bali Province, the Republic of Indonesia and the City of Perth, Western Australia, hereinafter singularly referred to as “the party” and collectively referred to as “the parties”;

**RECOGNIZING** the existence of friendly partnership and cooperation between the Republic of Indonesia and the Commonwealth Australia;

**NOTING** the Letter of Intent between the City Government of Denpasar, Bali Province, the Republic of Indonesia and the City of Perth, Western Australia concerning Creative Economy Ecosystems signed by the Parties on 26 November 2018 in Perth;

**DESIRING** to improve friendly relationship and cooperation between the parties through the establishment of intergovernmental and inter-social relationship;

**CONSIDERING** the importance of equality and mutually beneficial principle;

**PURSUANT** to the prevailing laws and regulations in respective countries;

Have agreed as follows:

**Article 1**

**Objective**

The objective of this Memorandum of Understanding (MoU) is to establish Cooperation between the Parties in order to collaborate in initiatives that support the development of creative economy ecosystem through exchanges and collaboration of skills, knowledge and resources between the two cities.

**Article 2**

**Scope of Cooperation**

The parties have agreed the scopes of cooperation of this MoU are as follows:

- a. Creative Economy;
- b. Business incubator program and curriculum; and
- c. Knowledge sharing and technology development;

### **Article 3**

#### **Technical Arrangement**

1. To facilitate the implementation of this MoU, the Parties shall conclude arrangements within the terms of this MoU, which shall cover the scope of cooperation as provide in Article 2;
2. Such arrangements shall be in conformity with this MoU, and shall specify the programs or project schedule, personnel involved, financial arrangement, responsibilities undertaken by the Parties and other necessary details;
3. Subject to mutual written consent of the Parties, either Party may invite relevant third parties to take part in the implementation of the MoU as started in Article 2 as well as to arrange the involvement of third parties in each programs to create the mutually beneficial cooperation in both city;
4. The Action Plan as referred in the paragraph 1 should be signed no later than 6 (six) months after the signing of this MoU.

### **Article 4**

#### **Funding**

Expenses arising out of the implementation of this MoU shall be borne by each Party and subject to the availability of funds and personnel.

### **Article 5**

#### **Joint Working Group**

1. The parties shall establish a Joint Working Group to plan, prepare and recommend programs as well as to monitor and evaluate the progress of cooperation under this MoU;
2. The members of the Joint Working Group will consist of representatives of the parties and related government institutions. When needed, the Joint Working Group may invite participation of representatives of the private sector subject to mutual written consent of the parties;
3. The Joint Working Group will meet annually or otherwise as agreed, alternately in Denpasar or Perth. If the annual meeting could not be held in certain circumstances, document shall be exchanged in lieu of such meeting.

### **Article 6**

#### **Confidentiality**

If either Party wishes to disclose confidential data and/or information provided by the other Party for the implementation of this MoU, the disclosing Party shall obtain a written consent from the other Party prior to the disclosure of such data and/or information.

## **Article 7**

### **Limitation of Personnel Activities**

1. The Parties shall ensure that their personnel engaged in activities under this MoU shall comply with the laws and regulations and respect the sovereignty of both countries by refraining from conducting activities inconsistent with the objective of this MoU.
2. In the event of each Party's staffs or experts violate paragraph 1 (one) of this Article, the other Party may terminate this MoU and its programs under the scope of cooperation.

## **Article 8**

### **Settlement of Differences**

Any differences arising out of the interpretation or implementation of this MoU shall be settled amicably through diplomatic channel by means of consultation and/or negotiation between the Parties.

## **Article 9**

### **Amendment**

1. This MoU may be amended at any time in writing by mutual consent of the Parties. Concerned Party shall notify the other Party concerning the amendment through diplomatic channel. Such amendments shall enter into force on such date as may be determined by the Parties and shall form an integral part of this MoU;
2. Any amendment shall not prejudice the rights and obligations arising from or based on this MoU prior to the date of such amendment.

## **Article 10**

### **Entry into Force, Duration and Termination**

1. This MoU shall enter into force on the date of its signing;
2. This MoU shall be in force for a period of 5 (five) years and may be extended by mutual written consent of the Parties through diplomatic channel;
3. This MoU may be terminated by either party by giving 6 (six) months prior notice in writing to the other Party. Should this MoU be terminated, all arrangements or ongoing programs and activities made under this MoU shall remain in effect until their completion unless agreed otherwise by the Parties.

**IN WITNESS WHEREOF**, the undersigned, have signed this MoU.

**DONE AND SIGNED** duplicate in ..... on ..... in Indonesian and English languages, all texts being equally authentic. In case of any difference in interpretation of this MoU, the English text shall prevail.

**FOR THE CITY OF PERTH,**

**FOR THE CITY GOVERNMENT OF  
DENPASAR, BALI PROVINCE,  
THE REPUBLIC OF INDONESIA**

**ANDREW HAMMOND**  
**CHAIR COMMISSIONER**

**I.B. RAI DHARMAWIJAYA MANTRA**  
**MAYOR**

## PLAN OF ACTION

### MOU DENPASAR - PERTH

No	Cooperation Implementation Unit	Scope	Activities	Benefit Recipients	Output	Sources of Financing	Implementation Period	Initiatives
1	Regional Planning and Development Denpasar City	Creative economic ecosystem	The exchange program pioneering entrepreneurs and business owners (Start Up)	Denpasar City Government	Denpasar City Government in creating a creative economic ecosystem as a focus of creative industries based on local culture can be achieved	Both Cities	5 Years	
			Sharing knowledge and technology owned by the city of Perth	Denpasar City Government	Perth is known for its vocational schools whose alumni can work immediately, and the development of Perth's young start-up can be adopted by the Denpasar City Government in creating a creative economic ecosystem	Both Cities	5 Years	Perth can provide information regarding our Smart Cities projects – including open data portal and Smarter Planning Perth program
2	Denpasar City Tourism Office	Creative economy	Creating creative economic programs	Denpasar City Government	The Denpasar City and the City of Perth can work together in developing the creative economy and empowering the creative community so that it can support the tourism industry and creative industries	Both Cities	5 Years	Perth can promote and encourage West Tech Fest including opportunities for Denpasar startups to attend

3	Denpasar City Communication and Information Agency	Knowledge and Technology	Capacity Building to the creative economic community or students / students and the public about the awareness of the creative economic ecosystem	Denpasar City Government	The City of Perth can help Denpasar City in increasing awareness of the mindset of the creative economic ecosystem	Both Cities	5 Years	Perth can assist for Industry leaders and Academics to hold workshops in Denpasar (for example Rohan from Curtin University)
4	Economic Section and SDA Setda Denpasar city	Young entrepreneurship and start up	Apprenticeship of Entrepreneurs / Start up from Denpasar City to Perth City	Denpasar City Government	Increased young start-up in Denpasar	Both Cities	5 Years	
			Start up apprenticeship at the Primakara Denpasar College of Technology or in the Joint Working Room	Perth City Government	Opening of global access for Perth's business pioneers	Both Cities	5 Years	

LETTER OF INTENT  
BETWEEN  
THE CITY GOVERNMENT OF DENPASAR  
BALI PROVINCE, THE REPUBLIC OF INDONESIA  
AND  
THE CITY GOVERNMENT OF PERTH  
AUSTRALIA  
ON  
CREATIVE ECONOMY ECOSYSTEMS

The City Government of Denpasar, Bali Province, the Republic of Indonesia and the City Government of Perth, Australia, hereinafter referred as "the Parties";

**Desiring** to establish friendly relationship between two cities, and to develop mutual understanding as well as favorable cooperation between their citizens;

**Recognizing** the importance of the principles of equality and mutual benefit;

**Pursuant** to the prevailing laws and regulations of their respective countries;

**Do hereby declare** their intention to collaborate in initiatives that support the development of creative economy ecosystem through exchanges and collaboration of skills, knowledge and resources between the two cities, in the following fields:

1. Creative Economy;

Through the creation of an entrepreneur and startup founders exchange program between the city of Perth and Denpasar.

2. Business incubator program and curriculum;

Facilitating and encouraging collaboration and connections between coworking spaces and incubator programs in the city of Perth and Denpasar.

3. Knowledge sharing and technology development;

Engaging in regular knowledge exchange and information sharing regarding initiatives that helps to develop each cities innovation ecosystem.

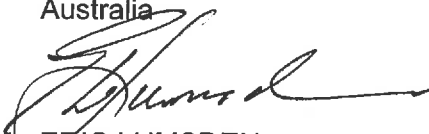
The implementation of this cooperation will be based on agreed areas and will be followed by the signing of Memorandum of Understanding (MoU) and to be signed by the Parties no later than 1 (one) year after the signing of this document.

**Done in duplicate** in Perth, Australia on November 26 2018, in two sets of original copies, one each in Indonesian and English, all texts are being equally authentic.

for the City Government of Denpasar,  
Bali Province  
the Republic of Indonesia,

  
IDA BAGUS RAI DHARMAWIJAYA MANTRA  
MAYOR OF DENPASAR

for The City Government of Perth  
Australia

  
ERIC LUMSDEN  
CHAIR OF COMMISSIONERS

PERNYATAAN KEHENDAK  
ANTARA  
PEMERINTAH KOTA DENPASAR  
PROVINSI BALI, REPUBLIK INDONESIA  
DAN  
PEMERINTAH KOTA PERTH  
AUSTRALIA  
MENGENAI  
EKOSISTEM EKONOMI KREATIF

Pemerintah Kota Denpasar, Provinsi Bali, Republik Indonesia, dan Pemerintah Kota Perth, Australia, selanjutnya disebut sebagai "Para Pihak";

**Berkeinginan** untuk membentuk hubungan yang baik antara kedua kota dan membangun rasa saling pengertian dan kerja sama yang menguntungkan bagi masyarakat kedua kota;

**Mengakui** pentingnya prinsip persamaan dan saling menguntungkan;

**Tunduk** pada hukum dan peraturan yang berlaku di kedua negara;

**Dengan ini menyatakan** kehendak Para Pihak dalam membentuk kemitraan dan kerja sama sebagai dasar pengembangan ekosistem ekonomi kreatif melalui pertukaran dan kolaborasi keterampilan, pengetahuan dan sumber daya di antara kedua kota tersebut, dalam bidang-bidang berikut:

1. Ekonomi kreatif;

Dengan penciptaan program pertukaran wirausaha dan pemilik usaha rintisan antara kota Perth dan Denpasar.

2. Pengembangan program dan kurikulum inkubator bisnis;

Memfasilitasi dan mendorong kolaborasi dan hubungan antara ruang kerja bersama dan program inkubator di kota Perth dan Denpasar.

3. Pengembangan pengetahuan dan teknologi;

Kota Perth dan Denpasar terlibat dalam pertukaran pengetahuan dan berbagi informasi secara biasa mengenai inisiatif yang membantu mengembangkan ekosistem inovasi masing-masing kota.

Pelaksanaan kerja sama tersebut akan didasarkan pada bidang-bidang yang telah disetujui dan akan ditindaklanjuti dalam penandatanganan Memorandum Saling Pengertian (MSP) yang akan ditandatangani Para Pihak tidak lebih dari 1 (satu) tahun setelah penandatanganan dokumen ini.

**Dibuat secara duplikat** di Perth, Australia pada tanggal 26 Nopember 2018 dalam 2 (dua) dokumen asli, masing-masing dalam bahasa Indonesia dan bahasa Inggris, semua naskah memiliki otentitas yang sama.

untuk Pemerintah Kota  
Denpasar, Provinsi Bali  
Republik Indonesia



IDA BAGUS RAI DHARMAWIJAYA MANTRA  
WALIKOTA DENPASAR

untuk Pemerintah Kota  
Perth  
Australia



ERIC LUMSDEN  
CHAIR OF COMMISSIONERS



**Agenda  
Item 6.7**

**New Lease – “Amisa Café” Shop 1, Pier Street Car Park, 88 – 96  
Murray Street, Perth**

**Recommendation:**

***That Council:***

1. ***APPROVES and agrees to a lease between the City of Perth and Behroozali Abdolkarimi Trading as “Amisa Café” over Shop 1, Pier Street Car Park, 88 – 96 Murray Street, Perth in accordance with the commercial terms and conditions detailed in Attachment 6.7A;***
2. ***APPROVES the advertising of the new lease under the commercial terms and conditions detailed in Attachment 6.7A, in accordance with Section 3.58 of the Local Government Act 1995, to be advertised in the West Australian public notices, the public notice boards at Council House and the City of Perth library;***
3. ***AUTHORISES the Chief Executive Officer to finalise the Lease Agreement without further reference to Council, in the event that no submissions are received.***

FILE REFERENCE:	P1037542-2
REPORTING OFFICER:	Paul Warren, Senior Property Assets Officer
REPORTING UNIT:	Properties
RESPONSIBLE DIRECTORATE:	Infrastructure and Operations Alliance
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	6 September 2019
ATTACHMENT/S:	Attachment 6.7A – Schedule to Lease, Shop 1 Pier Street, Perth Attachment 6.7B – Survey Plan, Shop 1 Pier Street Perth

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

## **Legislation / Strategic Plan / Policy:**

### **Legislation**

Section 3.58 of *Local Government Act 1995*  
*Commercial Tenancy (Retail Shops) Agreement Act 1985*  
*Land Administration Act (WA) 1997*

### ***City of Perth Act 2016***

#### **Objects of the City of Perth**

8(1)(i) - to develop and maintain collaborative inter-governmental relationships with a view to improve the City of Perth

### **Integrated Planning and Reporting Framework Implications**

**Strategic Community Plan**  
Strategic Priority - Economic

### **Policy**

Policy No and Name: 9.10 - Management of Leases

## **Purpose and Background:**

The proponent, Behroozali Abdolkarimi Trading as “Amisa Café”, has conditionally entered into a new 5 + 5 year Retail Lease Agreement with the City of Perth for the Premises known as Shop 1, Pier Street Car Park, 88 – 96 Murray Street, Perth WA.

## **Details:**

Following a successful marketing campaign, the City of Perth was approached by the proponent to potentially lease the currently vacant retail tenancy.

The proponent is an experienced local café operator and their application is considered sound and a low financial risk after completion of the City’s independent financial risk assessment process.

Following an independent current market rental valuation of the subject premises and a period of negotiations with the proponent, the City has agreed the commercial terms of the lease transaction subject to formal Council approval.

The City holds a valuation dated 12 August 2019 undertaken on comparable similar uses and determining that the current market rent for the subject premises is \$25,380 per annum (\$450 per square meter per annum).

It is proposed that the new lease will be formalised by a net lease using the City’s standard Retail Lease Agreement with the rent agreed at \$24,252 per annum (\$430 per square meter per annum), and the estimated Variable Outgoings agreed at \$6,127.30 per annum (\$108.64 per square meter per annum).

A copy of the schedule to the lease for this transaction are attached to this report as Attachment 6.7A along with a copy of the new Brook & Marsh Survey Plan for the subject premises as Attachment 6.7B.

All figures quoted in this report are exclusive of GST.

**Financial Implications:**

Council approval of the transaction will result in Rental income to the City of Perth of \$24,252 per annum (\$430 per square meter per annum) Variable Outgoings income is currently estimated at \$6,127.30 per annum (\$108.64 per square meter per annum).

Note that this income stream is currently within the 2019/20 budget.

**Comments:**

The proposal is supported as a very good commercial outcome in a challenging retail environment and will enhance the commercial vibrancy of this area of the Perth CBD.

## SCHEDULE

<b>Landlord:</b>	City of Perth 27 St Georges Terrace PERTH WA 6000
<b>Tenant:</b>	Behroozali Abdolkarimi 76 Reynolds Road <b>MOUNT PLEASANT WA 6153</b>
<b>Premises - Land:</b>	Lots 124 and 125 on Diagram 2533 and Lot 123 on Diagram 1800, being the whole of the land contained in Certificate of Title Volume 1580 Folio 686.
<b>Leased Premises:</b>	Shop 1, Pier Street Car Park comprising of 56.40sqm, as delineated on the attached Brook and Marsh Survey Plan dated 8 January 2018.
<b>Initial Term:</b>	Five (5) years.
<b>Lease Commencement Date:</b>	TBA
<b>Lease Expiry Date:</b>	TBA
<b>Further Term/s:</b>	One (1) further term of Five (5) years from the completion of the Lease Term.
<b>Net Rent:</b>	\$430.00 psmpa (\$24,252.00 per annum)
<b>Rent Free Period:</b>	A Net Rent-Free Period is to apply for a period of three (3) months from Lease Commencement Date.
<b>Rent Review</b>	Annual to CPI (Perth) with a Market Review every five (5) years including options.
<b>Permitted Use:</b>	Retail – Coffee Shop
<b>Variable Outgoings:</b>	Currently estimated at \$108.64 psmpa \$6,127.30 per annum.
<b>Prescribed Rate:</b>	A 10% per annum penalty interest rate will apply for any monies owing by the Tenant.
<b>Bank Guarantee:</b>	Equivalent to two (2) months gross rent (including GST) as security for the performance of its obligations.  The Bank Guarantee shall be provided on or before the Lease Commencement Date or execution of the Lease document whichever is the earlier. This sum shall only be reviewed as at the commencement of the Option.

**Special Conditions:**

**For the purposes of clarity –**

**1) Council and Development Approval**

**For the purposes of clarity, the Tenant acknowledges that all commercial terms offered are subject to formal Council Approval and WAPC, MRA and Ministerial consent if required.**

**2) Status of Premises**

The Tenant acknowledges the current state of repair and condition of the Premises at the Commencement Date, and agrees to yield up and deliver the Premises at the Lease Expiry Date in a state of repair and condition consistent with its leasehold obligations, fair and wear and tear excepted.

**3) Lease Documentation**

The Landlord's standard commercial lease agreement will apply based upon the previous Lease Agreement, prepared by the Landlord's solicitor's and provided to the Tenant for review and comment.

Each party to bear their own legal costs in that regard.

*Independent legal advice should be sought by each party in order to understand their legal obligations prior to execution of the lease documentation.*



ACN 105 338 501  
ABN 70 105 338 501

**Bill France (Director)**  
L.S., B.App.Sc.Surv.

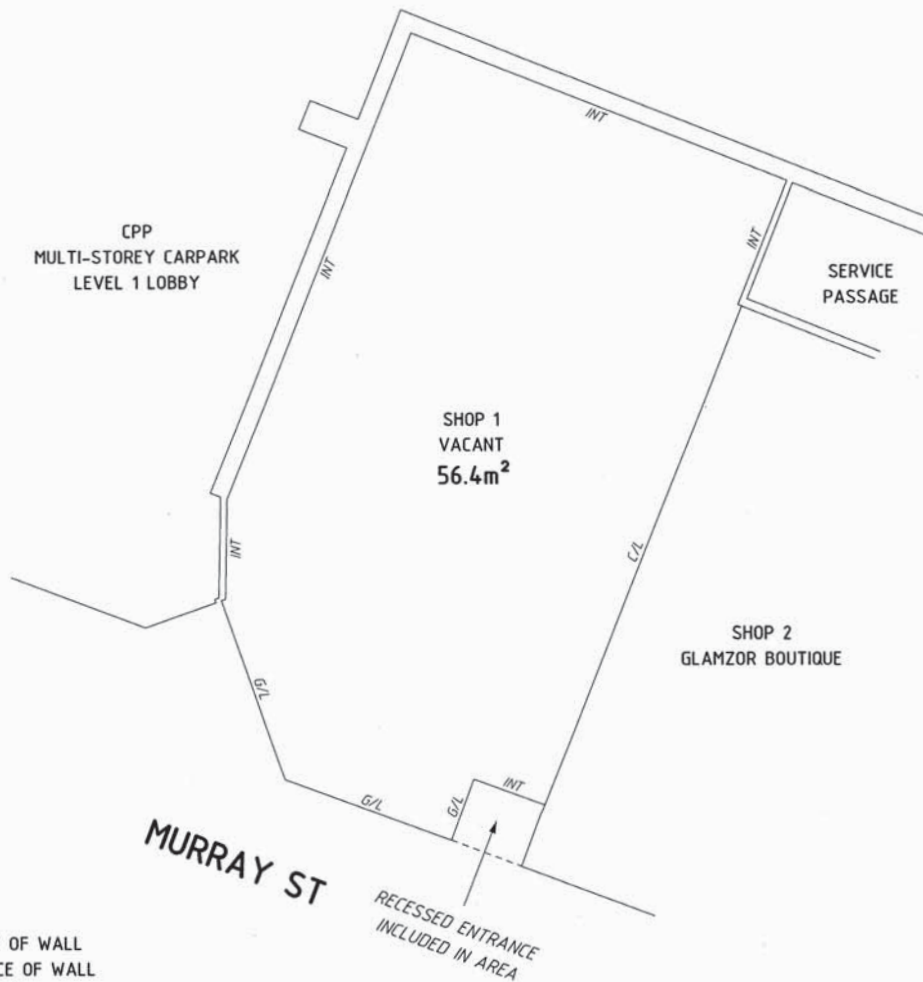
# LETTABLE AREA SURVEY PIER STREET 87-89 PIER STREET, PERTH

GROSS LETTABLE AREA RETAIL  
SECTION 1 OF THE P.C.A. 1997

DATE: 8th JANUARY 2018

SCALE: 1:100

BM: 17354



## NOTES:

INT - INTERNAL FACE OF WALL  
EXT - EXTERNAL FACE OF WALL  
C/L - CENTRE OF WALL  
G/L - GLASS

**Agenda  
Item 6.8**

**New Lease – “The Lucky Charm Express” Shop 7, City Station  
Concourse, 378 Wellington Street, Perth**

**Recommendation:**

***That Council:***

1. ***APPROVES and agrees to a lease between the City of Perth and The Lucky Charm Express over Shop 7, City Station Concourse, 378 Wellington Street, Perth in accordance with the commercial terms and conditions detailed in Attachment 6.8A;***
2. ***APPROVES the advertising of the new lease under the commercial terms and conditions detailed in Attachment 6.8A, in accordance with Section 3.58 of the Local Government Act 1995, to be advertised in the West Australian public notices, the public notice boards at Council House and the City of Perth library;***
3. ***AUTHORISES the Chief Executive Officer to finalise the Lease Agreement without further reference to Council, in the event that no submissions are received.***

FILE REFERENCE:	P1026031
REPORTING OFFICER:	Paul Warren, Senior Property Assets Officer
REPORTING UNIT:	Properties
RESPONSIBLE DIRECTORATE:	Infrastructure and Operations Alliance
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	26 September 2019
ATTACHMENT/S:	Attachment 6.8A – Schedule to Lease – Shop 7, City Station Concourse Attachment 6.8B – Survey Plan – Shop 7, City Station Concourse

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

**Legislation / Strategic Plan / Policy:****Legislation**

Section 3.58 of *Local Government Act 1995*  
*Commercial Tenancy (Retail Shops) Agreement Act 1985*

***City of Perth Act 2016*****Objects of the City of Perth**

8(1)(i) - to develop and maintain collaborative inter-governmental relationships with a view to improve the City of Perth

**Integrated Planning and Reporting Framework Implications**

**Strategic Community Plan**  
 Strategic Priority - Economic

**Policy**

Policy No and Name: 9.10 - Management of Leases

**Purpose and Background:**

The proponent, The Lucky Charm Express, a current Tenant of the City of Perth, has conditionally entered into a new 5 + 5 year Retail Lease Agreement with the City of Perth for the premises known as Shop 7, City Station Concourse, 378 Wellington Street, Perth.

**Details:**

The City was approached by the in-situ tenant of the premises with a formal request to consider renewing their lease agreement for a further term as their lease agreement is currently holding over upon a month to month basis.

Following a market rental valuation of the subject premises and a period of negotiations with the proponent, the City has agreed the commercial terms of the lease subject to formal Council approval. This market valuation dated 1 August 2019 was undertaken on comparable similar uses and determined that the current market rent for the subject premises is \$54,100 per annum (\$1,000 per square meter per annum). This falls within concourse property values ranging between \$699 and \$2,681 per square meter per annum.

The first proposed offer to the tenant is that the new lease will be a net lease using the City's standard Retail Lease Agreement with the rent at a market rate of \$54,100 per annum (\$1,000 per square meter per annum), the storage rent is agreed at \$1,900 per annum (\$200.00 per square meter per annum) and the estimated Variable Outgoings agreed at \$3,859.49 per annum (\$71.34 per square meter per annum).

A copy of the schedule to the lease is attached to this report as Attachment 6.8A along with a copy of the new Brook & Marsh Survey Plan for the subject premises as Attachment 6.8B.

All figures quoted in this report are exclusive of GST.



**Financial Implications:**

Council approval of the transaction will result in:

- Rental income to the City of Perth of \$54,100 per annum (\$1,000 per square meter per annum)  
Storage rental income of \$1,900 per annum (\$200 per square meter per annum); and
- Variable Outgoings income is currently estimated at \$3,859.49 per annum (\$71.34 per square meter per annum).

Note that this income stream is currently within the 2019/20 budget.

**Comments:**

The proposal is supported as a very good commercial outcome in a challenging retail environment and will enhance the commercial vibrancy of this area of the Perth CBD.

## SCHEDULE

<b>Landlord:</b>	City of Perth 27 St Georges Terrace PERTH WA 6000
<b>Tenant:</b>	The Lucky Charm Express Shop 7/378 Wellington Street <b>PERTH WA 6000</b>
<b>Premises - Land:</b>	Part of Lot 969 on Deposited Plan 217521 as comprised and described in Crown Land Title LR3123 Folio 385.
<b>Leased Premises:</b>	Shop 7, City Station Concourse comprising of 54.10sqm, as delineated on the attached Brook and Marsh Survey Plan dated 18 December 2017.  STR – 7, Storage Area comprising of 9.5sqm, as delineated on the attached Brook and Marsh Survey Plan dated 18 December 2017.
<b>Initial Term:</b>	Five (5) years.
<b>Lease Commencement Date:</b>	TBA
<b>Lease Expiry Date:</b>	TBA
<b>Further Term/s:</b>	One (1) further term of Five (5) years from the completion of the Lease Term.
<b>Net Rent:</b>	\$1,000.00.00 psmpa (\$54,100.00 per annum)
<b>Storage Rent:</b>	\$200.00 psmpa (\$1,900.00 per annum)
<b>Rent Free Period:</b>	A Net Rent-Free Period is to apply for a period of three (3) months from Lease Commencement Date.
<b>Rent Review</b>	Annual to CPI (Perth) with a Market Review every five (5) years including options.
<b>Permitted Use:</b>	Retail Newsagency including all usual newsagency lines, magazines, gifts, stationery, bill paying, confectionery and drinks, photocopying and laminating and image reproduction services, dry cleaning agency and any other item in conjunction with The Lucky Charm and its Rewards Promotions.
<b>Variable Outgoings:</b>	Currently estimated at \$71.34 psmpa \$3,859.49 per annum.
<b>Prescribed Rate:</b>	A 10% per annum penalty interest rate will apply for any monies owing by the Tenant.
<b>Bank Guarantee:</b>	Equivalent to two (2) months gross rent (including GST) as security for the performance of its obligations.

The Bank Guarantee shall be provided on or before the Lease Commencement Date or execution of the Lease document whichever is the earlier. This sum shall only be reviewed as at the commencement of the Option.

**Special Conditions:**

**For the purposes of clarity –**

**1) Council and Development Approval**

**For the purposes of clarity, the Tenant acknowledges that all commercial terms offered are subject to formal Council Approval and WAPC, MRA and Ministerial consent if required.**

**2) Status of Premises**

The Tenant acknowledges the current state of repair and condition of the Premises at the Commencement Date, and agrees to yield up and deliver the Premises at the Lease Expiry Date in a state of repair and condition consistent with its leasehold obligations, fair and wear and tear excepted.

**3) Lease Documentation**

The Landlord's standard commercial lease agreement will apply based upon the previous Lease Agreement, prepared by the Landlord's solicitor's and provided to the Tenant for review and comment.

Each party to bear their own legal costs in that regard.

*Independent legal advice should be sought by each party in order to understand their legal obligations prior to execution of the lease documentation.*



ACN 105 338 501  
ABN 70 105 338 501

**Bill France (Director)**  
L.S., B.App.Sc.Surv.

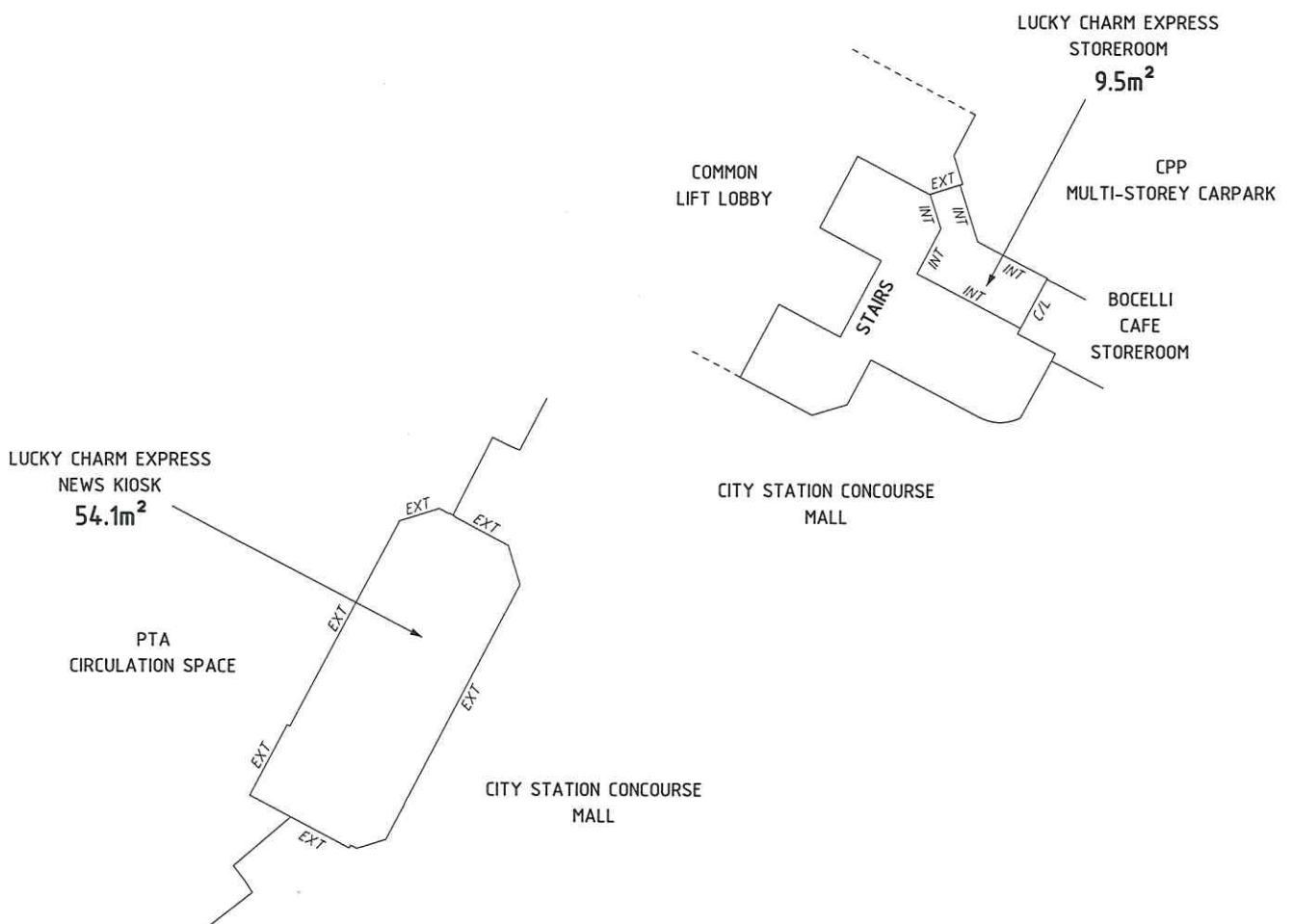
# LETTABLE AREA SURVEY CITY STATION CONCOURSE 376-420 WELLINGTON STREET PERTH

GROSS LETTABLE AREA RETAIL  
SECTION 1 OF THE P.C.A. 1997

DATE: 18th DECEMBER 2017

SCALE: 1:250

BM: 17331



## NOTES:

INT - INTERNAL FACE OF WALL  
EXT - EXTERNAL FACE OF WALL  
C/L - CENTRE OF WALL  
G/L - GLASS

**Agenda  
Item 6.9**

**New Lease – “Mad Kitchen” Shop 4, City Station Concourse, 378  
Wellington Street, Perth**

**Recommendation:**

***That Council:***

1. ***APPROVES and agrees to a lease between the City of Perth and Ha-Lu Tapas Pty Ltd ATF YAZ Trust Trading as Mad Kitchen over Shop 4, City Station Concourse, 378 Wellington Street, Perth in accordance with the commercial terms and conditions detailed in Attachment 6.9A;***
2. ***APPROVES the advertising of the new lease under the commercial terms and conditions detailed in Attachment 6.9A, in accordance with Section 3.58 of the Local Government Act 1995, to be advertised in the West Australian public notices, the public notice boards at Council House and the City of Perth library;***
3. ***AUTHORISES the Chief Executive Officer to finalise the Lease Agreement without further reference to Council, in the event that no submissions are received.***

FILE REFERENCE:	P1026030
REPORTING OFFICER:	Paul Warren, Senior Property Assets Officer
REPORTING UNIT:	Properties
RESPONSIBLE DIRECTORATE:	Infrastructure and Operations Alliance
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	5 September 2019
ATTACHMENT/S:	Attachment 6.9A – Schedule to Lease – Shop 4, City Station Concourse Attachment 6.9B – Survey Plan – Shop 4, City Station Concourse

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

## **Legislation / Strategic Plan / Policy:**

### **Legislation**

Section 3.58 of *Local Government Act 1995*  
*Commercial Tenancy (Retail Shops) Agreement Act 1985*

### ***City of Perth Act 2016***

#### **Objects of the City of Perth**

8(1)(i) - to develop and maintain collaborative inter-governmental relationships with a view to improve the City of Perth

### **Integrated Planning and Reporting Framework Implications**

#### **Strategic Community Plan**

Strategic Priority - Economic

### **Policy**

Policy No and Name: 9.10 - Management of Leases

## **Purpose and Background:**

The proponent, Ha-Lu Tapas Pty Ltd ATF YAZ Trust Trading as “Mad Kitchen”, a current Tenant of the City of Perth, has conditionally entered into a new 5 + 5 year Retail Lease Agreement with the City of Perth for the premises known as Shop 4, City Station Concourse, 378 Wellington Street, Perth.

## **Details:**

The City was approached by the in-situ tenant of the premises with a formal request to consider renewing their lease agreement for a further term as their lease agreement is currently holding over upon a month to month basis.

Following a market rental valuation of the subject premises and a period of negotiations with the proponent, the City has agreed the commercial terms of the lease subject to formal Council approval. This market valuation dated 1 August 2019 was undertaken on comparable similar uses and determining that the current market rent for the subject premises is \$35,400 per annum (\$800.00 per square meter per annum). This falls within concourse property values ranging between \$699 and \$2,681 per square meter per annum.

The City was able to negotiate a rent starting at \$800 per square meter and settling at \$750 per square meter in order to secure the tenant. This is considered a favourable commercial outcome in the current challenging Perth retail leasing market.

It is proposed that the new lease will be a net lease using the City’s standard Retail Lease Agreement with the rent agreed at \$33,225 per annum (\$750 per square meter per annum), the storage rent is agreed at \$700 per annum (\$200 per square meter per annum) and the estimated Variable Outgoings agreed at \$3,160.36 per annum (\$71.34 per square meter per annum).

A copy of the schedule to the lease is attached to this report as Attachment 6.9A along with a copy of the new Brook & Marsh Survey Plan for the subject premises as Attachment 6.9B.

All figures quoted in this report are exclusive of GST.

**Financial Implications:**

Council approval of the transaction will result in:

- Rental income to the City of Perth of \$33,225.00 per annum (\$750.00 per square meter per annum) Storage rental income of \$700 per annum (\$200 per square meter per annum); and
- Variable Outgoings income is currently estimated at \$3,160.36 per annum (\$71.34 per square meter per annum).

Note that this income stream is currently within the 2019/20 budget.

**Comments:**

The proposal is supported as a very good commercial outcome in a challenging retail environment and will enhance the commercial vibrancy of this area of the Perth CBD.

## SCHEDULE

<b>Landlord:</b>	City of Perth 27 St Georges Terrace PERTH WA 6000
<b>Tenant:</b>	Ha-Lu Tapas Pty Ltd ATF YAZ Trust T/As Mad Kitchen 8 Duff Place BOORAGOON WA 6164 ABN: 51 427 032 556
<b>Premises - Land:</b>	Part of Lot 969 on Deposited Plan 217521 as comprised and described in Crown Land Title LR3123 Folio 385.
<b>Leased Premises:</b>	Shop 4, City Station Concourse comprising of 44.30sqm, as delineated on the attached Brook and Marsh Survey Plan dated 18 December 2017.  STR – 4 Storage area located beside the lift on level 1 of the Citi Place Car Park.
<b>Initial Term:</b>	Five (5) years.
<b>Lease Commencement Date:</b>	TBA
<b>Lease Expiry Date:</b>	TBA
<b>Further Term/s:</b>	One (1) further term of Five (5) years from the completion of the Lease Term.
<b>Net Rent:</b>	\$750 psmpa (\$33,225 per annum)
<b>Storage Rent:</b>	\$200 psmpa (\$700.00 per annum)
<b>Rent Free Period:</b>	A Net Rent-Free Period is to apply for a period of six (6) months from Lease Commencement Date.
<b>Rent Review</b>	Annual to CPI (Perth) with a Market Review every five (5) years including options.
<b>Permitted Use:</b>	Retail Sale of prepared food being sushi, lunchbox, drinks and other Japanese food relates items.
<b>Variable Outgoings:</b>	Currently estimated at \$71.34 psmpa \$3,160.36 per annum.
<b>Prescribed Rate:</b>	A 10% per annum penalty interest rate will apply for any monies owing by the Tenant.
<b>Bank Guarantee:</b>	Equivalent to two (2) months gross rent (including GST) as security for the performance of its obligations.



The Bank Guarantee shall be provided on or before the Lease Commencement Date or execution of the Lease document whichever is the earlier. This sum shall only be reviewed as at the commencement of the Option.

**Special Conditions:**

**For the purposes of clarity –**

**1) Council and Development Approval**

**For the purposes of clarity, the Tenant acknowledges that all commercial terms offered are subject to formal Council Approval and WAPC, MRA and Ministerial consent if required.**

**2) Status of Premises**

The Tenant acknowledges the current state of repair and condition of the Premises at the Commencement Date, and agrees to yield up and deliver the Premises at the Lease Expiry Date in a state of repair and condition consistent with its leasehold obligations, fair and wear and tear excepted.

**3) Lease Documentation**

The Landlord's standard commercial lease agreement will apply based upon the previous Lease Agreement, prepared by the Landlord's solicitor's and provided to the Tenant for review and comment.

Each party to bear their own legal costs in that regard.

*Independent legal advice should be sought by each party in order to understand their legal obligations prior to execution of the lease documentation.*



ACN 105 338 501  
ABN 70 105 338 501

**Bill France (Director)**  
L.S., B.App.Sc.Surv.

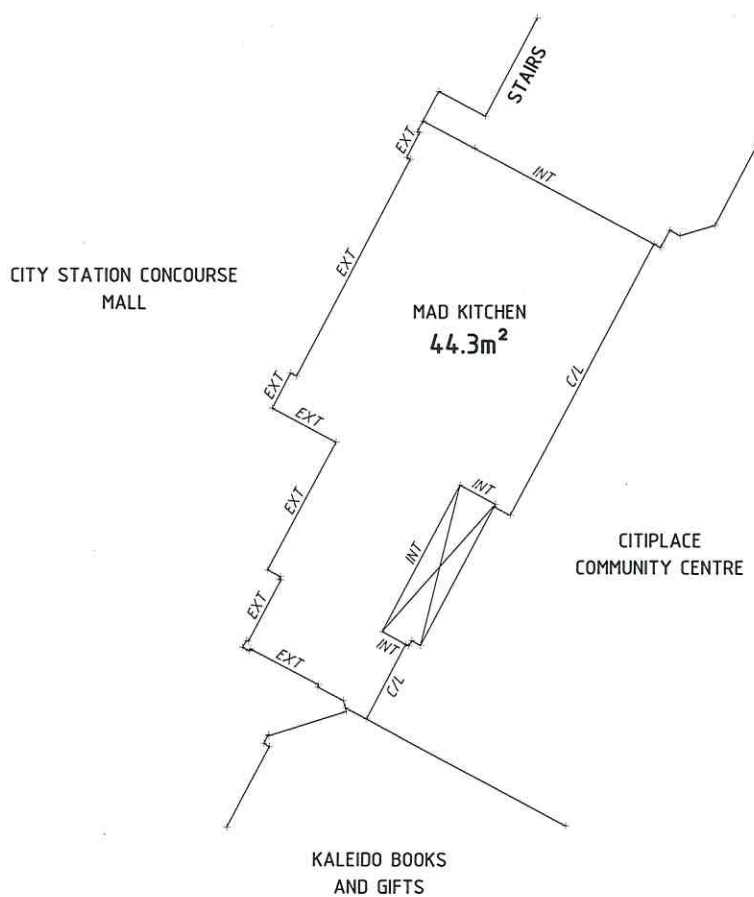
# LETTABLE AREA SURVEY CITY STATION CONCOURSE 376-420 WELLINGTON STREET PERTH

GROSS LETTABLE AREA RETAIL  
SECTION 1 OF THE P.C.A. 1997

DATE: 18th DECEMBER 2017

SCALE: 1:150

BM: 17331



## NOTES:

INT - INTERNAL FACE OF WALL  
EXT - EXTERNAL FACE OF WALL  
C/L - CENTRE OF WALL  
G/L - GLASS

**Recommendation:*****That Council:***

1. ***APPROVES and agrees to a lease between the City of Perth and Visage Hair Salon over Shop 3, City Station Concourse, 378 Wellington Street, Perth in accordance with the commercial terms and conditions detailed in Attachment 6.10A;***
2. ***APPROVES the advertising of the new lease under the commercial terms and conditions detailed in Attachment 6.10A, in accordance with Section 3.58 of the Local Government Act 1995, to be advertised in the West Australian public notices, the public notice boards at Council House and the City of Perth library;***
3. ***AUTHORISES the Chief Executive Officer to finalise the Lease Agreement without further reference to Council, in the event that no submissions are received.***

FILE REFERENCE:	P1025127
REPORTING OFFICER:	Paul Warren, Senior Property Assets Officer
REPORTING UNIT:	Properties
RESPONSIBLE DIRECTORATE:	Infrastructure and Operations Alliance
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	2 October 2019
ATTACHMENT/S:	Attachment 6.10A – Schedule to Lease – Shop 3, City Station Concourse Attachment 6.10B – Survey Plan – Shop 3, City Station Concourse

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

**Legislation / Strategic Plan / Policy:****Legislation**

Section 3.58 of *Local Government Act 1995*  
*Commercial Tenancy (Retail Shops) Agreement Act 1985*

***City of Perth Act 2016*****Objects of the City of Perth**

8(1)(i) - to develop and maintain collaborative inter-governmental relationships with a view to improve the City of Perth

**Integrated Planning and Reporting Framework Implications**

**Strategic Community Plan**  
 Strategic Priority - Economic

**Policy**

Policy No and Name: 9.10 - Management of Leases

**Purpose and Background:**

The proponent, Visage Hair Salon, a current Tenant of the City of Perth, has conditionally entered into a new 5 + 5 year Retail Lease Agreement with the City of Perth for the premises known as Shop 3, City Station Concourse, 378 Wellington Street, Perth.

**Details:**

The City was approached by the in-situ tenant of the premises with a formal request to consider renewing their lease agreement for a further term as their lease agreement is currently holding over upon a month to month basis.

Following a market rental valuation of the subject premises and a period of negotiations with the proponent, the City has agreed the commercial terms of the lease subject to formal Council approval. This market valuation dated 1 August 2019 was undertaken on comparable similar uses and determining that the current market rent for the subject premises is \$23,100.00 per annum (\$950.00 per square meter per annum) in a range of \$699.00 to \$2,681.00 per square meter per annum.

The first proposed offer to the tenant is that the new lease will be a net lease using the City's standard Retail Lease Agreement with the rent at a market rate of \$23,100.00 per annum (\$950.00 per square meter per annum) and the estimated Variable Outgoings agreed at \$1,733.56 per annum (\$71.34 per square meter per annum). This is considered a favourable commercial outcome in the current challenging Perth retail leasing market.

A copy of the schedule to the lease is attached to this report as Attachment 6.10A along with a copy of the new Brook & Marsh Survey Plan for the subject premises as Attachment 6.10B.

All figures quoted in this report are exclusive of GST.

**Financial Implications:**

Council approval of the transaction will result in:

- Rental income to the City of Perth of \$23,100.00 per annum (\$950.00 per square meter per annum); and
- Variable Outgoings income is currently estimated at \$1,733.56 per annum (\$71.34 per square meter per annum).

Note that this income stream is currently within the 2019/20 budget.

**Comments:**

The proposal is supported as a very good commercial outcome in a challenging retail environment and will enhance the commercial vibrancy of this area of the Perth CBD.

## SCHEDULE

<b>Landlord:</b>	City of Perth 27 St Georges Terrace PERTH WA 6000
<b>Tenant:</b>	Visage Hair Salon Unit 1/12 Charles East Street MIDLAND WA 6056
<b>Premises - Land:</b>	Part of Lot 969 on Deposited Plan 217521 as comprised and described in Crown Land Title LR3123 Folio 385.
<b>Leased Premises:</b>	Shop 3, City Station Concourse comprising of 24.30sqm, as delineated on the attached Brook and Marsh Survey Plan dated 18 December 2017.
<b>Initial Term:</b>	Five (5) years.
<b>Lease Commencement Date:</b>	TBA
<b>Lease Expiry Date:</b>	TBA
<b>Further Term/s:</b>	One (1) further term of Five (5) years from the completion of the Lease Term.
<b>Net Rent:</b>	\$950 per square meter per annum (\$23,100.00 per annum)
<b>Rent Free Period:</b>	A Net Rent Free Period is to apply for a period of three (3) months from Lease Commencement Date.
<b>Rent Review</b>	Annual to CPI (Perth) with a Market Review every five (5) years including options.
<b>Permitted Use:</b>	Hairdresser and ancillary uses.
<b>Variable Outgoings:</b>	Currently estimated at \$71.34 per square meter per annum \$1,733.56 per annum.
<b>Prescribed Rate:</b>	A 10% per annum penalty interest rate will apply for any monies owing by the Tenant.
<b>Bank Guarantee:</b>	Equivalent to two (2) months gross rent (including GST) as security for the performance of its obligations.  The Bank Guarantee shall be provided on or before the Lease Commencement Date or execution of the Lease document whichever is the earlier. This sum shall only be reviewed as at the commencement of the Option.



**Special Conditions:**

**For the purposes of clarity –**

**1) Council and Development Approval**

**For the purposes of clarity, the Tenant acknowledges that all commercial terms offered are subject to formal Council Approval and WAPC, MRA and Ministerial consent if required.**

**2) Status of Premises**

The Tenant acknowledges the current state of repair and condition of the Premises at the Commencement Date, and agrees to yield up and deliver the Premises at the Lease Expiry Date in a state of repair and condition consistent with its leasehold obligations, fair and wear and tear excepted.

**3) Lease Documentation**

The Landlord's standard commercial lease agreement will apply based upon the previous Lease Agreement, prepared by the Landlord's solicitor's and provided to the Tenant for review and comment.

Each party to bear their own legal costs in that regard.

*Independent legal advice should be sought by each party in order to understand their legal obligations prior to execution of the lease documentation.*



ACN 105 338 501  
ABN 70 105 338 501

**Bill France (Director)**  
L.S., B.App.Sc.Surv.

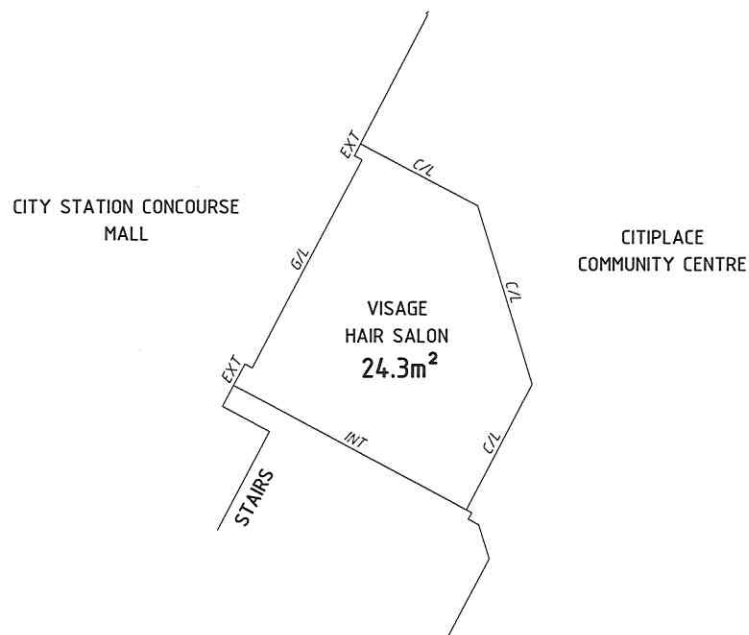
# LETTABLE AREA SURVEY CITY STATION CONCOURSE 376-420 WELLINGTON STREET PERTH

GROSS LETTABLE AREA RETAIL  
SECTION 1 OF THE P.C.A. 1997

DATE: 18th DECEMBER 2017

SCALE: 1:150

BM: 17331



## NOTES:

INT - INTERNAL FACE OF WALL  
EXT - EXTERNAL FACE OF WALL  
C/L - CENTRE OF WALL  
G/L - GLASS

**Recommendation:*****That Council:***

1. ***APPROVES and agrees to a lease between the City of Perth and Sleaford Pty Ltd and Melbec Nominees Pty Ltd T/As Silver Sponge Hand Car Wash over Perth Convention and Exhibition Centre, 21 Mounts Bay Road, Perth in accordance with the commercial terms and conditions detailed in Attachment 6.11A;***
2. ***APPROVES the advertising of the new lease under the commercial terms and conditions detailed in Attachment 6.11A, in accordance with Section 3.58 of the Local Government Act 1995, to be advertised in the West Australian public notices, the public notice boards at Council House and the City of Perth library;***
3. ***AUTHORISES the Chief Executive Officer to finalise the Lease Agreement without further reference to Council, in the event that no submissions are received.***

FILE REFERENCE:	P1022440
REPORTING OFFICER:	Paul Warren, Senior Property Assets Officer
REPORTING UNIT:	Properties
RESPONSIBLE DIRECTORATE:	Infrastructure and Operations Alliance
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	8 October 2019
ATTACHMENT/S:	Attachment 6.11A – Schedule to Lease – Perth Convention and Exhibition Centre

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

**Legislation / Strategic Plan / Policy:****Legislation**

Section 3.58 of *Local Government Act 1995*  
*Commercial Tenancy (Retail Shops) Agreement Act 1985*

***City of Perth Act 2016*****Objects of the City of Perth**

8(1)(i) - to develop and maintain collaborative inter-governmental relationships with a view to improve the City of Perth

**Integrated Planning and Reporting Framework Implications**

**Strategic Community Plan**  
 Strategic Priority - Economic

**Policy**

Policy No and Name: 9.10 - Management of Leases

**Purpose and Background:**

The proponent, Sleaford Pty Ltd and Melbec Nominees Pty Ltd T/As Silver Sponge Hand Car Wash, a current Tenant of the City of Perth, has conditionally entered into a new 5 + 5 year Retail Lease Agreement with the City of Perth for the premises known as Perth Convention and Exhibition Centre, 21 Mounts Bay Road, Perth.

**Details:**

The City was approached by the in-situ tenant of the premises with a formal request to consider renewing their lease agreement for a further term as their lease agreement is currently holding over upon a month to month basis.

Following a market rental valuation of the subject premises and a period of negotiations with the proponent, the City has agreed the commercial terms of the lease subject to formal Council approval. This market valuation dated 1 August 2019 was undertaken on comparable similar uses and determining that the current market rent for the subject premises is \$8,550 per annum (\$95 per square meter per annum).

The first proposed offer to the tenant is that the new lease will be a gross lease using the City's standard Retail Lease Agreement with the rent at a market rate of \$8,550 per annum (\$95 per square meter per annum). This is considered a favourable commercial outcome in the current challenging Perth retail leasing market.

A copy of the schedule to the lease is attached to this report as Attachment 6.11A.

All figures quoted in this report are exclusive of GST.

**Financial Implications:**

Council approval of the transaction will result in a net gain to the City for the amount of \$508.80 per annum and rental income to the City of Perth of \$8,550 per annum (\$95 per square meter per annum).

Note that this income stream is currently within the 2019/20 budget.

**Comments:**

The proposal is supported as a very good commercial outcome in a challenging retail environment and will enhance the commercial vibrancy of this area of the Perth CBD.

## SCHEDULE

<b>Landlord:</b>	City of Perth 27 St Georges Terrace PERTH WA 6000
<b>Tenant:</b>	Sleaford Pty Ltd and Melbec Nominees Pty Ltd C/- Silver Sponge Hand Car Wash 115 Mullaloo Drive <b>MULLALOO WA 6027</b>
<b>Premises - Land:</b>	Site 2 on Deposited Plan 38110 being the whole of the land comprised in Certificate of Crown Land Title Volume 3134 Folio 502.
<b>Leased Premises:</b>	The part of the Building which is shown hachured in black on the Tenancy Plan, comprising an area of approximately 90m <sup>2</sup>
<b>Initial Term:</b>	Five (5) years.
<b>Lease Commencement Date:</b>	TBA
<b>Lease Expiry Date:</b>	TBA
<b>Further Term/s:</b>	One (1) further term of Five (5) years from the completion of the Lease Term.
<b>Gross Rent:</b>	\$95.00 per square meter per annum (\$8,550.00 per annum)
<b>Rent Free Period:</b>	Not Applicable
<b>Rent Review</b>	Annual to CPI (Perth) with a Market Review every five (5) years including options.
<b>Permitted Use:</b>	Vehicle washing, polishing and engine degreasing of vehicles and minor Servicing such as air filter or spark plug changing on a fee for service basis for Customers of the Head Lease Premises and for patrons of, staff of and visitors to the Convention Centre but excluding any vehicle repairs other than those referred to.
<b>Variable Outgoings:</b>	Not Applicable
<b>Prescribed Rate:</b>	A 10% per annum penalty interest rate will apply for any monies owing by the Tenant.
<b>Bank Guarantee:</b>	Equivalent to two (2) months gross rent (including GST) as security for the performance of its obligations.  The Bank Guarantee shall be provided on or before the Lease Commencement Date or execution of the Lease document whichever is the earlier. This sum shall only be reviewed as at the commencement of the Option.

**Special Conditions:**

For the purposes of clarity –

**1) Council and Development Approval**

For the purposes of clarity, the Tenant acknowledges that all commercial terms offered are subject to formal Council Approval and WAPC, MRA and Ministerial consent if required.

**2) Status of Premises**

The Tenant acknowledges the current state of repair and condition of the Premises at the Commencement Date, and agrees to yield up and deliver the Premises at the Lease Expiry Date in a state of repair and condition consistent with its leasehold obligations, fair and wear and tear excepted.

**3) Lease Documentation**

The Landlord's standard commercial lease agreement will apply based upon the previous Lease Agreement, prepared by the Landlord's solicitor's and provided to the Tenant for review and comment.

Each party to bear their own legal costs in that regard.

*Independent legal advice should be sought by each party in order to understand their legal obligations prior to execution of the lease documentation.*



Report to the Agenda Briefing Session
**Agenda**                      **Draft Street Tree Framework**  
**Item 6.12**


---

**Recommendation:**

***That Council APPROVES the Draft Street Tree Framework as detailed in this report and Attachment 6.12A for Phase 2 Stakeholder Engagement.***

FILE REFERENCE:	P1030783#09
REPORTING OFFICER:	Barbara Meldrum, Strategic Project Officer - Urban Forest Plan
REPORTING UNIT:	Coordination and Design
RESPONSIBLE DIRECTORATE:	Planning and Development
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	9 October 2019
ATTACHMENT/S:	Attachment 6.12A – Draft Street Tree Framework

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

**Legislation / Strategic Plan / Policy:**

<b>Legislation</b>	N/A
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***City of Perth Act 2016*****Objects of the City of Perth**

8(1)(g) - to strengthen Perth's reputation as an innovative, sustainable and vibrant city that attracts and welcomes all

**Integrated Planning and  
Reporting Framework  
Implications**
**Strategic Community Plan**  
 Strategic Priority - Built Environment

**Policy**

Policy No and Name: N/A

**Purpose and Background:**

At its meeting held on 13 May 2008, the Council endorsed the following:

*“That the Council adopts the Street Tree Framework, as presented in the report dated 7 April 2008, to guide the various street tree planting programs currently being undertaken across the City”.*

This report presents details of the review of the City’s Street Tree Framework including research which has informed the draft.

**Details:**

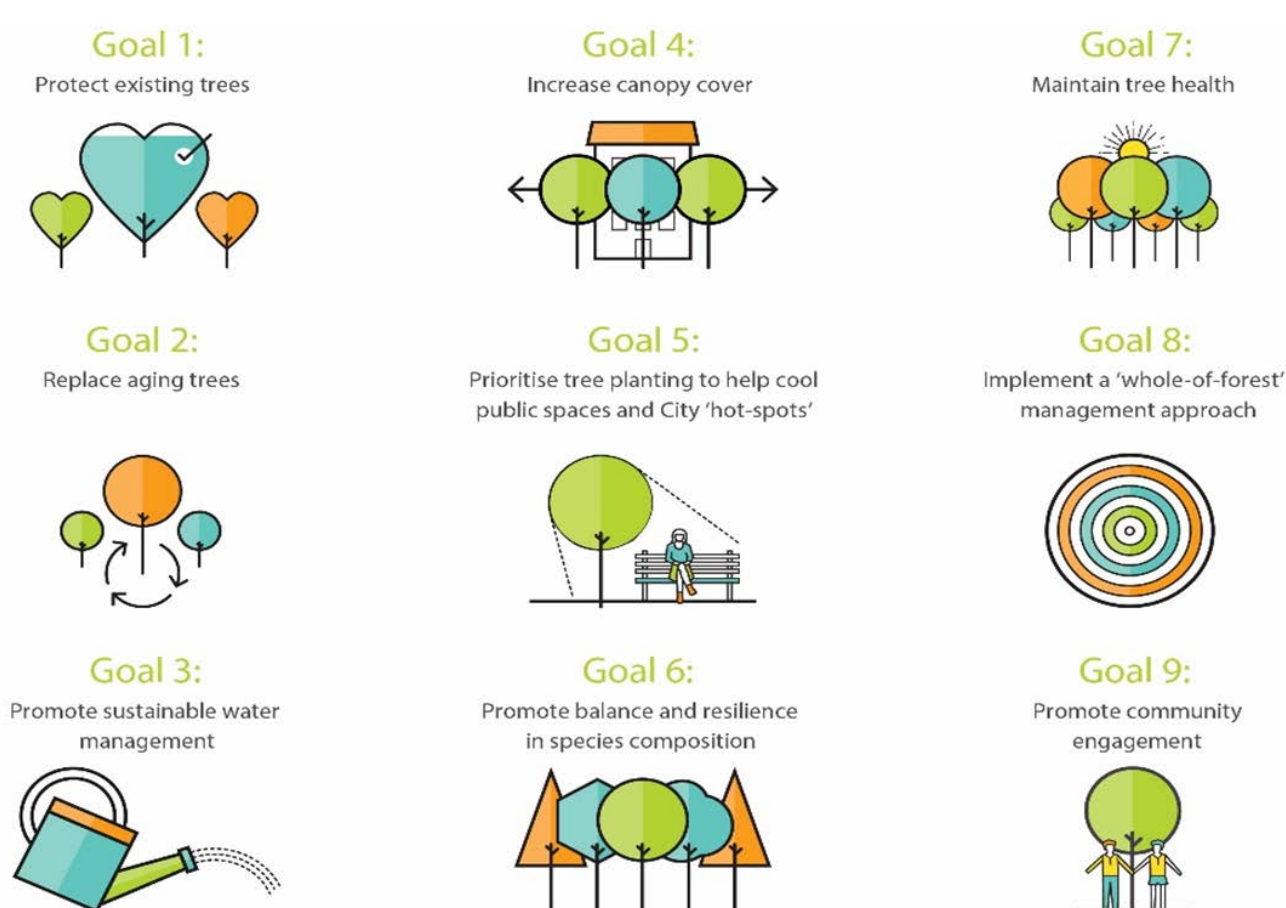
The City’s Street Tree Framework was created in 2008 to guide the selection of trees for various City street tree planting programs including streetscape enhancement projects.

Since the Street Tree Framework was adopted the City has finalised its Urban Forest Plan. The Plan was adopted by Council at its meeting held on 20 September 2016, after a period of public consultation.

The Urban Forest Plan is a strategic action plan to promote the urban forest’s long-term health and resilience. The key strategic drivers underpinning the development of the Plan are:

- Designing for liveability;
- Promoting community health and activity; and
- Managing climate change.

The Urban Forest Plan sets out nine goals for the future protection, growth, management and raising awareness of the benefits that this important city asset brings to the community.



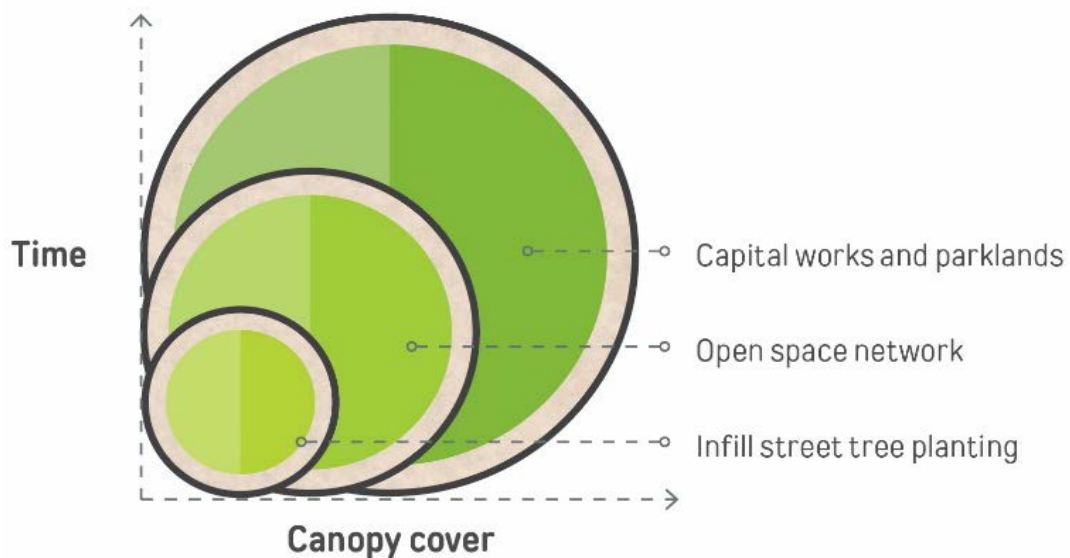
Goal 4 of the Urban Forest Plan is to increase canopy cover within the public realm from 19 percent to 30 percent within 30 years. This will be achieved in part through the City's on-going infill street tree planting program which is priority objective 4.1 of the Urban Forest Plan. The present focus of this program is to plant an estimated 2,127 additional trees where gaps exist in existing street tree planting within the city.

The implementation of the infill street tree planting program is supported by the City's Street Tree Framework. The review of the street tree framework is identified as priority objective 6.1 of the Urban Forest Plan.

The revised framework will also guide new street tree planting undertaken as part of:

- the City's ongoing capital works program (i.e. street and public space upgrades);
- city projects undertaken by Development WA (formerly the Metropolitan Redevelopment Authority); and
- works undertaken by external agencies and private developers within or adjacent to city streets and spaces.

It will also inform new tree planting within City parks and across the city's wider network of open spaces, including freeway and railway reserves. The latter is undertaken in consultation with relevant land owners (e.g. Main Roads and the Wildflower Way initiative).



The revision of the Street Tree Framework has involved the following:

- analysis of the research findings from the development of the Urban Forest Plan regarding tree diversity and health and the importance of canopy cover;
- consultation with key stakeholders such as Botanic Gardens and Parks Authority (Kings Park) and Main Roads WA;
- review and update of the street tree matrix to guide the selection of tree species for planting in individual City streets;
- analysis and synthesis of best practice processes and procedures for tree procurement and planting; and
- development of a street tree soil specification to support successful, healthy tree growth with City streets

The Framework also provides guidance on the issue of street lighting and new tree planting, with care taken to avoid the situation where new tree planting may block street lighting. In most cases luminaires will end up being located underneath a tree canopy once the tree reaches maturity. In the meantime, supplementary lighting can be considered to help ameliorate lower lighting levels. This will be done in accordance with the provisions of the City's Public Lighting Framework, as follows:

- consideration of lighting the tree itself
- locating luminaires on adjacent poles or in the ground
- integrating lighting on other structures located close to tree planting.

A draft of the revised Street Tree Framework has been prepared and is ready for Phase 2 stakeholder engagement. It sets out guidelines for the selection, procurement and planting of new trees within City streets including the:

- importance of trees to the design and quality of city streets;
- updated street tree matrix and maps; and
- best practice tree procurement and planting processes and procedures.

## **Stakeholder Engagement:**

**Level of engagement** ☒ Inform ☐ Consult ☐ Involve ☐ Collaborate ☐ Empower

### **Key Stakeholders:**

The community and stakeholder engagement program for the development of the Street Tree Framework is being completed in two phases:

#### **Phase 1 – Direction and Vision**

- Meeting held with Botanic Gardens & Parks Authority (Kings Park) in June 2019 to discuss the selection of appropriate tree species for planting in City owned streets that interface with Kings Park;
- Ongoing consultation with Main Roads WA to ensure that tree species selection for planting within Freeway Reserve areas is supportive of the Wildflower Way initiative;
- Review of the City's tree list in early 2019 by consultants engaged to prepare the City's soil specification; and
- Informing the community of location and tree species to be planted within neighbourhood streets, as part of the infill street tree planting program. This has included letter drops, information pamphlets, tree tags, pavement stickers and information on the Urban Forest webpage on Engage Perth.

#### **Phase 2 – Draft Street Tree Framework**

Research undertaken for the preparation of the Urban Forest Plan showed that there is a direct correlation between the amount and quality of canopy cover provided by trees and the level of community benefits delivered.

It is therefore important that the tree selection process is underpinned by a robust process based on an assessment of how particular species perform within the challenging growing environment that exists in city streets, rather than on individual preferences or purely aesthetic considerations.

As street trees also have the potential to remain in place for up to 100 years the implications for making the wrong tree choice may be long lasting and potentially expensive. Poorly performing trees often cost more to manage and maintain. Inappropriate tree selection can contribute to increased maintenance costs to other city assets (roads, footpaths, drainage etc).

The selection of tree species for inclusion in the updated tree matrix has therefore been based on a best practice 'right tree for the right place' philosophy. It is underpinned by an approach that identifies the tree species that is currently most commonly found with each street. Where these species have a proven track record of successful adaptation to the street environment, and perform successfully with that space, they have been selected as the species for future street planting.

Stakeholders will be informed of how the Draft Framework was revised and the research which underpins this work during a four-week engagement period. Activities for engagement from 30 October to 27 November 2019 will include the following:

- Content on Engage Perth;
- Content on Urban Forest Project page on the City of Perth website;

- Direct contact via emails to key external stakeholders;
- Articles in City of Perth business and community e-newsletters; and
- Targeted social media releases and content.

### **Financial Implications:**

The Street Tree Framework does not commit the City to future costs but provides the framework to guide the planting of street trees on a project-by-project basis and funded by each specific capital works or maintenance programmes.

The City's Urban Forest Infill Street Tree Planting capital budget is allocated each financial year for tree planting during the planting season (April to October). Costs for the supply, install and establishment of new street trees planted to date are summarised in the table below.

PLANTING TO DATE					
Financial year	Location	Tree No.	New tree supply/ install budget (CAPEX)	New tree establishment budget (OPEX)	Total
16/17	East Perth	589	\$401,156.77	\$-	\$401,156.77
17/18	Central Perth (East End)	93	\$433,041.77	\$148,693.05	\$581,734.82
18/19	West Perth	209	\$404,562.78	\$158,653.35	\$563,216.13

The annual capital budget for the ongoing implementation of the infill street tree planting program has been reduced to \$250,000 per annum going forward.

The Street Tree Framework will result in improved tree selection processes and the planting of more robust species that are suited to the street environment. The potential cost of changing a tree species within a particular city street is minimal with an approximate 20% difference (or \$30) in the cost between the procurement of the cheapest tree species and the most expensive species.

In addition, the selection of a more suitable species, along with improvements in tree procurement processes and planting procedures, is anticipated to result in higher levels of tree establishment rates and reductions in on-going maintenance costs to the City over the longer term.

### **Comments:**

Several consultation activities for the Draft Street Tree Framework are planned for November 2019 for a period of four weeks to ensure stakeholder and community participation in the review process. Engagement outcomes will be consolidated into a report which will be referenced by the project team during the refinement of the Final Street Tree Framework.





City of Perth

# Street Tree Framework 2019

DRAFT



## ACKNOWLEDGEMENT

*We acknowledge the Whadjuk Nyoongar people, Traditional Owners of the lands and waters where the City of Perth is today and pay our respects to Elders past and present.*

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# Introduction

Street trees are important for the quality of our streets and public spaces and are indispensable in the creation of a liveable city.

Trees help create streets that are attractive, provide shade, improve air and water quality, improve access to the natural environment and support community health and well-being. They play an important role in ensuring that streets and public spaces are comfortable and welcoming, encouraging people to walk, linger, connect and enjoy city life.





## City streets and the importance of trees

Streets make up most of the public space in our cities – Gehl Architects have estimated that this can be as high as 80 percent. Streets are where people most commonly experience and interact with each other and the city. Their design and quality influences how pleasurable that experience may be and can have an important impact on city liveability.

The City's approach to street design is focused on pedestrians first. Streets are designed to be experienced at walking speed with smells, sounds and textures that engage the human senses and provide an appealing sensory experience for all users.

A typical street ties the city together with a cohesive and well-designed urban aesthetic. It is important to provide the setting but not compete with a city's rich fabric which evolves over time: great architecture, engaging window displays, outdoor dining and most importantly, the people using the streets provide colour, vibrancy and a sense of place. Timeless and standard elements within our city streets complement these characteristics and let them shine.

Street trees are one such element. Their functional and aesthetic qualities mean they have a significant role to play in the creation of a great city street.

Great streets:

- support and enhance character and heritage features
- maintain the city's formal grid pattern
- have a limited palette which is long lasting with proven performance under high usage
- are cohesive and timeless
- are inclusive of all ages and abilities
- incorporate Water Sensitive Urban Design (WSUD)
- are safe and comfortable at all times of the day and night
- support and encourage different social interactions and activities.

The City's street and parkland trees are an important infrastructural asset. They have an estimated amenity value of over \$100 million. Trees also provide tangible ecosystem services including carbon storage and sequestration, improved air quality, stormwater management and energy savings which add to their value.

There are approximately 9000 trees planted within the City's streets, with new trees added as part of targeted tree planting programs and wherever opportunities may arise as part of other capital works initiatives.

There is a general presumption for trees to be included in all streets where adequate space is available.





Figure 1: A great city street.



## A great city street - trees

### 1 Shade

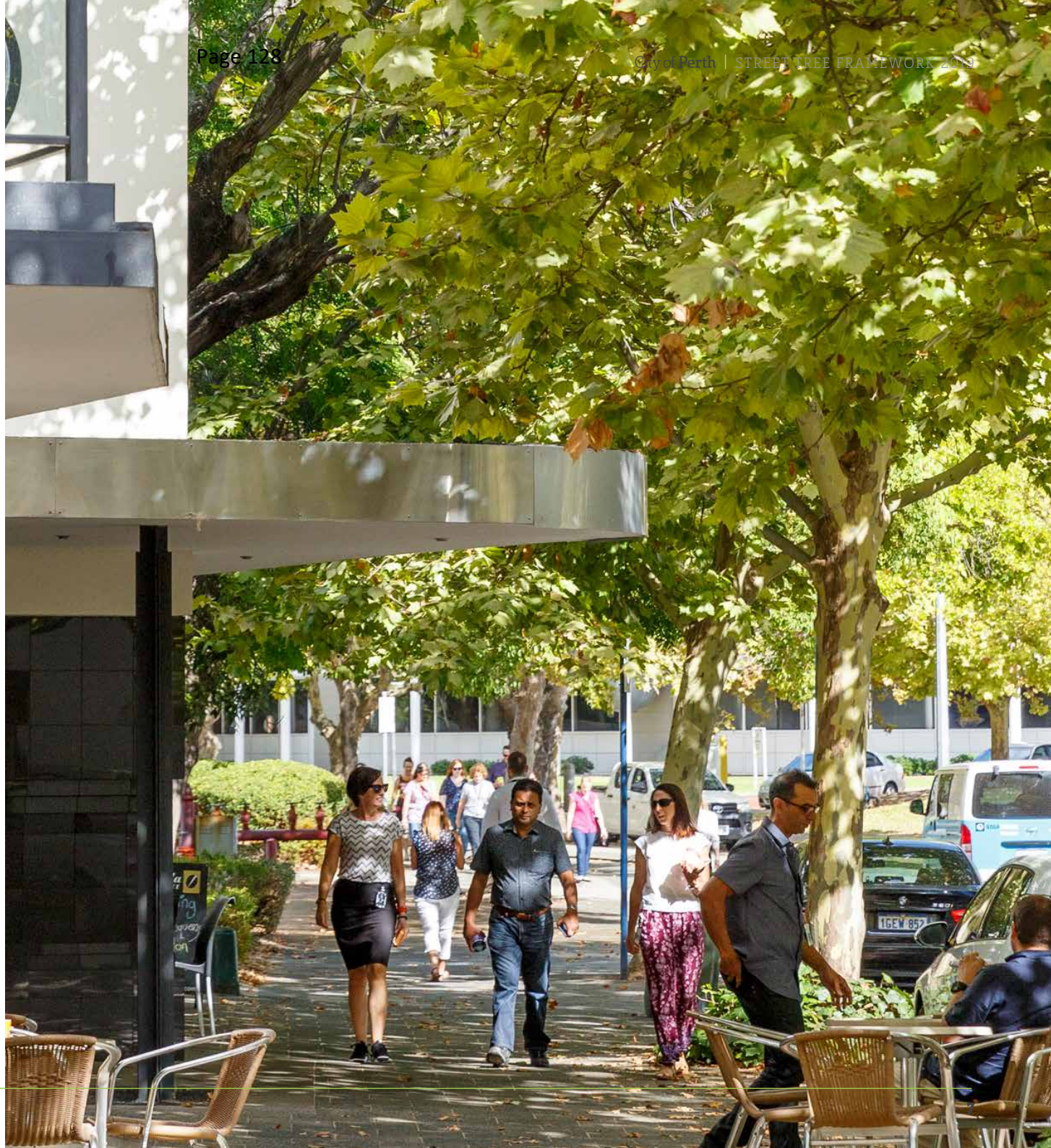
- Tree canopies provide shade and help cool the city, creating a comfortable and inviting pedestrian environment.
- Shading also protects and extends the life of the City's road surfaces.

### 2 Traffic calming

- Trees can help make a street feel narrower than it actually is, changing how drivers perceive and respond to the street environment. This visual effect helps to reduce speed and calm driving behaviour.
- Trees help to physically and psychologically separate pedestrians and moving traffic, creating a buffer that can improve a pedestrian's sense of safety.

### 3 Human scale

- Trees help scale city streets to human dimensions and improve pedestrian comfort.
- Colour, texture and seasonal variation provided by street trees improve a pedestrian's sensory experience and help connect city dwellers to nature.





## What is the Street Tree Framework?

Just as there is an increased understanding of the value of trees in cities, and the need to plant more of them, they are becoming increasingly difficult to grow. Conditions resulting from a hotter, drier climate, along with the competition for space in the face of increasing urbanisation, create many challenges. Planting and maintaining street trees in the urban environment can be a complex process and often requires a significant level of public investment.

The overall focus must be on choosing resilient and healthy street trees, ones that can thrive and make a positive contribution to city liveability while being managed in a cost effective and efficient manner. This will help maximise the level of community benefits delivered and ensure that these trees create a positive legacy for future generations to enjoy.

The City of Perth Street Tree Framework, 2019 (the Framework) provides a practical guide and underlying rationale for the selection and planting of street trees within the city. It sets out:

- why we plant street trees
- how we select and procure street trees
- how and where we plant street trees.

It aims to ensure that tree selection and planting is undertaken in a consistent, rigorous, yet practical manner and integrated with the City's overall approach to street design. It addresses the range of complex issues associated with choosing, locating and growing healthy and resilient street trees within the Perth context and aims to promote a shared understanding of the value of trees in the urban environment.

## Why is it being reviewed?

This document updates and supersedes the existing City of Perth Street Tree Framework (2008). A review is required to take account of the findings from a range of research undertaken to inform the preparation of the City of Perth Urban Forest Plan - 2016-2036 (the plan). It also reflects the need to apply a contemporary and scientifically-based 'whole-of-forest' management approach to the urban forest, including its population of street and parkland trees.

A key research finding is the link between the amount and quality of healthy canopy cover provided by urban trees and the level of community benefits delivered. One of the goals of the plan is therefore to increase the level of canopy cover within the city's streets and parklands to 30 percent by 2036. The successful selection, planting and establishment of new street trees is central to achieving this.

Research also highlights the importance of species diversity within the overall population of urban trees. A high level of diversity can reduce the risk of catastrophic loss of trees should one particular family or species be affected by an outbreak of a specific pest or disease, or become susceptible to climate change or other environmental impacts. This has important implications for the City's tree selection process.

The Framework is part of a suite of documents currently being developed by the City of Perth to support the implementation of the Urban Forest Plan and a best practice and strategic 'whole-of-forest' management approach to this important city asset.



## Key principles

The review of the Street Tree Framework is underpinned by four key principles



### REINFORCING THE 'RIGHT TREE FOR THE RIGHT PLACE' PHILOSOPHY

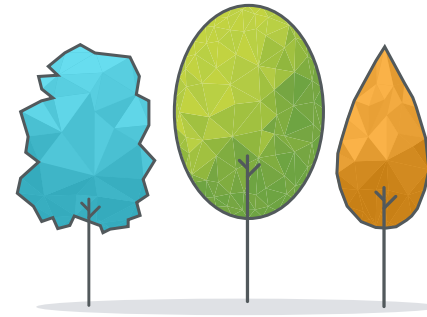
The philosophy of the 'right tree for the right place' underpins the Framework's approach to tree selection. This is broadly based on choosing a tree species that is most appropriate to the physical context and environmental conditions of its planting site. This is vital if a street tree is to survive and develop a high quality and healthy canopy, with minimum maintenance and management costs across its lifespan.



### PROMOTING INCREASED CANOPY COVER

The Framework seeks to support an increase in the level of canopy cover provided by street trees. This includes:

- selecting tree species with medium to large canopies wherever practicable
- supporting best practice tree selection and planting processes to encourage the development of healthy canopy over city streets and public spaces



### BUILDING RESILIENCE

City streets create harsh growing environments for trees. Species differ in their ability to adapt and thrive in these conditions and this can result in a tendency to rely on a limited range of species with a proven track record. This can have a potentially negative impact on the resilience of the urban forest.

The Framework's tree selection process therefore aims to expand the range of tree species to be used in street tree planting. It also supports trialling new tree species to assess their potential to perform successfully within the urban environment.



### PROMOTING BEST PRACTICE

The Framework sets out current best practice approaches for new tree planning, procurement and planting used by the City. These are aimed at maximising tree health and resilience. Documenting these will help promote a clear and shared understanding, across all disciplines, of the range of challenges and corresponding measures necessary to successfully grow, manage and maintain trees within our city streets.

# Who should use this document?

The Framework will primarily be used by City of Perth staff to guide tree selection and planting within the public realm. It applies to all streets within the City of Perth and will underpin the development and implementation of infill street tree planting plans, a priority objective of the Urban Forest Plan.

The Framework will also inform the selection and planting of trees:

- within City parks
- as part of major capital works projects
- on privately owned land
- across the wider network of open spaces, including freeway and railway reserves.

It is noted that land within the wider open space network is generally not in City ownership. New tree planting in these locations is only carried out after appropriate consultation and agreements have been reached between the City and the relevant landowner.



Figure 2 :Summary of the Street Tree Framework.



The Framework is also intended to be used by a range of external stakeholders. These include planners, designers, developers, engineers, horticultural workers, maintenance and construction workers and any other consultants or contractors whose work would benefit from an understanding of the City of Perth's philosophy and approach to urban trees.

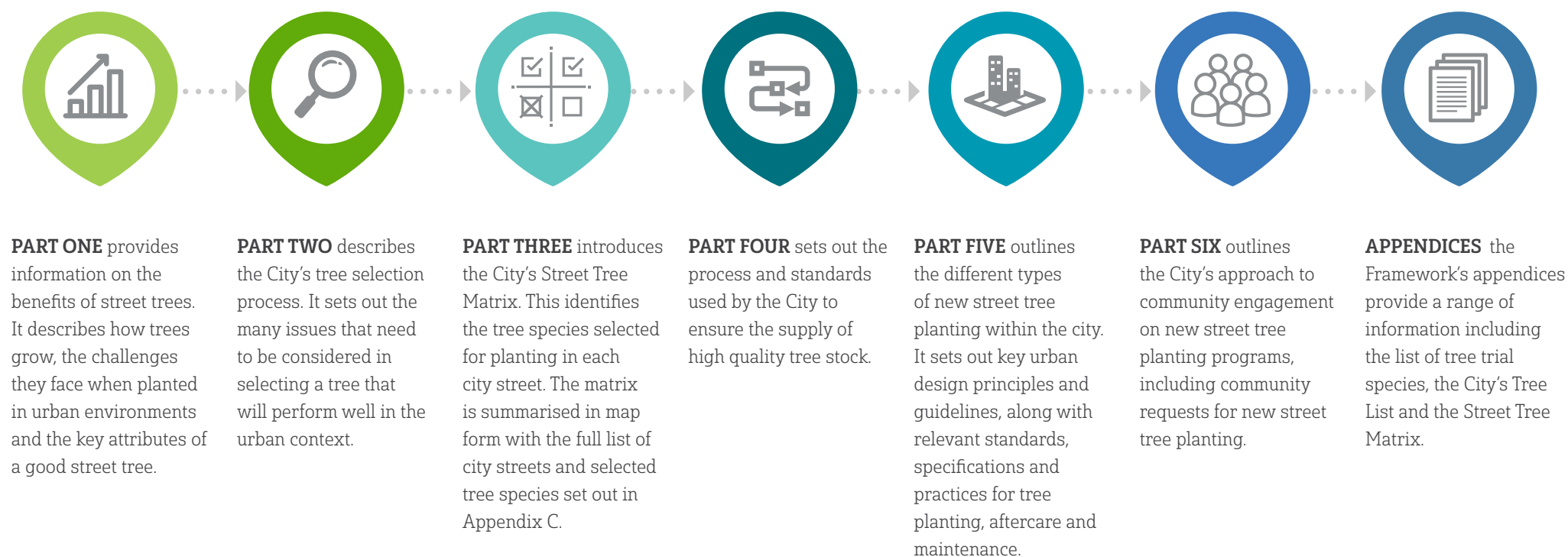
Community support plays a vital role in successful urban forestry. The Framework also aims to further raise community awareness and understanding of the challenges and benefits of growing street trees, to help promote a sense of community custodianship of these important city assets.





## How to use this document

The Framework is set out in the following parts:





## Keeping it current

Given the present focus on trees in urban environments the Urban Forest Plan proposes that the Framework is reviewed and updated every four years. Each review will take account of findings from contemporary research on the performance of trees in urban environments including emerging impacts of climate change on particular species.

Knowledge and technologies for urban tree planting, care and maintenance are also constantly evolving and improving. The review process will enable existing policies and processes to be continually brought up to date with current best practice.





# 1.0 Trees in the urban environment

Trees in the urban environment are increasingly valued for the wide range of environmental, social and economic benefits they provide to the community.



## Why we plant street trees

Street trees are important elements of the city's green infrastructure, the network of green spaces which intersperse, connect and provide vital life support for humans and other species within the urban environment. In dense inner-city areas, where space is at a premium, they often offer the main opportunity for urban greening.

Street trees play an important role in the creation of green pedestrian corridors across the city. These green links help to connect and improve accessibility to the city's network of parks and open spaces. Access to such spaces is becoming increasingly important as cities continue to densify.

In appropriate locations, street trees can also contribute to the creation of wildlife corridors to protect and improve biodiversity within the city.

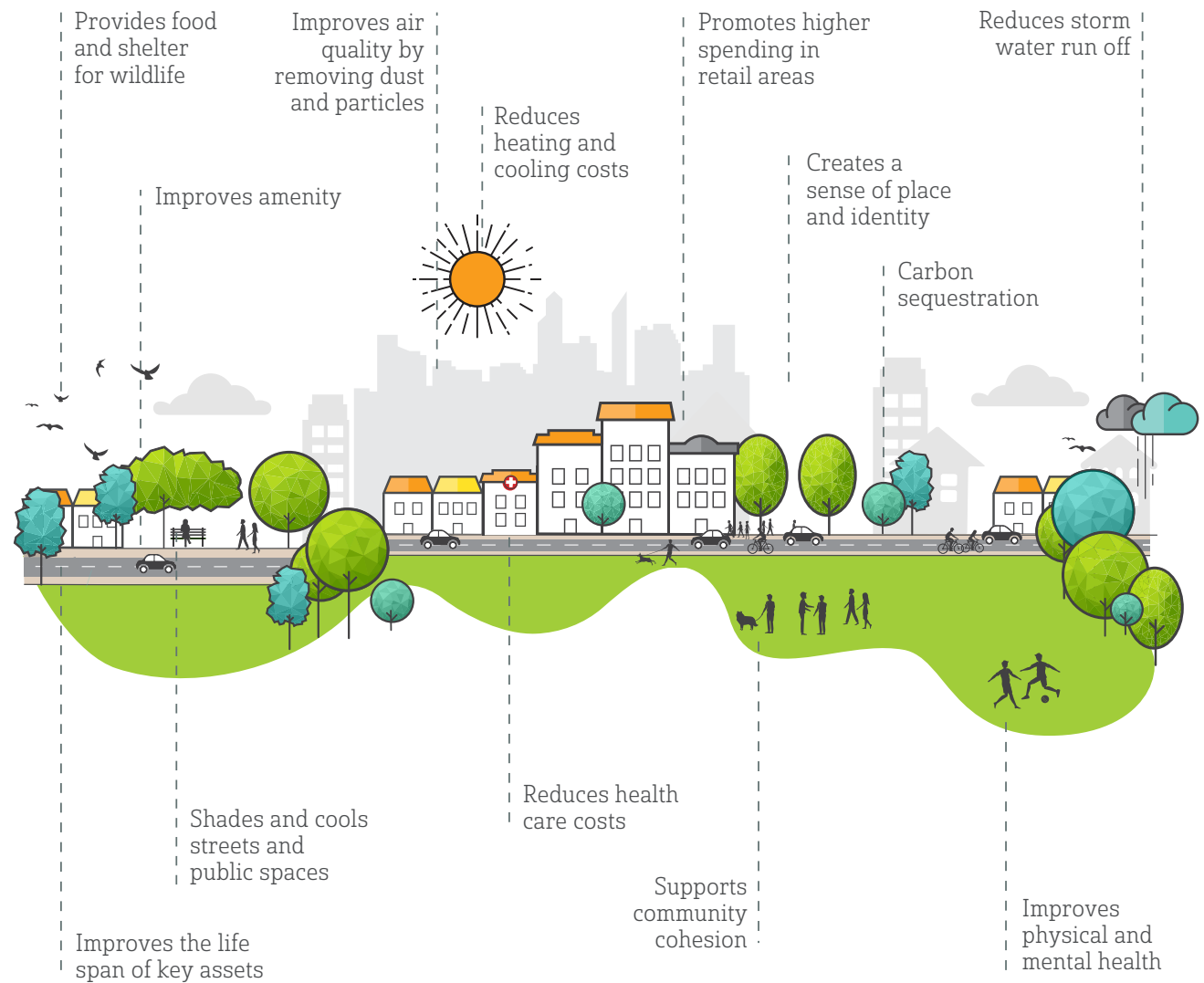


Figure 3: Benefits provided by the urban forest.



## How trees work

Unlike elements of grey city infrastructure (such as roads, pathways and lighting) trees are dynamic, living organisms. An understanding of a tree's key parts, how they work and what a tree needs to survive and thrive is important if they are to be grown successfully in the urban environment.

### The key parts of a tree

Trees are essentially long lived perennial plants comprised of three key parts: the crown, trunk and roots.

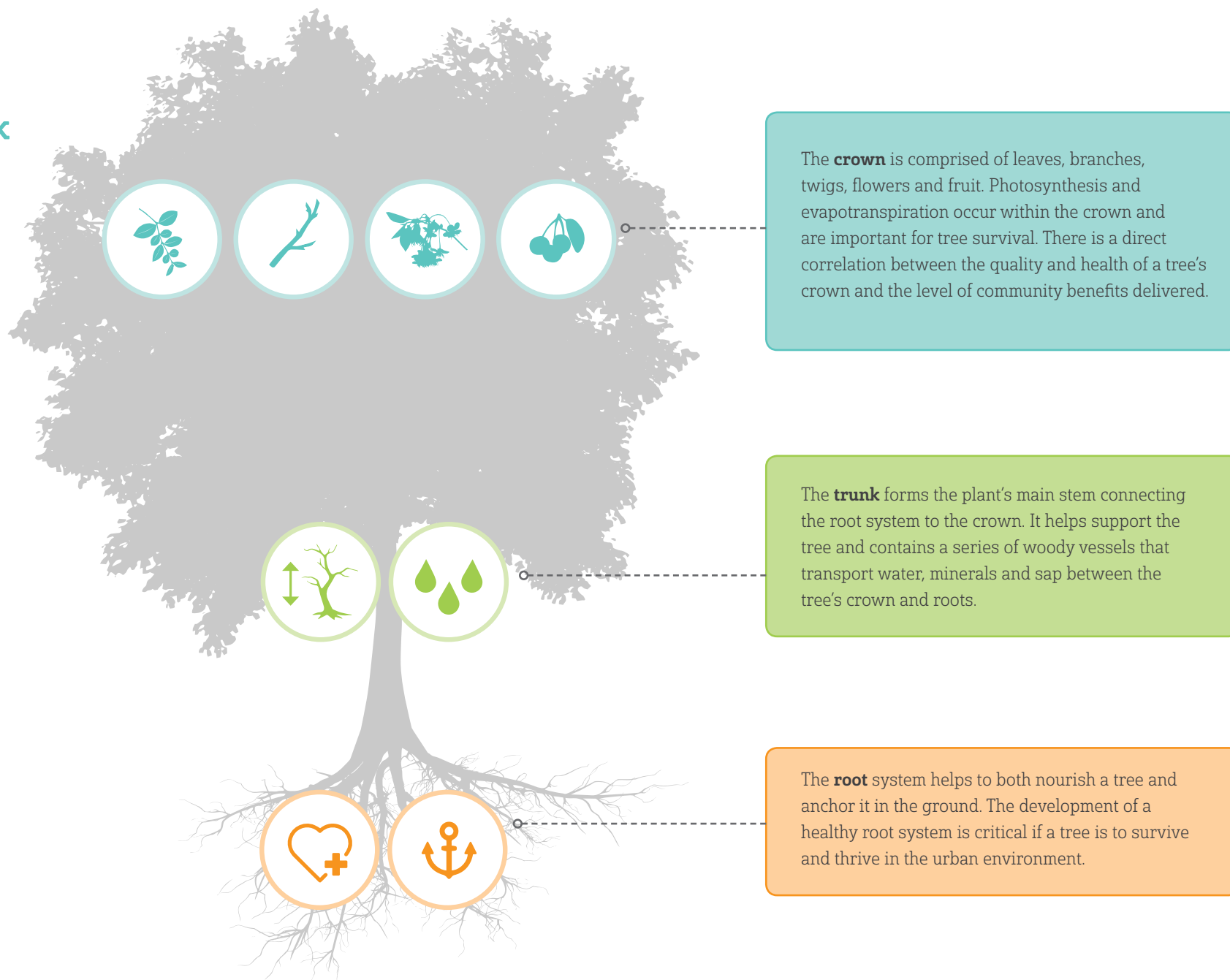


Figure 4: Key parts of a tree.

## ROOTS

A tree's root system is generally comprised of a large main root system which helps stabilise the tree, supported by a network of smaller, non-woody lateral roots extending horizontally from the main system.

The lateral root network is located parallel and close to the ground surface and can extend across an area two to three times the tree's height. Its main function is to collect water and mineral nutrients from the soil, essential for a tree's growth and development. The ability of a tree to absorb these elements is enhanced by a range of fungi (mycorrhizae) which develop on and around the root system, increasing its surface area.

The majority of a tree's root system is found within the top metre of soil, with most located in the top 300-500 mm. This is because the top layer of soil typically contains the appropriate number of soil pores, or open spaces between soil particles, and oxygen levels that trees require for growth.

## TRUNK

A tree's trunk and branches are covered with bark. This forms a front line of defence, protecting the tree's internal living tissue from a range of threats including pests and diseases, storms and extreme heat.

When this line of defence is breached it can have a negative impact on tree health and vigour. In the urban environment damage can be caused to a tree's bark by vandalism and inappropriate management and maintenance procedures, such as careless use of whipper snippers or failure to enlarge the grate openings in tree pits to allow room for trunk growth.

## CROWN

A number of important processes that are central to a tree's health and survival occur in the crown.

During photosynthesis, the chlorophyll in a tree's leaves captures energy from the sun and converts carbon dioxide from the air, and water from the roots, into sugar and oxygen. The sugar is stored and used as a source of food for the tree. Oxygen is released back into the atmosphere helping to improve air quality. Air quality is further improved by the ability of the crown to capture and filter dust and other particles.

Evapotranspiration also takes place in the crown. This brings the water needed for photosynthesis from the roots to the leaves. It also uses heat from the surrounding air to convert water to gas, thereby releasing water vapour into the air to produce a cooling effect.

The structure of a tree's crown varies from species to species and its shape can have an important influence on the aesthetic quality of a tree, making it a key element to consider in the design of city streetscapes.

The shade provided by the crown also prevents the ground surface below the tree from heating up during the day and releasing heat back into the environment at night. This helps counteract the urban heat island effect and promote urban cooling.

## Supporting tree growth

Trees need access to the essential elements of space, sunlight and soils that provide appropriate levels of water, oxygen and mineral nutrients to survive and thrive. These are readily available in natural environments but are harder to come by within highly modified city streets.

While it is not possible to recreate the natural growing environment for trees within the city there are some key modifications that can be made to maximise growing conditions at each planting site and improve chances of establishment and survival. These are summarised in Figure 5.

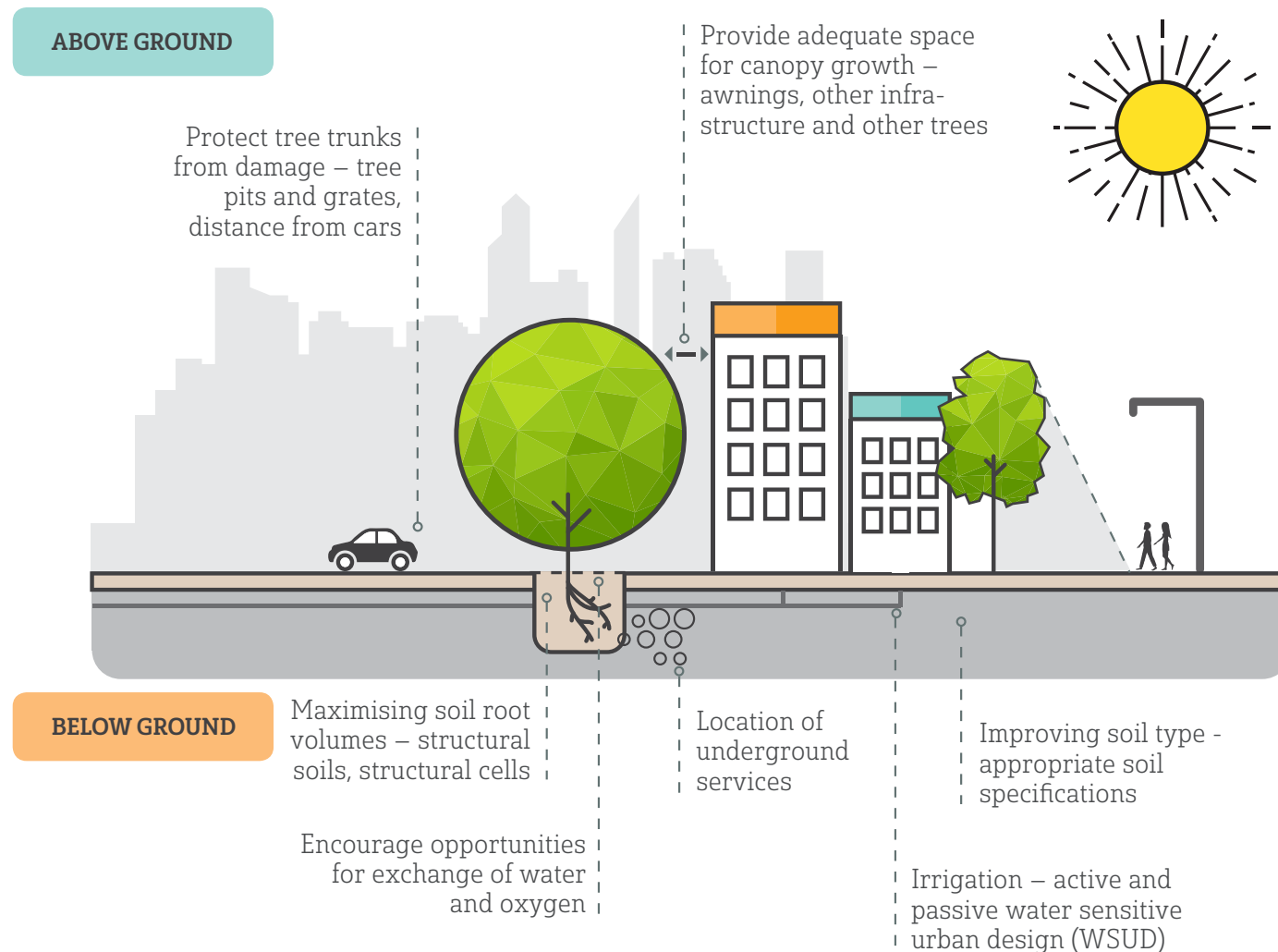


Figure 5: Supporting tree growth.



The extent to which each planting site can be modified will vary depending on the character and function of the surrounding urban environment. This is particularly the case in high use inner city streets where there is a need to accommodate other elements of urban infrastructure including underground services and durable, robust urban paving to create safe and comfortable conditions for walking.

The concentration of underground services below the surface can limit the City's ability to maximise soil volumes and create optimum conditions for root growth. High levels of wear and tear can limit the effectiveness or practicality of introducing permeable or porous surfaces around trees to improve soil aeration.

Maximising growing conditions at each planting site alone is not enough to ensure the successful establishment and growth of vigorous and healthy trees within city streets.

If trees are to survive and thrive in harsh urban environments it is of equal importance that a robust tree selection process is put in place to select the right tree for the right place, along with appropriate planting, management and maintenance procedures and processes. These issues are explored in more detail in the following parts of this document.





## 2.0 Selecting street trees

The selection of individual tree species for planting within particular city streets or spaces is a complex process. A range of issues need to be carefully considered and balanced. These include a species' ability to perform successfully in busy, high use city streets and the harsh growing environment this can create.

The ability of a particular species to deliver community benefits that meet the environmental and social requirements of the area in which it is to be planted should also be taken into account.

It is also necessary to ensure that street trees are selected from as broad a range of species as possible to promote diversity and resilience within the urban forest.



In the past, tree selection processes were often primarily driven by aesthetic considerations or individual personal preferences. However, unless a tree has the traits that allow it to meet the challenges of its planting site it is unlikely to thrive and exhibit the best of its aesthetic qualities.

Contemporary, best practice urban forestry indicates that a more robust and evidence based tree selection process is required. The focus is shifting to selecting tree species on their ability to survive and thrive within harsh urban growing conditions while making a positive contribution to city liveability. This shift in focus is important for a few key reasons.

Research shows that there is a direct correlation between the amount and quality of canopy cover provided by the urban forest and the level of benefits delivered. Species that are poorly suited to the environmental conditions of their planting site are unlikely to develop the robust healthy canopies required to maximise these benefits.

Street trees also have the potential to remain in place for up to 100 years. The implications of making the wrong tree choice may be long lasting and potentially expensive. Street trees that are ill suited to their physical and functional context can be a significant drain on budgets and resources as they often cost more to manage and maintain.

Within the community there will always be different opinions regarding what species of tree should be planted where, or even whether they should be planted at all. It is therefore important that decisions regarding the selection of tree species are robust and based on a rigorous and evidence based assessment process across a range of selection criteria.

## How we have selected our street trees

Within the City the tree selection process is driven by the philosophy of the 'right tree for the right place'. The essence of this approach is that, once the necessary measures have been taken to maximise the planting conditions at each site, trees are primarily chosen for their ability to thrive despite a range of streetscape challenges and constraints.

While the 'right tree for the right place' philosophy may seem like a relatively straight forward and logical approach, it is made more complex by the wide range of factors that affect how a tree performs in the urban environment.

To help simplify this process the City has adopted a tiered approach to the application of this philosophy.

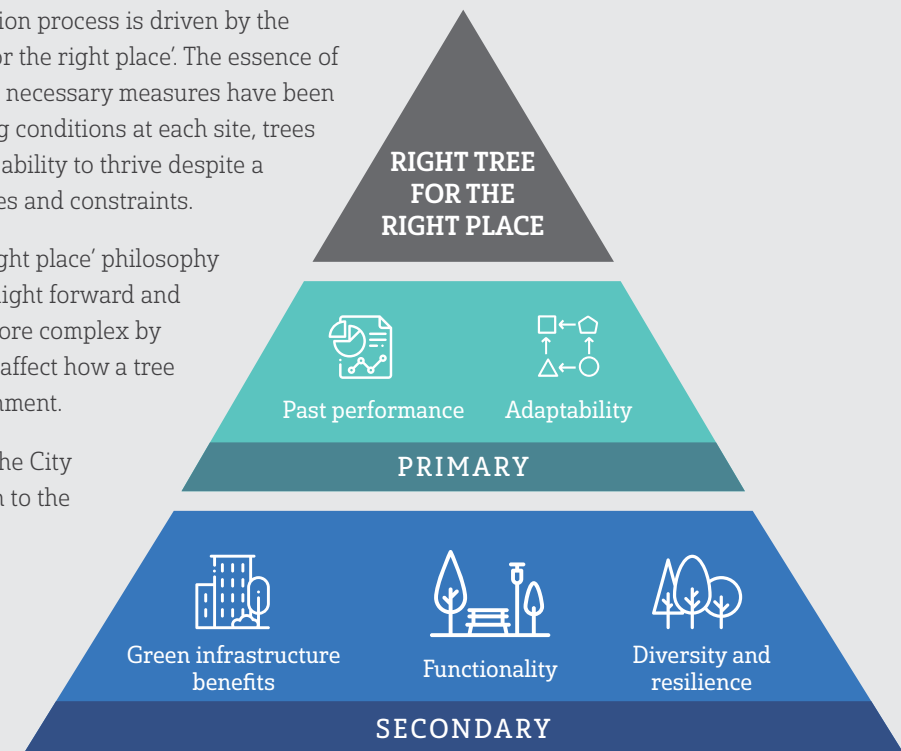


Figure 6: Tiered approach to the 'right tree for the right place' philosophy.



## Primary criteria

The most important issue to consider in the tree selection process is the ability of a particular tree species to survive and thrive in harsh urban environments. This is assessed by a species'

- past performance as a street tree
- ability to adapt to the urban environment

## PAST PERFORMANCE

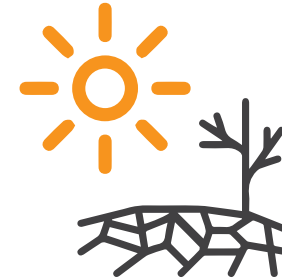
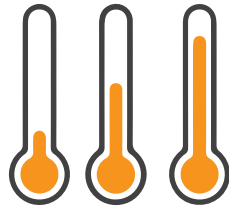
One of the best strategies for successful tree selection is to assess how well existing species are performing within city streets.

The City has reviewed the performance of its existing population of street trees. Where a particular tree is commonly found within an individual city street, and is performing well against desired selection criteria, the general strategy is to continue to plant that species as part of new and replacement plantings.

This approach does not, however, mean that existing street trees that do not match the chosen species will be removed. Many city streets currently contain a mix of tree species. Where trees other than the chosen species are found to be healthy, and make a positive contribution to the streetscape, they will be retained.







### ADAPTABILITY

To be successful, street trees must have the ability to adapt and thrive despite a range of common challenges.

**Urban microclimate:** Street trees must have the ability to withstand much higher temperatures due to the Urban Heat Island (UHI) effect. This is particularly important given that Perth is predicted to experience rising temperatures in the future.

Surrounding high rise buildings can create wind tunnels and result in extended periods of shade. This can have a negative effect on a tree's crown form, quality and health.

**Air pollution:** City streets can experience higher levels of atmospheric pollution, particularly where there is a significant amount of vehicular traffic. It has been found that broad leaved, deciduous species in general are more tolerant of air pollution than evergreen species. Such species are also the most effective in trapping and storing atmospheric pollutants and therefore provide the additional benefit of improving the quality of the surrounding air.

**Poor and compacted soils:** Urban soils are often extremely poor or disturbed, with low nutrient content and water-holding capacity. Paved and impermeable urban surfaces can compact the soil and limit levels of oxygen and gas exchange. In some parts of the city, particularly those around the river or along the city's previous system of wetlands, the soils can be susceptible to waterlogging during periods of prolonged rainfall, leading to soil hypoxia.

Tree roots cannot grow in hard, compacted soils where no oxygen is available and this can be a lead cause of tree death in the urban environment.

**Impacts of climate change:** Street trees also have to increasingly contend with reduced rainfall associated with on-going climate change. This is already suspected of having an impact on the health of a few of the City's existing street tree species. These include a large number of mature *Lophostemon confertus* (Queensland Box), one of the most commonly planted street trees, and some fig trees including the *Ficus macrophylla* (Moreton Bay Fig) and *Ficus obliqua* (Small Leaved Fig).

## Secondary criteria

Once a tree has been selected for its ability to survive and thrive in the streetscape, the next level of assessment takes account of its ability to deliver green infrastructure benefits appropriate to its context and support a strategic and best practice approach to urban forest management.

### GREEN INFRASTRUCTURE BENEFITS

Green infrastructure benefits (GI benefits) are the range of environmental, social and economic services provided by healthy, mature street trees. As tree species differ in their ability to deliver these benefits it is important that the tree selection process ensures that species are chosen to deliver the specific benefits required in a particular street.

The key GI benefits that have informed the City's tree selection process are as follows:

**Urban cooling:** Research suggests that large canopied, broad leaved trees with dense crowns are more effective in urban cooling. These trees tend to be non-native species. Native trees may not be as effective in urban cooling, partly because of their pendulous leaf structure.

In some instances, non-native trees are also often better adapted to thrive in challenging urban environments.

**Beautifying city streets and spaces:** Trees can help to soften and humanise city streets. They can add colour, scent, sound and visual interest across the seasons. This helps to create comfortable, inviting and safer streets. Trees also contribute to the legibility of the city by reinforcing the hierarchy of streets, marking out areas of significance and strengthening the distinct character of various city precincts.

Qualities such as tree size, overall form and structure, colour and quality of their bark foliage and the provision of seasonal fruit or flowers can have a significant aesthetic impact on city streetscapes and are important considerations in the tree selection process.

**Water quality and management:** Trees capture and filter stormwater through their canopies and root systems. This can help to slow flow rates, reduce levels of stormwater run off and improve water quality. Some tree species are more effective than others in this regard.

**Biodiversity:** Tree canopies provide shelter for birds, bees and other wildlife, and their fruit and flowers can be an important food source. Native trees are often selected for their ability to help create habitat and support biodiversity in appropriate locations. However, some non-native tree species including *Carya illinoensis* (Pecan), *Liquidambar styraciflua* (Liquidambar) and *Pinus pinea* (Stone Pine) can also help to support native fauna.

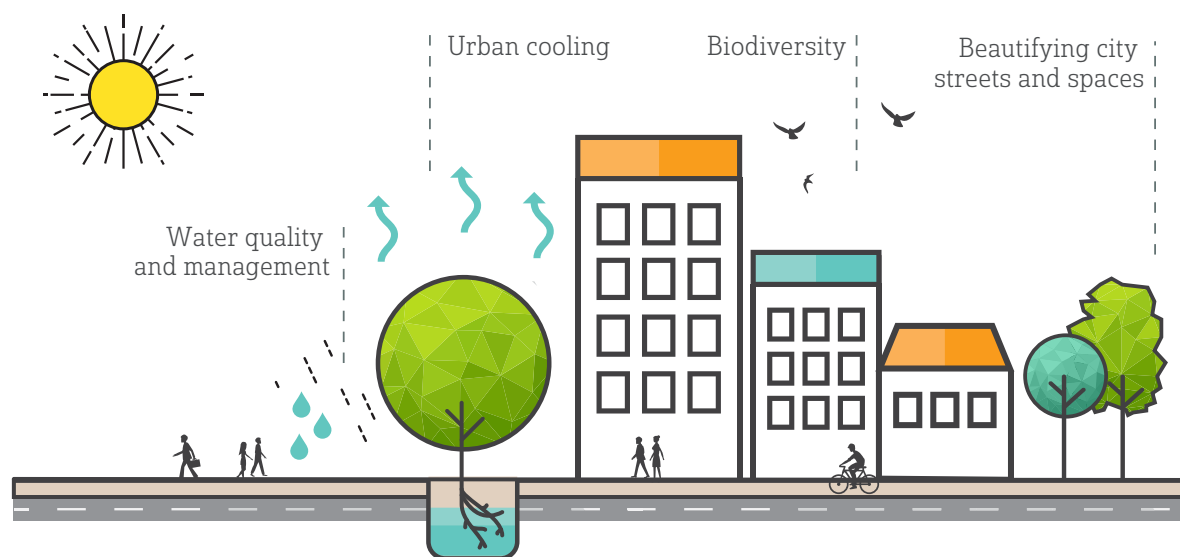
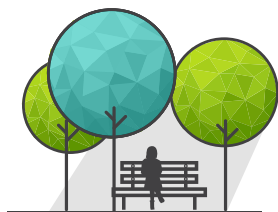


Figure 7: Benefits of green infrastructure.









## FUNCTIONALITY

Species selected for planting should have a range of characteristics and qualities that maximise their positive impact on how a city street functions, while minimising the cost of managing and maintaining trees in the urban environment.

The City's tree selection process has been informed by the following functional considerations:

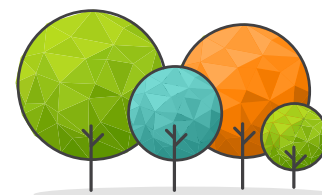
**Availability:** Trees selected for planting should generally be readily and locally available in the size and quantities required. This is particularly important for tree species that will be planted widely across the city.



**Size:** City streets are required to accommodate a range of different functions and activities. A tree's canopy and root system must compete for space against other elements of city infrastructure including buildings, awnings, light poles, street furniture and underground services and functions such as vehicle and pedestrian movement.

Due to the relationship between tree canopy and the level of GI benefits delivered, the City generally favours the selection of tree species with the potential to develop as large and as healthy a canopy as possible. The rate at which a particular species grows is also considered and particularly slow growing species are generally avoided.

However, the selection process must also strike a balance between canopy size and the space available within a particular street. Oversized trees can have a negative impact on other city infrastructure and accessibility, making them costly to manage and maintain.



**Structure:** Street trees should have good structure and symmetrical form, which is relatively consistent across the species. This can add a sense of formality to a streetscape, whereas species with a more irregular structure and open, asymmetrical form tend to create more informal and naturalistic landscapes.

The trunks of trees should ideally be single (i.e. not multi-branching) and relatively straight so that they take up minimal footpath space and the area around the tree is maximised.

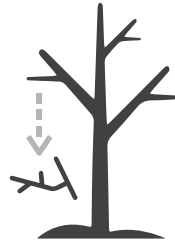
Tree species selected for planting in high use city streets should be high branching. They should also be tolerant of any pruning that may be necessary to allow for safe and comfortable pedestrian movement, the passage of large vehicles, clear views of signage and traffic signals and the non-obstruction of street lighting where these elements cannot be successfully relocated within the streetscape.



**Leaf and fruit litter:** All trees produce litter; leaf or bark shed, fruit or seed drop. Where a particular species produces a higher level of litter but performs well against most of the other selection criteria, particularly canopy cover, the City will generally continue to plant it.

Rather than avoiding the use of these trees, the City's approach is to put appropriate procedures in place to manage tree litter especially in streets and spaces with high levels of activity. This will minimise any risk to pedestrians and cyclists and help keep city streets clean and tidy.

Planting tree species that produce leaf and fruit litter at similar times of the year within close proximity to each other can help to reduce the cost of tree maintenance.



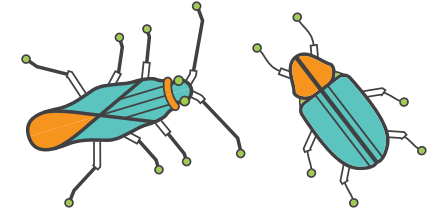
**Limb drop:** Trees are naturally shedding organisms and limb drop is a natural event. Despite proper risk management and monitoring it is not always possible to predict or avoid.

In order to minimise this risk, tree species which are known for their relatively high rate of limb failure will generally not be considered for planting in streets or other public spaces where pedestrian and/or cyclist activity is high. In areas where such species already exist the City undertakes appropriate measures for their management and maintenance.



**Roots:** Root disturbance to pavements and other infrastructure can generally be managed through appropriate site preparation. However, species known to have vigorous and/or buttress root systems that lift pavements will generally not be selected for planting in public spaces and streets.

As trees grow bigger the chances of some root disturbance can increase. Where the roots of an existing tree are disturbing footpaths or roads these will be managed on a case by case basis, using expert arboricultural advice where needed.



**Pests and diseases:** Healthy trees are generally resilient to the impact of pests and diseases. The urban environment and climate change can stress street trees and make them vulnerable to attack. While the City's street trees are generally in good health some species are currently affected by various pests and diseases. However, these do not appear to be having a detrimental effect on health at present.

The City's approach is to continue to use these species, particularly where they are likely to recover with appropriate treatment. Where treatment proves to be inefficient or ineffective the continued use of these species will be re-evaluated in future updates of the Street Tree Framework.



## DIVERSITY AND RESILIENCE

A further complicating factor in the tree selection process is the limited number of tree species that can meet most of the selection criteria. This can result in the urban forest becoming over reliant on particular tree species.

Research undertaken for the Urban Forest Plan has shown that there is a tendency for our street tree population to be overly dependent on some species. It is important that the City's tree selection process promotes appropriate levels of diversity and resilience within the overall street tree population.

Consideration must be given to selecting trees based on the contribution they can make to the long-term health and sustainability of the urban forest as a whole.

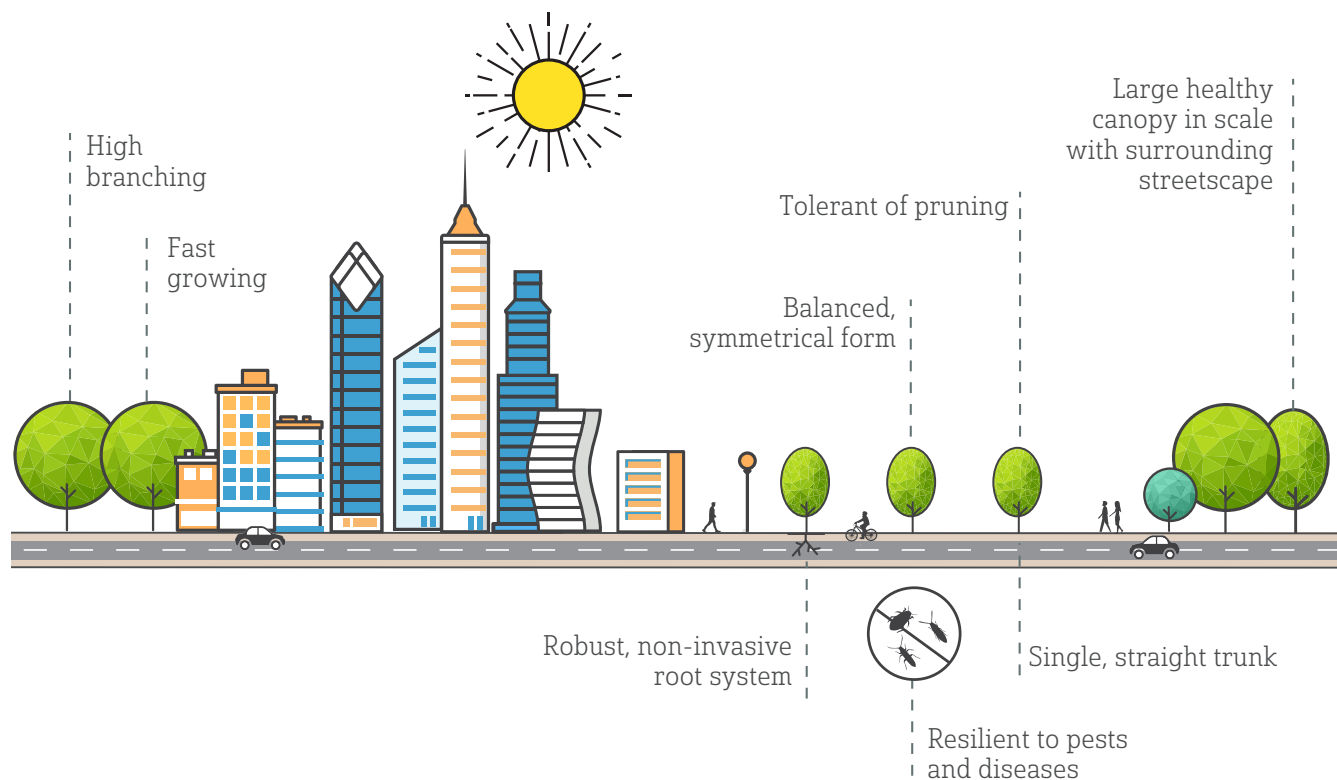
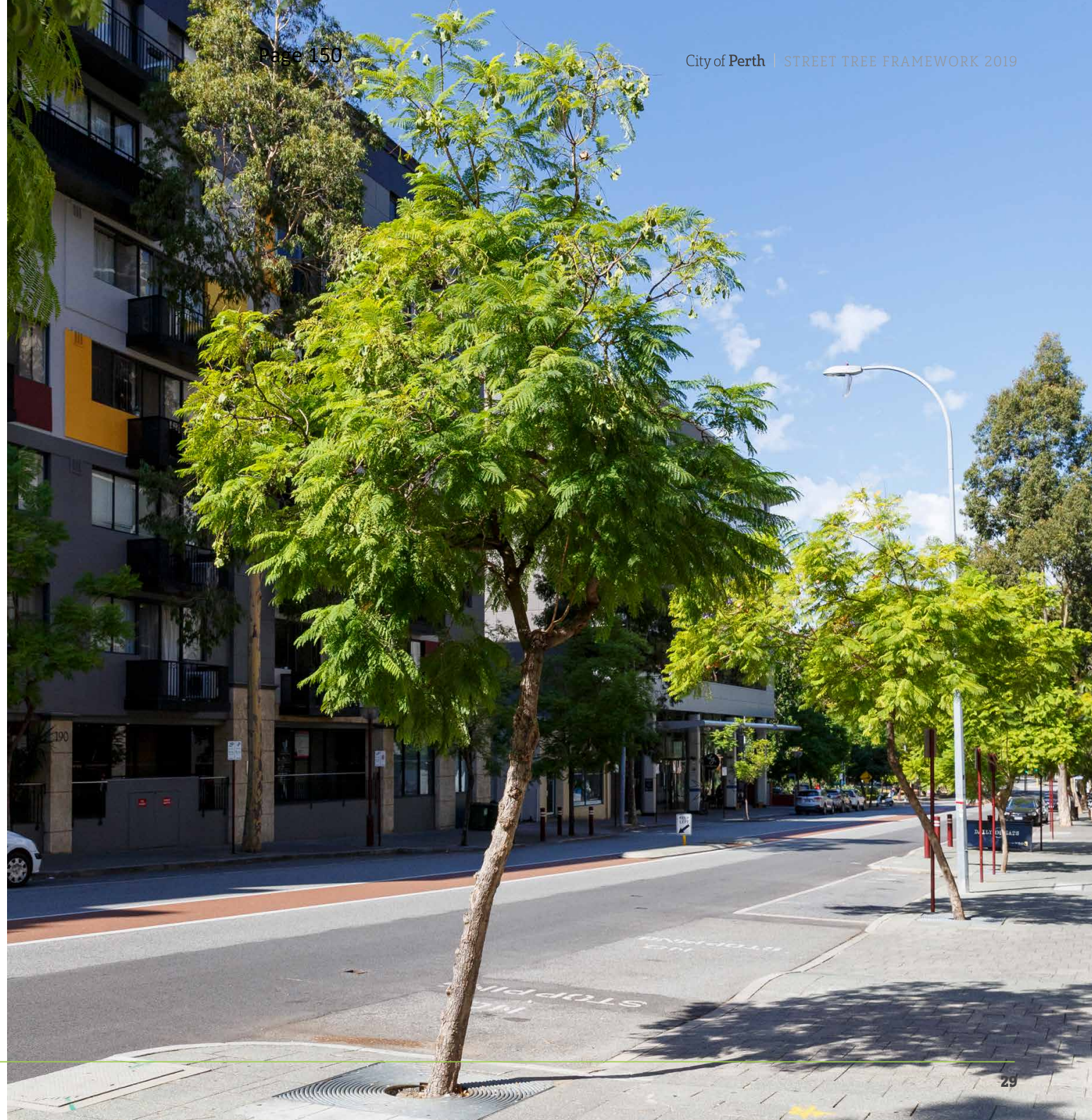


Figure 8: What makes a good street tree.

## No tree is perfect

Trees are living organisms and there will be inconsistencies within species, problems associated with their growth, tree litter and other maintenance issues. No tree is 'perfect' and it is not possible for one species to meet all the City's selection criteria or community preferences.





## Tree trials

To help promote greater tree diversity the City has identified some new species which may be suitable for use as street trees. These will be trialled to assess their suitability for future planting within the urban environment.

Tree trials will generally be conducted in City parks or green street verge areas first, as these spaces provide more benign growing conditions. Once a species has proven its success here it will then be planted within hard paved city streets in the second stage of the tree trial process.

Trials will generally be conducted by planting limited numbers of the trial species within groups of existing street trees or in smaller, less heavily used city streets to minimise the impact of any tree failures.

The decision on whether the tree species can be added to the City's tree list will be based on the findings of systematic measuring and monitoring of a tree's performance during both stages of the trial process. The City will develop appropriate processes with input from arborists. It will also engage with other local governments within the greater Perth region so that knowledge, experience and expertise are shared.

An initial list of tree trial species is shown in Appendix A. This list will be added to periodically as additional species are identified from on-going research.

## Sourcing tree species to trial

It can often be difficult to source trial species. Local nurseries generally only stock trees known to be proven performers and for which there is a guaranteed demand. Quarantine processes and restrictions can further complicate species availability. To address this issue the City will form partnerships with selected nurseries so that contract growing of selected trial species can be undertaken.

## The City's tree list

The list of trees currently approved for use as street trees within the City is included in Appendix B. It is divided into native and non-native species.

The list will be reviewed and amended periodically to take account of any impacts of climate change on tree performance and health. These impacts will be identified as part of regular audits of the City's street and parkland trees.

The list will also be updated to include new tree species identified as a result of tree trials.

## Tree species in the City's parks, reserves and gardens

Trees in parks or garden settings generally have far more favourable growing conditions than those within streets or other areas with paved surfaces.

There can be greater flexibility in the choice of tree species to be planted in these softer areas and suitable species may not be restricted to those included on the City's tree list. However, the tree selection process must always be determined by the planting context.

## Selecting the right tree is not enough

While appropriate site preparation and the selection of the 'right tree for the right place' are important places to start, there are other issues that must be considered to maximise a street tree's potential to grow and thrive. These include:

- procurement of quality tree stock
- implementation of best practice planting procedures and processes
- appropriate tree establishment and aftercare practices.

These issues are addressed in the following parts of this document.







## 3.0 What tree will be planted where?

The tree species nominated for planting within each city street are set out in the City's Street Tree Matrix.





## The Street Tree Matrix

The Street Tree Matrix (the matrix) guides all new and replacement street tree planting across the city and is included in full in Appendix C. It has been developed by matching the tree species on the City's Tree List with the key selection criteria, as set out in Part 2 of this document, on an individual street-by-street basis.

For ease of reference, the matrix lists city streets in alphabetical order. Where a street is particularly long it has been broken into street blocks. The tree species may vary across these blocks to reflect changes in character and function along the length of the street.

A summary of the tree species selected for planting within each of the City's streets is illustrated in Figure 9.

## Neighbourhood maps

The matrix is illustrated and supported by a set of neighbourhood maps. These set out the tree species selected for planting within every street in each of the city's six neighbourhoods.

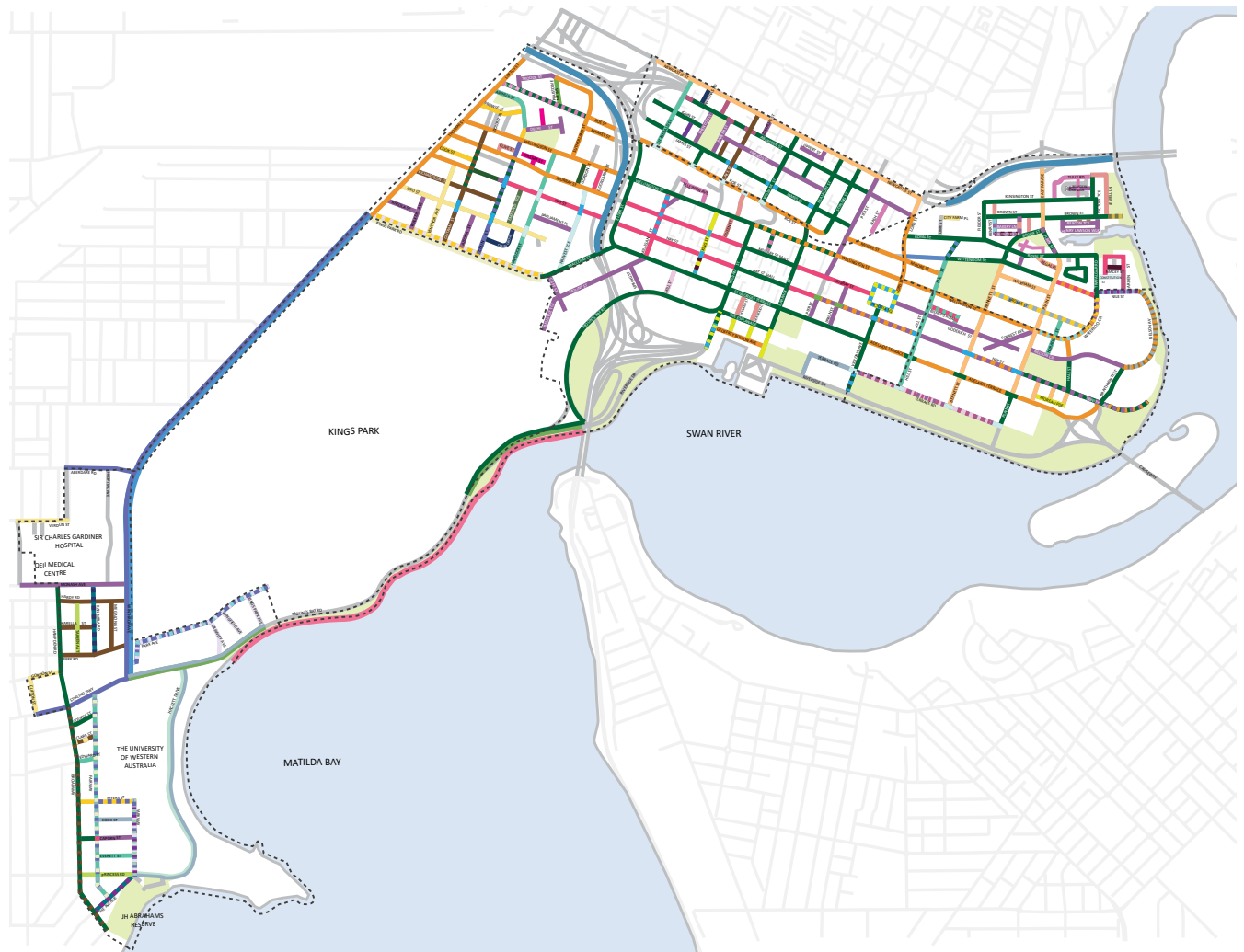
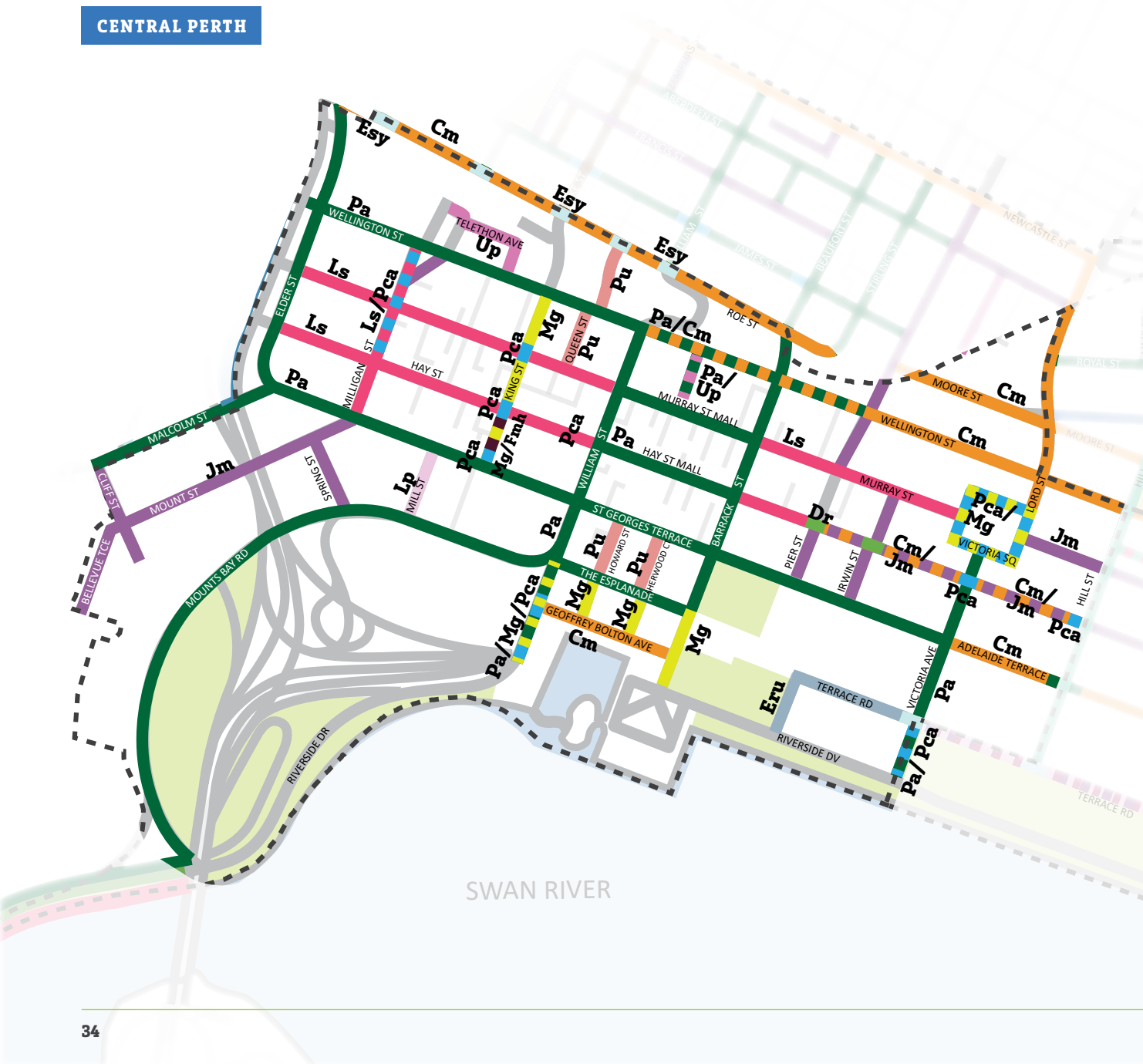


Figure 9: Summary of tree species selected for planting.

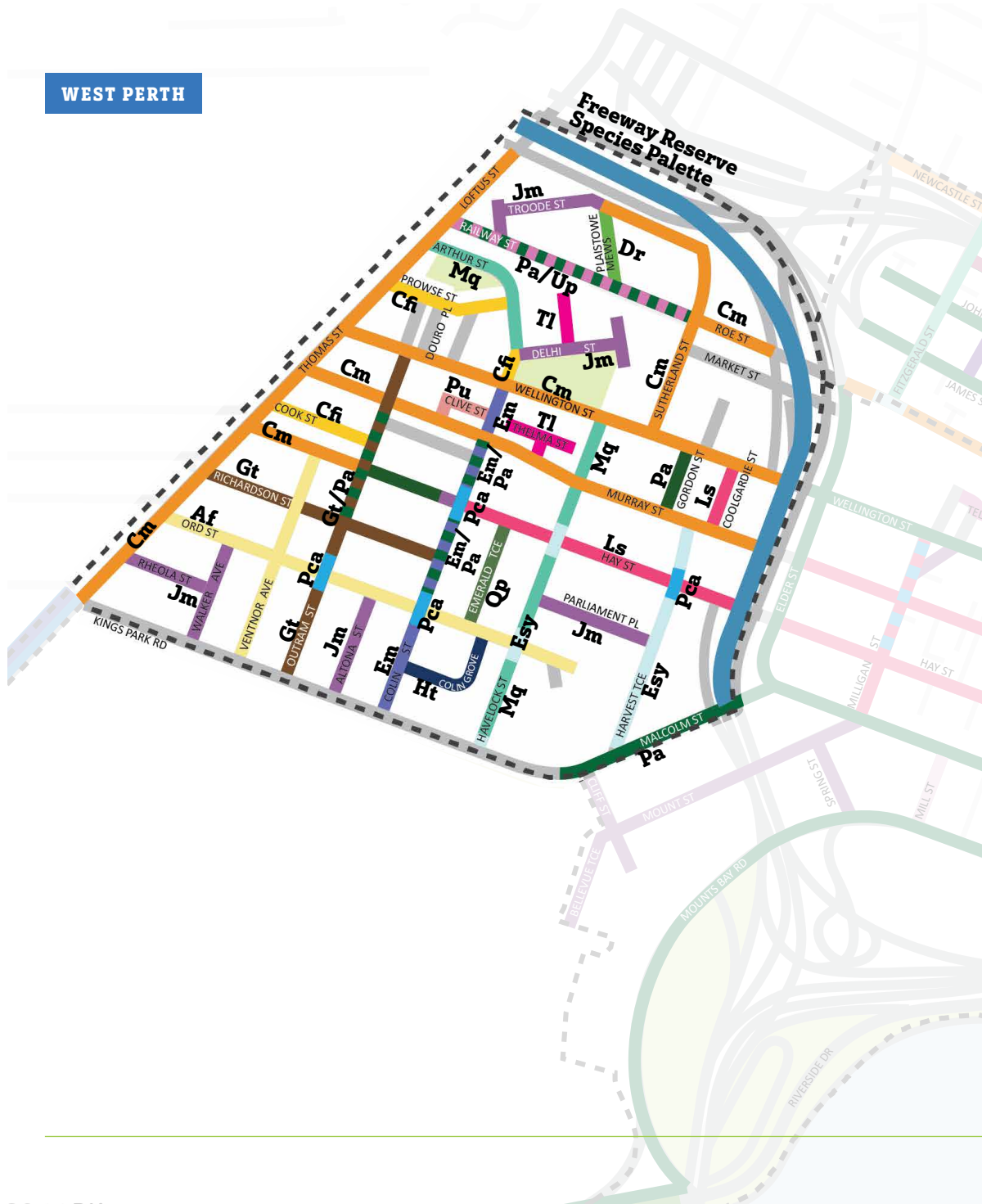
## CENTRAL PERTH



## Legend

Cm	<i>Corymbia maculata</i>	Spotted Gum
Esy	<i>Erythrina x sykesii</i>	Coral Tree
Eru	<i>Eucalyptus rudis</i>	Flooded Gum
Ht	<i>Hibiscus tiliaceus</i>	Cottonwood
Jm	<i>Jacaranda mimosifolia</i>	Jacaranda
Lp	<i>Lagunaria patersonia</i>	Norfolk Island Hibiscus
Ls	<i>Liquidambar styraciflua</i>	Liquidambar
Dr	<i>Delonix regia</i>	Poinciana
Mg	<i>Magnolia grandiflora</i>	Magnolia
Pca	<i>Phoenix canariensis</i>	Canary Island Date Palm
Pa	<i>Platanus x acerifolia</i>	London Plane
Pu	<i>Pyrus ussuriensis</i>	Manchurian Pear
Fmh	<i>Ficus microcarpa var. hillii</i>	Hill's Fig
Up	<i>Ulmus parvifolia</i>	Chinese Elm

## WEST PERTH



## Legend

<b>Af</b>	<i>Agonis flexuosa</i>	WA Peppermint
<b>Cfi</b>	<i>Corymbia ficifolia</i>	Red Flowering Gum
<b>Cm</b>	<i>Corymbia maculata</i>	Spotted Gum
<b>Esy</b>	<i>Erythrina x sykesii</i>	Coral Tree
<b>Gt</b>	<i>Gleditsia triacanthos var. inermis</i> 'Shademaster'	Honey Locust
<b>Ht</b>	<i>Hibiscus tiliaceus</i>	Cottonwood
<b>Jm</b>	<i>Jacaranda mimosifolia</i>	Jacaranda
<b>Ls</b>	<i>Liquidambar styraciflua</i>	Liquidambar
<b>Lch</b>	<i>Livistona chinensis</i>	Chinese Fan Palm
<b>Mq</b>	<i>Melaleuca quinquenervia</i>	Broad Leaved Paperbark
<b>Pa</b>	<i>Platanus x acerifolia</i>	London Plane
<b>Pca</b>	<i>Phoenix canariensis</i>	Canary Island Date Palm
<b>Qp</b>	<i>Quercus palustris</i>	Pin Oak
<b>Tt</b>	<i>Tipuana tipu</i>	Pride of Bolivia
<b>Tl</b>	<i>Tristanopsis laurina</i>	Water Gum
<b>Dr</b>	<i>Delonix regia</i>	Poinciana
<b>Freeway Reserve Species Palette</b>	See Appendix C - Street Tree Matrix	

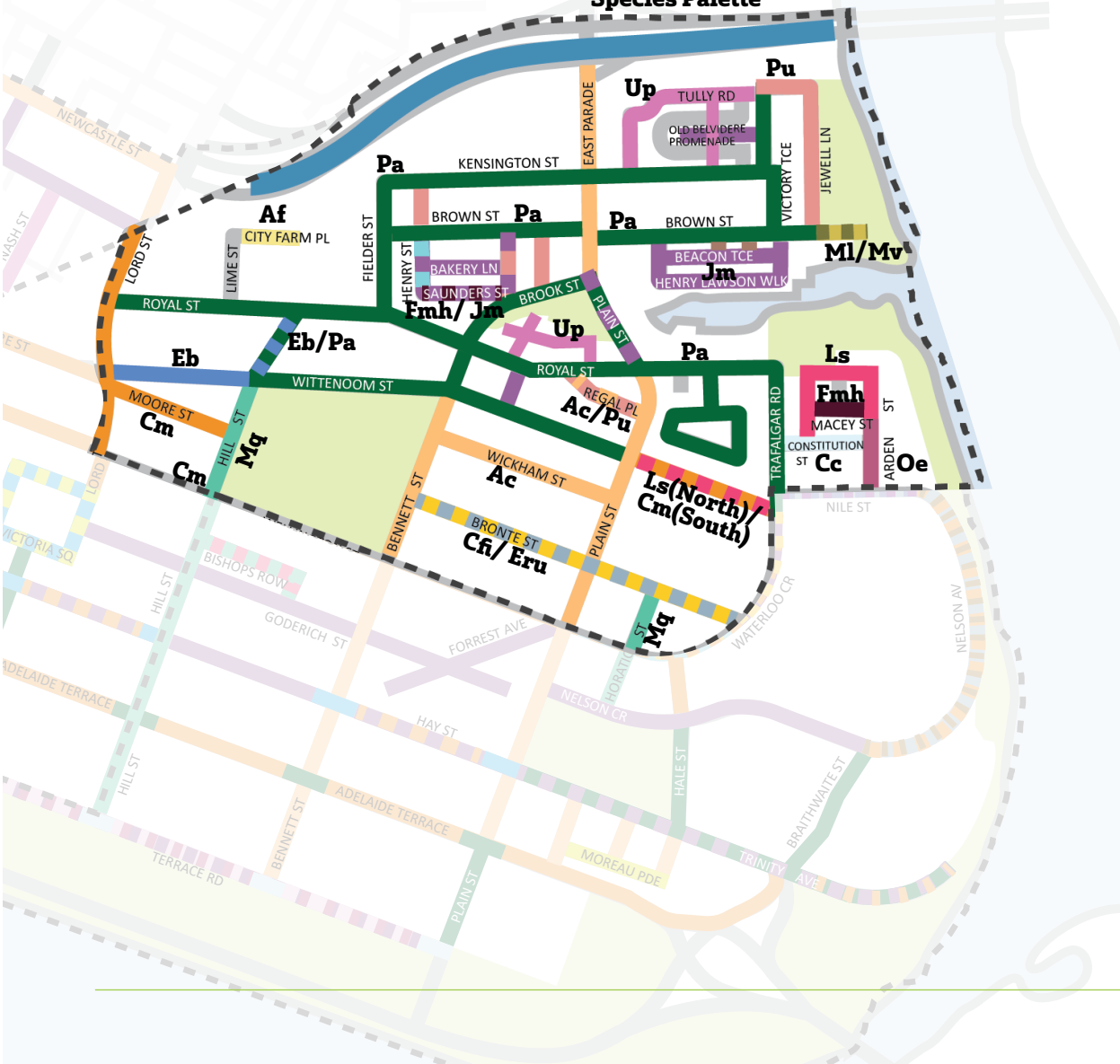
## NORTHBRIDGE

## Legend

Ac	<i>Angophora costata</i>	Smooth Barked Apple
Cm	<i>Corymbia maculata</i>	Spotted Gum
	<i>Erythrina x sykesii</i>	Coral Tree
Gt	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Shademaster'	Honey Locust
Ht	<i>Hibiscus tiliaceus</i>	Cottonwood
Jm	<i>Jacaranda mimosifolia</i>	Jacaranda
Oe	<i>Olea europaea</i>	Olive Tree
Mq	<i>Melaleuca quinquenervia</i>	Broad Leaved Paperbark
Pa	<i>Platanus x acerifolia</i>	London Plane
Pca	<i>Phoenix canariensis</i>	Canary Island Date Palm
Pce	<i>Prunus cerasifera</i>	Purple Leaved Plum
Up	<i>Ulmus parvifolia</i>	Chinese Elm



## CLAISEBROOK

Freeway Reserve  
Species Palette

## Legend

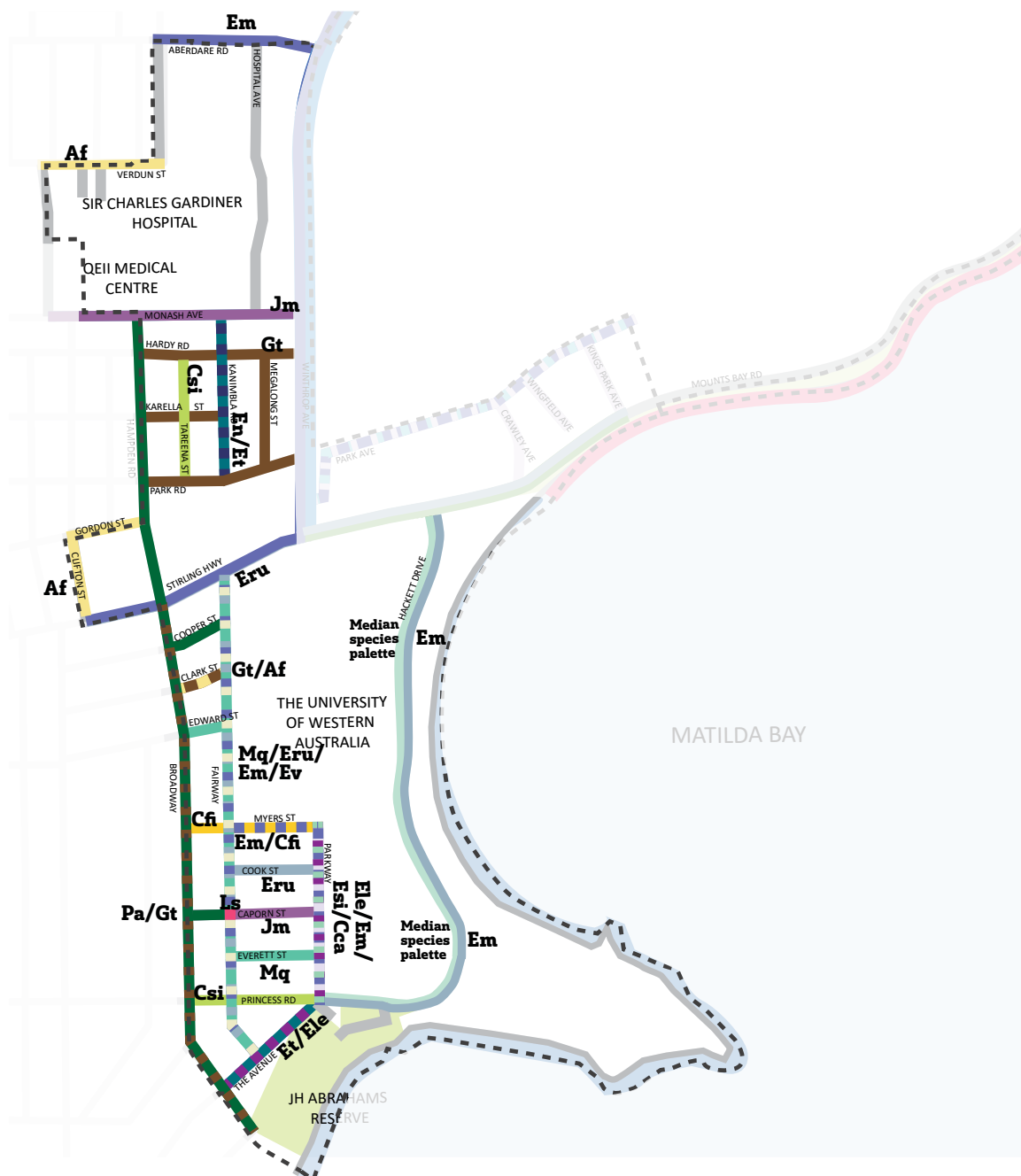
<b>Af</b>	<i>Agonis flexuosa</i>	WA Peppermint
<b>Ac</b>	<i>Angophora costata</i>	Smooth Barked Apple
<b>Cfi</b>	<i>Corymbia ficifolia</i>	Red Flowering Gum
<b>Cm</b>	<i>Corymbia maculata</i>	Spotted Gum
<b>Cc</b>	<i>Cinnamomum camphora</i>	Camphor Laurel
<b>Eb</b>	<i>Eucalyptus botryoides</i>	Bangalay
<b>Eru</b>	<i>Eucalyptus rudis</i>	Flooded Gum
<b>Fmh</b>	<i>Ficus microcarpa</i> var. <i>hillii</i>	Hill's Fig
<b>Jm</b>	<i>Jacaranda mimosifolia</i>	Jacaranda
<b>Ls</b>	<i>Liquidambar styraciflua</i>	Liquidambar
<b>Lch</b>	<i>Livistona chinensis</i>	Chinese Fan Palm
<b>Mq</b>	<i>Melaleuca quinquenervia</i>	Broad Leaved Paperbark
<b>Oe</b>	<i>Olea europaea</i>	Olive Tree
<b>Pa</b>	<i>Platanus x acerifolia</i>	London Plane
<b>Pod</b>	<i>Platanus orientalis</i> 'Digitata'	Cut Leaf Oriental Plane
<b>Pu</b>	<i>Pyrus ussuriensis</i>	Manchurian Pear
<b>Up</b>	<i>Ulmus parvifolia</i>	Chinese Elm
<b>Ml</b>	<i>Melaleuca leucadendra</i>	Weeping Paperbark
<b>Mv</b>	<i>Melaleuca viridiflora</i>	Red Flowering Paperbark
	Freeway Reserve Species Palette See Appendix C - Street Tree Matrix	

## EAST PERTH



## Legend

Ac	<i>Angophora costata</i>	Smooth Barked Apple
Cfi	<i>Corymbia ficifolia</i>	Red Flowering Gum
Cm	<i>Corymbia maculata</i>	Spotted Gum
Esy	<i>Erythrina x sykesii</i>	Coral Tree
Ec	<i>Eucalyptus camaldulensis</i>	River Red Gum
Ego	<i>Eucalyptus gomphocephala</i>	Tuart
Ele	<i>Eucalyptus leucoxylon</i>	SA Yellow Gum
Eme	<i>Eucalyptus melliodora</i>	Yellow Box
Eru	<i>Eucalyptus rudis</i>	Flooded Gum
Jm	<i>Jacaranda mimosifolia</i>	Jacaranda
Lp	<i>Lagunaria patersonia</i>	Norfolk Island Hibiscus
Ls	<i>Liquidambar styraciflua</i>	Liquidambar
Mg	<i>Magnolia grandiflora</i>	Magnolia
Mq	<i>Melaleuca quinquenervia</i>	Broad Leaved Paperbark
Pa	<i>Platanus x acerifolia</i>	London Plane
Pca	<i>Phoenix canariensis</i>	Canary Island Date Palm



## Legend

<b>Af</b>	<i>Agonis flexuosa</i>	WA Peppermint
<b>Cca</b>	<i>Corymbia calophylla</i>	Marri
<b>Csi</b>	<i>Ceratonia siliqua</i>	Carob
<b>Cfi</b>	<i>Corymbia ficifolia</i>	Red Flowering Gum
<b>En</b>	<i>Eucalyptus nicholii</i>	Narrow Leaved Peppermint
<b>Et</b>	<i>Eucalyptus torquata</i>	Coral Gum
<b>Ele</b>	<i>Eucalyptus leucoxydon</i>	SA Yellow Gum
<b>Em</b>	<i>Eucalyptus marginata</i>	Jarrah
<b>Eru</b>	<i>Eucalyptus rudis</i>	Flooded Gum
<b>Esi</b>	<i>Eucalyptus sideroxylon</i>	Iron Bark
<b>Ev</b>	<i>Eucalyptus victrix</i>	Coolibah
<b>Gt</b>	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Shademaster'	Honey Locust
<b>Jm</b>	<i>Jacaranda mimosifolia</i>	Jacaranda
<b>Ls</b>	<i>Liquidambar styraciflua</i>	Liquidambar
<b>Mq</b>	<i>Melaleuca quinquenervia</i>	Broad Leaved Paperbark
<b>Pa</b>	<i>Platanus x acerifolia</i>	London Plane
<b>Em</b>	Hackett Drive Median Species Palette See Appendix C - Street Tree Matrix	



## Legend

Cca	<i>Corymbia calophylla</i>	Marri
Cfi	<i>Corymbia ficifolia</i>	Red Flowering Gum
Eru	<i>Eucalyptus rudis</i>	Flooded Gum
Ego	<i>Eucalyptus gomphocephala</i>	Tuart
Em	<i>Eucalyptus marginata</i>	Jarraah
Pa	<i>Platanus x acerifolia</i>	London Plane
	Kings Park Rd - Median Species Palette	See Appendix C - Street Tree Matrix
	Mounts Bay Road - Riverfront Species Palette	See Appendix C - Street Tree Matrix
	Mounts Bay Rd - Median Species Palette	See Appendix C - Street Tree Matrix
	Thomas St to Winthrop Ave - Median Species Palette	See Appendix C - Street Tree Matrix



## 4.0 How we source our trees

A tree's ability to become established and thrive is highly dependant on the quality of stock selected for planting. The City's tree stock is sourced from commercial nurseries and the majority is container grown.





## Tree procurement processes

Wherever possible, the City endeavours to use contract growing to procure its street trees. Under this process advance orders are placed for the required tree species, numbers and sizes.

Contract growing has advantages for both the City and tree suppliers. For the City it can help secure the quantity and quality of tree stock required for each planting season in line with planting project timeframes. It can also help ensure the availability of new tree species for trialling, which would otherwise not be widely available.

Tree suppliers are provided with certainty on the species, size, quality and numbers of tree stock that will be required. This allows them to invest and forward plan for the production of high quality stock, and to source less commonly available species for trialling in a timely manner.

The City will seek to procure trees across a number of different accredited nurseries and suppliers, where it is not possible to contract grow due to project delivery constraints.

Where new native trees are to be planted in city streets that interface with Kings Park the City will seek to collaborate with the Botanic Gardens and Parks Authority (Kings Park) to source tree stock directly from them. This will help maintain quality and match the genetic integrity of the native tree population within the Park with trees planted in the immediate vicinity.

## What do we look for?

All tree stock supplied to the City is required to be of high quality and grown in accordance with Australian Standard AS 2303:2015

Before making its final selection the City undertakes a visual inspection of each tree to check it against key requirements. In the case of contract growing, the City undertakes periodic visual inspections of each tree at key growing stages. This allows any issues that may be affecting the quality of tree stock to be identified and addressed early in the growing process, well in advance of their eventual supply to the City.

### True to type

Trees selected must be exactly as specified in terms of genera, species, variety (for a recognised cultivar) and species provenance (i.e. identified source of production material) particularly with the supply of native trees.

### Tree habit

In general trees should have a uniform habit and be self-supporting with an appropriate balance between the root ball and canopy. Self-supporting trees can be successfully planted within the streetscape without the use of stakes, which is the City's preferred method of planting.

Each tree's crown, trunk and root system is examined for damage, flaws and other defects that will make it difficult for the tree to establish and thrive once planted.

### Crown

The tree's crown is checked to ensure that it:

- is proportionate to the tree trunk and root ball size
- is well balanced either side of the stem axis. Any imbalance should not exceed 60/40
- has a clearly defined central leader with an intact and active apical bud. This can reduce the risk of stem failure in the longer term
- has healthy leaves of an appropriate size, texture and colour consistent with healthy specimens of each species
- is free of pests, diseases, chlorosis or necrosis
- has not been unnecessarily pruned to remove low branches. Wherever possible, as much canopy as possible is to be retained

### Trunk

Trees selected for planting in streets should have a straight, vertical single trunk that is located roughly in the centre of the tree compared to crown and root ball diameter. The trunk should also be:

- centrally located within the planting container
- proportionate to total height, dependant on species
- undamaged and free of deformities
- free of branches for at least 1.8m where possible. Where this is not possible, trees with the potential to achieve this clear stem height with the successful removal of branches may be acceptable
- exhibiting sound stem junction at branch level.

Trees should also have a good stem taper. This is a measurement of the degree to which the width of the tree's trunk decreases along its length, in proportion to height. Appropriate standards, based on tree size, are:

Tree size	Width of tree trunk	Length	Height
100lt tree	min 50mm	1m & 60mm	300mm
200lt tree	60-75mm	1m & 80-85mm	300mm
400lt tree	100-125mm	1m & 150mm	300mm

## Roots

Trees supplied for planting should be root balled or containerised. Bare rooted trees are generally not acceptable. The tree's root system is also checked to ensure the following:

- roots are white in appearance and healthy
- the root crown is at the surface of the rootball
- roots are well distributed throughout the container and grow in an outwards or downwards direction. There is to be no indication of circling or girdled roots
- at least 90 percent of the soil volume around the root ball should remain intact when the tree is handled or removed from the growing container.

## Tree size

In general trees that are suitable for street planting must be at least 100lt in size but can range up to 500lt for significant streetscapes.

### CROWN:

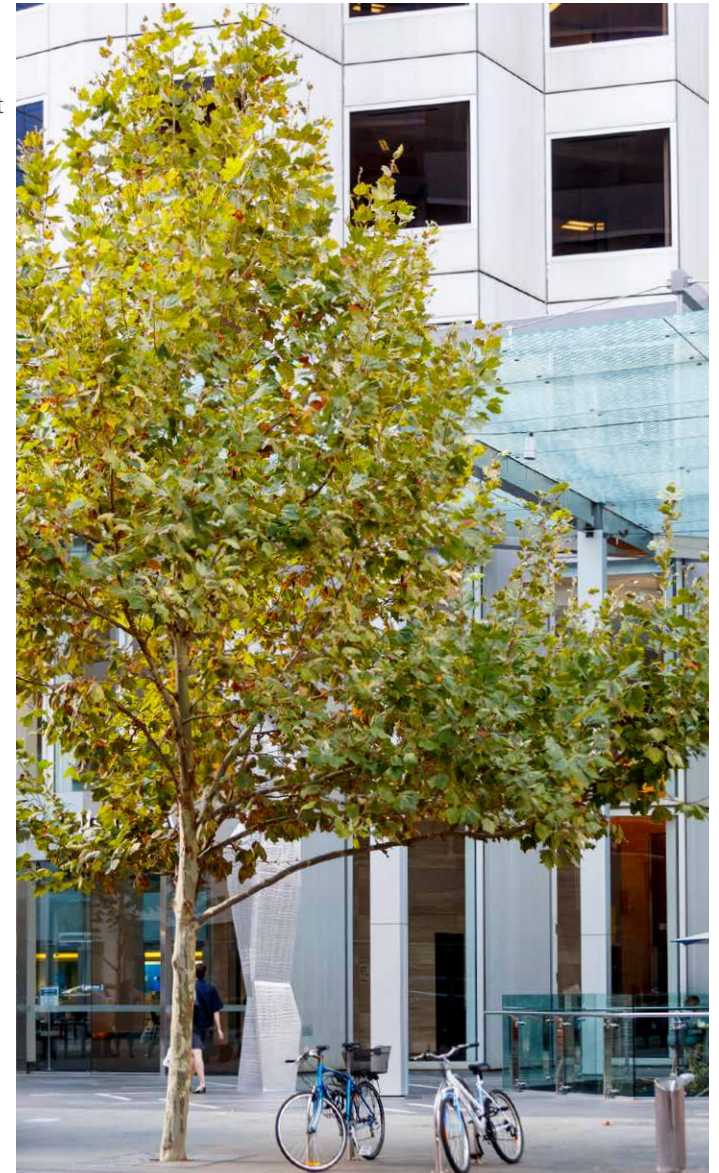
- Proportionate to trunk and root ball
- Well balanced
- Clearly defined central leader
- Healthy leaves
- Free of pests and diseases
- Pruned appropriately

### TRUNK:

- Centrally placed
- Proportionate to tree height
- Free of deformities
- Sound stem junctions
- Min 1.8m clear stem

### ROOTS:

- Root crown at surface of rootball
- Well distributed – no circling or girdling
- White and healthy
- Soil volume intact when removed from growing container



## Nursery practices

The way that trees are grown and managed in the nursery setting can have an important impact on their overall quality. The City only sources trees from accredited nurseries that demonstrate compliance with the requirements of Australian Standard AS 2303:2015

In general the City takes the following factors into account in the tree selection process:

- appropriate handling between the nursery, holding sites and the planting site to avoid damage to the tree
- root system management and individual production tasks such as pruning, potting and picking out
- hardening off tree stock within adequate timeframes to allow their successful transition from the relatively protected nursery environment into more challenging street environments
- biosecurity measures to ensure that threats posed by pathogens and pests are minimised.

Each tree should also be clearly labelled with its species and appropriate numbering system which will allow tree stock to be tracked to ensure quality control. In the case of contract grown trees each should be labelled as being allocated to the City of Perth. All labels should be placed on the tree itself rather than on the planting container.

Each planting container should clearly indicate the north point to ensure that trees are planted in the same orientation in both the nursery and at the planting site. This helps to shelter the bark from excessive sun exposure which can cause sunscald and damage the tree. This is particularly important for trees greater than 100lt.

## Non-conforming trees

Trees which do not conform to the City's standards are rejected. However, it is important to remember that trees are natural and living things. Unlike other manufactured streetscape elements, such as street lighting or furniture, they are therefore likely to vary from set standards.

As such, the City's selection requirements are intended as a general guide, designed to help maximise the consistent selection of healthy and sustainable tree stock.



## 5.0 How we plant our trees

New street tree planting takes place across a range of different environments within the city. Some are planted in soft green verge areas commonly found in more residential parts of the city, while others are installed in busy, hard paved pedestrian streets that characterise the centre of the city.

Processes underpinning the planning, design and planting of new street trees are required to take account of these differences.



## Types of tree planting

Street tree planting falls into the category of either new or replacement tree planting. New planting takes place when a street tree is installed where no tree currently exists. Replacement planting occurs when a new tree is planted to take the place of an existing tree that has had to be removed in accordance with the City's standards for tree removal and replacement.

### New street tree planting

New street tree planting is a key component of increasing canopy cover within the public realm. It is normally carried out as part of the following initiatives.

#### INFILL STREET TREE PLANTING

The City's infill street tree planting is a targeted program to plant new trees where there are gaps in existing street tree planting. It is carried out on an annual basis using a staged approach across each of the City's neighbourhoods. Planting is guided by neighbourhood planting plans that set out:

- tree species and numbers
- tree spacing and placement (approximate)
- planting specifications for each site
- staging and timing of works.

### WIDER OPEN SPACE NETWORK

New tree planting programs are also being developed for key parts of the City's wider open space network, including areas along the freeway and rail reserves, where appropriate. This planting is done in consultation with key agencies, such as Main Roads WA, that may have primary responsibility or ownership of these spaces.

#### CAPITAL WORKS

Each year the City undertakes a range of capital works projects, including streetscape upgrades and revitalisation of public spaces. Wherever possible, these works are designed to include new street tree planting and maximise the level of canopy cover provided.

The City also adopts an opportunistic approach to new tree planting. New trees will be planted wherever suitable planting sites may emerge as part of other developments or changes to the layout and design of existing streets and spaces.



## Replacement street tree planting

Trees have a natural life span. Selective tree replacement, planned over many years, is a vital aspect of managing canopy cover. It helps to ensure that the numerous benefits trees provide are sustained for future generations.

The City's management of the urban forest is, however, centred on the premise that street trees are significant community assets that can be expected to live for up to 80 years within the street environment. Individual trees can exist for several generations of residents and deliver a significant level of benefits to the community across their lifespan.

Consequently, the long-term interests of the community, and the strategic management of the urban forest as an important community asset, outweigh the short-term preferences of individuals when it comes to the removal and replacement of trees. In general, the removal and replacement of an existing street tree is limited to the following situations:

### DEAD

Like all living things trees eventually die and need to be replaced, particularly where their retention can pose a safety hazard.

In some instances, it may be appropriate to retain an aging or dead tree if it is performing according to its context. For example, near the river or in other areas where it may be appropriate to create habitat and support biodiversity.

### DAMAGED OR DISEASED

New tree planting may also be required to replace diseased trees that cannot be rehabilitated, especially where they are deemed to be structurally unsound. If a disease is prevailing, an alternative species will be identified and planted for that location and possibly for the entire street over time.

Trees that have been vandalised or irreparably damaged in some other way, such as being hit by cars or buses, will also require replacement, particularly where they have become hazardous.

### UNDER PERFORMING

In some instances, a particular tree species may fail to thrive in the urban environment, despite all measures being undertaken to improve their performance. This often results in undersized trees with poor canopy. The *Brachychiton acerifolius* (Illawarra Flame) currently planted along Hay Street in Central Perth are an example of this.

Retaining these trees can have a potentially negative impact on the City's goal to maximise canopy cover within the public realm. Valuable time is lost that could be better used to facilitate healthy and vigorous canopy growth in an alternative species that can perform more successfully in the given context.

Where underperforming trees fail to respond to appropriate treatment designed to improve the health and quality of their canopy a case can be made towards their staged replacement. This is particularly the case for inner city areas with high levels of pedestrian use and activity where street trees can make a significant contribution to overall street amenity and quality.





Figure 10: Lifecycle of an urban tree.



## AGING TREES

Useful life expectancy (ULE) is a measure of the potential time span remaining for a given tree in its existing location. A range of factors are considered when assessing a tree's ULE including the typical life span for that species, climate change impacts, land use, pests and diseases and soil quality and volume.

When a significant number of trees reach the end of their ULE at the same time, within the same street, this can have a highly detrimental impact on street character and visual quality. It can also affect the delivery of important environmental benefits such as urban cooling.

Good urban forest management requires a strategic approach to the timely replacement of these trees. By proactively planning for successional planting the City can reduce loss, consolidate canopy cover and promote balance in age diversity within the urban forest.

The City engages with arborists to undertake a timely review of the health and condition of trees identified as having a ULE of 5 years or less. Where appropriate, the City will implement treatments to increase the life expectancy of those trees. Where trees fail to respond appropriately to this treatment the City will plan for their gradual and timely replacement.

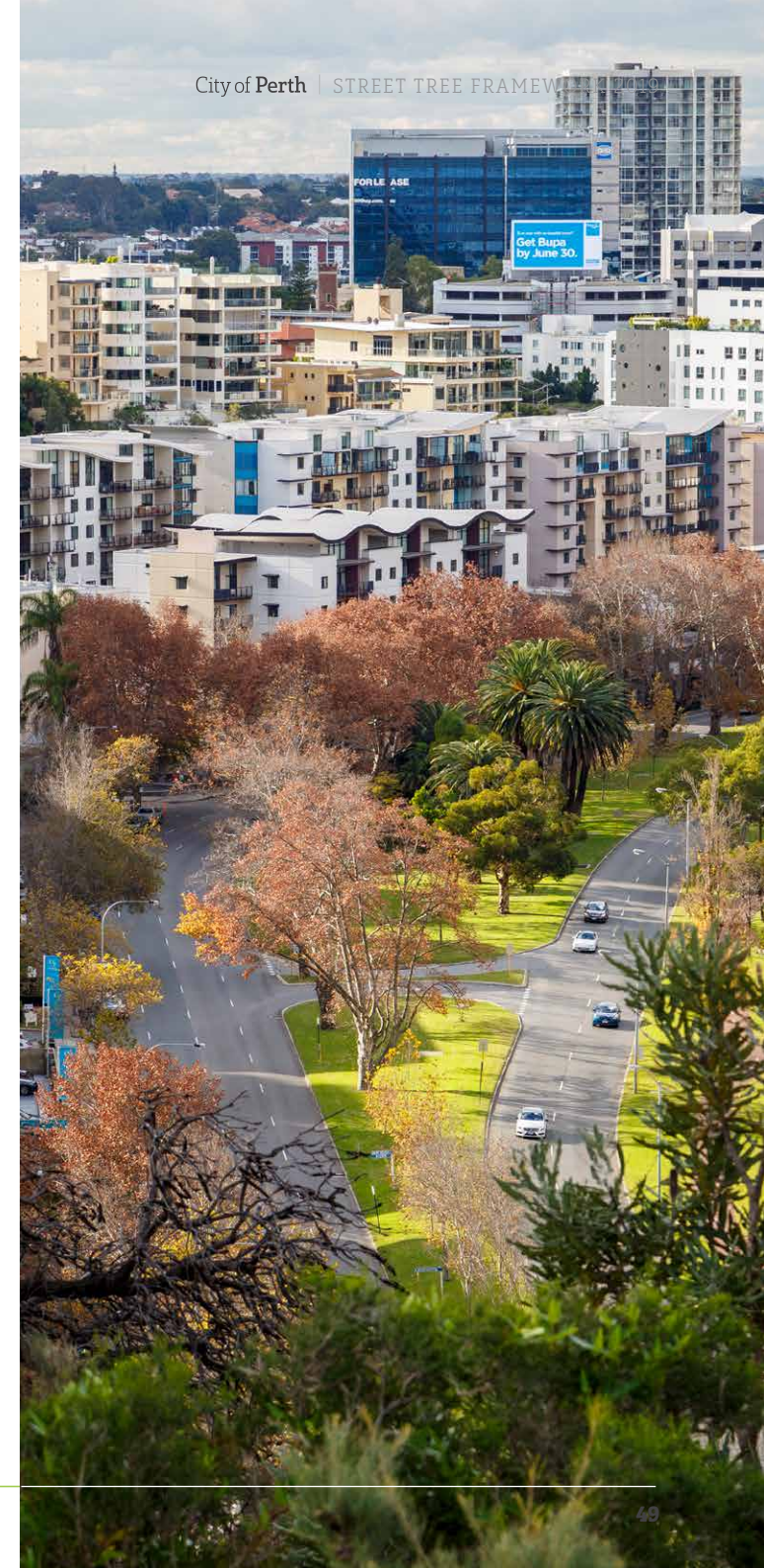
This is particularly important in areas where significant gaps in canopy cover are likely to emerge due to a large proportion of street trees reaching the end of their ULE simultaneously. Relevant examples include avenues of *Lophostemon confertus* (Queensland Box) currently planted along some residential streets in Crawley/Nedlands and West Perth.

## SIGNIFICANT TREE STANDS

There are some significant tree stands within the city including the mature *Platanus x acerifolia* (London Plane) on Victoria Avenue and Mounts Bay Road (between Point Lewis roundabout and William Street). The significance of some of these trees is reflected by their inclusion on the City's Heritage List which records places of cultural significance.

Research undertaken for the preparation of the Urban Forest Plan has indicated that these trees have a deteriorating structural condition, due in part to past pruning practices. Future management options for these trees are limited and they will require replacement over the next 20 years.

Given the significance of these trees it is important that the City prepares and implements appropriate tree replacement planting plans, along with community awareness programs, to minimise the impact of replacing these trees over the longer term.





## How do we manage tree replacement?

The process for the removal and replacement of existing trees is determined by many factors. These include consideration of the local context, the number of trees to be replaced or if there is a specific problem with a particular tree or tree species. However, in general the City adopts the following approach:

### TRANSITIONING TO NEW TREES

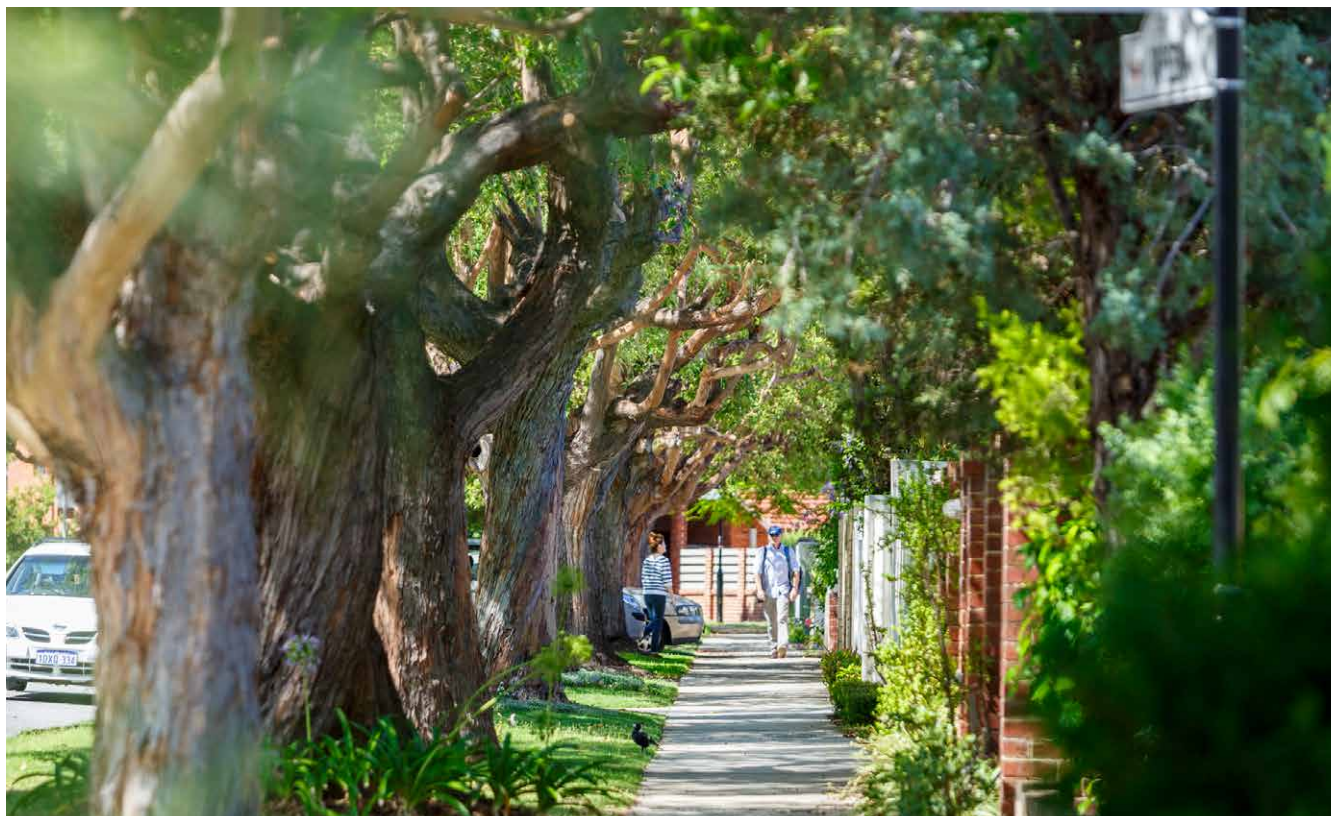
As far as possible, the removal of a large proportion of trees from a single street at the same time will be avoided, unless there are good reasons for doing so (i.e. as part of a street upgrade project, or if trees are diseased or structurally unsafe).

Where a significant number of trees have been identified for replacement in an individual street or space, this should be undertaken by way of a staged replacement program to minimise any negative impact on the streetscape and to alleviate negative public perceptions/concerns.

As part of the staging process new trees will be planted in spaces between existing trees wherever possible. Once the new trees have become successfully established and are providing acceptable levels of canopy cover the old trees will be removed.

## CO-ORDINATION WITH CAPITAL WORKS PROJECTS

Tree replacement programmes will be co-ordinated with capital works projects such as street upgrades and enhancements, two-way traffic conversions and/or the installation of cycle infrastructure, wherever practicable.



## Planning and design

Carefully considered street tree planning and design can make a unique and valuable contribution to the quality of the public realm. Streets lined with mature trees, and enclosed with interconnected canopies, are often considered amongst the most beautiful and memorable places within cities.

A thoughtful combination of the aesthetic quality of trees with tree spacing and placement can:

- contribute to the legibility of the city by reinforcing its hierarchy of streets and spaces
- create a sense of place; marking out areas of environmental, historic, cultural and local significance and strengthening the distinct character of various city precincts
- create human scale and delineate space within the streetscape by enclosing, framing, screening, linking, and providing privacy to city buildings and urban spaces.

A range of factors are considered in the planning and design process, including tree size, form and structure, species mix, planting patterns, tree spacing and placement. These all have an impact on both the visual quality of the public realm and how people experience streets and public spaces.



Figure 11: Planting on City boulevard (St Georges Terrace).



## Key urban design principles

The planning and design of street tree planting is informed by the following key streetscape design principles.

### IMPROVE CITY LEGIBILITY

Central Perth features a street grid with a distinct hierarchy of major and minor streets as shown in Figure 12. In combination with the topography, built form and landscaping, this gives a sense of order and purpose to the city's various activity centres.

Each city neighbourhood has a different character. Perth Central is characterised by its dense urban environment, high rise buildings and busy streets and spaces full of people and activities.

In contrast, other city neighbourhoods are characterised by lower density, leafy and quieter residential areas, with access to a more natural environment along the river's edge.

New tree planting will reinforce and emphasise Perth's street hierarchy and the character of individual neighbourhoods.

A limited selection of tree species will be planted with a form and structure appropriate to the spatial qualities, scale and function of key streets.

Distinctive tree planting will also be used to mark out key nodes and city gateways sites within the city's overall urban fabric.

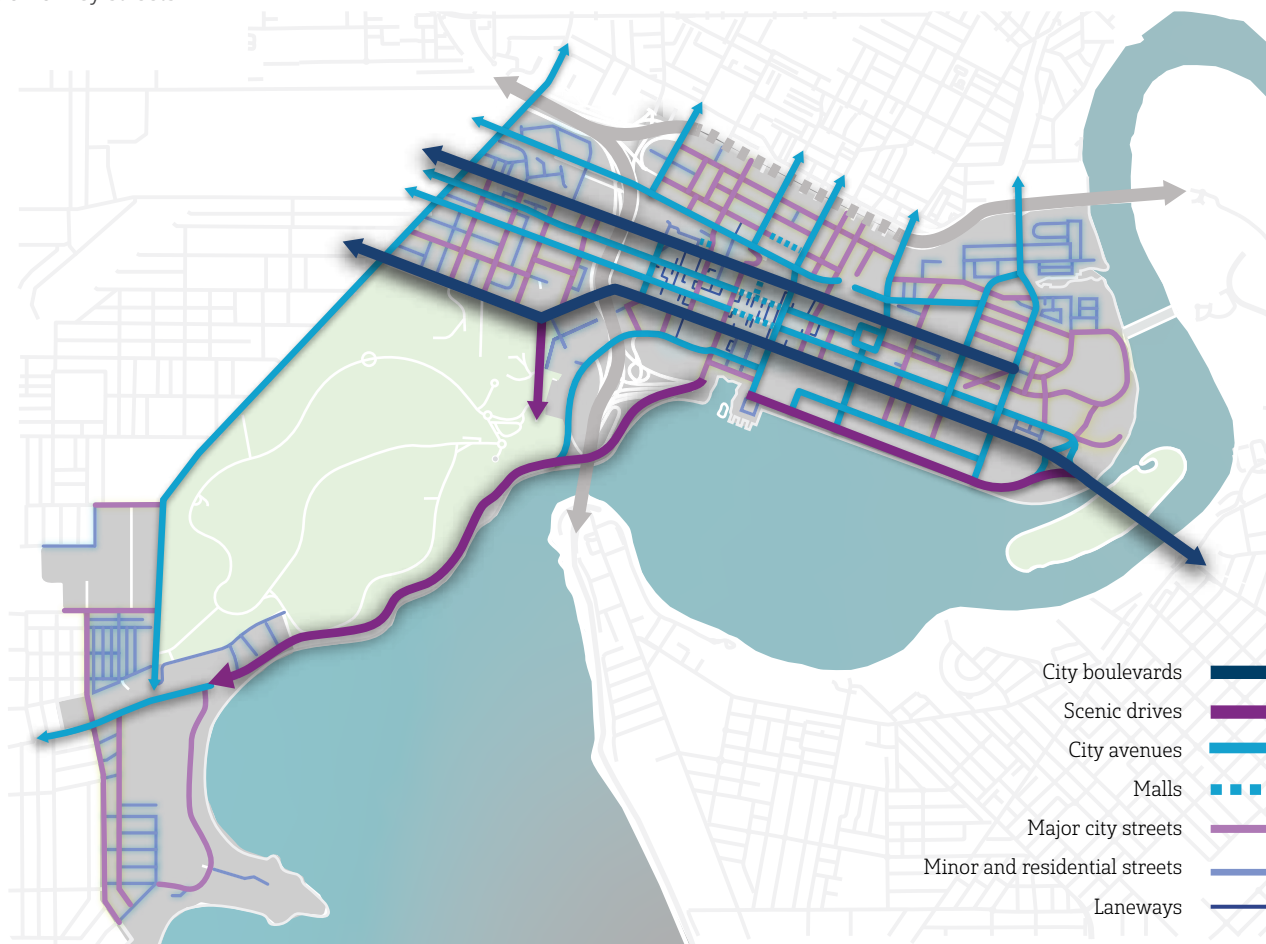


Figure 12: City of Perth Urban Structure.

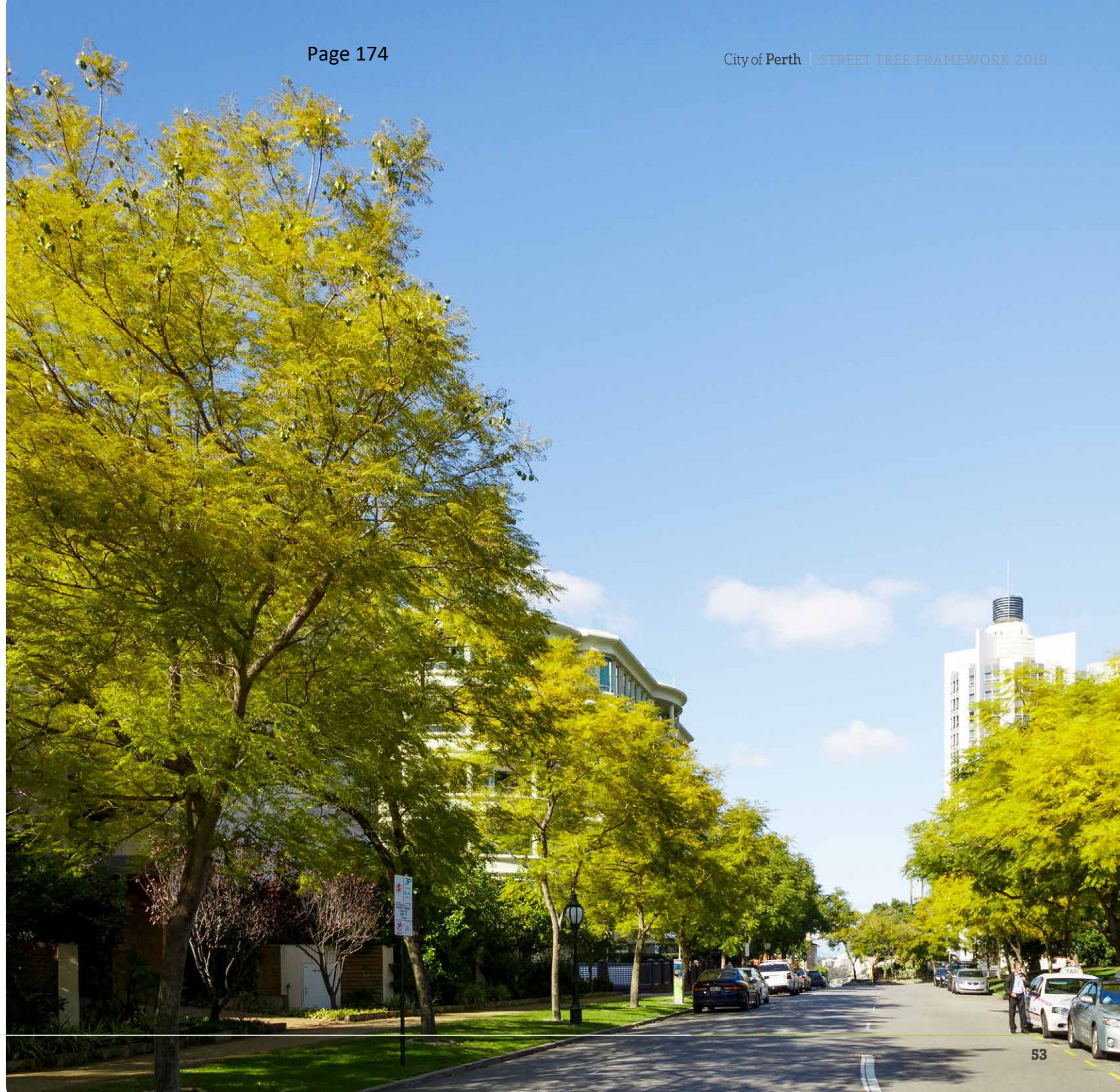


## PROMOTE CONSISTENCY AND VISUAL UNIFORMITY

Planting street trees can create visual uniformity within city streets and spaces helping to give them their own distinctive character. This is particularly effective when a single species, or a limited range of tree species with complementary qualities and attributes, is used.

At present, many of the city's streets and spaces are planted with a wide range of tree species of varying form and structure. This lack of co-ordination limits the ability of street trees to contribute to the development of cohesive streetscapes.

New tree planting will therefore seek to use more limited planting palettes within individual streets and spaces. These will be based on extending the planting of existing dominant tree species where they meet the required tree selection criteria and are currently performing well within their given environment.





CITY BOULEVARD



CITY AVENUE



### MAJOR STREET



### MINOR STREET



### PEDESTRIAN MALL







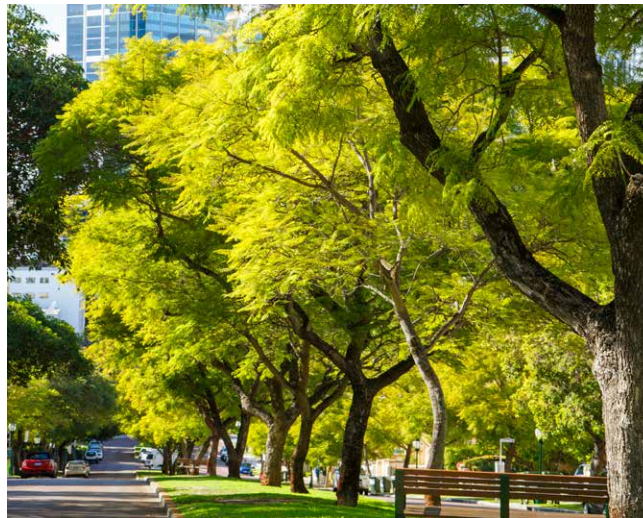


## REINFORCE LOCAL CHARACTER AND SENSE OF PLACE

The use of distinctive street tree planting patterns and palettes can help to reinforce an existing, or create a desired local character or unique identity for key locations within the city. This in turn can help to foster a sense of place and community attachment to key city spaces and individual neighbourhoods.



**Historic character:** A particular tree species or planting pattern may be selected to reflect and reinforce what has been done historically within a particular city location. In some instances, specific species and plantings may be listed for protection, such as the *Ficus macrophylla* (Moreton Bay Fig) planted on Murray Street.



**Cultural character:** New tree planting can help to acknowledge areas of cultural heritage significance to Aboriginal and Non Aboriginal communities, particularly where it is informed by, and responds, to specific associations with place. The use of special tree species can also support the development of a unique identity for particular city streets and spaces.

*Mount Street in West Perth is a good example where large *Jacaranda mimosifolia* (Jacaranda) trees transform this inner urban residential area into a distinctive sea of purple as they reach their flowering period each spring*



**Natural character:** The character of a street or space may be determined by a strong association with the city's natural physical environment. This may be a specific landform, such as the river front, or a predominance of native vegetation. New tree planting will be designed to reflect this setting.



## SUPPORTING URBAN COOLING

One of the goals of the Urban Forest Plan is to prioritise tree planting to help cool public spaces and city temperature 'hot-spots'. Research indicates that the placement of street trees can influence the level of cooling delivered. In order to achieve the largest air temperature reductions and improve outdoor thermal comfort for pedestrians new tree planting should consider the following:

**Areas of low canopy cover:** Dense urban environments with little or low levels of canopy cover, or other vegetation, should be prioritised for new tree planting.

**Regular tree distribution:** The cooling effect of trees is highly localised. New tree planting should be distributed regularly across the city as this can provide a larger cooling effect than concentrating tree planting in large isolated green areas.

**Street orientation:** Wide open streets with an east-west orientation should be targeted for new tree planting, particularly on their southern side as this is where the effects of solar radiation are concentrated. The eastern side of north-south orientated streets should be targeted for similar reasons.

**Tree clusters:** Clustering trees to create continuous and connected canopy cover over city streets and public spaces can deliver greater reductions in air temperature below the canopy and protect trees from the effects of heat and water stress. Planting plans should allow for groups of clustered trees to be interspersed with intermittent open spaces where practicable. This allows heat generated below the canopy during the day to be released at night.

Coutts, A and Tapper, N. (2017). *Trees for a Cool City: Guidelines for optimised tree placement*. Melbourne Australia: Cooperative Research Centre for Water Sensitive Cities.





## CREATE BIODIVERSITY LINKS

New tree planting will also draw on local endemic tree species to support the development of primary and secondary biodiversity links within the city. These links will help to create a connected green infrastructure network that can support habitat creation and improve biodiversity within the city.

Primary biodiversity links are defined as corridors that include significant and diverse GI assets such as large green spaces, parks and gardens (e.g. the Swan River Foreshore, Kings Park and Bush Forever areas at J H Abrahams). These links support and encourage fauna movement and provide habitat and a safe place to breed. The species diversity within these links is classified as high in terms of both flora and fauna.

Secondary biodiversity links are defined as smaller GI assets such as verges, medians, laneways, pedestrian accessways and pocket parks that interconnect with primary links. They may be located along city streets within the CBD, as well as residential precincts with a more suburban character, such as Crawley/Nedlands. Streets that currently have a high proportion of soft verge treatments, significant trees and canopy coverage or have greater potential to increase canopy cover and understorey planting can help link the primary links to an interconnected, diverse GI network. Secondary links serve as corridors for movement of avifauna and, in limited instances, smaller animals such as lizards.



Figure 13: Indicative biodiversity links.







## Planting patterns

Determining the most appropriate planting pattern is a primary consideration in the design of new tree planting. This will take account of existing planting configurations, spatial constraints and the character and function of individual streets and spaces. At present there are a number of different tree planting patterns evident throughout the city:



**Avenue effect:** An avenue effect is best achieved through the planting of a single tree species on both sides of a street. Large canopies interconnect and reach over the footpath and roadway to provide a protective 'cover' and human scale (particularly important for streets flanked by high rise buildings). Avenue planting can be formal (with symmetrically spaced trees of a single species) or informal (where a single species of tree is planted in an asymmetrical pattern).

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*Tree avenues are often considered some of the most beautiful and memorable places within a city. The magnificent *Platanus x acerifolia* (London Planes) that provide a cathedral like 'roof' to Victoria Avenue provide a good example of this.*



**Double row of street trees:** Where footpath widths allow, the planting of a double row of trees can occur. This may not be implemented along the entire length of the street, but can be done in particular sections where the footpath is wider. This can be a particularly effective strategy for creating 'spaces' with higher levels of pedestrian amenity within streets. The use of a special tree species can help to highlight these areas.

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*The double row of *Ulmus parvifolia* (Chinese Elms) planted on the southern side of Roe Street help to create a pedestrian node close to City West Station and the CAT bus route.*



**Feature trees:** Special or unique trees can be selected for planting at strategic locations within individual streets or spaces to emphasise a particular function or city feature (e.g. gateway, node, landmark or heritage building). These trees are generally chosen because of their contrasting form, scale or distinctive seasonal features, including colour variations in foliage, flowers or bark. The selection of an appropriate feature tree depends very much on location and the particular effect that is required.

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*The *Ficus macrophylla* (Moreton Bay Fig) planted on Murray Street is a good example of a feature tree.*



### ***Alternative configurations:***

The ability to plant street trees with an even spacing or predetermined set pattern is often difficult due to the location of other city infrastructure. Balancing new tree planting with other city infrastructure usually requires a more flexible and opportunistic approach to the placement of new street trees.

This can result in a more informal planting pattern within the street or space, however the use of a single tree species can help to counteract this effect.

Wherever practicable, new trees will be aligned with the existing planting patterns within each street or space. Where this is not possible due to existing spatial constraints, trees will generally be planted near to back of kerb.





## Tree spacing

In general, a minimum spacing distance of six metres is applied to new street tree planting. However, the final decision on the most appropriate spacing between street trees is driven by several factors.

Firstly, trees must be given adequate space to develop a vigorous and healthy canopy at maturity. As canopy size and shape varies depending on tree species, larger trees may require additional spacing to allow for healthy canopy growth.

Tree spacing should also facilitate the development of continuous and connected canopy over city streets to help promote urban cooling.

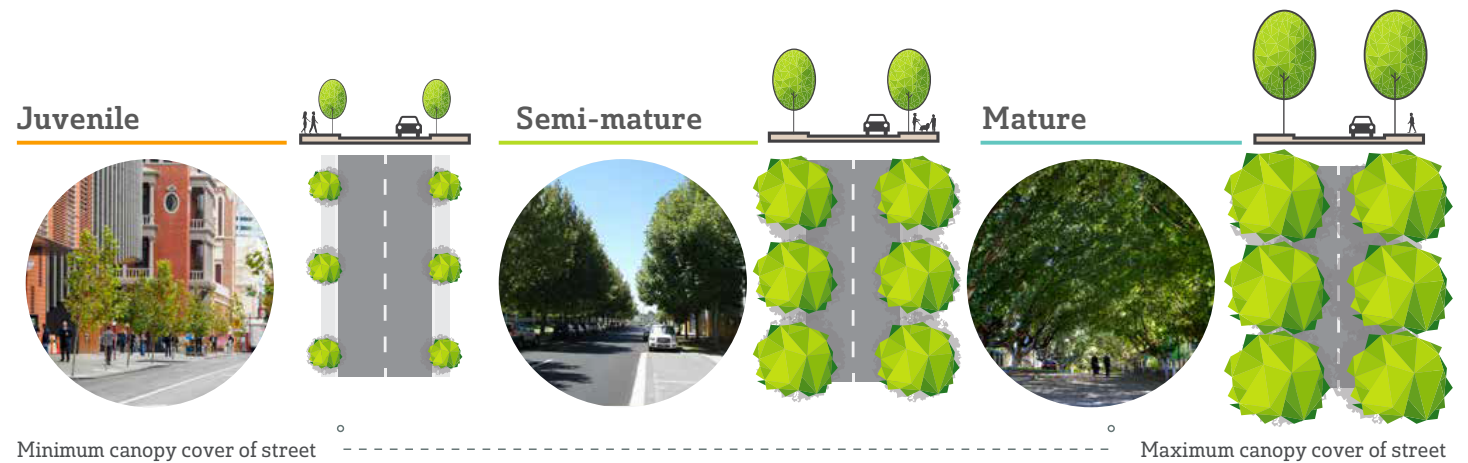


Figure 14: Tree spacing and canopy.

## Tree placement

City streets are busy, multifunctional places. Street trees must compete for space with a range of other city infrastructure, such as street furniture, lighting and public art, and functions such as pedestrian, cyclist and vehicle movement.

When allocating space within streets and public spaces the City's primary objective is to ensure that they are open, welcoming and safe, encouraging people to move, linger and enjoy city life. Pedestrians are given priority and should have an unobstructed path of travel allowing them to move directly and comfortably along city streets, regardless of ability.

As part of its overall approach to street design the City promotes the creation of a consistent pedestrian clearance zone against the building line. The width of this zone will vary depending on street function and where it ranks in the street hierarchy.

Public realm infrastructure, including street trees, is located within a public realm infrastructure zone. This is located between the back of kerb and the edge of the pedestrian clearance zone. Trees are placed a minimum of 600mm back from the front face of kerb and are only planted where a pedestrian clearance zone with a minimum continuous width of 1.5m can be maintained.

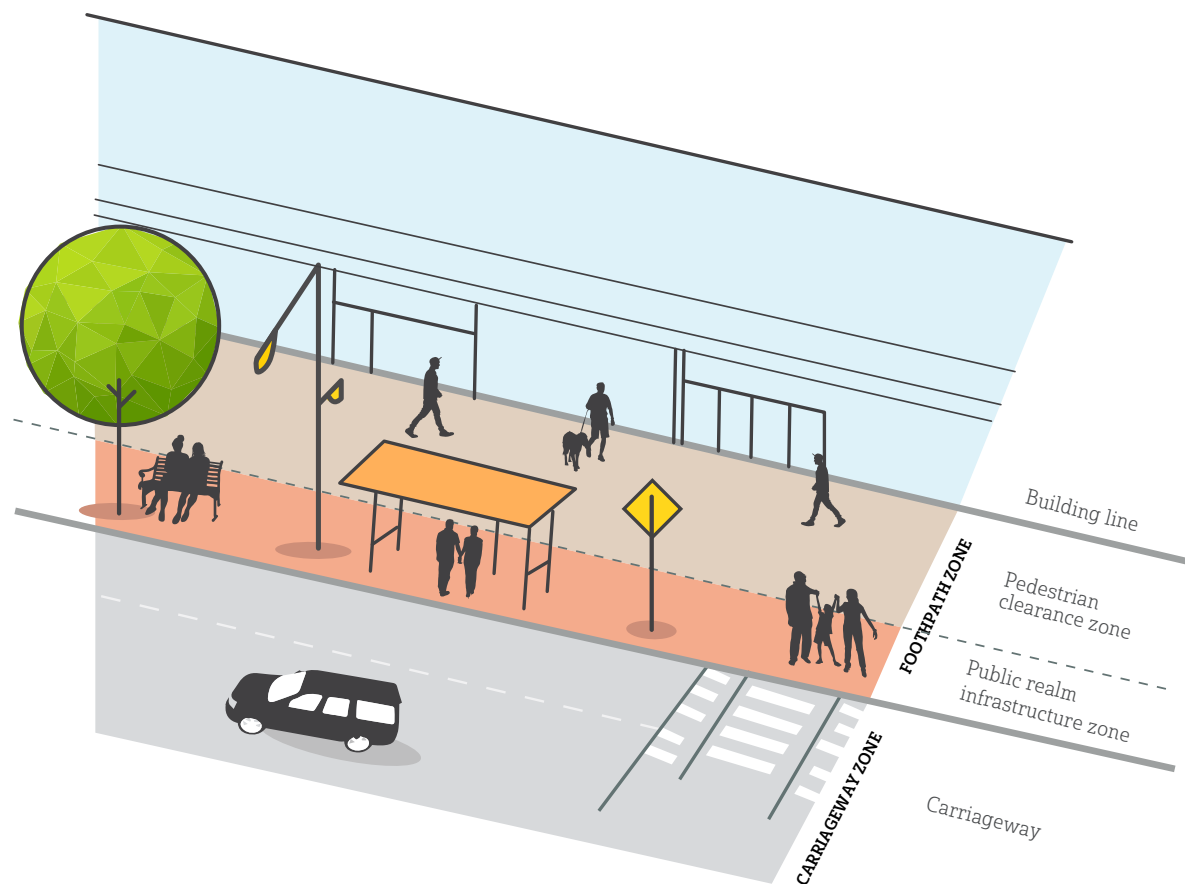


Figure 15: Cross section showing the street zones and reflecting space allocation.



## OTHER CITY INFRASTRUCTURE

Good street design requires a co-ordinated and considered approach to the allocation of functional space and the prioritisation and placement of public realm infrastructure. The City recognises the need to take an even and realistic approach to managing potential conflicts between the placement of new street trees and other city infrastructure.

The final decision on where to plant a new tree is based on a site assessment of individual planting sites, with every attempt made to ensure that appropriate clearances and distances are maintained to minimise the impact of a new street tree.

However, it is not always possible to meet every requirement for each element of public infrastructure. In these situations, the City will generally give priority to new tree planting on the following basis:

- The nature of trees means that their position and location is relatively fixed, whereas other infrastructural elements are more moveable in comparison. They can often be relocated more efficiently and at a much lower cost than trees. Wherever practicable other infrastructure will be repositioned to facilitate new tree planting and maximise canopy growth.

- In comparison to other city infrastructure street trees have the potential to deliver a greater range of community benefits. Due to their long life spans they are also more likely to remain in place for substantially longer periods than other public infrastructure, delivering these benefits across a longer time frame.
- The level of community benefits delivered by street trees is dependent on the level of canopy cover provided. It is important that as many trees as is practicable are planted within city streets to maximise the benefits delivered.

## STREET LIGHTING

A common concern in streetscape design is that new tree canopy may block street lighting. This impact should be assessed by considering the size and spread of the mature canopy, as it is often the case that lighting lanterns will end up being located underneath foliage once the tree is fully grown. In the meantime, supplementary street lighting can be considered to help to ameliorate lower lighting levels.

The City also encourages the adoption of new lighting technologies and innovative design solutions to help minimise the impact of trees on lighting. For example, consideration can be given to lighting the tree itself, lengthening lighting brackets, or placing lanterns nearer the centre of streets or under mature canopies.







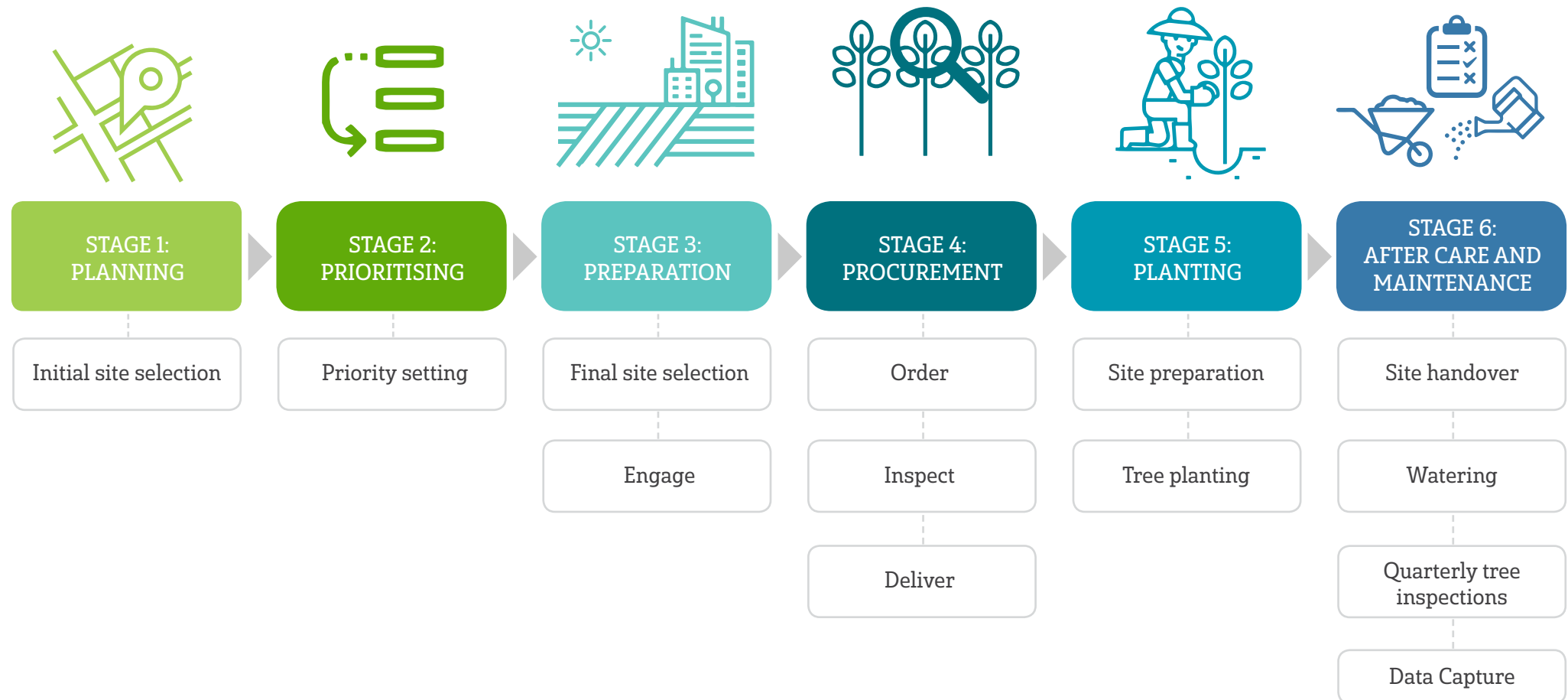


## Planting our street trees

The process of planting new trees within city streets is guided by an agreed scope of works and a range of relevant procedures, standards and technical guidance.

### Typical scope of works

The typical scope of works for new tree planting includes six main stages.



## STAGE 1: PLANNING

**Initial site selection:** An initial visual inspection is carried out to identify where gaps in existing street tree planting may create an opportunity for new trees to be installed.

## STAGE 2: PRIORITISING

**Priority setting:** Opportunity sites are then mapped and prioritised for planting.

Streets where trees can be planted into soft surfaces (green verges or median strips) are generally planted first. This approach allows additional time for the more detailed site investigation and preparation work that is required to facilitate street tree planting in more challenging hardscape environments (i.e. paved footpaths and medians).

Where possible planting sites are also assessed against a range of criteria including:

- location of temperature 'hot-spots'
- areas with high levels of pedestrian activity
- presence of vulnerable populations, including young children and older people
- location of proposed green infrastructure networks
- the City's capital works program.

Given the nature of the urban environment the process of planting new trees in city streets can be a lengthy and costly process, particularly where trees are planted in hard paved surfaces. It requires the co-ordination of a range of activities as shown below.

## STAGE 3: PREPARATION

**Final site selection:** 'Dial before you dig' and trenching investigations are undertaken to identify the location of underground utility service pipes and cables. Soil testing may also be carried out to see if any soil modifications are needed to help promote tree establishment and growth.

These investigations allow a final decision to be made on tree species, numbers and size along with planting site locations and tree pit design. This information is generally captured in individual neighbourhood planting plans.

New street trees are generally planted into the City's standard tree pit. Where space is available, and the tree is to be planted in an area with high levels of pedestrian activity, consideration will be given to installing structural cells to maximise the growing environment. Where opportunities for stormwater harvesting exist, appropriate infrastructure will also be installed to facilitate this.

**Engage:** Prior to the commencement of new planting the City engages with the community to provide timely information on the commencement and likely duration of each tree planting program.

## STAGE 4: PROCUREMENT

**Order:** On completion of final site selection trees are placed on the City's grow order.

**Inspect:** Parks staff undertake regular inspections of new tree stock to ensure the City's procurement standards are being met and tree stock is healthy and of high quality.

**Deliver:** Parks staff undertake a final inspection of tree stock and issue approval for delivery to the City. Tree delivery will be staged to meet new tree planting programs. Where necessary, trees can be temporarily held and cared for at City depot sites.



## STAGE 5: PLANTING

**Site preparation:** Each planting site is fenced off and any paving is removed to accommodate the tree pit. The pit is then excavated by hand to the required depth and width. Where possible this is done the day before planting as this can help improve soil aeration.

This is followed by the installation of the agreed tree pit design. Dependent on the quality of below ground conditions, existing soil within each tree pit will be totally or partially replaced in accordance with the City's soil specification. Once the tree has been planted a tree grate is installed and paving is reinstated as required.

**Tree planting:** In order to maximise a tree's chances of becoming established it is important that appropriate care is taken during the planting process. This includes:

- avoiding damage to the root ball when the tree is removed from its growing container
- pruning roots to make sure all circling roots are either cut off or aligned radially into the surrounding soil
- centering each tree in the planting hole
- backfilling appropriate soil mix around the root ball and tamping lightly to eliminate air pockets. The top of the root ball should be free of soil and located approximately 85mm below paved level to allow installation of the tree grate, where required
- watering in stages during backfilling
- applying fertiliser, or other required soil amendments, to each tree once planting is completed.

## STAGE 6: AFTER CARE AND MAINTENANCE

**Site handover:** A post planting inspection is carried out to ensure that each tree has been planted in accordance with the City's standards and practices. The site is handed over to the City's Parks Unit. To maximise chances of success each new tree is then given additional care and management during an initial three year establishment period.

**Watering:** For the first three years after planting each street tree is hand watered once to twice a week during the spring, summer and autumn months. This is important to ensure their on-going health and resilience and help maximise the cooling benefits of street trees.

At present this watering is carried out by water truck. In response to a drying climate the City promotes a sustainable water management approach in its care for the urban forest. This includes investigating more efficient and targeted irrigation practices and promoting water sensitive urban design (WSUD) initiatives.

A sustainable approach to water management can also be supported through the selection of tree species that, once fully established, can survive on the water received during rain events only. The ability of species to withstand hot and dry conditions remains an essential criterion for species selection and use. Beyond the establishment period, trees are generally expected to thrive on minimal maintenance in terms of watering, fertilising, pest control and pruning.

**Quarterly tree inspections:** Juvenile trees are regularly inspected as part of the City's quarterly tree inspection process to monitor and address any problems that may become evident as they work towards becoming established. This includes inspection for any signs of pests or diseases or damage caused by vandalism or poor maintenance practices. Young trees are also pruned, mulched and fertilised as required.

## Relevant standards and technical guidance

New street trees are planted into a range of different contexts within the city including precast concrete or granite paved footpaths and medians or soft verges and medians. Elements of water sensitive urban design (WSUD) are also integrated where possible.

The City's Design and Construction (D&C) notes provide a range of technical guidance covering tree pit design and WSUD elements, along with typical tree planting and soil specifications for hard and softscape environments.

The D&C notes are updated regularly to reflect best practice. They should be used by City contractors and developers to help ensure that all new street tree planting is carried out to a consistently high quality.

The City also relies on a range of Australian Standards to help promote best practice in tree selection, planting, after care and maintenance including:

AS 4970	2009	Protection of trees on development sites
AS 2303	2015	Tree stock for landscape use
AS 4419	2003	Soils for landscaping use

## ROOT BARRIERS

The City does generally not support the use of root barriers. Where they have been used in the past many tree roots have managed to escape the confines of the barrier system. Where the roots have remained within the root barrier this has often had a negative effect on the in-ground stability of these trees.

An exception to this approach is where trees are to be planted near high pressure gas lines. In all other areas, the City's preferred approach to minimising the potential damage that can be caused by tree roots is to focus on the creation of adequate soil volume and soil quality at planting sites.

## TREE GUARDS

The City's approach to the design of its streetscapes is to promote a simple and consistent palette of streetscape elements.

Tree guards can add unnecessary clutter to the streetscape. The City's preferred approach is to select and plant larger and more robust street trees in areas where new plantings may be subjected to vandalism or other damage due to a high use environment.

The use of tree guards is only permitted in rare situations including where:

- prevailing winds and the local microclimate are impacting tree establishment
- areas are experiencing higher levels of anti-social behaviour, resulting in persistent damage to newly installed trees.

Where tree guards are used they will only remain in place until the tree has become established in the street. This generally occurs within a two year period from initial planting.

## TREE STAKES

The City generally does not support the use of tree stakes, particularly where trees are planted within dense urban areas with high levels of activity. Past experience has shown that tree stakes are commonly vandalised as they can be relatively easy to remove. At times they have been used to damage surrounding properties and other elements of public infrastructure.

## When do we plant?

The level of care that is taken in planting a new street tree can have a major impact on its ability to become established and thrive in the longer term.

Perth's climate is characterised by hot summer months with low level, irregular rainfall. Such conditions can place significant pressure on newly planted street trees as they make the transition from relatively protected nursery conditions and adapt to the urban environment.

To maximise a tree's success, planting will generally take place between the cooler months of April and October each year. Planting during autumn months can be particularly advantageous. This gives new trees access to higher levels of water, when rainfall levels are at their maximum, allowing them the most time to become established and maximise the development of their root system prior to the arrival of hotter summer weather.

Where project timeframes allow, this approach will also apply for new trees being planted as part of the City's program of capital works.

Since the late 1960's the south western area has experienced a **20% decline** in autumn and winter rainfall.



Figure 16: Declining autumn and winter rainfall.

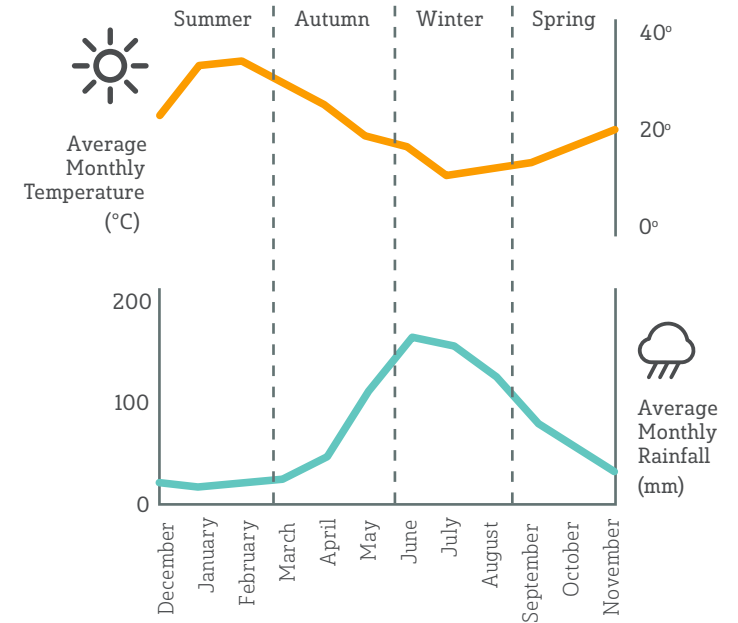
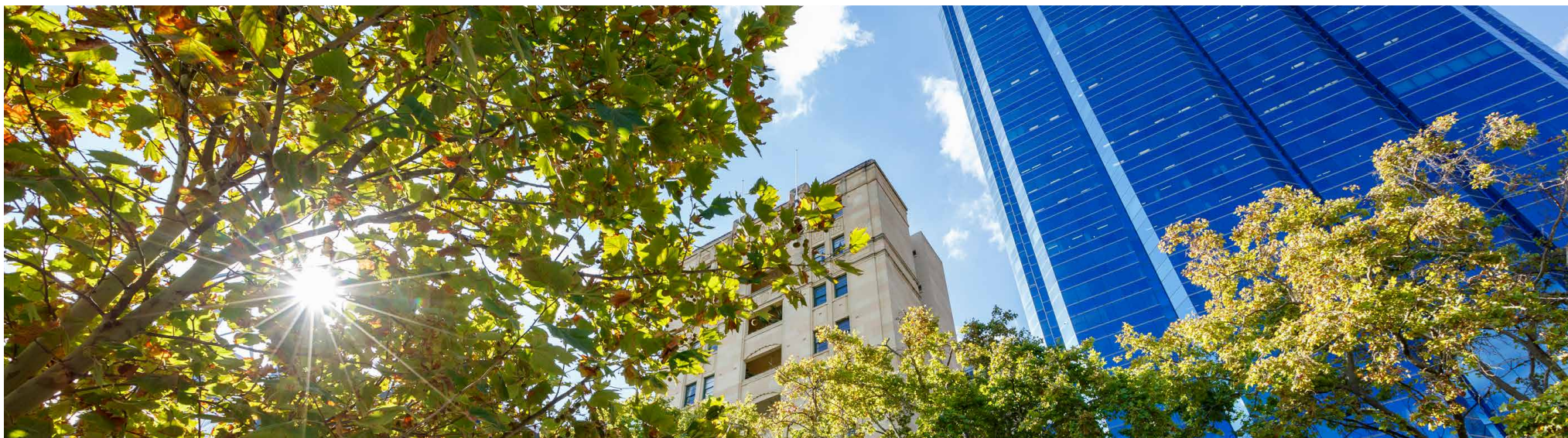


Figure 17 Seasonal rainfall and temperature patterns.



## Who plants our trees?

Most new street trees are planted by external contractors as part of the City's tree supply and installation contracts developed to support the implementation of the Urban Forest Plan.

### TREE SPECIES SELECTION AND PLANTING BY EXTERNAL AGENCIES

All new tree planting undertaken by external agencies (other than City appointed contractors) should employ the design principles and adhere to the policies and guidelines set out in this document.

Where an existing city street is being upgraded or extended as part of a new development, the tree species identified in the Street Tree Matrix should be carried through to the new extension. This ensures better integration with existing city fabric and helps to sustain local street character.

Street trees adjacent to new developments should also be generally consistent with species identified in the street tree matrix. This ensures that there is consistency and continuity of the streetscape, and that the desired local character is not compromised.

If an alternative species is proposed, the selection must be justified with sound rationale in accordance with the City's tree selection criteria. As noted previously, a different species may be used for emphasis to help create a distinctive character or sense of place at strategic city location or improve city legibility.

Selection of tree species for public areas other than streets should also consider the City's tree selection criteria, along with the needs and local character of the area.

In all instances, where external agencies are planning to plant new trees in the public realm, it is strongly advised that the City is involved in the early phases of project

planning. This will help promote a shared understanding of the requirements and help work towards achieving common objectives in developing an attractive city and healthy urban forest.



## 6.0 Community engagement

The City seeks to engage with the community in a variety of ways to ensure that appropriate notification is given to affected residents, building owners and occupiers regarding new tree planting. Engagement will vary depending on the scale and type of each planting project.



## Infill street tree planting

Where the City is planning to undertake new infill street tree planting within a particular street, residents, businesses and landowners likely to be affected by the work will be notified in a timely manner before planting works begin.

An information pamphlet will be letterbox dropped to each affected premises, generally two weeks before work is due to start. The pamphlet will provide reasons behind the infill street tree planting program. Information will also be given on the number, location and species of new trees to be planted, the proposed timing and scope of works and where to find further information.

Infill street tree planting is carried out in accordance with the Street Tree Framework and the infill street tree planting plans that are developed for each city neighbourhood. Both the Framework and the planting plans will be available on the City of Perth website.

## Capital works projects

The community will be given the opportunity to comment on street tree planting undertaken as part of the City's program of capital works. This will be done as part of the normal community consultation process undertaken for these projects.

## Tree replacement and renewal

The City recognises the value of significant tree avenues to the community and the concern that may arise when these trees need to be replaced, as they reach the end of their ULE. Where many trees are required to be replaced the City will consult with the community before beginning any work.

Consultation will include the timely provision of information on the reasons behind tree replacements, new tree species and locations, and the likely impact and timing of replacement planting. Residents will have the opportunity to contact the City for more information or to make a submission on the proposed works. Any feedback received will be considered in the development of the final tree replacement plans for each affected street.

## Community requests for new street trees

The City encourages new street tree planting wherever adequate space is available and a new tree can make a positive contribution to street quality, character and function.

The community is encouraged to make suggestions or submit requests for new street tree planting adjacent to their property. Each community request will be assessed by the City's arborist and a new tree will be planted where the proposed site is considered appropriate.

It should be noted that the species selected for planting will be in accordance with that nominated in the street tree matrix. Individual requests for specific species will generally not be accommodated.

# Appendices

## APPENDIX A

### List of tree trial species

- *Carya illinoensis* (Pecan)
- *Ceratonia siliqua* (Carob)
- *Pistacia chinensis* (Chinese Pistachio)
- *Tristaniaopsis laurina* (Water Gum)
- *Cupaniopsis anacardioides* (Tuckaroo)
- *Calodendrum capense* (Cape Chestnut)
- *Elaeocarpus reticulatus* (Blueberry Ash)
- *Flindersia australis* (Australian Teak)
- *Quercus cerris* (Turkey Oak)
- *Geijera parviflora* (Australian Willow)
- *Buckinghamia celsissima* (Ivory Curl Tree)
- *Aleurites moluccana* (Candle Nut Tree)
- *Peltophorum pterocarpum* (Yellow Ponciana)
- *Eucalyptus melliodora* (Yellow Box)
- *Eucalyptus forrestiana* (Fuschia Gum)
- *Eucalyptus platyphylla* (Poplar Gum)
- *Eucalyptus decipiens* (Redheart Moit)
- *Tabebuia argentea* (Silver Trumpet Tree)
- *Tabebuia palmeri* (Pink Trumpet Tree)
- *Acer rubrum* (Red Maple)

## APPENDIX B

### City of Perth Tree List

NON - NATIVE	
Botanic name	Common name
<i>Araucaria heterophylla</i>	Norfolk Island Pine
<i>Caesalpinia ferrea</i>	Leopard Tree
<i>Cinnamomum camphora</i>	Camphor Laurel
<i>Citharexylum spinosum</i>	Fiddlewood
<i>Delonix regia</i>	Poinciana
<i>Erythrina x sykesii</i>	Coral Tree
<i>Ficus macrophylla</i>	Moreton Bay Fig
<i>Ficus obliqua</i>	Small Leaved Fig
<i>Ficus rubiginosa</i>	Port Jackson Fig
<i>Ficus virens</i>	White Fig
<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'shademaster'	Honey Locust
<i>Jacaranda mimosifolia</i>	Jacaranda
<i>Liquidambar styraciflua</i>	Liquidambar
<i>Liquidambar formosana</i>	Chinese Liquidambar
<i>Livistona chinensis</i>	Chinese Fan Palm
<i>Magnolia grandiflora</i>	Magnolia
<i>Olea europaea</i>	Olive Tree
<i>Phoenix canariensis</i> *	Canary Island Date Palm
<i>Pinus brutia</i>	Turkish Pine
<i>Pinus canariensis</i>	Canary Island Pine
<i>Pinus pinea</i>	Stone Pine

Botanic name	Common name
<i>Platanus x acerifolia</i>	London Plane
<i>Platanus orientalis</i>	Oriental Plane
<i>Platanus orientalis</i> 'digitata'	Cut Leaf Oriental Plane
<i>Prunus cerasifera</i>	Purple Leaved Plum
<i>Pyrus calleryana</i> 'bradford'	Bradford Pear
<i>Pyrus ussuriensis</i>	Manchurian Pear
<i>Quercus palustris</i>	Pin Oak
<i>Quercus ilex</i>	Holm Oak
<i>Quercus lusitanica</i>	Lusitanian Oak
<i>Quercus macranthera</i>	Caucasian Oak
<i>Quercus robur</i>	English Oak
<i>Quercus suber</i>	Cork Oak
<i>Quercus x hispanica</i>	Lucombe Oak
<i>Sapium sebiferum</i>	Chinese Tallow
<i>Tipuana tipu</i>	Pride of Bolivia
<i>Ulmus parvifolia</i>	Chinese Elm
<i>Washingtonia robusta</i> *	Cotton Palm
<i>Zelkova serrata</i>	Keaki

\* limited to maintaining existing avenues



NATIVE	
Botanic name	Common name
<i>Acacia salinga</i>	Coojong
<i>Agathis robusta</i>	Queensland Kauri
<i>Agonis flexuosa</i>	WA Peppermint
<i>Allocasuarina fraseriana</i>	Sheoak
<i>Angophora costata</i>	Smooth Barked Apple
<i>Angophora floribunda</i>	Rough Barked Apple Gum
<i>Araucaria bidwillii</i>	Bunya Pine
<i>Araucaria cunninghamii</i>	Hoop Pine
<i>Banksia spp</i>	Banksia
<i>Banksia attenuata</i>	Candlestick Banksia
<i>Banksia littoralis</i>	Swamp Banksia
<i>Banksia menziesii</i>	Firewood Banksia
<i>Banksia prionotes</i>	Acorn Banksia
<i>Brachychiton populneus</i>	Kurrajong
<i>Callistemon cultivars</i>	Bottlebrush
<i>Casuarina spp</i>	Sheoak
<i>Casuarina cristata</i>	Belah
<i>Casuarina cunninghamiana</i>	River Sheoak
<i>Casuarina obesa</i>	Swamp Sheoak
<i>Corymbia calophylla</i>	Marri
<i>Corymbia ficifolia</i>	Red Flowering Gum
<i>Corymbia maculata</i>	Spotted Gum
<i>Eucalyptus accedens</i>	Powderbark Wandoo

Botanic name	Common name
<i>Eucalyptus beyeri</i>	Beyer's Ironbark
<i>Eucalyptus botryoides</i>	Bangalay
<i>Eucalyptus caesia subsp magna</i> 'silver princess'	Silver Princess
<i>Eucalyptus camaldulensis</i>	River Red Gum
<i>Eucalyptus camaldulensis</i> 'obtusa'	Northern River Red Gum
<i>Eucalyptus cladocalyx</i>	Sugar Gum
<i>Eucalyptus diversicolor</i>	Karri
<i>Eucalyptus erythrocorys</i>	Illyarrie
<i>Eucalyptus gomphocephala</i>	Tuart
<i>Eucalyptus grandis</i>	Rose Gum
<i>Eucalyptus laeliae</i>	Darling Range Ghost Gum
<i>Eucalyptus lane-poolei</i>	Salmon White Gum
<i>Eucalyptus leucoxylon</i>	South Australian Yellow Gum
<i>Eucalyptus macrocarpa</i>	Mottlecah
<i>Eucalyptus marginata</i>	Jarrah
<i>Eucalyptus melliodora</i>	Yellow Box
<i>Eucalyptus nicholii</i>	Narrow Leaved Peppermint
<i>Eucalyptus pleurocarpa</i>	Mealy Gum
<i>Eucalyptus populneus</i>	Bimble Box
<i>Eucalyptus pyriformis</i>	Pear Fruited Mallee
<i>Eucalyptus robusta</i>	Swamp Mahogany
<i>Eucalyptus rudis</i>	Flooded Gum

NATIVE	
Botanic name	Common name
<i>Eucalyptus sideroxylon</i>	Iron Wood
<i>Eucalyptus spathulata</i>	Swamp Mallet
<i>Eucalytus torquata</i>	Coral Gum
<i>Eucalyptus victrix</i>	Coolibah
<i>Eucalyptus wandoo</i>	Wandoo Paperbark
<i>Eucalyptus websteriana</i>	Heart Leaf Mallee
<i>Eucalyptus youngiana</i>	Large Fruited Mallee
<i>Ficus microcarpa</i> var 'Hilli'	Hill's Fig
<i>Grevillea</i> spp	Grevillea
<i>Hakea</i> spp	Hakea
<i>Hakea laurina</i>	Pincushion Hakea
<i>Hibiscus tiliaceus</i>	Cottonwood
<i>Lagunaria patersonii</i>	Norfolk Island Hibiscus
<i>Melaleuca bracteata</i>	Black Tea Tree
<i>Melaleuca cuticularis</i>	Saltwater Paperbark
<i>Melaleuca linarifolia</i>	Flax Leaf Paperbark
<i>Melaleuca leucadendra</i>	Weeping Paperbark
<i>Melaleuca nesophila</i>	Showy Honey Myrtle
<i>Melaleuca preissiana</i>	Stout Paperbark
<i>Melaleuca quinquenervia</i>	Broad Leaved Paperbark
<i>Melaleuca raphiophylla</i>	Swamp Paperbark
<i>Melaleuca viminea</i>	Mohan
<i>Melaleuca viridiflora</i>	Weeping Red Flowering Paperbark

## APPENDIX C

### City of Perth street tree matrix

STREET NAME	STREET SECTION	SUBURB	TREE SPECIES
<b>Aberdare Road</b>		Crawley/Nedlands	<i>Eucalyptus marginata</i> (Jarrah)
<b>Aberdeen Street</b>	Fitzgerald to Lake	Northbridge	<i>Platanus x acerifolia</i> (London Plane) <i>Olea europaea</i> (Olives) at intersections
	Lake to Pier	Northbridge	<i>Platanus x acerifolia</i> (London Plane)
	Pier to Lord	Northbridge	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Adelaide Terrace</b>	Victoria Ave to Hill	Central Perth	<i>Corymbia maculata</i> (Spotted Gum) <i>Platanus x acerifolia</i> (London Plane) at nodes
	Hill to Hay	East Perth	<i>Corymbia maculata</i> (Spotted Gum) <i>Platanus x acerifolia</i> (London Plane) at nodes
<b>Altona Street</b>	Kings Park Rd to Ord	West Perth	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Antonias Road</b>	Aberdeen to Newcastle	Northbridge	<i>Hibiscus tiliaceus</i> (Cottonwood)
<b>Arden Street</b>	Nile to Vanguard Tce	Claisebrook	<i>Olea europaea</i> (Olives)
	Vanguard Tce to Constitution	Claisebrook	<i>Liquidambar styraciflua</i> (Liquidambar)
<b>Arthur Street</b>		West Perth	<i>Melaleuca quinquenervia</i> (Broad Leaved Paperbark)
<b>Bakery Lane</b>		Claisebrook	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Barrack Street</b>	Riverside Dr to Esplanade	Central Perth	<i>Magnolia grandiflora</i> (Magnolia)
	Esplanade to Roe	Central Perth	<i>Platanus x acerifolia</i> (London Plane)
<b>Beacon Terrace</b>		Claisebrook	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Beaufort Street</b>	Roe to Newcastle	Northbridge	<i>Platanus x acerifolia</i> (London Plane)
<b>Bellvue Terrace</b>		West Perth	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Bennett Street</b>	Terrace Rd to Wellington	East Perth	<i>Angophora costata</i> (Smooth Barked Apple)
	Wellington to Wittenoom	Claisebrook	<i>Angophora costata</i> (Smooth Barked Apple)
	Wittenoom to Royal	Claisebrook	<i>Platanus x acerifolia</i> (London Plane)
<b>Bishops Row</b>		East Perth	<i>Liquidambar styraciflua</i> (Liquidambar) <i>Melaleuca quinquenervia</i> (Broad Leaved Paperbark)
<b>Boans Lane</b>		Claisebrook	<i>Pyrus ussuriensis</i> (Manchurian Pear) <i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Braithwaite Street</b>	Trinity Ave to Nelson Ave	East Perth	<i>Platanus x acerifolia</i> (London Plane)

STREET NAME	STREET SECTION	SUBURB	TREE SPECIES
<b>Bremer Promenade</b>		East Perth	<i>Angophora costata</i> (Smooth Barked Apple)
<b>Broadway</b>		Crawley/Nedlands	<i>Platanus x acerifolia</i> (London Plane) - median and pedestrian nodes <i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Shademaster' (Honey Locust)
<b>Bronte Street</b>	Bennett to Waterloo Crs	Claisebrook	<i>Corymbia ficifolia</i> (Red Flowering Gum) <i>Eucalyptus rudis</i> (Flooded Gum)
<b>Brook Street</b>	Bennett to East Pde	Claisebrook	<i>Platanus x acerifolia</i> (London Plane)
<b>Brown Street</b>	Fielder to Jewell Ln	Claisebrook	<i>Platanus x acerifolia</i> (London Plane)
	Jewell Ln to Mardalup Park	Claisebrook	<i>Melaleuca viridiflora</i> (Weeping Red Flowering Paperbark) <i>Melaleuca leucadendra</i> (Weeping Paperbark)
<b>Campbell Street</b>		West Perth	<i>Tristaniopsis laurina</i> (Water Gum)
<b>Caporn Street</b>	Broadway to Fairway	Crawley/Nedlands	<i>Platanus x acerifolia</i> (London Plane)
	Fairway to Parkway	Crawley/Nedlands	<i>Jacaranda mimosifolia</i> (Jacaranda)
	Roundabout	Crawley/Nedlands	<i>Liquidambar styraciflua</i> (Liquidambar)
<b>Causeway</b>		East Perth	<i>Agonis flexuosa</i> (WA Peppermint) <i>Allocasuarina fraseriana</i> (Sheoak) <i>Banksia littoralis</i> (Swamp Banksia) <i>Casuarina obesa</i> (Swamp Sheoak) <i>Eucalyptus rudis</i> (Flooded Gum) <i>Melaleuca cuticularis</i> (Saltwater Paperbark) <i>Melaleuca raphiophylla</i> (Swamp Paperbark)
<b>City Farm Place</b>		Claisebrook	<i>Agonis flexuosa</i> (WA Peppermint)
<b>Clark Street</b>		Crawley/Nedlands	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Shademaster' (Honey Locust) <i>Agonis flexuosa</i> (WA Peppermint)
<b>Cliff Street</b>		Central Perth	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Clifton Street</b>		Crawley/Nedlands	<i>Agonis flexuosa</i> (WA Peppermint)



STREET NAME	STREET SECTION	SUBURB	TREE SPECIES
<b>Clive Street</b>		West Perth	<i>Pyrus ussuriensis</i> (Manchurian Pear)
<b>Colin Grove</b>		West Perth	<i>Hibiscus tiliaceus</i> (Cottonwood)
<b>Colin Place</b>		West Perth	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Colin Street</b>	Kings Park Rd to Ord	West Perth	<i>Eucalyptus marginata</i> (Jarrah) <i>Phoenix canariensis</i> (Canary Island Date Palm) at nodes
	Ord to Murray	West Perth	<i>Eucalyptus marginata</i> (Jarrah) <i>Platanus x acerifolia</i> (London Plane) and <i>Phoenix canariensis</i> (Canary Island Date Palm) at nodes
	Murray to Wellington	West Perth	<i>Eucalyptus marginata</i> (Jarrah)
	Wellington to Arthur	West Perth	<i>Corymbia ficifolia</i> (Red Flowering Gum)
<b>Constitution Street</b>		East Perth	<i>Cinnamomum camphora</i> (Camphor Laurel)
<b>Cook Street</b>		Crawley/Nedlands	<i>Eucalyptus rudis</i> (Flooded Gum)
<b>Cook Street</b>		West Perth	<i>Corymbia ficifolia</i> (Red Flowering Gum)
<b>Cooper Street</b>		Crawley/Nedlands	<i>Platanus x acerifolia</i> (London Plane)
<b>Coolgardie Street</b>		West Perth	<i>Liquidambar styraciflua</i> (Liquidambar)
<b>Crawley Avenue</b>		West Perth	<i>Corymbia calophylla</i> (Marri)
<b>Davies Street</b>		Northbridge	<i>Hibiscus tiliaceus</i> (Cottonwood)
<b>De Vlamingh Avenue</b>		East Perth	<i>Angophora costata</i> (Smooth Barked Apple)
<b>Delhi Street</b>		West Perth	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Duchess Way</b>		Central Perth	<i>Magnolia grandiflora</i> (Magnolia)
<b>East Parade</b>		Claisebrook	<i>Angophora costata</i> (Smooth Barked Apple)
<b>Eastbrook Terrace</b>		Claisebrook	<i>Ulmus parvifolia</i> (Chinese Elm)
<b>Edward Street</b>		Crawley/Nedlands	<i>Melaleuca quinquenervia</i> (Broad Leaved Paperbark)
<b>Elder Street</b>		Central Perth	<i>Platanus x acerifolia</i> (London Plane)
<b>Emerald Terrace</b>		West Perth	<i>Quercus palustris</i> (Pin Oak)
<b>Enchantress Way</b>		Central Perth	<i>Magnolia grandiflora</i> (Magnolia)
<b>Ensign Lane</b>		Claisebrook	<i>Platanus x acerifolia</i> (London Plane)
<b>Errichetti Place</b>		Northbridge	<i>Ulmus parvifolia</i> (Chinese Elm)

STREET NAME	STREET SECTION	SUBURB	TREE SPECIES
<b>Erskine Link</b>		East Perth	<i>Angophora costata</i> (Smooth Barked Apple)
<b>Everett Street</b>		Crawley/Nedlands	<i>Melaleuca quinquenervia</i> (Broad Leaved Paperbark)
<b>Fairway</b>		Crawley/Nedlands	<i>Melaleuca quinquenervia</i> (Broad Leaved Paperbark) <i>Eucalyptus rudis</i> (Flooded Gum) <i>Eucalyptus marginata</i> (Jarrah) <i>Eucalyptus victrix</i> (Coolibah)
<b>Fielder Street</b>		Claisebrook	<i>Platanus x acerifolia</i> (London Plane)
<b>Fitzgerald Street</b>		Northbridge	<i>Melaleuca quinquenervia</i> (Broad Leaved Paperbark)
<b>Flagstaff Lane</b>		Claisebrook	<i>Platanus x acerifolia</i> (London Plane)
<b>Forrest Avenue</b>		East Perth	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Forrest Place</b>		Central Perth	<i>Platanus x acerifolia</i> (London Plane) <i>Ulmus parvifolia</i> (Chinese Elm)
<b>Francis Street</b>		Northbridge	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Freeway Reserve Species Palette</b>		West Perth Central Perth	<i>Eucalyptus erythrocorys</i> (Illyarrie) <i>Eucalyptus victrix</i> (Coolibah) <i>Eucalyptus wandoo</i> (Powderbark Wandoo) <i>Eucalyptus laeliae</i> (Darling Range Ghost Gum) <i>Eucalyptus lane-poolei</i> (Salmon White Gum) <i>Eucalyptus accedens</i> (Powderbark Wandoo) <i>Eucalyptus gomphocephala</i> (Tuart) <i>Corymbia maculata</i> (Spotted Gum)
<b>Geoffrey Bolton Avenue</b>		Central Perth	<i>Corymbia maculata</i> (Spotted Gum)
<b>George Street</b>		West Perth	<i>Peltophorum pterocarpum</i> (Yellow Poinciana)
<b>Gibraltar Way</b>		East Perth	<i>Sapium sebiferum</i> (Chinese Tallow)
<b>Glyde Street</b>		Claisebrook	<i>Pyrus ussuriensis</i> (Manchurian Pear)
<b>Goderich Street</b>		East Perth	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Gordon Street (Crawley/Nedlands)</b>		Crawley/Nedlands	<i>Agonis flexuosa</i> (WA Peppermint)
<b>Gordon Street (West Perth)</b>		West Perth	<i>Platanus x acerifolia</i> (London Plane)
<b>Governors Avenue</b>		Central Perth	<i>Eucalyptus rudis</i> (Flooded Gum)

STREET NAME	STREET SECTION	SUBURB	TREE SPECIES
<b>Graham Farmer Freeway</b>		Northbridge	<i>Corymbia maculata</i> (Spotted Gum) <i>Eucalyptus victrix</i> (Coolibah) <i>Eucalyptus laeliae</i> (Darling Range Ghost Gum) <i>Eucalyptus accedens</i> (Powderbark) <i>Eucalyptus gomphocephala</i> (Tuart)
<b>Guy Lane</b>		Claisebrook	<i>Pyrus ussuriensis</i> (Manchurian Pear)
<b>Hackett Drive</b>		Crawley/Nedlands	<i>Eucalyptus rudis</i> (Flooded Gum)
	Median Species Palette	Crawley/Nedlands	<i>Banksia attenuata</i> (Candlestick Banksia) <i>Banksia prionotes</i> (Acorn Banksia) <i>Eucalyptus erythrocorys</i> (Illyarrie) <i>Eucalyptus victrix</i> (Coolibah) <i>Eucalyptus wandoo</i> (Powderbark Wandoo) <i>Eucalyptus laeliae</i> (Darling Range Ghost Gum) <i>Eucalyptus lane-poolei</i> (Salmon White Gum) <i>Eucalyptus caesia subsp magna</i> 'silver princess' (Silver Princess) <i>Eucalyptus macrocarpa</i> (Mottlecah) <i>Eucalyptus pleurocarpa</i> (Mealy Gum) <i>Eucalyptus pyriformis</i> (Pear Fruited Mallee) <i>Eucalyptus spathulata</i> (Swamp Mallet) <i>Eucalyptus websteriana</i> (Heart Leaf Mallee) <i>Eucalyptus youngiana</i> (Large Fruited Mallee)
<b>Haig Park Circle</b>		Claisebrook	<i>Platanus x acerifolia</i> (London Plane)
<b>Hale Street</b>	Hay to Nelson Crs	East Perth	<i>Platanus x acerifolia</i> (London Plane)
	Nelson Crs to Waterloo Crs	East Perth	<i>Corymbia maculata</i> (Spotted Gum)
<b>Hampden Road</b>		Crawley/Nedlands	<i>Platanus x acerifolia</i> (London Plane) in median and at pedestrian nodes <i>Gleditsia triacanthos var. inermis</i> 'Shademaster' (Honey Locust) elsewhere
<b>Hardy Road</b>		Crawley/Nedlands	<i>Gleditsia triacanthos var. inermis</i> 'Shademaster' (Honey Locust)
<b>Harvest Terrace</b>		West Perth	<i>Erythrina x sykesii</i> (Coral Tree)

STREET NAME	STREET SECTION	SUBURB	TREE SPECIES
<b>Havelock Street</b>		West Perth	<i>Melaleuca quinquenervia</i> (Broad Leaved Paperbark) <i>Erythrina x sykesii</i> (Coral Tree) at nodes
<b>Hay Street</b>	Thomas to Outram	West Perth	<i>Corymbia maculata</i> (Spotted Gum)
	Outram to Colin	West Perth	<i>Platanus x acerifolia</i> (London Plane) <i>Jacaranda mimosifolia</i> (Jacaranda) as feature tree at Colin Street node
	Colin to Pier	West Perth/Central City	<i>Liquidambar styraciflua</i> (Liquidambar)
	Pier to Victoria Ave	Central Perth	<i>Jacaranda mimosifolia</i> (Jacaranda) <i>Corymbia maculata</i> (Spotted Gum) <i>Delonix regia</i> (Poinciana) at nodes
	Victoria Ave to Hill	Central Perth	<i>Jacaranda mimosifolia</i> (Jacaranda) <i>Corymbia maculata</i> (Spotted Gum) <i>Phoenix canariensis</i> (Canary Island Date Palm) at nodes
	Hill to Bennett	East Perth	<i>Jacaranda mimosifolia</i> (Jacaranda) <i>Phoenix canariensis</i> (Canary Island Date Palm) at nodes
	Bennett to Plain	East Perth	<i>Jacaranda mimosifolia</i> (Jacaranda) <i>Corymbia maculata</i> (Spotted Gum) <i>Phoenix canariensis</i> (Canary Island Date Palm) at nodes
	Plain to Trinity Ave	East Perth	<i>Platanus x acerifolia</i> (London Plane) <i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Hay Street Mall</b>		Central Perth	<i>Platanus x acerifolia</i> (London Plane)
<b>Henry Street</b>		Claisebrook	<i>Eucalyptus gomphocephala</i> (Tuart) <i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Henry Lawson Walk</b>		Claisebrook	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Hill Street</b>	Terrace Rd to Wellington	East Perth	<i>Melaleuca quinquenervia</i> (Broad Leaved Paperbark)
	Wellington to Wittenoom	Claisebrook	<i>Melaleuca quinquenervia</i> (Broad Leaved Paperbark)
	Wittenoom to Royal	Claisebrook	<i>Platanus x acerifolia</i> (London Plane) <i>Eucalyptus botryoides</i> (Bangalay)
<b>Horatio Street</b>	Nelson to Waterloo Crs	East Perth	<i>Melaleuca quinquenervia</i> (Broad Leaved Paperbark)
	Waterloo to Bronte	Claisebrook	<i>Melaleuca quinquenervia</i> (Broad Leaved Paperbark)



STREET NAME	STREET SECTION	SUBURB	TREE SPECIES
<b>Howard Street</b>		Central Perth	<i>Pyrus ussuriensis</i> (Manchurian Pear)
<b>Irwin Street</b>		Central Perth	<i>Jacaranda mimosifolia</i> (Jacaranda)
	Plaza planters	Central Perth	<i>Eucalyptus lane-poolei</i> (Salmon White Gum)
<b>James Street</b>	Freeway to Fitzgerald	Northbridge	<i>Platanus x acerifolia</i> (London Plane)
	Fitzgerald to William	Northbridge	<i>Platanus x acerifolia</i> (London Plane) <i>Phoenix canariensis</i> (Canary Island Date Palm) at nodes
	William to Beaufort	Northbridge	<i>Platanus x acerifolia</i> (London Plane) <i>Phoenix canariensis</i> (Canary Island Date Palm) at nodes
	Beaufort to Pier	Northbridge	<i>Platanus x acerifolia</i> (London Plane)
<b>Jewell Lane</b>		Claisebrook	<i>Pyrus ussuriensis</i> (Manchurian Pear)
<b>John Street</b>		Northbridge	<i>Platanus x acerifolia</i> (London Plane)
<b>Kakulas Crescent</b>		Northbridge	<i>Ulmus parvifolia</i> (Chinese Elm)
<b>Kanimbla Road</b>		Crawley/Nedlands	<i>Eucalyptus torquata</i> (Coral Gum)
			<i>Eucalyptus nicholii</i> (Narrow Leaved Peppermint)
<b>Karella Street</b>		Crawley/Nedlands	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Shademaster' (Honey Locust)
<b>Kensington Street</b>		Claisebrook	<i>Platanus x acerifolia</i> (London Plane)
<b>Kings Park Avenue</b>		Crawley/Nedlands	<i>Corymbia calophylla</i> (Marri)
<b>Kings Park Road</b>		West Perth	<i>Corymbia calophylla</i> (Marri)
			<i>Corymbia ficifolia</i> (Red Flowering Gum)

STREET NAME	STREET SECTION	SUBURB	TREE SPECIES
		Median Species Palette	<i>Eucalyptus erythrocorys</i> (Illyarrie) <i>Eucalyptus victrix</i> (Coolibah) <i>Eucalyptus wandoo</i> (Powderbark Wandoo) <i>Eucalyptus laeliae</i> (Darling Range Ghost Gum) <i>Eucalyptus lane-poolei</i> (Salmon White Gum) <i>Eucalyptus caesia subsp. magna</i> 'silver princess' (Silver Princess) <i>Eucalyptus macrocarpa</i> (Mottlecah) <i>Eucalyptus pleurocarpa</i> (Tallerack) <i>Eucalyptus pyriformis</i> (Pear Fruited Mallee) <i>Eucalyptus spathulata</i> (Swamp Mallet) <i>Eucalyptus websteriana</i> (Heart Leaf Mallee)
<b>King Street</b>	St Georges Tce to Hay	Central Perth	<i>Magnolia grandiflora</i> (Magnolia) <i>Ficus microcarpa</i> var. <i>hillii</i> (Hill's Fig) <i>Phoenix canariensis</i> (Canary Island Date Palm) at nodes
	Hay to Murray	Central Perth	<i>Magnolia grandiflora</i> (Magnolia) <i>Phoenix canariensis</i> (Canary Island Date Palm) at nodes
	Murray to Wellington	Central Perth	<i>Magnolia grandiflora</i> (Magnolia)
<b>Lake Street</b>		Northbridge	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Shademaster' (Honey Locust)
<b>Leahy Walk</b>		Claisebrook	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Lipfert Street</b>		Northbridge	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Little Milligan Street</b>		Perth Central	<i>Jacaranda mimosifolia</i> (Jacaranda) <i>Phoenix canariensis</i> (Canary Island Date Palm) at nodes
<b>Little Shenton Lane</b>		Northbridge	<i>Prunus cerasifera</i> (Purple Leaved Plum)
<b>Loftus Street</b>		West Perth	<i>Corymbia maculata</i> (Spotted Gum)
<b>Lord Street</b> (north of railway)		Northbridge	<i>Angophora costata</i> (Smooth Barked Apple)
<b>Lord Street</b> (south of railway)		Northbridge/Central Perth	<i>Corymbia maculata</i> (Spotted Gum)
<b>Macey Street</b>		Claisebrook	<i>Ficus microcarpa</i> var. <i>hillii</i> (Hill's Fig)
<b>Malcolm Street</b>		West Perth	<i>Platanus x acerifolia</i> (London Plane)
<b>Market Street</b>		West Perth	<i>Corymbia maculata</i> (Spotted Gum)

STREET NAME	STREET SECTION	SUBURB	TREE SPECIES
<b>Megalong Street</b>		Crawley/Nedlands	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Shademaster' (Honey Locust)
<b>Mill Street</b>		Central Perth	<i>Lagunaria patersonia</i> (Norfolk Island Hibiscus)
<b>Milligan Street</b>	North of Railway (Melbourne Street)	Northbridge	<i>Platanus x acerifolia</i> (London Plane)
	St Georges Tce to Hay	Central Perth	<i>Liquidambar styraciflua</i> (Liquidambar)
	Hay to Wellington	Central Perth	<i>Liquidambar styraciflua</i> (Liquidambar) <i>Phoenix canariensis</i> (Canary Island Date Palm)
<b>Monash Avenue</b>		Crawley/Nedlands	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Moore Street</b>	Pier to Hill	Central Perth	<i>Corymbia maculata</i> (Spotted Gum)
<b>Moreau Parade</b>		East Perth	<i>Magnolia grandiflora</i> (Magnolia)
<b>Mount Street</b>		Central Perth	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Mountain Terrace</b>		Northbridge	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Shademaster' (Honey Locust)
<b>Mounts Bay Road</b>	William to Swan Brewery	Central Perth	<i>Platanus x acerifolia</i> (London Plane)
	Kings Park Ave to Winthrop Ave		<i>Eucalyptus rudis</i> (Flooded Gum)
	Roundabout to Swan Brewery - Median Species Palette	Central Perth	<i>Banksia attenuata</i> (Candlestick Banksia) <i>Banksia prionotes</i> (Acorn Banksia) <i>Eucalyptus erythrocorys</i> (Illyarrie) <i>Eucalyptus victrix</i> (Coolibah) <i>Eucalyptus wandoo</i> (Powderbark Wandoo) <i>Eucalyptus laeliae</i> (Darling Range Ghost Gum) <i>Eucalyptus lane-poolei</i> (Salmon White Gum) <i>Eucalyptus caesia</i> subsp. <i>magna</i> 'silver princess' (Silver Princess) <i>Eucalyptus macrocarpa</i> (Mottlecah) <i>Eucalyptus pleurocarpa</i> (Mealy Gum) <i>Eucalyptus pyriformis</i> (Pear Fruited Mallee) <i>Eucalyptus spathulata</i> (Swamp Mallet) <i>Eucalyptus websteriana</i> (Heart Leaf Mallee) <i>Eucalyptus youngiana</i> (Large Fruited Mallee)

STREET NAME	STREET SECTION	SUBURB	TREE SPECIES
	Roundabout to Swan Brewery - Riverfront Species Palette	Central Perth	<i>Banksia littoralis</i> (Swamp Banksia) <i>Allocasuarina fraseriana</i> (Sheoak) <i>Casuarina obesa</i> (Swamp Sheoak) <i>Eucalyptus rudis</i> (Flooded Gum) <i>Melaleuca cuticularis</i> (Saltwater Paperbark) <i>Melaleuca raphiophylla</i> (Swamp Paperbark)
	Swan Brewery to Kings Park Ave - Riverfront Species Palette	Crawley/Nedlands	<i>Banksia littoralis</i> (Swamp Banksia) <i>Allocasuarina fraseriana</i> (Sheoak) <i>Casuarina obesa</i> (Swamp Sheoak) <i>Eucalyptus rudis</i> (Flooded Gum) <i>Melaleuca cuticularis</i> (Saltwater Paperbark) <i>Melaleuca raphiophylla</i> (Swamp Paperbark)
	Kings Park Ave to Winthrop Ave - Median Species Palette	Crawley/Nedlands	<i>Banksia attenuata</i> (Candlestick Banksia) <i>Banksia prionotes</i> (Acorn Banksia) <i>Eucalyptus erythrocorys</i> (Illyarrie) <i>Eucalyptus victrix</i> (Coolibah) <i>Eucalyptus wandoo</i> (Powderbark Wandoo) <i>Eucalyptus laeliae</i> (Darling Range Ghost Gum) <i>Eucalyptus lane-poolei</i> (Salmon White Gum) <i>Eucalyptus caesia subsp magna</i> 'silver princess' (Silver Princess) <i>Eucalyptus macrocarpa</i> (Mottlecak) <i>Eucalyptus pleurocarpa</i> (Mealy Gum) <i>Eucalyptus pyriformis</i> (Pear Fruited Mallee) <i>Eucalyptus spathulata</i> (Swamp Mallet) <i>Eucalyptus websteriana</i> (Heart Leaf Mallee) <i>Eucalyptus youngiana</i> (Large Fruited Mallee)
	Kings Park Ave to Winthrop Ave - Riverfront Species Palette	Crawley/Nedlands	<i>Banksia littoralis</i> (Swamp Banksia) <i>Allocasuarina fraseriana</i> (Sheoak) <i>Casuarina obesa</i> (Swamp Sheoak) <i>Eucalyptus rudis</i> (Flooded Gum) <i>Melaleuca cuticularis</i> (Saltwater Paperbark) <i>Melaleuca raphiophylla</i> (Swamp Paperbark)
<b>Murray Street</b>	Thomas to Freeway	West Perth	<i>Corymbia maculata</i> (Spotted Gum)
	Freeway to Victoria Sq	Central Perth	<i>Liquidambar styraciflua</i> (Liquidambar)



STREET NAME	STREET SECTION	SUBURB	TREE SPECIES
<b>Murray Street Mall</b>		Central Perth	<i>Platanus x acerifolia</i> (London Plane)
<b>Museum Street</b>		Northbridge	<i>Platanus x acerifolia</i> (London Plane)
<b>Myers Street</b>	Broadway to Fairway	Crawley/Nedlands	<i>Corymbia ficifolia</i> (Red Flowering Gum)
	Fairway to Parkway	Crawley/Nedlands	<i>Corymbia ficifolia</i> (Red Flowering Gum) <i>Eucalyptus marginata</i> (Jarrah)
<b>Nash Street</b>		Northbridge	<i>Ulmus parvifolia</i> (Chinese Elm)
<b>Nelson Avenue</b> (East of WACA)	Braithwaite to Nile	East Perth	<i>Corymbia maculata</i> (Spotted Gum) <i>Eucalyptus rudis</i> (Flooded Gum) <i>Eucalyptus camaldulensis</i> 'Obtusa' (Northern River Red Gum)
<b>Nelson Cr escent</b> (west of WACA)	Plain to Braithwaite	East Perth	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Newcastle Street</b>		Northbridge	<i>Angophora costata</i> (Smooth Barked Apple)
<b>Nile Street</b>		East Perth	<i>Eucalyptus leucoxydon</i> (South Australian Yellow Gum) <i>Eucalyptus melliodora</i> (Yellow Box) <i>Eucalyptus rudis</i> (Flooded Gum)
<b>Old Belvidere Promenade</b>		Claisebrook	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Ord Street</b>		West Perth	<i>Agonis flexuosa</i> (WA Peppermint)
<b>Outram Street</b>	Kings Park Rd to Ord	West Perth	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Shademaster' (Honey Locust)
	Ord to Richardson	West Perth	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Shademaster' (Honey Locust) <i>Phoenix canariensis</i> (Canary Island Date Palm) at node
	Richardson to Hay	West Perth	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Shademaster' (Honey Locust) <i>Platanus x acerifolia</i> (London Plane)
	Hay to Murray	West Perth	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Shademaster' (Honey Locust) <i>Platanus x acerifolia</i> (London Plane)
	Murray to Wellington	West Perth	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Shademaster' (Honey Locust)
<b>Palmerston Street</b>		Northbridge	<i>Olea europaea</i> (Olive)

STREET NAME	STREET SECTION	SUBURB	TREE SPECIES
<b>Park Avenue</b>		Crawley/Nedlands	<i>Eucalyptus gomphocephala</i> (Tuart) <i>Corymbia calophylla</i> (Marri) <i>Eucalyptus marginata</i> (Jarrah)
<b>Park Road</b>		Crawley/Nedlands	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Shademaster' (Honey Locust)
<b>Parker Street</b>		Northbridge	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Parkway</b>		Crawley/Nedlands	<i>Corymbia calophylla</i> (Marri) <i>Eucalyptus marginata</i> (Jarrah) <i>Eucalyptus leucoxylon</i> (SA Yellow Gum) <i>Eucalyptus sideroxylon</i> (Iron Bark)
<b>Parliament Place</b>		West Perth	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Pier Street</b>	St Georges Tce to Hay	Central Perth	<i>Jacaranda mimosifolia</i> (Jacaranda)
	Hay to Murray	Central Perth	To be determined as part of current streetscape upgrade
	Murray to Wellington	Central Perth	<i>Jacaranda mimosifolia</i> (Jacaranda)
	Wellington to Newcastle	Northbridge	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Plain Street</b>	Brown to Royal	Claisebrook	<i>Platanus x acerifolia</i> (London Plane) <i>Jacaranda mimosifolia</i> (Jacaranda)
	Royal to Wellington	Claisebrook	<i>Angophora costata</i> (Smooth Barked Apple)
	Wellington to Adelaide Tce	East Perth	<i>Angophora costata</i> (Smooth Barked Apple)
	Adelaide Tce to Terrace Rd	East Perth	<i>Platanus x acerifolia</i> (London Plane)
	Terrace Rd to Riverside Dr	East Perth	Part of Langley Park
<b>Plastowe Mews</b>		West Perth	<i>Delonix regia</i> (Poinciana)
<b>Princess Road</b>		Crawley/Nedlands	<i>Ceratonia siliqua</i> (Carob)
<b>Prizmic Lane</b>		Northbridge	<i>Zelkova serrata</i> (Keaki)
<b>Prowse Street</b>		West Perth	<i>Corymbia ficifolia</i> (Red Flowering Gum)
<b>Queen Street</b>		Central Perth	<i>Pyrus ussuriensis</i> (Manchurian Pear)
<b>Railway Street</b>	Thomas to Sutherland	West Perth	<i>Platanus x acerifolia</i> (London Plane) <i>Ulmus parvifolia</i> (Chinese Elm)

STREET NAME	STREET SECTION	SUBURB	TREE SPECIES
<b>Regal Place</b>		Claisebrook	<i>Pyrus ussuriensis</i> (Manchurian Pear) <i>Angophora costata</i> (Smooth Barked Apple)
<b>Renaissance Avenue</b>		Claisebrook	<i>Ulmus parvifolia</i> (Chinese Elm)
<b>Rheola Street</b>		West Perth	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Richardson Street</b>		West Perth	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Shademaster' (Honey Locust)
<b>Riverside Drive</b>	Barrack to Plain	Central Perth	Riverfront project
	Plain to Causeway	East Perth	Riverfront project
<b>Roe Street</b>	Sutherland to Freeway	West Perth	<i>Corymbia maculata</i> (Spotted Gum)
	Freeway to Stirling	Northbridge	<i>Corymbia maculata</i> (Spotted Gum) <i>Erythrina x sykesii</i> (Coral Tree) at nodes
<b>Royal Street</b>	Lord to Trafalgar	Claisebrook	<i>Platanus x acerifolia</i> (London Plane)
<b>Saunders Street</b>		Claisebrook	<i>Jacaranda mimosifolia</i> (Jacaranda) <i>Ficus microcarpa</i> var. <i>hillii</i> (Hill's Fig)
<b>Serich Lane</b>		Northbridge	<i>Hibiscus tiliaceus</i> (Cottonwood)
<b>Shenton Street</b>		Northbridge	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Sherwood Court</b>		Central Perth	<i>Pyrus ussuriensis</i> (Manchurian Pear)
<b>Slyth Way</b>		Northbridge	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Sovereign Close</b>		Claisebrook	<i>Pyrus ussuriensis</i> (Manchurian Pear)
<b>St Georges Terrace</b>	Elder to Victoria Ave	Central Perth	<i>Platanus x acerifolia</i> (London Plane)
<b>Spring Street</b>		Central Perth	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Stirling Highway</b>		Crawley/Nedlands	<i>Eucalyptus marginata</i> (Jarrah)
<b>Stirling Street</b>	Roe to James	Northbridge	<i>Platanus x acerifolia</i> (London Plane)
	James to Aberdeen	Northbridge	<i>Platanus x acerifolia</i> (London Plane)
	Aberdeen to Newcastle	Northbridge	<i>Platanus x acerifolia</i> (London Plane)
<b>Sunbeam Way</b>		Claisebrook	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Sutherland Street</b>	Roe to Wellington	West Perth	<i>Corymbia maculata</i> (Spotted Gum)
<b>Tareena Street</b>		Crawley/Nedlands	<i>Ceratonia siliqua</i> (Carob)

STREET NAME	STREET SECTION	SUBURB	TREE SPECIES
<b>Telethon Avenue</b>		Central Perth	<i>Ulmus parvifolia</i> (Chinese Elm)
<b>Terrace Road</b>	Governors Ave to Victoria Ave	Central Perth	<i>Eucalyptus rudis</i> (Flooded Gum)
	Victoria Ave to Plain Street	East Perth	<i>Lagunaria patersonia</i> (Norfolk Island Hibiscus) <i>Jacaranda mimosifolia</i> (Jacaranda) <i>Olea europaea</i> (Olive) <i>Erythrina x sykesii</i> (Coral Tree) at nodes
<b>The Avenue</b>		Crawley/Nedlands	<i>Eucalyptus torquata</i> (Coral Gum) <i>Eucalyptus leucoxydon</i> (SA Yellow Gum)
<b>The Esplanade</b>		Central Perth	<i>Platanus x acerifolia</i> (London Plane)
<b>Thelma Street</b>		West Perth	<i>Tristaniopsis laurina</i> (Water Gum)
<b>Thomas Street/Winthrop Avenue</b>	Railway St to Kings Park Rd	West Perth	<i>Corymbia maculata</i> (Spotted Gum)
	Kings Park Rd to Stirling Hwy		<i>Eucalyptus marginata</i> (Jarrah)
	Kings Park Rd to Stirling Hwy - Median Species Palette	Crawley/Nedlands	<i>Banksia menziesii</i> (Firewood Banksia) <i>Hakea laurina</i> (Pincushion Hakea) <i>Banksia attenuata</i> (Candlestick Banksia) <i>Banksia prionotes</i> (Acorn Banksia) <i>Eucalyptus erythrocorys</i> (Illyarrie) <i>Eucalyptus victrix</i> (Coolibah) <i>Eucalyptus wandoo</i> (Powderbark Wandoo) <i>Eucalyptus laeliae</i> (Darling Range Ghost Gum) <i>Eucalyptus lane-poolei</i> (Salmon White Gum) <i>Eucalyptus caesia</i> subsp <i>magna</i> 'silver princess' (Silver Princess) <i>Eucalyptus macrocarpa</i> (Mottlecah) <i>Eucalyptus pleurocarpa</i> (Mealy Gum) <i>Eucalyptus pyriformis</i> (Pear Fruited Mallee) <i>Eucalyptus spathulata</i> (Swamp Mallet) <i>Eucalyptus websteriana</i> (Heart Leaf Mallee) <i>Eucalyptus youngiana</i> (Large Fruited Mallee)
<b>Trafalgar Road</b>		Claisebrook	<i>Platanus x acerifolia</i> (London Plane)
<b>Trinity Avenue</b>		East Perth	<i>Corymbia maculata</i> (Spotted Gum) <i>Platanus x acerifolia</i> (London Plane) <i>Jacaranda mimosifolia</i> (Jacaranda)



STREET NAME	STREET SECTION	SUBURB	TREE SPECIES
<b>Troode Street</b>		West Perth	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Tully Road</b>		Claisebrook	<i>Ulmus parvifolia</i> (Chinese Elm)
<b>Ventnor Avenue</b>	Kings Park Rd to Hay	West Perth	<i>Agonis flexuosa</i> (WA Peppermint)
<b>Verdun Street</b>		Crawley/Nedlands	<i>Agonis flexuosa</i> (WA Peppermint)
<b>Victoria Avenue</b>	Riverside Dr to Terrace Rd	Central Perth	<i>Platanus x acerifolia</i> (London Plane) <i>Phoenix canariensis</i> (Canary Island Date Palm) - part of foreshore
	Terrace Rd to St Georges Tce	Central Perth	<i>Platanus x acerifolia</i> (London Plane)
	St Georges Tce to Hay	Central Perth	<i>Platanus x acerifolia</i> (London Plane)
	Hay to Victoria Sq	Central Perth	<i>Platanus x acerifolia</i> (London Plane)
<b>Victoria Square</b>		Central Perth	<i>Phoenix canariensis</i> (Canary Island Date Palm) <i>Magnolia grandiflora</i> (Magnolia)
<b>Victory Terrace</b>		Claisebrook	<i>Platanus x acerifolia</i> (London Plane)
<b>Walker Avenue</b>	Kings Park Rd to Rheola	West Perth	<i>Jacaranda mimosifolia</i> (Jacaranda)
<b>Waterloo Crescent</b>	Plain to Bronte	East Perth	<i>Eucalyptus gomphocephala</i> (Tuart) <i>Corymbia maculata</i> (Spotted Gum) <i>Corymbia ficifolia</i> (Red Flowering Gum)
	Bronte to Wittenoom	East Perth	<i>Jacaranda mimosifolia</i> (Jacaranda) <i>Corymbia ficifolia</i> (Red Flowering Gum) <i>Corymbia maculata</i> (Spotted Gum)
<b>Wellington Street</b>	Thomas to Freeway	West Perth	<i>Corymbia maculata</i> (Spotted Gum)
	Freeway to William	Central Perth	<i>Platanus x acerifolia</i> (London Plane)
	William to Pier	Central Perth	<i>Corymbia maculata</i> (Spotted Gum) <i>Platanus x acerifolia</i> (London Plane)
	Pier to Hill	Central Perth	<i>Corymbia maculata</i> (Spotted Gum)
	Hill to Plain	East Perth	<i>Corymbia maculata</i> (Spotted Gum)
<b>West Street</b>		West Perth	<i>Erythrina x sykesii</i> (Coral Tree)
<b>Wickham Street</b>		Claisebrook	<i>Angophora costata</i> (Smooth Barked Apple)

STREET NAME	STREET SECTION	SUBURB	TREE SPECIES
<b>William Street</b>	Freeway to Esplanade	Central Perth	<i>Platanus x acerifolia</i> (London Plane) <i>Phoenix canariensis</i> (Canary Island Date Palm) at nodes <i>Magnolia grandiflora</i> (Magnolia)
	Esplanade to Wellington	Central Perth	<i>Platanus x acerifolia</i> (London Plane)
	Roe to Newcastle	Northbridge	<i>Platanus x acerifolia</i> (London Plane)
<b>Wingfield Avenue</b>		West Perth	<i>Corymbia calophylla</i> (Marri)
<b>Winthrop Avenue</b>		Crawley/Nedlands	(See Thomas Street)
<b>Wittenoom Street</b>	Lord to Hill	Claisebrook	<i>Eucalyptus botryoides</i> (Bangalay)
	Hill to Bennett	Claisebrook	<i>Platanus x acerifolia</i> (London Plane)
	Bennett to Plain	Claisebrook	<i>Platanus x acerifolia</i> (London Plane)
	Plain to Waterloo Crs - North	Claisebrook	<i>Liquidambar styraciflua</i> (Liquidambar)
	Plain to Waterloo Crs - South	Claisebrook	<i>Corymbia maculata</i> (Spotted Gum)
<b>Zempilas Road</b>		Northbridge	<i>Jacaranda mimosifolia</i> (Jacaranda)

**Smaller Streets and Laneways**

Species to be selected in consultation with City Arborist

Street Name	Suburb
Burt Way	Central Perth
Cathedral Avenue	Central Perth
Church Row	Central Perth
Grand Lane	Central Perth
His Majestys Lane	Central Perth
Mercantile Lane	Central Perth
Mercedes Lane	Central Perth
Munster Lane	Central Perth
Ophir Walk	Central Perth
Prince Lane	Central Perth
Wolf Lane	Central Perth
Shafto Lane	Central Perth
Clotilde Street	Claisebrook
Lime Street	Claisebrook
Little Brown Street	Claisebrook
Little Saunders Street	Claisebrook
Mulberry Way	Claisebrook
Norbert Street	Claisebrook
Old Butchers Lane	Claisebrook
Orchard Way	Claisebrook
Premier Lane	Claisebrook
Vanguard Terrace	Claisebrook
Wickham Place	Claisebrook

Street Name	Suburb
Bollaert Lane	East Perth
Bunbury Crescent	East Perth
Maggs Lane	East Perth
Penny Lane	East Perth
Shilling Lane	East Perth
Bury Street	Northbridge
Chung Wah Lane	Northbridge
Churchview Ally	Northbridge
Grigoroff Street	Northbridge
Hoy Poy Street	Northbridge
Leadlight Lane	Northbridge
Michael Close	Northbridge
Nicks Lane	Northbridge
Oriental Lane	Northbridge
Re Loop	Northbridge
Via Torre	Northbridge
Vita Loop	Northbridge
Douro Place	West Perth
Lawrence Avenue	West Perth
Lucknow Place	West Perth
Wellington Place	West Perth
Market Street	West Perth
Mayfair Street	West Perth



City of Perth

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ABN 83 780 118 628



**Recommendation:*****That Council:***

1. ***ENDORSES the submission to the Department of Biodiversity, Conservation and Attraction on the draft 'Perth Water Buneenboro Precinct Plan' as detailed in Attachment 6.13A; and***
2. ***NOTES that discussions with State Government will need to occur to determine how plans, strategies and policies, such as the Perth Water Buneenboro Precinct Plan, are reflected in the City's Integrated Planning Model.***

FILE REFERENCE:	P1036857
REPORTING OFFICER:	Gillian El-Hoss, Senior Urban Research Officer
REPORTING UNIT:	City Planning
RESPONSIBLE DIRECTORATE:	Planning and Development
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	10 October 2019
ATTACHMENT/S:	Attachment 6.13A – Draft Perth Water Buneenboro Precinct Plan Attachment 6.13B – City of Perth's submission on the Department of Biodiversity, Conservation and Attraction's draft Perth Water Buneenboro Precinct Plan

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input checked="" type="checkbox"/> | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input type="checkbox"/>            | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

**Legislation / Strategic Plan / Policy:****Legislation**

State Planning Policy 2.10 Swan-Canning River System  
City of Perth City Planning Scheme No. 2

**Integrated Planning and Reporting Framework Implications**

**Strategic Community Plan**  
Strategic Priority - Built Environment

**Policy**

Policy No and Name: N/A

**Purpose and Background:**

The purpose of this report is to seek Council endorsement of a submission to the Department of Biodiversity, Conservation and Attraction (DBCA) on its draft Perth Water Precinct Plan, which is currently out for public comment.

The draft Perth Water Precinct Plan establishes a vision for Perth Water *Buneenboro* and provides development policy, direction and actions to achieve the vision. The Precinct Plan area extends from the Narrows Bridge in the west to the Windan Bridge in the east, and includes the foreshore adjacent to the Swan River.

The City has confirmed with the DBCA that its submission will be lodged after the Council meeting on 29 October 2019, and that this late submission will be accepted. The submission will help inform the finalisation of the draft Perth Water Precinct Plan.

**Details:****Background**

State Planning Policy SPP 2.10 'Swan-Canning River System' sets out a vision statement for the future of the Swan-Canning river system; policies based on the guiding principles for future land use and development in the precincts along the river system; and performance criteria and objectives for specific precincts. To assist in implementation, the SPP 2.10 states that - "*precinct plans will be prepared collaboratively between the local governments, the Swan River Trust and the WAPC*".

The objectives of this policy are to:

- provide a regional framework for the preparation of precinct plans based on the precincts identified in the Swan River System Landscape Description;
- provide a context for consistent and integrated planning and decision making in relation to the river; and
- ensure that activities, land use and development maintain and enhance the health, amenity and landscape values of the river, including its recreational and scenic values.

**City Involvement**

In 2018, the DBCA approached the City of Perth to be a member of a Vision Group in the preparation of a Precinct Plan for Perth Water. In June 2018, the City entered into a Memorandum of Understanding (MoU) with the Department of Biodiversity, Conservation and Attractions (DBCA) with the stated purpose:

*“Facilitate development of a Precinct Plan which guides the future use and management of Perth Water, its foreshores and the development interface with the Parks and Recreation reserve, in accordance with State Planning Policy 2.10 Swan-Canning River System. The Precinct Plan is to be a publicly available document, co-endorsed and implemented by the involve parties”.*

Other members of the Perth Water Vision Group include the City of South Perth; Town of Victoria Park; Department of Planning, Lands and Heritage; Department of Transport; Metropolitan Redevelopment Authority; and Tourism Western Australia. All Vision Group members made financial contributions to the project: as part of its MoU, the City provided a cash contribution of \$10,000.

The City’s nominated representatives to the Vision Group were the Director, Planning and Development, with joint deputies being Manager City Planning and Manager Coordination and Design. In addition to representation on the Vision Group, City staff attended workshops held by DBCA in April and May 2018 to inform the development of the plan.

The City’s Administration has since provided two sets of comments to DBCA on iterations of the draft Precinct Plan, released in March 2019 and July 2019. Many, though not all, of these comments resulted in changes to the draft documentation.

### **Document structure**

The draft Perth Water Precinct Plan focuses on respecting the cultural and environmental value of Perth Water, and addresses key development considerations such as tourism and recreation opportunities, commercial use and transport improvements around and across the river.

The Precinct Plan comprises two parts:

**Part 1: Development Policy and Requirements** – intended to direct and inform all types of development (including use of the land and water) within the precinct, supported by a series of development requirements that are to be addressed and satisfied as part of any development proposal.

**Part 2: Action Plan** – identifies a list of actions that members of the Perth Water Vision Group (PWVG) aim to implement to achieve the Precinct Plan vision.

### **Financial Implications:**

There are no direct financial implications associated with this report.

Part 2 of the Draft Perth Water Precinct Plan includes a number of actions for the City. Some of these can be carried out using current operating budgets. Some will have additional cost implications. The budgetary status of these actions has been indicated within the Submission (Attachment 6.13B).

The MoU requires that the City takes “all reasonable steps to implement the Precinct Plan, subject to specific actions aligning to the City’s approach to designing and managing the Capital City, and subject to Council approval of funding”. It is anticipated that funding for individual actions contained within the Precinct Plan (once finalised) would be sought individually through the City’s usual budgeting processes.

The City of Perth, will further discuss the commitments described in the draft Plan, prior to finalisation by the DBCA to ensure alignment with the emerging corporate business planning process.

### **Comments:**

The City's Administration has prepared a response to the State Government's draft Perth Water *Buneenboro* Precinct Plan which is attached in Attachment 6.13A for the Council's consideration and endorsement. This submission has considered alignment between the draft Precinct Plan and the City's current initiatives and strategic direction.

The aim of DBCA to create a shared vision for Perth Water is strongly supported. In particular, the City applauds DBCA's collaborative approach towards establishing alignment between State and Local Government. The large number of administrative authorities involved in the area makes a shared vision for Perth Water challenging to establish, and important to pursue.

DBCA's approach to developing the draft Perth Water Precinct Plan aligns with the City's strategic priority 'Joint City and State Strategy', and paves the way for future City-State collaboration on major projects in the area (for example; the future redevelopment of the Perth Concert Hall Precinct and PCEC areas).

The majority of the document, including the actions identified for local government authorities and the City of Perth specifically, are supported. Many of these actions are already planned by the City, or are considered 'business as usual'.

Nonetheless, there are some areas of concern for the City, as outlined in the Submission. These relate to:

- **Document structure and statutory weight.** Further clarity is required as to the intended statutory weight of Part A of the document. This issue is explored further below.
- **Governance and implementation.** There is no information provided regarding the proposed approach for governance and implementation, including monitoring and review. For many actions, multiple lead agencies are identified. This could create confusion regarding ultimate responsibility for funding and implementation of these actions.
- **Activation of the waterfront.** There are aspects of the Plan that may inhibit the expansion of on-water activities. In particular, the proposition of restricting lease periods to 'short-term (eg. five year)' is likely to reduce the viability of many commercial projects.
- **Land-based helipads.** The Plan outlines locations for possible land-based helipads, including at Point Fraser and Nelson Avenue, with CoP listed as the lead agency to "investigate options for land-based helipads". While a technical assessment has not been undertaken, the suitability of these locations is questioned, or at least it is considered premature to suggest these sites as suitable. In general, the safety area required around helipads, and the noise they generate, does not align with objectives around preventing privatisation of the river and protecting amenity and public enjoyment.

### **Statutory weight**

The future statutory weight of the document, from a planning perspective, is unclear. SPP 2.10 states that such Precinct Plans should be prepared "generally following the procedures for the preparation of a local planning policy set out in the Model Scheme Text, and be endorsed by all parties". SPP2.10 is currently being reviewed by the Department of Planning, Lands and Heritage.

The majority of land within the Precinct Plan that is within the City of Perth boundary is reserved under the Metropolitan Region Scheme (MRS) (with the exception of a small amount of parkland at



Claisebrook Cove, which falls within the City's Local Planning Scheme No. 26 - Normalised Redevelopment Area). Typically, the City would not adopt a local planning policy over land where it is not the determining authority (though the *Planning & Development (Local Planning Schemes) Regulations 2015* (Planning Regulations) do not necessarily preclude this). The Planning Regulations and the Metropolitan Region Scheme are silent on the role and process for the adoption and implementation of any such 'precinct plan' by Local Government.

Should Part A be adopted by State Government through appropriate processes, the City of Perth may be required to give 'due regard' to the Perth Water *Buneenboro* Precinct Plan when providing comment on development undertaken on MRS land within the Precinct Plan area.

The submission (Attachment 6.13B) has been prepared under the assumption that Part 1 of the draft Perth Water Precinct Plan will carry this level of statutory weight.

Given that the documentation is still in draft, there are further opportunities during the finalisation of the Perth Water Precinct Plan for the City to work with the DBCA and Vision Group to clarify the Plan's statutory weight and role under the State and local planning framework.

### **Future endorsement by City**

While processes for endorsement of the draft Perth Water Precinct Plan, and its future statutory weight, still need to be clarified, it is in the City's interests to continue to collaborate towards its finalisation. As outlined earlier, the Precinct Plan is well aligned with the City's strategic priority 'Joint City and State Strategy'.

The MoU signed by the City places a non-binding obligation on the City to proceed to endorsement and implementation of the Precinct Plan. It includes the following responsibilities for the City:

- 3.1.6: To undertake all reasonable steps to progress co-endorsement and final adoption of the Precinct Plan as policy under SPP2.10, subject to the final Precinct Plan aligning with the strategic intent of the City of Perth; and
- 3.1.7: To undertake all reasonable steps to implement the Precinct Plan, subject to specific actions aligning to the City's approach to designing and managing the Capital City, and subject to Council approval of funding.

The MoU also states that – "modifications to the final Precinct Plan and any final supporting documents will void endorsement of the document/s by the other parties".

Prior to finalisation of the Precinct Plan and Action Plan by the DBCA, further discussion between the City and DBCA is needed to determine the most appropriate approach for inclusion of any agreed actions into the City's Integrated Planning Model.



DRAFT

# Perth Water *Buneenboro* Precinct Plan

September 2019

Ngala kaaditj Whadjuk moort keyen  
kaadak nidja boodja

We acknowledge the Whadjuk people  
as the original owners of this land

**Prepared for:** Department of Biodiversity, Conservation and Attractions,  
on behalf of the Perth Water Vision Group

**Project Team:**

<b>Lead consultant:</b>	element – place strategy, engagement, heritage, urban planning
<b>Consultant team:</b>	Syrinx – environmental planning, landscape design
	Arup – transport planning and engineering
	Dr Richard Walley and David Collard – Aboriginal engagement and advisory

Front page image: element



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VI



Photo: element 1

INTRODUCTION

# Introduction

Document purpose and structure

The Perth Water *Buneenboro* Precinct Plan (Precinct Plan) is an important framework which brings together "on" and "off" water considerations, responds to key findings from a dedicated stakeholder and community engagement process and functions as a strategic document that provides guidance for recreation, development, restoration and rehabilitation within the Precinct Plan area.

The Precinct Plan establishes a vision for Perth Water *Buneenboro* and provides development policy, direction and actions to achieve the vision. The Precinct Plan comprises two parts:

- **Part 1: Development Policy and Requirements** – key policy positions to direct and inform all types of development (including use of the land and water) within the Precinct, supported by a series of development requirements that are to be addressed and satisfied as part of any development proposal; and
- **Part 2: Action Plan** – a rolling five-year action plan which identifies a list of actions members of the Perth Water Vision Group (PWVG) aim to implement the Precinct Plan vision. The Action Plan will be updated as new actions arise.

This Precinct Plan is an initiative of the PWVG which comprise eight government agencies, each with a strong interface and active role in Perth Water's management. The PWVG has been established to improve cross-agency collaboration and guide the Precinct Plan's development and implementation.

Led by the Department of Biodiversity, Conservation and Attractions (DBCA), this Precinct Plan has been prepared in support of relevant State Planning Policy established under the *Planning and Development Act 2005* and as a policy to assist in implementing the *Swan Canning River Protection Strategy* established under the *Swan and Canning Rivers Management Act 2006*.

This Precinct Plan will be applied by all statutory decision makers in determining development proposals within the policy area. The Action Plan will be implemented and updated to inform the strategic planning initiatives and works programs of all PWVG members.



Figure 1 – Perth Water Vision Group

Precinct Plan policy area

The Precinct Plan applies to land contained within the area as identified by Figure 2 and generally extends from the Narrows Bridge in the west to the Windan Bridge in the east and includes the foreshore adjacent to the Swan River.



Figure 2 – Perth Water Buneenboro Precinct Plan Area

**Vision**

*Buneenboro, Perth Water, a place of ancient traditions, enduring connections and the foundation of Perth's identity.*

*Buneenboro is defined by a network of lively activity nodes, expansive green spaces and open water that is visually and physically accessible to all. A place where people can connect with nature in Western Australia's capital city.*

*Together we protect our boodjar, country, and draw on our moort and kaartdijin, people and knowledge, to strengthen Buneenboro's weirn, spirit, for years to come.*





## INTRODUCTION

# Context

Perth Water *Buneenboro* is our city's life force. Since ancient times it has been a source of food and water, a place of healing, ceremony and family time, and has been a vital connection between communities and settlements for commercial activity and exchange.

Part of the Swan and Canning Rivers system, it is an integral part of the local lifestyle: generations of Western Australians recount memories of boating, fishing, swimming and connecting with family and friends.

Perth Water *Buneenboro* is a diverse and interconnected living system. Situated between the Narrows Bridge in the west and Windan Bridge in the east, the area includes the adjacent foreshores of the City of Perth, City of South Perth and Town of Victoria Park.

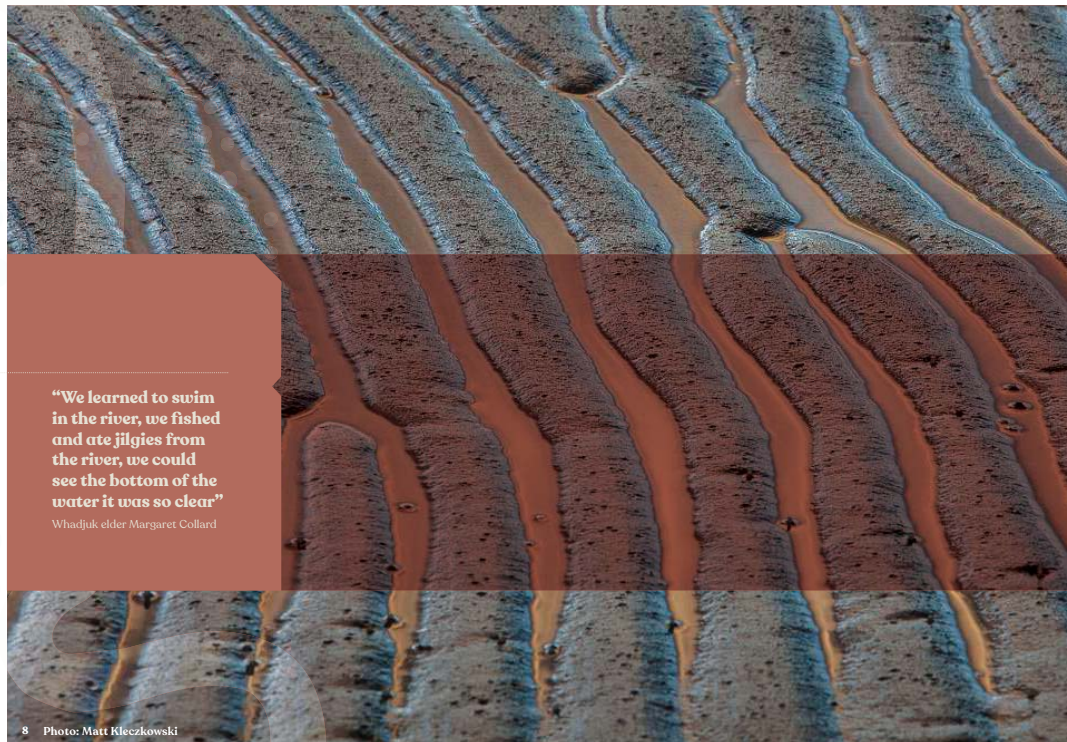
As a backdrop to this unique natural setting, Perth Water *Buneenboro* sits at the epicentre of an energetic, growing city, which has transformed over the last century of economic, commercial and population growth.

As our capital city's 'front garden,' this large, open body of water is encircled by a ribbon of green, punctuated by established riverside destinations – Barrack Square and Barrack Street Jetty, Coode Street and Mends Street. New places including Elizabeth Quay, Optus Stadium and Matagarup Bridge, and Point Fraser, along with a series of emerging activity nodes will develop over time through public and private sector investment.

New 'on-water' activities, and growing infrastructure demands from commercial and entertainment uses have brought new challenges in managing the balance between the river's unique environment and health, while also optimising the significant tourism, recreation and economic development potential.

Striking the balance between rehabilitating, protecting and deepening the understanding of Perth Water *Buneenboro*'s natural environment, managing the impacts of a changing climate and providing opportunities for Perth to grow and evolve, is the focus for this Precinct Plan.





## INTRODUCTION

## Derbarl Yerrigan

The Noongar are the traditional owners of south west Western Australia, with 14 language groups, each connected to different ecological areas. Whadjuk are the dialectical group for Perth, including *Buneenboro* – Perth Water<sup>1</sup>. The broader Swan and Canning Rivers and their tributaries are of great and enduring importance to Noongar people.

Derbarl Yerrigan, Derbarl meaning estuary, fresh or brackish water<sup>2</sup> and Yerrigan meaning upper<sup>3</sup>, was created by the dreamtime spirit rainbow serpent – the Wagyl – who emerged at Mt Eliza and created the river on its way to the ocean<sup>4</sup>. Connected together, the Wagyl's trails form the shape of Whadjuk Boodjar (Whadjuk Country) and is today looked after by powerful spirit beings.

This enduring story of creation forms a deep spiritual bond between the Whadjuk Noongar people and their river, which has for more than 50,000 years been a place of unity and brings people together, for food, family, healing and special ceremonies – births, weddings, funerals and other sacred rituals.

It is understood that the Whadjuk people who lived close to the river were of four main groups led by elders who were both respected and feared by European settlers. The Mooro were led by Yellagonga, the Beellar led by Midgegooro and Yagan, the Beeloo by Munday and, to the north-east, the Wurerup led by Weep. The rivers created natural boundaries of these groups but they were not part of the land estate and instead 'owned' by Wagyl.

Noongar see Derbarl Yerrigan as an interconnected landscape and unifier of life. It has no beginning or end and is a life source that brings together people and animals, paths, trails, water and sky.

*Buneenboro* has always been a hive of activity, bringing people together as a place for commerce and trading goods – ochre, arms and particularly food – and for water supplies, to camp and care for each other. The spiritual connection – weirn – is most important and sacred.

This continues today as a point of contact for the entire Noongar community for congregation, learning, celebration and as a place to recognise the past, enjoy the present and look to the future.

The future is one of looking after each other and working together in custodianship of *Buneenboro*, sharing deep knowledge, history and connections in Derbarl Yerrigan's modern-day management.

1. [www.noongarculture.org.au/whadjuk](http://www.noongarculture.org.au/whadjuk)
2. <https://archive.org/details/diaryofthenguarne00moorinda/page/16>
3. <https://archive.org/details/diaryofthenguarne00moorinda/page/162>
4. Hughes-Hollett, D. (2008) Indigenous History of the Swan and Canning rivers, Western Australia

### WHADJUK NOONGAR BOODJAR



## CONTEXT

# Capital city context

From European settlement in 1829, Perth Water *Buneenboro* became the focal point for the city's development and a place of significant events in the capital's evolution.

Perth's base camp was established on the Swan River's northern banks, chosen for its proximity to water, river transport and views of Mount Eliza and the Darling Scarp – view lines that are still highly valued.

Today, Perth Water *Buneenboro* frames and unifies the capital city, creating a memorable and iconic setting with its growing urban skyline. The Precinct Plan aims to develop and maintain strong physical and social connections between Perth Water *Buneenboro* and the CBD and create provisions for future uses that are commensurate with the role and function of a capital city. These include defining the framework for activity nodes and supporting uses both on and off water.

The Precinct Plan seeks to enhance the core recreational and environmental values of Perth Water *Buneenboro* while also enabling environmentally sensitive and responsible growth and diversification of different uses.



Photo: Josh Spires, Unsplash





PART A – DEVELOPMENT POLICY AND REQUIREMENTS

# Precinct objectives

This draft Precinct Plan has been developed to improve co-ordination between government agencies responsible for the Precinct’s ongoing management.

The Precinct Plan’s vision, objectives and requirements align with the outcomes of an extensive stakeholder and community engagement program, implemented from April to December 2018. The program was designed to gain a deeper understanding of the primary values, issues and opinions of those who use, manage, visit, do business in or live close to Perth Water *Buneenboro*. Supported by an integrated communications campaign designed to drive awareness and participation, the engagement program targeted four primary stakeholder groups comprising key government stakeholders, Whadjuk Noongar community, general community and local area stakeholder and interest groups.

The findings from stakeholder consultation are summarised below.

Key themes	Key findings (from stakeholder engagement)
Celebrating culture and community	<ul style="list-style-type: none"><li>Respecting and celebrating Whadjuk-Noongar spirituality and connection should be a foundation principle – opportunities for improved catchment management, education, tourism and Aboriginal employment are significant.</li><li>Unique WA tourism experiences should be promoted (e.g. Whadjuk Noongar culture, eco-tourism, WA wildlife, tranquillity of cityscape, City of Lights).</li></ul>
Let the river breathe and foreshore flourish	<ul style="list-style-type: none"><li>Working to restore the river’s health is integral, including improving water quality and supporting biodiversity through native landscaping and sensitive development.</li><li>Softer foreshore treatments – plantings, rock revetments, beaches etc should be used instead of river walls, where possible.</li></ul>
A network of lively places and tranquil spaces	<ul style="list-style-type: none"><li>A diverse mix of active and quieter places should be encouraged.</li><li>Denser mixed-use offerings should be contained within existing/identified primary activity nodes, while new investment in secondary activity nodes should be low-impact and sensitive to the foreshore environment.</li><li>The continuous public open space around Perth Water <i>Buneenboro</i> is unique for the city context and should be maintained and celebrated – public access should be maintained and new development by leasehold.</li></ul>
See, touch, experience river life	<ul style="list-style-type: none"><li>River uses that are permanent, noisy, polluting or have the potential to cause anti-social behaviour are not highly favoured.</li><li>Lower-impact, environmentally friendly uses are widely supported.</li><li>The future of the WA Powered Sports Area’s exclusive use arrangements resulted in divided opinions and the costs and benefits of alternative management arrangements were highlighted.</li></ul>
Improving access across and around the river	<ul style="list-style-type: none"><li>Support exists for an expanded public ferry system that is fast, affordable, reliable and connects to Coode Street, Optus Stadium and Claisebrook Cove, however operational and management costs are significant.</li><li>Shared paths should continue to be upgraded to separate pedestrians from active transport modes (e.g. bicycles, e-bikes, scooters, skateboards) and improve overall safety.</li><li>The Precinct should be accessible to all Western Australians, including people with disabilities, their families and carers.</li></ul>

## Key themes from stakeholder consultation guided development of five Precinct objectives:

1. Culture, tourism and recreation
2. Natural values and resilience
3. Foreshore activation
4. On-water activities
5. Circulation and movement

Overarching statements, objectives and development requirements have been developed to guide decision making in relation to the five Precinct objectives and these are set out in the following section.



Photo: Matt Kleczkowski 15



1. Culture, tourism and recreation

For more than 50,000 years, Perth Water *Buneenboro* has been a place of powerful cultural significance to Whadjuk Noongar people and this important spiritual and physical connection endures today.

In recent years, management authorities have worked with Whadjuk Noongar people to recognise and acknowledge this in the Precinct's public realm, and this can continue to be improved to realise opportunities for cultural recognition and education, reconciliation and self-determination, catchment co-management, environmental restoration and repair and, where possible, economic and employment pathways.

As a place of first contact between the Whadjuk Noongar community and European settlers, it is a significant heritage place and one of the key milestones in the city's development. Today, local visitors enjoy the Precinct for its sporting, recreation and community activities, while interstate and overseas visitors marvel at its picturesque, natural setting. There is potential to supplement traditional passive and active recreation activities with new, nature-based visitor experiences.

Opportunities centre on authentic acknowledgement of Whadjuk Noongar enduring spirituality and cultural connection with Perth Water *Buneenboro* (and the Swan River more broadly). This creates a network of destinations and visitor experiences, with a focus on delivering improvements to infrastructure and amenity in key areas and where it is currently lacking.

Important views in the public realm will be protected and celebrated. In particular day and night time views of strategic landmarks including the Perth City skyline and Mount Eliza / Kings Park.

OBJECTIVES

- I.1 Whadjuk Noongar spirituality and connection to country is recognised and acknowledged throughout Perth Water *Buneenboro*.
- I.2 The cultural landscape, including sites of Aboriginal and non-Aboriginal heritage significance, and strategic viewsheds, are conserved and celebrated.
- I.3 The local and tourist visitor experience reflects the Precinct's role as a primary city destination, including Perth's authentic character, environment and natural setting.
- I.4 Perth Water *Buneenboro* remains actively used as a space for community celebration and relaxation.
- I.5 Open spaces are retained in public ownership with a balance of passive and active recreation and community uses.

DEVELOPMENT REQUIREMENTS

- I(a) The Whadjuk Noongar community is actively engaged on significant development proposals at planning inception.
- I(b) Historical Whadjuk-Noongar place names are to be actively recognised in all development and land management initiatives, identified in Figure 3.
- I(c) The activity nodes described in section 3 are to be the primary focus for new and upgraded community and recreation facilities and amenities.
- I(d) New development is to promote and incorporate cultural interpretation elements and public art (as appropriate) to celebrate and communicate the relevant history of a site.
- I(e) Development should not prejudice the:
  - cultural or heritage value of Perth Water *Buneenboro*;
  - larger Swan and Canning rivers;
  - ability of the community to access and enjoy the Precinct; and
  - availability of sufficient open space for large community events, sport and recreation activities.
- I(f) Development is to minimise visual intrusion having regard for the significance of views and the visual and natural resource amenity of the setting - limit visual clutter through minimising non-essential elements, locating and designing elements to be unobtrusive.
- I(g) New development on public land should complement and enhance the river environment and contribute to the capital city experience.
- I(h) Development will achieve community and cultural features, and aspirations for key destinations within the Precinct are identified in Figure 4.
- I(i) Development is to be sensitive to viewsheds to, from and between Strategic Landmarks identified in Figure 5 and the river. It must be demonstrated that the proposed development will not have a negative impact on the amenity of views from the Swan River and parklands to Strategic Landmarks and from Strategic Landmarks to the Swan River.



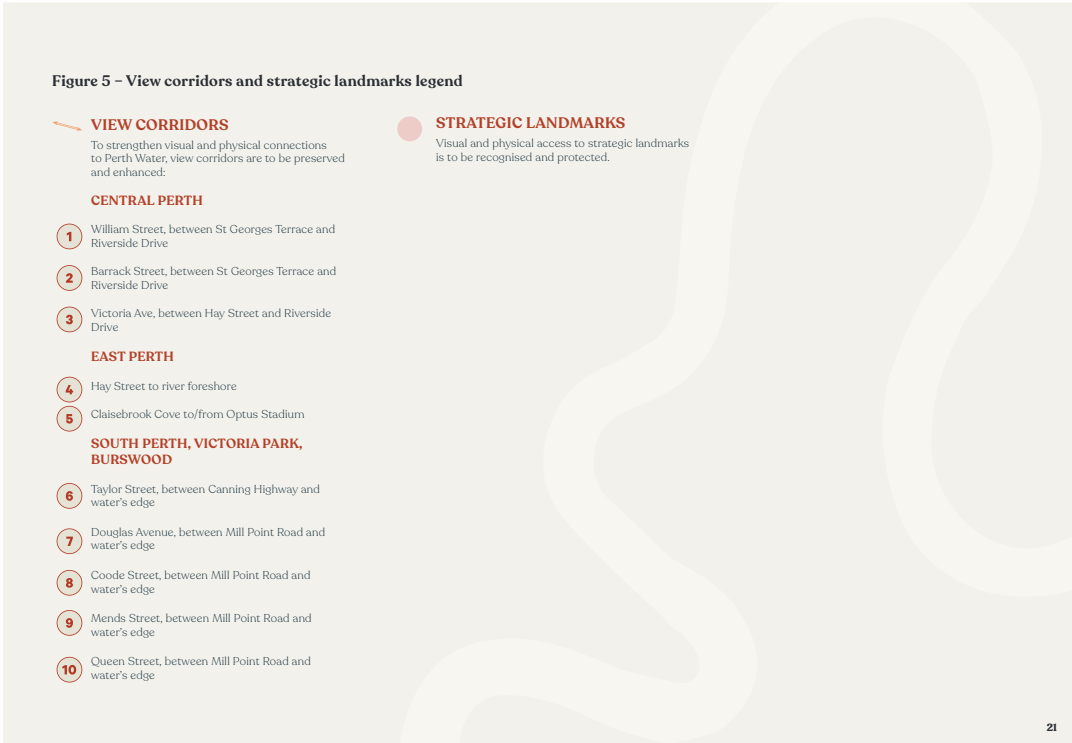
Figure 3 – Whadjuk Noongar place names

Whadjuk Noongar spirituality is intricately related to and underpins every community and cultural space within *Buneenboro*. The Precinct is part of a greater cultural landscape extending beyond the Swan and Canning rivers across the Noongar nation.

The historical landscape of *Buneenboro* has been extensively modified since colonisation and establishment of Perth as the capital of Western Australia.

Whadjuk Noongar place names are to be actively recognised in all development and land management initiatives following proper consultation with and endorsement by Whadjuk Noongar representatives.





## 2. Natural values and resilience

Perth Water *Buneenboro* sits within the globally unique Swan Coastal Plain and international biodiversity hotspot.

For thousands of years, it existed as a freshwater estuary system until European settlers dramatically altered the natural environment by removing rock and sandbars to facilitate ship movements, transforming the Swan River into a salt and freshwater system.

As the city has expanded, the river has been subject to further changes including dredging, reclamation and infill, contained by river walls, clearing of vegetation and the impacts of storm and wastewater discharge. This has altered its natural processes of foreshore flooding, erosion, deposition and nutrient cycling.

River walls border a large proportion of the Precinct's foreshore, allowing for recreation and promenading up to, and along, the river edge. The walls have historically been constructed to protect key infrastructure and buildings, reduce scour from drains, and hold the position of the reclaimed foreshore.

The Precinct is susceptible to flooding and sea level rise, and with the risk of increased inundation over the longer term, the impact of climate change and other environmental conditions needs to be considered. Please refer to Appendix I for more details.

There is a need to return a balance that allows long-term resilience of the river while enabling sustainable user experience and interaction. To achieve this, it is necessary to reconnect the river with its foreshore, allow direct interaction with and connection to the water, improve the amenity of existing walling, recover the natural estuarine processes through restoration of wetlands and living streams where possible, require water-sensitive urban design, allow biodiversity to flourish, and enable adaptation to a changing climate.

Rebalancing the river creates the opportunity to restore the interconnected cultural narratives and practices of the Whadjuk Noongar people, facilitate community enjoyment and wellbeing, and through education and interpretation, enable greater understanding of the river system, bringing about behaviour change.

Allowing points where the river can flood, places where biodiversity connections are returned and maintained, and incorporating both traditional and western ecological knowledge in planning and management is key.

### OBJECTIVES

- 2.1. Enhance the river's natural fluvial and estuarine processes by minimising the extent of hard infrastructure (such as revetments and river walls) and protecting and restoring the natural ecology of the river and the foreshore.
- 2.2. Ensure the landscape responds to the natural landforms and vegetation complexes within the Precinct and creates a natural interface with the river.
- 2.3. Conserve, enhance and protect remnant and other high value vegetation and environmentally valuable localities.
- 2.4. Mitigate the impacts of flooding and climate change by minimising the extent of fill within the foreshore, ensuring no net loss in flood capacity and designing buildings and infrastructure to accommodate/adapt to periodic inundation and sea level rise.
- 2.5. Minimise the use of hard structures – e.g. for asset protection, flood management and drainage scour.
- 2.6. Minimise the disturbance of potential and actual acid sulfate soils and prioritise on-site remediation strategies of contaminated sites where possible.
- 2.7. Minimise adverse environmental impacts including to adjacent areas.
- 2.8. Informed by research excellence, the principles of climate resilience are applied to planning and management of the river and foreshore.

### DEVELOPMENT REQUIREMENTS

#### Maintain nature and function of the river

- 2(a) Development is to be responsive and implement an adaptive approach to the impacts of climate change and risk of flooding through siting and design.
- 2(b) Due to the important role of the river and foreshore in accommodating flooding, filling of the river or foreshore is generally not permitted. Filling within the primary activity nodes will only be permissible if offset by the provision of additional flood capacity.
- 2(c) Development within the activity nodes identified in Figure 8 should be consistent with the function and purpose of the nodes as described in section 3 Foreshore Activation.
- 2(d) Development within secondary and minor activity nodes and outside identified activity nodes should be designed to accommodate some inundation during flood or storm events.
- 2(e) Outside activity nodes, the foreshore is to be developed with minimal permanent structures and buildings – passive recreation and nature-based uses are preferred along sections of the river foreshore between activity nodes.

#### Environmental impacts

- 2(f) Development is to address site specific considerations such as geotechnical and groundwater conditions and be designed accordingly to mitigate adverse environmental impacts.
- 2(g) Potential environmental impacts from any development must be assessed and is to include noise pollution, vegetation clearing (if any), waste management, potential and actual acid sulfate soils, soil and/or water contamination, light pollution, potential impacts to aquatic fauna and flora, hydrodynamic processes and erosion/deposition processes and any others as identified.
- 2(h) Where possible, seek to avoid disturbance of actual or potential acid sulfate soils and/or contamination. Where these are to be intercepted, on-site management and in-situ remediation are preferred in accordance with best management practices.
- 2(i) Any identified impacts of a proposal on the environment, safety and amenity of the river must be avoided, minimised and mitigated in accordance with the relevant legislation and standard risk management hierarchy. Appropriate

management plans are to be produced, approved by the relevant authorities and implemented accordingly.

#### Water management

- 2(j) Prioritise the use of natural systems (e.g. bio-filtration and living streams) to manage stormwater to deliver multiple benefits (including water quality improvement and flood management).
- 2(k) Stormwater runoff from rainfall events at new developments is to be managed at source and be in accordance with the Stormwater Management Manual for Western Australia and related guidance documents.
- 2(l) Manage water in a sustainable manner including minimising use of irrigated water
- 2(m) Retrofit existing drainage infrastructure to improve stormwater quality that discharges to the river. Consider stormwater storage for irrigation purposes.
- 2(n) Existing roads, carparks and roofs to be retrofitted to improve stormwater quality where opportunities allow.
- 2(o) Opportunities should be explored to replace turf with native plants and non-irrigated recreational facilities in selected areas to reduce use of water, fertilisers and pesticides and to increase biodiversity and amenity within the locality.

#### Landscape and vegetation

- 2(p) Landscaping to be in accordance with landscaping and planting guidelines developed by DBCA and relevant local authorities – in consultation with the Whadjuk Noongar community – and as amended from time to time. Where landscaping and planting guidelines have not been prepared, advice is to be sought from DBCA and relevant local authority with respect to appropriate species and planting regime.
- 2(q) Landscaping is to showcase Western Australia's unique flora preferring local native vegetation types and species.
- 2(r) Throughout the foreshore the landscape is to be developed to:
  - Improve biodiversity;
  - Rehabilitate existing degraded areas of remnant vegetation;
  - Establish vegetated connections between activity nodes
  - Increase canopy cover throughout the Precinct; and
  - Enhance connection to Kings Park.

- 2(s) Landscaping associated with development is to provide a soft interface to the river's edge.
- 2(t) Habitat creation and reinstatement is encouraged as part of all projects.
- 2(u) Strong green corridors of native vegetation are to be established connecting the foreshore to the surrounding landscape.
- 2(v) Due to the effects of deciduous trees on waterways, such species are not to be used on the foreshore or near stormwater infrastructure that discharges to the river.
- 2(w) Species selection shall be chosen to eliminate the need to use organic and chemical fertilisers wherever possible.

#### River interface

- 2(x) Any proposal to modify the interface with the river, should:
  - Maximise access to and amenity of the river;
  - Achieve the 'Desired outcomes for the river edge' as outlined in Figure 6. Where possible this should include replacement of riverwalls and revetments with bioengineering, regrading of foreshores and where feasible the creation of beaches;
  - Minimise the use of hard structures such as revetments and riverwalls – while it is important in some instances to provide structural protection for the foreshore, this should be avoided if possible due to reduced opportunities for the public to access the river and the adverse impact on environmental outcomes for the river;
  - Ensure that any riverwalls or revetments installed along the river interface consider adjacent impacts to erosion and deposition processes and ensure these impacts are mitigated or acceptable to stakeholders;
  - Optimise opportunities for the community to access the river. For example, this should include provision of beach access, provide for a soft, natural interface and minimise the length and height of hard structures that interface with the river – such as boardwalks, decks, jetties and fishing platforms; and
  - Use materials that are naturally present within the locality, for example riverwalls and revetments should be constructed of limestone or biscuit rock – granite is unacceptable.





## PART A – DEVELOPMENT POLICY AND REQUIREMENTS

### 3. Foreshore activation

Perth Water *Buneenboro* is one of the city's pre-eminent attractions, valued for its picturesque setting, new water side destinations such as Elizabeth Quay, its significant parklands such as Sir James Mitchell Park and Langley Park, as well as smaller, reflective spaces. The intact band of publicly accessible foreshore is unique for a capital city context.

Long identified for its tourism value, particularly striking views of strategic landmarks such as the Perth City skyline and Kings Park, and a rich variety of nature-based experiences both on and off water, there is a significant opportunity to improve amenity and diversify activities and attractions in key locations around the Precinct.

Opportunities will continue to be explored to provide a variety of river side places for people to socialise, dine, exercise, relax or participate in organised activities, while ensuring that the riverine environment is reinstated and enhanced.

Destination and activity nodes were established by the Whadjuk people and following European settlement. Over time these nodes and others have consolidated into a hierarchy, from commercial and residential nodes (e.g. Elizabeth Quay and Barrack Square) down to lower intensity or informal community activity spaces. The nodes offer a range of passive and active recreation opportunities and function as community focal points and meeting places.

An activity node hierarchy is established within this Precinct Plan to provide a clear expectation of how these spaces will continue to develop consistent with Figure 7. In summary the nodes are described as follows:

- **Primary Activity Nodes** - These nodes support large scale development including areas intensively used for residential and commercial activity (e.g. office, hotel, retail, food and beverage), extensive active and passive recreational areas, recreational, environmental and cultural uses and transport and marine activities. These nodes are generally developed to be resilient to inundation and to accommodate the impacts of climate change. Filling may be permitted to support land use and development within these nodes.
- **Secondary Activity Nodes** - These nodes support significant large-scale infrastructure within a natural landscaped setting as well as small scale activities such as equipment hire, dining and cafes, passive recreational areas, environmental and cultural uses and water transport and marine activities. Permanent, lightweight, adaptable and low impact development with a footprint limited to the building area generally occurs within these nodes. These buildings are to be designed to accommodate the effects of flood and climate change whilst minimising filling (for example by utilising post construction in new structures).
- **Minor Activity Nodes** - Activities and infrastructure at these nodes generally includes small scale facilities such as low intensity commercial activities (e.g. mobile van, café or kiosk, pop-up infrastructure), hire facilities, picnic facilities, grassed areas, playgrounds, access to walking trails, environmental and cultural information (e.g. interpretive signs and Aboriginal heritage and cultural information relevant to the historic use and cultural importance of the site). These are well suited to temporary and seasonal uses and activity to support the role and function of primary and secondary nodes. Buildings and infrastructure are to be designed to accommodate periodic inundation or allow for rapid and practical relocation.

#### OBJECTIVES

- 3.1. A destination hierarchy of connected activity nodes strengthens existing places, enables a diversity of uses and experiences and encourages active transport.
- 3.2. Management and use of the foreshore between activity nodes prioritises passive recreation and nature-based activities.
- 3.3. Development responds and adapts to environmental drivers, minimises foreshore impact and is undertaken in a coordinated manner.
- 3.4. Development across the Precinct uses high quality design and detailing and durable materials.
- 3.5. Development within nodes is intrinsically related to the waterside setting and role of the node.
- 3.6. Development is limited in extent to protect the quantum and quality of public open space.
- 3.7. The cumulative impact of development within nodes is managed and may limit future intensification.

#### DEVELOPMENT REQUIREMENTS

- 3(a) The nature and scale of development is to be appropriate to the hierarchy of activity nodes as set out in the guidance provided in Figure 7.
- 3(b) Outside activity nodes, the foreshore is to be developed with minimal permanent structures and buildings - passive recreation and nature-based uses are preferred along sections of the river foreshore between activity nodes.
- 3(c) All development is to ensure direct public access to, around and along the foreshore and should enhance community enjoyment of the foreshore and river.
- 3(d) Development is to be of a high-quality design compatible with its setting, with respect to height, bulk, scale, orientation, material selection and appearance.
- 3(e) With the exception of continued improvement of jetties, there is a presumption against new structures within the River Reserve.
- 3(f) Developments proposing substantial permanent structures are to be designed and detailed to a high standard, constructed of durable materials appropriate to the location and in keeping with the character of the locality. Significant development proposals should be subject to the State Design Review Panel or other design review process of the relevant local government or responsible authority.
- 3(g) Development should consider the provision of infrastructure and facilities for the benefit of the community, including but not limited to, the following:
  - End of trip facilities and secure storage for bicycles;
  - Storage / hire facilities for water craft and bicycles;
  - Public toilets and change rooms; and
  - Upgrade infrastructure adjacent to the development i.e. pedestrian / cycle paths, seating, shade structures, water stations.



Photo: Mark Thornley 27



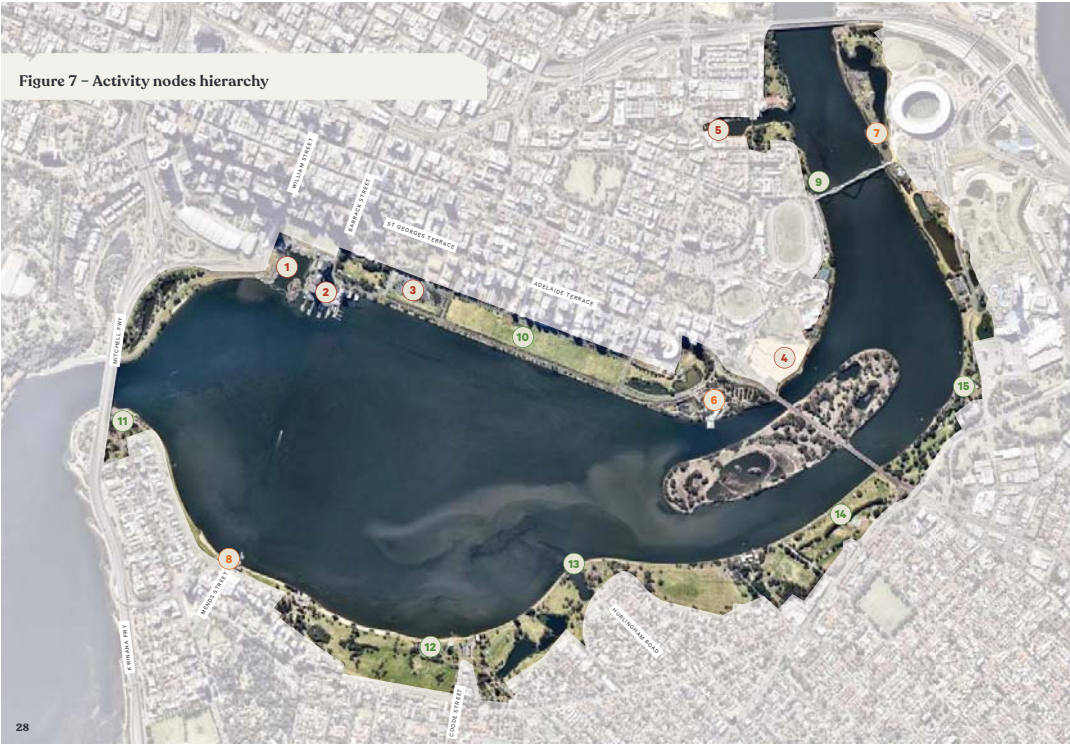


Figure 7 – Activity nodes hierarchy legend

- PRIMARY ACTIVITY NODES**
- 1 ELIZABETH QUAY**  
Continued role as Perth's premier riverfront destination. Future redevelopment of Perth Convention and Exhibition Centre represents opportunity to reconnect Perth Water and the city's west end.
- 2 BARRACK SQUARE**  
The primary port access to CBD, Barrack Square will be redeveloped as a low-rise transport and civic hub, including provision of a range of additional facilities and services (e.g. vessel hire, pick-up and drop-off point, community markets).
- 3 CONCERT HALL**  
Explore opportunities to redevelop the Terrace Road car park to strengthen connection between the foreshore, Perth Concert Hall and Government House and expand cultural and entertainment opportunities that respect viewsheds and maintain public access and public tenure.
- 4 WATERBANK**  
Prime, mixed use riverside destination with residential, commercial and public uses including a community facility. Foreshore public access and engagement via an urban beach and promenades.
- 5 CLAISEBROOK COVE**  
Continued role as established inlet framed by residential, commercial, food and beverage use; significant public realm and amenity including foreshore access. Strengthened Optus Stadium connection via Matagarup and Windan Bridges provides opportunities for improved economic and social activity.
- SECONDARY ACTIVITY NODES**
- 6 POINT FRASER**  
Continued uses of recreation, food and beverage. Additional buildings are not encouraged, however uses within the existing buildings may change in line with market drivers. Temporary and semi-permanent hire facilities that are directly associated with use, appreciation and enjoyment of the river are encouraged.
- 7 OPTUS STADIUM SPORT AND RECREATION PRECINCT**  
Continued use and provision of sporting, recreation, entertainment and commercial uses within an open natural setting. Including Matagarup Bridge, tourism uses such bridge climb and zipline, cafés and other light meal and dining options, commercial and recreation offerings such as ticket sales for recreational activities and equipment hire are encouraged.
- 8 MENDS STREET**  
The major arrival point by water to South Perth via Mends Street Jetty, linking the ferry terminal to Perth Zoo and beyond. Foreshore access via public piazza to the Mends Street commercial strip.
- MINOR ACTIVITY NODES**
- 9 NELSON AVENUE**  
Responding to longer term redevelopment of Gloucester Park, explore opportunity to provide low intensity activity node for eventgoers and recreation users (e.g. café, bike hire) at base of Matagarup Bridge
- 10 LANGLEY PARK**  
Provide a variety of spaces within Langley Park, including formalised sport and recreation grounds, event spaces, playgrounds, picnic areas and enhanced ecological connections to CBD and Ozone Reserve. Introduce low intensity development node (e.g. café, community meeting space) as central hub for activity facilitating passive foreshore activation, enhanced gathering spaces, playgrounds and picnic areas.
- 11 MILLERS POOL**  
Passive recreation uses complemented with small-scale permanent commercial use (e.g. café).
- 12 COODE STREET**  
Sport and recreation uses on and off water, supplemented with small scale permanent and temporary commercial uses.
- 13 HURLINGHAM ROAD**  
Sport and recreation uses on and off water, supplemented with small-scale permanent and temporary commercial uses.
- 14 TAYLOR STREET**  
Upgraded recreation space to include small-scale permanent and temporary commercial uses. Foreshore public access and engagement via an urban beach and paths.
- 15 BURSWOOD PARK**  
Passive recreation uses (e.g. playgrounds, beaches) complemented with small-scale permanent and temporary commercial uses.
- 29

## 4. On-water activities

Perth Water *Buneenboro* is the city's focal point for on-water recreation. Boating, kayaking, fishing, sailing and stand-up paddle boarding, as well as competitive water sports, are popular and cherished activities.

As the city continues to grow and the Perth Water Precinct's tourism potential matures, demand for prospective private commercial opportunities will continue to expand and diversify, including activities and infrastructure such as floating barges, sea planes and helipads.

The variety and scale of current and prospective uses requires a coordinated management approach to ensure public safety and achieve a well-considered interface between diverse groups and activities. Growth in on-water uses adds pressure to land-based nodes with space required for such elements including loading, drop-off and pick-up areas, parking, waste management, storage and utilities. This is especially true for Barrack Square which will face constraints as tourism activity and residential development increases.

In light of this, on-water uses and activities need to be managed to minimise risks and impacts to the community.

The principle of access to Perth Water *Buneenboro* for the whole Perth community to enjoy and appreciate is a primary driver. Activities on Perth Water *Buneenboro* should be appropriately managed to ensure that the high amenity value as a quiet, natural, yet active space is protected. Important considerations include noise, pollution, lighting impact, overshadowing and protection of the environment and its wildlife.

Some long-standing use and access arrangements exist that require revision to facilitate and improve public access in key areas. Priority management considerations are:

- Barrack Street, Mends Street and Coode Street jetties require improvement and upgrade to meet current and future demand;
- Lease periods for on-water commercial activities should be short-term (e.g. five years);
- Broader community access to courtesy moorings (and potentially rental moorings), particularly during peak periods; and
- Improved utilisation and management of the Western Australian Powered Water Sports Area.

Figure 8 identifies the strategic approach to on-water activities and provides high level guidance to decision making in this regard.

### OBJECTIVES

- 4.1. The river is universally accessible for all users.
- 4.2. On-water activities preserve the amenity of the river and the ability of the community to use, enjoy and safely access the river.
- 4.3. On-water activities preserve the environmental and cultural value of the river.
- 4.4. Development and activities do not result in privatisation of the river or have a detrimental impact on the amenity and public enjoyment of the area.
- 4.5. Provision is made for a diverse range of activities – e.g. sea plane landing areas, helipad facilities, powered water sports activities, informal activities relying on equipment hire and entertainment activities.
- 4.6. Existing jetty launch sites and other land-based infrastructure are expanded and upgraded to support diverse on-water activities.
- 4.7. The cumulative impact of on-water activities is considered.

### DEVELOPMENT REQUIREMENTS

- 4(a) Development applications proposing on-water activities are to be accompanied by a Transport and Infrastructure Access and Impact Statement detailing:
  - Bathymetry details of the surrounding river channel;
  - Expected usage / patronage levels;
  - Access and servicing arrangements;
  - Strategies to mitigate impacts (environment, amenity, infrastructure);
  - Hours of operation; and
  - Event management plans (where applicable).
- 4(b) The river is to be retained as an asset available to the whole community. As such:
  - Long-term privatisation of the river will not be supported;
  - Leasing of parts of the river for commercial activities on water will be arranged through short term leasing periods (e.g. five years); and
  - Riverbed leases will have environmental management system requirements.
- 4(c) Proponents are to demonstrate that high risk on-water activities (e.g. management of waste and operations that generate emissions) can be effectively and safely managed so that they represent a low risk to the environment.
- 4(d) Operation of sea planes and helicopters on Perth Water *Buneenboro* are to demonstrate that:
  - Impacts on the amenity of the locality are minimised in terms of noise, frequency of flights and proximity to sensitive uses;
  - Risk of environmental contamination is mitigated. This includes ensuring that no refuelling of aircraft will occur on Perth Water *Buneenboro*;
  - Operation of aircraft will not adversely affect the ability of the Perth community to safely use Perth Water *Buneenboro*; and
  - Risk of collision both in air and on water is adequately mitigated.
- 4(e) Operations within Commercial Water Sports area not to take place during major events.
- 4(f) All on-water development and activity is to be appropriately serviced and shall consider as a minimum carparking provision and accessibility, essential services such as electricity, reticulated water supply and sewerage.
- 4(g) A development may require the use of land-based infrastructure, such as jetties and boat ramps to support on-water uses and activities. This may require upgrade of services and infrastructure at the cost of the proponent. In addition, the upgrade or provision of infrastructure will remain available for use and access by the community.



Photo: Luke Baker 31





Figure 8 – On-water activity legend

- ELIZABETH QUAY**  
Continued role as priority location for public ferry services, courtesy moorings and commercial river craft including water taxis.
- COMMERCIAL WATER SPORTS AREA**  
Introduce a new high-speed designated area for approved operators (e.g. wakeboarding, jet boats).
- WA POWERED WATER SPORTS AREA**  
Review tenure and access arrangements while proactively managing area to mitigate any risk to users.
- Current approval for on water helipad. Operations subject to strict environmental controls including that on water refuelling is not permitted.
- Land-based helipad locations – indicative locations only.
- Long term operation of seaplanes will be permitted subject to compliance with operational guidelines that manage their environmental and social impacts.
- Expand jetty infrastructure and facilities at key nodes based on approved Department of Transport criteria (vessel size, use, times etc).
- Expand mooring buoy capacity by reconfiguring existing and introducing new courtesy mooring buoys adjacent key activity nodes.
- Expand jetty mooring capacity.
- Address gaps in passive vessel infrastructure and facilities. Investigate new storage – e.g. racks – to facilitate securing items whilst visiting land destinations. Co-locate with self-service bike hire stations.

## PART A – DEVELOPMENT POLICY AND REQUIREMENTS

## 5. Circulation and movement

Facilitating strong connections to, around and across Perth Water *Buneenboro* brings significant opportunities and benefits for the community, environment and economy.

Unifying foreshore destinations and improving key pedestrian and active transport facilities and connections will encourage people to make healthier travel choices, while establishing a suite of green linkages that connect surrounding communities will improve physical and mental health.

Providing for the public transport system's future expansion – ferry, bus and potentially light rail – and facilitating the introduction of a future commercial water taxi service will increase travel choice for all. Maintaining strategic view corridors to Mt Eliza, the City skyline, Optus Stadium and Parliament House is a key requirement when considering new or upgraded transport infrastructure.

### OBJECTIVES

- 5.1. Efficient, convenient and accessible public transport networks and services connect activity nodes.
- 5.2. Prioritise safe and easy access for all users.
- 5.3. Safe and supporting infrastructure, facilities, network management and policies prioritise active transport choices.
- 5.4. New transport infrastructure projects maintain strategic view corridors.
- 5.5. Connections to and around Perth Water *Buneenboro* strengthen its relationship with surrounding local communities.
- 5.6. Consistent approach to design of public infrastructure – signage, wayfinding etc.
- 5.7. Provide safe and accessible active transport networks to and throughout the river foreshore.

### DEVELOPMENT REQUIREMENTS

#### 5(a) Development should consider:

- Provision of infrastructure that supports and encourages active transport between activity nodes;
- Provision of separated pedestrian and cycle path networks;
- Provision of access to public amenities such as public toilets, parents' rooms and universal access facilities;
- Provision of key infrastructure including cycle and active transport facilities;
- Wayfinding strategies and design elements;
- Access to drinking water;
- Pet facilities (e.g. water bowls, tethering points, waste bags)
- Consistency in the look, feel and treatment of access and infrastructure elements tailored to the Precinct's setting; and
- Enhancing key connections to the surrounding area.

#### 5(b) Development in locations identified in the *Swan Canning Riverpark Trail Masterplan* and the *Marl Riverpark Interpretation Plan* should include construction of trails and interpretation infrastructure as it relates to the proposed development.

#### 5(b) Universal access is provided in accordance with the requirements of the *Disability Discrimination Act 1992* and relevant Australian Standards.



Photo: element 36



DEFINITION

Definitions

The following definitions apply to the terms used within this document:

**"acid sulfate soils"** is the common name given to naturally occurring soil and sediment containing iron sulfides. When disturbed and exposed to air they oxidise and produce sulfuric acid, iron precipitates, and concentrations of dissolved heavy metals such as aluminium, iron and arsenic.

**"active transport"** means to use a physical activity such as walking, cycling, running, or other active means to travel from one destination to the next.

**"activity node"** refers to a location within the Perth Water Buneenboro Precinct recognised as supporting a range of active uses within a hierarchy of activity nodes along the Swan River.

**"adaptation"** is as defined in State Planning Policy 2.6 – State Coastal Planning Policy and means an adjustment in natural or human systems in response to actual or expected stimuli or their effects, which moderates harm or exploits beneficial opportunities. Adaptation is the means for maximising the gains and minimising the losses associated with coastal hazards over the planning timeframe.

**"development"** has the same meaning as in the *Planning and Development Act 2005*.

**"foreshore" or "foreshore reserve"** means an area of land abutting a watercourse or body of water, and is to be vested in the Crown and shown on the survey documents either as a reserve for recreation or a reserve for foreshore management, depending on the use to be made of the land.

**"heritage impact statement"** a heritage impact statement (HIS) describes and evaluates the likely impact of a proposal on a heritage asset. A HIS is a clear and concise account of the proposed work that addresses three basic questions:

- How will the proposed works affect the significance of the place or area?
- What measures (if any) are proposed to ameliorate any adverse impacts?
- Will the proposal result in any heritage conservation benefits that might offset any adverse impacts?

**"inundation"** means the flow of water onto previously dry land and/or development. It may either be permanent (for example due to sea level rise) or temporary occurrence during a storm event.

**"responsible authority"** means the authority responsible for determining or making a recommendation for determination of a development application.

ABBREVIATIONS

Abbreviations

<b>AHD:</b>	Australia Height Datum	<b>LGA:</b>	Local Government Authority
<b>CAT:</b>	Central Area Transit	<b>MRA:</b>	Metropolitan Redevelopment Authority
<b>CBD:</b>	Central Business District	<b>MRWA:</b>	Main Roads Western Australia
<b>CoP:</b>	City of Perth	<b>PCECP:</b>	Perth Convention and Entertainment Centre Precinct
<b>CoSP:</b>	City of South Perth	<b>POS:</b>	Public Open Space
<b>DBCA:</b>	Department of Biodiversity, Conservation and Attractions	<b>PTA:</b>	Public Transport Authority
<b>DCA:</b>	Development Control Area	<b>PWVG:</b>	Perth Water Vision Group
<b>DoEE:</b>	Department of Environment and Energy	<b>SWALSC:</b>	South West Aboriginal Land & Sea Council
<b>DoT:</b>	Department of Transport	<b>ToVP:</b>	Town of Victoria Park
<b>DPLH:</b>	Department of Planning Lands and Heritage	<b>TEC:</b>	Threatened Ecological Community
<b>DWER:</b>	Department of Water & Environment Regulation		
<b>HIS:</b>	Heritage Impact Statement		



RELATED DOCUMENTS

Related documents

This document should be read in conjunction with the following documents and other related documents, where relevant as this list is not exhaustive:

- Department of Biodiversity, Conservation and Attractions:

  - Marli Riverpark - An Interpretation Plan for the Riverpark (April 2014)
  - Best management practices for foreshore stabilisation (December 2009)
  - Policy 42 - planning for land use development and permitting (June 2016)
  - Policy 43 - planning for marinas and yacht clubs (June 2016)
  - Policy 44 - planning for jetties (June 2016)
  - Policy 45 - planning for miscellaneous structures and facilities (June 2016)
  - Policy 46 - planning for commercial operations (August 2016)
  - Policy 47 - planning for dredging (June 2016)
  - Policy 48 - planning for development setback requirements (June 2016)
  - Policy 49 - planning for stormwater management (June 2016)
  - Policy 50 - planning for dewatering (March 2017)
  - Policy 51 - planning for wastewater management (March 2017)

City of Perth Draft City Planning Strategy

City of Perth Local Planning Scheme No. 2

City of Perth Precinct Plan No. 8 - Foreshore

City of Perth Precinct Plan No. 12 - Langley

City of South Perth Local Planning Scheme No. 6 City of South Perth Connect Mends Street Masterplan

City of South Perth Foreshore Strategy and Management Plan

Metropolitan Redevelopment Authority Central Perth Redevelopment Scheme
- Metropolitan Redevelopment Authority Central Perth Development Policies

Metropolitan Redevelopment Authority Elizabeth Quay Design Guidelines

Metropolitan Redevelopment Authority Waterbank Design Guidelines

State Planning Policy 2.10 - Swan-Canning River System, Western Australian Planning Commission, 2006

Town of Victoria Park Local Planning Scheme No. 1

Town of Victoria Park Foreshore Strategy and Management Plan

Stormwater Management Manual for Western Australia



## PART B – ACTION PLAN

## Action Plan

Action	Timing (years) 0-2, 2-5, 5+	Lead agencies	Estimated value / budget (excluding agency internal governance / administration costs)	Key considerations and potential interdependencies
<b>1 – Culture, tourism and recreation</b>				
<b>1.1 Valuing Whadjuk Noongar culture</b>				
<ul style="list-style-type: none"> <li>Review and update Whadjuk Noongar place names across Precinct (including those shown in Figure 3), as required.</li> <li>In collaboration with the Whadjuk people determine and deliver the appropriate narratives, history, culture and connection specific to the Precinct: <ul style="list-style-type: none"> <li>Ensure interpretation is consistent with the requirements of Whadjuk people, the Burra Charter and Government legislation;</li> <li>Make experiences, themes and stories available to visitors to Perth Water Buneenboro associated with pre- contact, contact and post-contact between Whadjuk and non-Aboriginal cultures; and</li> <li>Free and paid interpretation experiences to be made available to visitors to Perth Water Buneenboro.</li> </ul> </li> </ul>	0-2 2-5	DBCA, SWALSC*	---	Future Precinct Plans, heritage studies
<b>1.2 Whadjuk Noongar / Noongar Cultural Centre</b>				
<ul style="list-style-type: none"> <li>Work with Whadjuk Noongar representatives to facilitate investigation of potential sites for the location of a Whadjuk Noongar / Noongar Cultural Centre within proximity to Perth Water Buneenboro.</li> <li>Explore opportunity as part of Bicentennial celebration, including liaison with the Perth Public Art Foundation.</li> <li>Align opportunity with the (draft) WA Cultural Infrastructure Strategy.</li> <li>The Cultural Centre should reinforce connections to Kings Park, Government House, Perth Concert Hall, Heirissan Island, South Perth and Victoria Park foreshore.</li> </ul>	2-5	DPLH, CoP, SWALSC*	---	Adoption of Whadjuk People Indigenous Land Use Agreement Finalisation of WA Cultural Infrastructure Strategy
<b>1.3 Cultural Landscape Management Plan</b>				
<ul style="list-style-type: none"> <li>Develop and implement a Cultural Landscape Management Plan to: <ul style="list-style-type: none"> <li>Establish an understanding of the Aboriginal and Non-Aboriginal cultural heritage significance of the area and prepare a statement of significance that encapsulates those values;</li> <li>Conserve places of heritage value for the community to enjoy now and in the future;</li> <li>Identify new opportunities for interpretation of tangible and non-tangible heritage using tools such as public art, signage, wayfinding systems, access infrastructure, digital platforms; and</li> <li>Enable the stories of the area to be celebrated by all facets of the community.</li> </ul> </li> </ul>	0-2	DBCA, DPLH, SWALSC	--	Significant contribution of existing work e.g. Marli Riverpark Interpretation Plan. Finalisation of WA Cultural Infrastructure Strategy. City of Perth Cultural Mapping Project

Action	Timing (years) 0-2, 2-5, 5+	Lead agencies	Estimated value / budget (excluding agency internal governance / administration costs)	Key considerations and potential interdependencies
<b>1 – Culture, tourism and recreation</b>				
<b>1.4 Tourism</b>				
<ul style="list-style-type: none"> <li>In context of the State government's tourism product development focus, work with key stakeholders to identify visitor experiences unique to Western Australia, for example: <ul style="list-style-type: none"> <li>Environment and nature-based experiences;</li> <li>Education, interpretation and cultural experiences;</li> <li>Activities that promote health and wellbeing, social inclusion and social connection; and</li> <li>Water based activity and attractions aligned with local identity and lifestyle.</li> </ul> </li> </ul>	0-2	Tourism WA	--	WA Tourism Strategy
<b>1.5 Indigenous tourism</b>				
<ul style="list-style-type: none"> <li>Facilitate establishment of additional Aboriginal tourism businesses around Perth Water Buneenboro. The program may include: <ul style="list-style-type: none"> <li>Development of measures to attract and engage members of the Whadjuk Noongar community as business operators (e.g. call for expression of interest, delivery of training and mentorship); and</li> <li>Engagement of the broader tourism operators to improve awareness of increasing tourism services.</li> </ul> </li> </ul>	0-2	Tourism WA, DBCA, SWALSC*, WA Indigenous Tourism Operators Council	---	WA Tourism Strategy Aboriginal Tourism Action Plan 2020-2024
<b>1.6 Planning for Matagarup (Heirissan Island)</b>				
<ul style="list-style-type: none"> <li>In collaboration with the Whadjuk Noongar community and PWVG establish a vision and plan for the future of Matagarup (Heirissan Island) with a focus on recognising Aboriginal cultural value and enhancing the natural qualities (including biodiversity values) and features of the Island.</li> <li>Review the 2014 Heirissan Island Master Plan.</li> </ul>	2-5	CoP, DBCA	---	

\* SWALSC responsibilities to transfer to Whadjuk Body Corporate pending finalisation of South West Native Title Settlement and associated Whadjuk People Indigenous Land Use Agreement

Action	Timing (years) 0, 2, 3, 5+	Lead agencies	Estimated value / budget (excluding agency internal governance / administration costs)	Key considerations and potential interdependencies
<b>2 – Natural values and resilience</b>				
<b>2.1 Maintain nature and function of the river</b>				
• Conduct an asset audit of the foreshore structures, drains and drainage networks including confirmation of levels relative to Australian Height Datum (AHD), in order to inform sea level rise assessment on flooding.	0-2	LGAs/Water Corp, DoI	...	Water Services Act 2012, LGAs drainage infrastructure maintenance plans
• Develop and implement an infrastructure upgrade and maintenance plan that responds to the impacts of climate change and long-term sea (river) level rise. This should consider relocation of drainage infrastructure, appropriate design responses based on acceptable levels of inundation of recreational and transport assets, as well as erosion impacts.	5+	LGAs, DoI, Water Corp, MRA	...	Best Management Practices for Foreshore Stabilisation, DBCA Policies for development in the Swan Canning Development Control Area
• Prepare a medium to long term strategy for foreshore management with consideration of the impact of sea level rise and other climate change considerations.	5+	LGAs, DBCA	...	
<b>2.2 Environment impacts</b>				
• Develop a Best Practice Landscape Maintenance Manual for the Precinct that limits the use of chemical fertilisers and pesticides, minimises water use, protects native vegetation etc.	0-2	LGAs	•	LGA Landscape Maintenance Manuals and Procedures
<b>2.3 Landscape and vegetation</b>				
• Develop targets for increasing native vegetation cover and biodiversity within the Precinct.	0-2	DBCA, LGAs	..	
• Explore opportunities to expand WA Wildflowers Way initiative throughout the Precinct.	0-2	DPLH, Tourism WA, LGAs, DBCA	•	LGAs current policies and strategies for greening and landscape management
• Develop landscape and planting guidelines for the Precinct incorporating flora that is indigenous to the Precinct with the aim of strengthening the ecological linkages between the Precinct and the adjacent River reserves and POS / green infrastructure assets.	0-3+		..	WA Wildflowers Way initiative
• Develop and implement a green infrastructure linkage plan, incorporating native plants between the Precinct and the surrounding public open spaces and along the key pedestrian and cycling networks.	5+	LGAs	..	
• Develop breeding habitats for iconic fauna (e.g. Black Swans, Long Necked Turtles etc.) in the suitable areas of foreshore (e.g. Clydesdale Reserve).	5+	LGAs	..	
<b>2.4 Water management</b>				
• Conduct opportunities and constraints analysis of stormwater assets and develop green infrastructure plan solutions to minimise pollutant and sediment inputs to the river and contribute to waterwise city objectives (e.g. daylighting of stormwater pipe network to create living streams, wetlands/biofilters, aquifer recharge, storage and reuse etc).	0-3+	DBCA, DWER, LGAs	...	Stormwater Best Practice Management Manual

Action	Timing (years) 0, 2, 3, 5+	Lead agencies	Estimated value / budget (excluding agency internal governance / administration costs)	Key considerations and potential interdependencies
<b>3 – Foreshore activation</b>				
<b>3.1 City of Perth Riverfront Framework</b>				
• Develop a Riverfront Framework and Masterplan for the Perth Water Buncenboro section within City of Perth (CoP), located east of Elizabeth Quay to Matagarup Bridge:	0-2	CoP	...	
– Explore opportunities for Riverside Drive, such as relocation or narrowing;				
– Explore opportunities to redevelop Terrace Road car park to strengthen connection between the foreshore, Perth Concert Hall and Government House, to expand cultural attractions and provide supporting uses that respect viewsheds and maintain public access and public tenure;				
– Investigate opportunities to improve/provide for a more natural interface with the river, noting that CoP foreshore infrastructure, such as the riverwall, is nearing end of life;				CoP City Planning Strategy, MRA Planning Framework.
– Incorporate 'designed-flooding-events', and soft-engineering to ensure usability of foreshore area; and				
– Through the Masterplanning process, investigate a secondary activity node at an appropriate location along Langley Park, diversify infrastructure and amenity to facilitate a broader range of activities, and provide for improved non-vehicle connectivity throughout the foreshore areas (e.g. between Langley Park and Ozone Reserve).				
• Implement Masterplan.	5+	CoP	...	
<b>3.2 David Carr Memorial Park (Narrows Interchange)</b>				
• At David Carr Memorial Park, plan for:	5+	CoP	...	CoP City Planning Strategy, CoP Riverfront Framework, Future plans for PCEC, MRA Planning Framework.
– Improved environmental outcomes;				
– Improved public access and opportunities for enjoyment; and				
– Opportunities for connectivity with the Perth Convention and Exhibition Centre (PCEC).				
<b>3.3 Foreshore activation and servicing</b>				
• Identify opportunities to locate pop up food and beverage vans within identified activity nodes and where possible, co-locate with expanded bike hire stations and paddle craft facilities:	0-2			
– Mill Point;				
– Langley Park (e.g. the Langley Park Pump Station);				
– Coode Street;				
– McCallum Park; and				
– Nelson Ave / Matagarup Bridge.				
• Explore opportunities for construction of essential infrastructure (for example sewerage connection) for pop-up businesses at minor activity nodes.	0-2			
• Investigate commercial viability for permanent café / restaurant offerings at the following locations:	5+			
– Concert Hall foreshore car park (Langley Park);				
– Miller's Pool / Old Mill;				
– Coode St; and				
– Taylor St.				
• \$0-\$50,000   •• \$50,000 - \$100,000   ••• \$100,000 - \$500,000   •••• \$500,000+				



Action	Timing (years) 0, 2, 2-5, 5+	Lead agencies	Estimated value / budget (excluding agency internal governance / administration costs)	Key considerations and potential interdependencies
<b>3 – Foreshore activation</b>				
<ul style="list-style-type: none"> <li>Install/upgrade public toilets at the following locations: <ul style="list-style-type: none"> <li>Langley Park (e.g. the Langley Park Pump Station);</li> <li>Waterbank;</li> <li>Mends Street;</li> <li>Coode Street;</li> <li>Mill Point;</li> <li>Hurlingham Road; and</li> <li>Ellam Street.</li> </ul> </li> </ul>	2-5			CoP Riverfront Framework CoSP Foreshore Masterplan, ToVP Foreshore Access and Management Plan
<ul style="list-style-type: none"> <li>Upgrade toilets located next to children's playgrounds to include parents' rooms (including baby change facilities) and universal access change rooms. Note: Burswood Park facilities already upgraded.</li> <li>Install universally accessible toilets at Mends Street to supplement Elizabeth Quay and Waterbank locations.</li> </ul>	2-5			
<b>3.4 Barrack Square Masterplan</b> <ul style="list-style-type: none"> <li>Plan for the upgrade and redevelopment of Barrack Square, noting key infrastructure is nearing end of life (for example Jetty 1), consider: <ul style="list-style-type: none"> <li>Its commercial viability as the primary water-based transport hub for, and entrance to, Perth CBD;</li> <li>Capacity to accommodate servicing requirements (access / egress, patron safety, waste management, storage, re-fuelling etc);</li> <li>Relocation of berths (e.g. drop-off and pick-up, hire equipment); and</li> <li>Allowing for expanded retail, tourism and food and beverage uses, and facilities associated with recreational use of the river and foreshore.</li> </ul> </li> <li>Explore interim uses of existing underutilised infrastructure, for example Jetty 1 (currently underutilised and not publicly accessible) may be adaptable for equipment hire and patron pick up / drop off for commercial operators.</li> </ul>	2-5	DBCA, DoT, MRA	***	MRA Normalisation  Structural limitations of associated aging infrastructure
	0-2	DoT, DBCA	.	
<b>3.5 Helipads</b> <ul style="list-style-type: none"> <li>Investigate options for land-based helipads.</li> </ul>	0-2	DBCA, CoP	.	Contingent on commercial viability of on-water helipad

Action	Timing (years) 0, 2, 2-5, 5+	Lead agencies	Estimated value / budget (excluding agency internal governance / administration costs)	Key considerations and potential interdependencies
<b>4 – On-water activities</b>				
<b>4.1 Proactive management of commercial and tourism opportunities</b> <ul style="list-style-type: none"> <li>Formalise Expression of Interest, approvals and management processes for on-water commercial uses (new and expanded), to balance economic, social and environmental benefits and impacts on environment, amenity and infrastructure.</li> <li>Develop approvals conditions for operations within commercial water sports area – including restriction on operations during major events (e.g. Skyshow).</li> </ul>	0-2	DBCA, DoT, Tourism WA	••	
<b>4.2 Assessing development impacts of on-water activities</b> <ul style="list-style-type: none"> <li>Develop policy requiring proponents of new and / or expanded commercial river uses to provide a transport and infrastructure access and impact statement detailing key operational and environmental considerations including: <ul style="list-style-type: none"> <li>Expected usage/patronage levels;</li> <li>Access arrangements;</li> <li>Waste management;</li> <li>Servicing arrangement;</li> <li>Strategies to mitigate impacts (environment, amenity, infrastructure); and</li> <li>Event management plans (where applicable).</li> </ul> </li> </ul>	0-2	DoT, DBCA	.	
<b>4.3 Courtesy moorings</b> <ul style="list-style-type: none"> <li>Expand capacity of courtesy mooring system by: <ul style="list-style-type: none"> <li>Reconfiguring moorings between Narrows Bridge and Elizabeth Quay (to also accommodate the already-approved entertainment barge); and</li> <li>Examining capacity to increase number of courtesy moorings. Consideration should be given to the following locations: Mends Street, Coode Street, Claisebrook Cove and Optus Stadium.</li> </ul> </li> </ul>	0-2	DoT, DBCA	••	
<b>4.4 Facilitate opportunities for ongoing operation of sea planes</b> <ul style="list-style-type: none"> <li>Complete and finalise sea plane trials.</li> </ul>	0-2	DBCA, Tourism WA	.	
<ul style="list-style-type: none"> <li>Establish sea plane operational guidelines to address: <ul style="list-style-type: none"> <li>Aircraft movements (total number of take-off and landings);</li> <li>Hours of operation;</li> <li>Flight path;</li> <li>Noise management;</li> <li>Prevention of refuelling activities within the Precinct; and</li> <li>Strategies for wildlife protection and strike management.</li> </ul> </li> <li>Formalise a proactive process to manage commercial proposals and expressions of interest, including selection criteria and process, implementation and management and commercial terms for ongoing operation.</li> </ul>	0-2	DBCA, Tourism WA	.	

Action	Timing (years) 0-2, 2-5, 5+	Lead agencies	Estimated value / budget (excluding agency internal governance / administration costs)	Key considerations and potential interdependencies
<b>4 – On-water activities</b>				
<b>4.5 Hire of recreational craft / vessels</b> <ul style="list-style-type: none"> <li>Investigate options for future hire facilities at key activity nodes.</li> <li>Engage MRA regarding future opportunities for hire of recreation craft / vessels at Elizabeth Quay.</li> </ul>	0-2	DBCA MRA DoT	•	
<b>4.6 WA Powered Water Sports Area</b> <ul style="list-style-type: none"> <li>Review current arrangement with view to improve utilisation and management of the Western Australian Powered Water Sports Area. <ul style="list-style-type: none"> <li>Engage with the Burswood Management Aquatic Group regarding proposed changes;</li> <li>Develop management framework and communications plan;</li> <li>Implement a trial period to test proposed management framework; and</li> <li>Increase public awareness of use of area.</li> </ul> </li> </ul>	0-2	DoT, DBCA	•	
<b>4.7 Aquatic Use Review</b> <ul style="list-style-type: none"> <li>Implement outcomes of the Aquatic Use Review to identify permissible on-water activities, clearly articulating regulations of use (see Appendix 2).</li> </ul>	0-2	DoT, DBCA	•	

Action	Timing (years) 0-2, 2-5, 5+	Lead agencies	Estimated value / budget (excluding agency internal governance / administration costs)	Key considerations and potential interdependencies
<b>5 – Circulation and movement</b>				
<b>5.1 Active transport</b> <ul style="list-style-type: none"> <li>Improve active transport connections to deliver equitable choices for all user groups, ages and abilities (e.g. pedestrian, cycling, electric scooters, segways): <ul style="list-style-type: none"> <li>Address gaps in pedestrian and active transport facilities (e.g. bicycle parking, seating, shade, water stations) at activity nodes;</li> <li>Progressively install separated paths where they are currently shared;</li> <li>Prioritise north-south connection from Langley Park, across Riverside Drive, to the foreshore;</li> <li>Across the Causeway, resurface existing shared footpath / cycle path and investigate alternative safety railings to widen the shared path, or re-allocate road space;</li> <li>Investigate the feasibility of Heirisson Island pedestrian and cycle only bridge;</li> <li>Investigate the opportunity to unify bike hire/bike share across the Precinct: <ul style="list-style-type: none"> <li>Consider locations for cycle stands;</li> <li>Consider integration with passive on-water craft hire, for example kayaks and paddle boards; and</li> <li>Subject to above, and in addition to Point Fraser and South Perth Esplanade, locate potential self-service cycle hire stations and supporting infrastructure at: <ul style="list-style-type: none"> <li>Goode Street;</li> <li>McCallum Park;</li> <li>Waterbank;</li> <li>Langley Park;</li> <li>Mends Street;</li> <li>Burswood Park; and</li> <li>Nelson Ave.</li> </ul> </li> </ul> </li> </ul> </li> <li>Identify an appropriate location for improved bicycle parking facilities on Heirisson Island.</li> </ul>	0-5  0-2 0-2 2-5  5+ 2-5	LGAs, DoT  LGAs CoP, DBCA, DoT  DoT, Main Roads WA (MRWA)  DoT, CoP, ToVP, DBCA LGAs, DoT, MRA, Tourism WA	••••  ••••  •••• depending on options  •••• depending on options  ••	
<b>5.2 Wayfinding and trails</b> <ul style="list-style-type: none"> <li>As a component of the Perth Water Buneenboro Cultural Landscape Management Plan (L3), develop and implement a consistent, Precinct-wide wayfinding masterplan and supporting signage guidelines (including dual Noongar-English naming of sites) that unify Precinct information and connect visitors with surrounding local destinations.</li> <li>Develop active travel maps (walking and cycling) that promote the Precinct - cultural, heritage, native flora and fauna, wildlife, public art, sculpture etc. Explore options for digital access and display.</li> <li>Establish electronic circuit/permanent distance markings on paths around Perth Water Buneenboro to designate running/cycling circuits.</li> </ul>	2-5  0-2 0-2	LGAs  LGAs, Tourism WA LGAs	••  • •	

Action	Timing (years) 0, 2, 5, 5+	Lead agencies	Estimated value / budget (excluding agency internal governance / administration costs)	Key considerations and potential interdependencies
<b>5 – Circulation and movement</b>				
<b>5.3 Facilitate informal water activities</b>				
<ul style="list-style-type: none"> <li>Investigate demand and opportunities to construct temporary storage of non-motorised watercraft (e.g. kayaks, stand up paddleboards) to enable recreational users to access a wider range of land destinations (e.g. coffee/lunch break, social engagement, explore).</li> </ul>	0-2	CoSP, CoP, DBCA, Commercial scheme operators	• + ongoing maintenance	
<b>5.4 Expand bus and ferry services</b>				
<ul style="list-style-type: none"> <li>Undertake a feasibility assessment for introducing expanded capacity, routes and frequency of bus transport services (e.g. Central Area Transit (CAT)).</li> </ul>	2-5	DoT, PTA, Tourism WA	•	Perth Greater CBD Transport Plan
<ul style="list-style-type: none"> <li>Undertake a feasibility assessment for introducing 'Hop on Hop off' tourism shuttle provider to the South Perth Foreshore.</li> </ul>	5+	DoT, Tourism WA	•	Implementation and timeframe dependant on public / private service
<ul style="list-style-type: none"> <li>Subject to demand, review previous studies such as Perth's Ferry Services - Current Status and Future Use report and investigate the viability of potential for new ferry routes and vessels, to increase cross river connections.</li> </ul>	2-5	DoT	••	
<b>5.5 Improve jetty and ferry infrastructure</b>				
<ul style="list-style-type: none"> <li>Review existing jetties and plan for required upgrades (including consideration of sea level rise) and future provision for potential expanded and additional water-based transport, such as increased ferry services (public and private) and water taxis:               <ul style="list-style-type: none"> <li>Elizabeth Quay – capacity review of existing jetty;</li> </ul> </li> </ul>	5+	PTA, DoT	••	Connect South Masterplan
<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>Mends Street – capacity review of existing jetty;</li> </ul> </li> </ul>	2-5	CoSP, DoT	••	
<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>Mends Street – upgrade jetty, and relocate cafe facility to improve access;</li> </ul> </li> </ul>	5+	CoSP	••••	CoSP Foreshore Management Plan
<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>Coode Street – upgrade jetty;</li> </ul> </li> </ul>	5+	CoSP	••••	
<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>Point Fraser, Claisebrook Cove and Optus Stadium – capacity review; and</li> </ul> </li> </ul>	2-5	LGA's, Burswood Park Board	••	
<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>Claisebrook Cove and Optus Stadium.</li> </ul> </li> </ul>	5+	LGA's, Burswood Park Board	••	

Action	Timing (years) 0-2, 2-5, 5+	Lead agencies	Supporting Agencies
<b>6 – Governance</b>			
<b>6.1 Formalise and expand Perth Water Vision Group</b>			
<ul style="list-style-type: none"> <li>Implement following actions:               <ul style="list-style-type: none"> <li>Confirm existing Agency involvement and representation (DBCA);</li> <li>Invite additional agencies (DBCA);</li> <li>Nominate Traditional Owner representatives (Whadjuk community);</li> <li>Consider and ratify (expanded Vision Group);</li> <li>Develop draft Terms of Reference (DBCA); and</li> <li>Consider and adopt (expanded Vision Group).</li> </ul> </li> </ul>	0-2	DBCA	Vision Group agencies, Traditional Owners
<b>6.2 Form Perth Buneenboro Traditional Owners Advisory Group</b>			
<ul style="list-style-type: none"> <li>Implement following actions:               <ul style="list-style-type: none"> <li>Develop draft Terms of Reference (DBCA);</li> <li>Consider and adopt (expanded Vision Group);</li> <li>Nominate Traditional Owner representatives (Whadjuk Noongar community);</li> <li>Consider and ratify (expanded Vision Group); and</li> <li>Establish and administer, including agendas, minutes and sitting fees (DBCA).</li> </ul> </li> </ul>	0-2	DBCA	Vision Group agencies, Traditional Owners
<b>6.3 Commercial leasing and tenure</b>			
<ul style="list-style-type: none"> <li>Develop standard riverbed lease agreements for short- and long-term commercial developments. Key lease requirements will include:               <ul style="list-style-type: none"> <li>Preference for short term leases (e.g. 5 years); and</li> <li>Alignment with related land-based leases.</li> </ul> </li> </ul>	0-2	DBCA	
<b>6.4 Whadjuk culture to inform planning and management for Perth Water Buneenboro</b>			
<ul style="list-style-type: none"> <li>Develop a co-management framework with Whadjuk- Noongar representatives, to focus on areas such as: application of traditional ecological knowledge, extension of the DBCA ranger program, environmental management and protection, engagement in development planning and approvals etc.</li> </ul>	0-2	DBCA, SWALSC*	
<ul style="list-style-type: none"> <li>Establish transparent and consistent engagement, approvals and decision-making processes between local and State government agencies and Whadjuk Noongar community.</li> </ul>	0-2	DBCA, SWALSC*	
<ul style="list-style-type: none"> <li>Include a community-endorsed representative of the Whadjuk Noongar community in the Perth Water Vision Group. See Action 6.2.</li> </ul>			
<ul style="list-style-type: none"> <li>Establish a Perth Water Buneenboro Traditional Owners Advisory Group, to consult, engage and inform decision making related to public and private sector development and improvement projects within the Precinct boundary.</li> </ul>			
<b>6.5 Management of unsolicited proposals</b>			
<ul style="list-style-type: none"> <li>Develop and implement guidelines to manage unsolicited proposals in the Swan Canning Development Control Area (DCA) and/or the River reserve. The guidelines will assist DBCA in determining:               <ul style="list-style-type: none"> <li>Appropriateness of the proposal and process to support or decline; and/or</li> <li>Process to request / require changes to specific aspects of the proposal; and/or</li> <li>Whether to proceed to a competitive process through expressions of interest; and/or</li> <li>Whether to enter direct exclusive negotiations.</li> </ul> </li> <li>Through the guidelines, set out a step-by-step pre-lodgement evaluation process to provide DBCA with a high-level summary of critical information, before signing landowner consent as the first step of assessing a proposal under the <i>Swan and Canning Rivers Management Act 2006</i> and <i>Swan Canning Rivers Management Regulations 2007</i>.</li> </ul>	0-2	DBCA	

APPENDIX

# Appendix 1

## Sea Level Rise Forecast

Sea level rise is forecast to increase substantially over the next century. Based on the current climate change scenario modelling, this trend is expected to continue well beyond 2100.

In addition to sea level rise, other variables associated with climate change such as extreme weather events like high rainfalls within a short timeframe and storm surges (particularly when combined with naturally occurring high astronomical tides) are likely to affect the river foreshore and the associated infrastructure.

This map illustrates modelling of current\* and future 100-year Annual Recurrence Interval (ARI) flood levels. The future level (for 2100) includes a predicted Mean Sea Level (MSL) rise of 0.9m.

Given these changes, it is important to adapt current foreshore use, infrastructure and management to allow for the river's natural 'flood retreat cycle' to occur.

\*based on 2014 Department of Water and Environmental Regulation (DWER) dataset (under review in 2019)

Legend

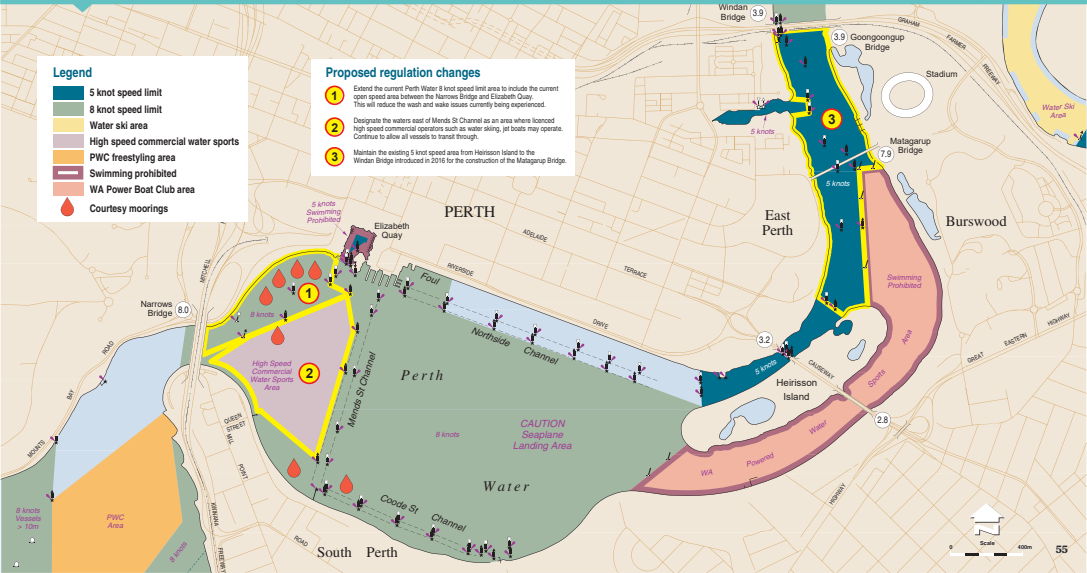
- Current 100 year ARI flooding level
- 100 year ARI flooding including predicted sea level rise (year 2100)



APPENDIX

# Appendix 2

## Department of Transport – Perth Aquatic Use Review – proposed regulation changes





Prepared by:

**element.**  
the art and science of place

## General comments

The City commends the intent of the DBCA to establish a vision for the management of Perth Water *Buneenboro* through the draft Perth Water Precinct Plan. In particular, the City applauds DBCA's collaborative approach towards establishing alignment between State and Local Governments.

The City supports the intent of Part A to provide clarity to developers, statutory approval agencies and local authorities regarding development in the area. Similarly, the majority of the actions identified in Part B for LGAs and the City of Perth specifically, are supported. Many of these actions are already planned BY the City, or are considered 'business as usual'.

Nonetheless, there are some aspects of the draft Precinct Plan that the City seeks to bring to the attention of DBCA with suggestions for change. Comments on these areas are provided below.

## Document structure and statutory weight

The document is structured into two parts, Part A containing Development Policy and Requirements, and Part B containing an action plan to achieve the vision. While these parts share the same vision, they have different purposes and audiences.

### Part A

- It is assumed that the purpose of Part A is to guide decision-making concerning planning proposals affecting the identified precinct, as envisaged under State Planning Policy 2.10 – Swan-Canning River System (SPP 2.10).
- SPP 2.10 states the intent that “precinct plans will be prepared collaboratively between the local governments, the Swan River Trust and the WAPC, generally following the procedures for the preparation of a local planning policy set out in the Model Scheme Text and be endorsed by all parties”. The intended statutory status of the draft Perth Water Precinct Plan and its content is not made clear within the document.
- The vast majority of land within the Precinct Plan that is within the City of Perth boundary is reserved under the Metropolitan Region Scheme (MRS). The City would not typically prepare a Local Planning Policy for land reserved under the MRS – though it is noted that this is not precluded under the *Planning & Development (Local Planning Schemes) Regulations 2015*. It is unclear what the process is from here to formalise Part A of the Precinct Plan and whether it is the responsibility of individual Local Governments to reconcile relevant content of the Precinct Plan into a new Local Planning Policy.
- Should Part A be adopted by State Government through appropriate processes, it is also unclear as to what the statutory status of the plan is under the MRS. It is assumed that the City of Perth will simply have 'due regard' to the Perth Water Precinct Plan when providing comment on development undertaken on MRS land within the Precinct Plan area.
- It is noted that Part A currently contains some elements that do not constitute development requirements – for example, outlining the scope of the City of Perth Riverfront Framework (p. 25 and p. 37) which are already incorporated into Part B. This creates some confusion regarding the intended purpose of the document.

### Part B

- The purpose of Part B is to establish agreement regarding key actions for relevant authorities to undertake to achieve the vision and objectives established by the Plan.
- There is no apparent statutory weight to this part of the document.

### *Recommendation*

- Clarify the intended statutory weight of Part A within the document, including an outline of the next steps involved and information regarding the intended process for endorsement /adoption of the policy by State Government.
- Add explanatory text to the Plan to clarify the distinct purposes and intended audiences of Parts A and B.
- Review Part A to ensure it focuses specifically on development requirements (and contextual information), removing any repetition with the actions contained in Part B.

### **Governance and implementation**

- Part B of the Plan contains a number of actions for agencies to undertake to achieve the vision and objectives of the Plan. There is currently no information provided within the document regarding the implementation of this plan. A risk to the delivery of Part B is the potential for actions to be stalled due to commitment not backed by funding and resourcing.
- It is assumed by Action 6.1 'Formalise and expand Perth Water Vision Group' that this group will provide oversight of the implementation of the Plan. If so, it is suggested that this is made explicit and the expected roles and responsibilities of this group should be explained within the document.
- For many actions, multiple lead agencies are identified. This could create confusion and misaligned priorities in the delivery of actions, particularly where agencies operate under separate heads of power. The ultimate responsibility for funding and implementation of these actions is unclear.
- It is the intention of the City of Perth to refer to Part B when considering planning and projects in the future, and incorporate actions where possible. However, it should be noted that any actions will be subject to review as part of the City's usual budget cycle processes. The City will endeavour to work towards the objectives outlined in this Plan, but does not consider it to be binding.
- It is not clear whether the estimated budget represents the total amount for the project, or average cost per project partner.

### *Recommendation*

- Add a section to Part B outlining the proposed approach for governance and implementation, including monitoring and review.
- Clarify the intent and responsibilities of the Perth Water Vision Group within the document (Action 6.1).
- Where possible, amend Part B to identify a single 'lead' agency, with partner agencies/key stakeholders listed as necessary.
- Clarify whether the budget applies to the whole project, or per agency.

### **Activation of the waterfront**

- The City commends the intent to manage on-water commercial development, and recognises that there is a balance to be struck between protecting the natural assets, while allowing for on-water uses and activities.
- On-water activities could provide more diverse opportunities for residents, visitors and tourists to enjoy the river and Perth's unique landscape.
- There are aspects of the Plan that may inhibit the expansion of these activities. In particular, the proposition of restricting lease periods to 'short-term (e.g. 5 year)' is likely to reduce the viability of many commercial projects. This is particularly the case given development requirement 4(g) requires upgrade of services and infrastructure at the cost of the proponent.
- The objective of limiting long-term privatisation of the river is supported.

*Recommendation*

- Amend the document to provide greater flexibility for commercial leasing terms, depending on the nature of the development and its impact on public use of the area.
- Should DBCA have a strong preference for short-term leasing arrangements, then DBCA should consider providing infrastructure to make such leases commercially viable – i.e. sewerage, power, water or other such connection points at nominated areas of the river.
- Amend the wording of Section 4 ‘On-water activities’ to remove the word ‘quiet’ as a ‘key amenity value’. ‘Quiet’ is not an appropriate amenity value in a central city context. The impact of noise of individual developments would already be addressed as part of the approvals process.

**Land-based helipads**

- The Plan outlines locations for possible land-based helipads, including at Point Fraser and Nelson Avenue (Matagarup Bridge) (p. 32). The City is listed as the lead agency to “investigate options for land-based helipads” (p. 48).
- The City does not support the location of helipads in either of these locations. A helipad at Point Fraser would not be consistent with the other objectives outlined for Point Fraser in the Plan (“ongoing commitment to conduct celebration and interpretation of Whadjuk Noongar culture and history within a regenerated native landscape setting”). Nelson Avenue does not have the space to fit a helipad, and is located too close to residential development.
- The City does not object to the idea of helicopter use, but notes that there are significant constraints on where helipads can be located. The safety areas required around helipads, and the noise generated, do not align with the objective “development and activities do not result in the privatisation of the river or have a detrimental impact on the amenity and public enjoyment of the area” (p. 30).

*Recommendation*

- Remove the proposed land-based helipad locations at Point Fraser and Nelson Avenue.
- Remove City of Perth as the ‘lead agency’ to investigate helipad locations, and replace this with the appropriate State Government agency.

**Part A – Specific Comments**

Page	Comment
p. 10	Add “cultural” to line 6, to read “The precinct plan aims to develop and maintain strong physical, cultural and social connections between Perth Water and Buneenboro and the CBD”... Add “cultural” to line 10, to read “The Precinct Plan seeks to enhance the core cultural, recreational and environmental values of Perth Water”
p. 16 1(b)	Please add reference to high quality design and detailing and durable materials. 1(b) Replace ‘historical’ with ‘dual’ to read: “Dual Whadjuk-Nonbar place names” 1(e) Delete the word “or” from “cultural <u>or</u> heritage value”.
p. 18-19	Reconsider the inclusion of Waterbank – this is the only place listed which is outside of the Precinct area.
p. 20	The view corridor from Kings Park escarpment and war memorial should be captured. This is critical and has cultural heritage significance.
p. 21	Strategic landmarks need more explanation. I.e. St Georges Terrace. Is it the built form of St Georges Terrace that is to be recognised and protected from the water?
p. 22	Who will research and/or develop the climate resilience principles that should be applied to planning and management of the river and foreshore?
p. 23	<u>Water management</u> Water management options should consider the <i>Vision and Transition Strategy for a Water Sensitive Greater Perth: Implementation Plan 2019-2021</i> . In Western Australia, the term ‘Waterwise City’ is being used to describe the Water Sensitive City Transition



	<p>concept in which water has a central role in shaping cities. In a Water Sensitive City, ecosystems are healthy, people are not disrupted by flooding and can enjoy reliable water supplies, effective sanitation, cool green landscapes, efficient use of resources, and beautiful urban landscapes that bring the community together. This approach will enable total integrated water management rather than focussing on specific aspects of water management only; for example water efficiency.</p> <p>- 2(m) Retrofit existing drainage infrastructure – this is not considered appropriate for private developments, particularly if the property owner does not own the drainage infrastructure.</p> <p>- 2(o) ‘Opportunities should be explored to replace turf with native plants...’ – Reconsider/revise this section. Research shows that well irrigated turfed areas can be up to 15 degrees Celsius cooler than surrounding areas. Current best practice is to adopt a water sensitive urban design (WSUD) approach to promote sustainable irrigation and help retain water in the landscape. This mitigates the urban heat island effect and helps to create a cool and comfortable environment for people.</p> <p>- 2(r) Consideration should also be given to crime prevention through environmental design principles to ensure that the foreshore provides a safe place for all users.</p> <p>Both 2(m) and 2(o) read as actions for Local Government, rather than development requirements. Consider whether these should be moved to Part B instead.</p>
p. 26	<p>The secondary activity node description (<i>“these nodes support significant large-scale infrastructure...as well as small scale activities”</i>) should acknowledge the differences in scale between Optus Station Sport and Recreation Precinct (could support large-scale infrastructure) and Mends Street and Point Fraser (smaller in scale and would not support significant large-scale infrastructure development). Clarification should be provided as to what type of infrastructure this is referring to.</p> <p>3(e), <i>“With the exception of continued improvement of jetties, there is a presumption against new structures with the River Reserve”</i>. It is not clear in this document which area the ‘River Reserve’ refers to – this should be specified and/or depicted (e.g. is it the area within the Swan River Trust Development Control Area?)</p> <p>3 (f) <i>“Developments proposing substantial permanent structures are to be designed and detailed...”</i>. It is not clear whether this provision applies to developments within the river reserve (which would contradict 3(e), whether or not ‘substantial permanent structures’ refers to existing structures being upgraded).</p>
p. 28-29	<p>The City’s draft City Planning Strategy refers to maintaining the primary purpose of the foreshore as a public and environmental asset. Given the extent of development envisaged for Primary Activity Nodes, the number identified should be limited.</p> <p>The Concert Hall and Claisebrook Cove should be identified as secondary nodes, not primary.</p> <p>Reconsider the inclusion of Waterbank – this is the only node that is not within the Precinct Plan area.</p>
p. 30	Consider adding an objective around creating synergies between on and off water activities.
p. 33	Co-location with active transport hire/nodes – this has not been done consistently on maps.
p. 36	<p>Suggest that the purpose of Figure 9 is articulated. There is no in-text reference or explanation.</p> <p>Suggest adding the hatching to the legend. It is not clear what it refers to.</p>
p. 37	Replace “Perth Foreshore Masterplan” with “Perth Riverfront Framework”.
Throughout	Review all references to bike/cycle hire and consider expansion to acknowledge other conveyances (scooters etc).

## Part B – specific comments

Part B – Action Plan tabulates a series of actions for various agencies to undertake to achieve the vision and objectives identified in the Plan. These actions include:

- Estimated value/budget (\$0-\$50k; \$50-100k; \$100-\$500k; \$500k +)
- A timeframe (0-2 years; 2-5 years; 5+ years)
- Lead agency
- Key considerations / potential interdependencies

The actions that have been identified for City of Perth are outlined in the table below, with the City's response.

The 'estimated value/budget' column includes an indication of whether or not this action is:

- 1) Already funded under the City's current Corporate Business Plan (F);
- 2) Feasible using current operational budgets (O); or
- 3) Not currently funding (NF).

*This column will be removed prior to the submission being forwarded to the DBCA.*

Action	Timing	Lead	Estimated value/ budget	Key considerations/ potential interdependencies	City of Perth comment
<b>1.2 Whadjuk Noongar / Noongar Cultural Centre</b> <ul style="list-style-type: none"> <li>• Work with Whadjuk Noongar representatives to facilitate investigation of potential sites for the location of a Whadjuk Noongar/ Noongar Cultural Centre within proximity to Perth Water Buneenboro.</li> <li>• Explore opportunity as part of Bicentennial celebration, including liaison with the Perth Public Art Foundation.</li> <li>• Align opportunity with the (draft) WA Cultural Infrastructure Strategy.</li> <li>• The Cultural Centre should reinforce connections to Kings Park, Government House, Perth Concert Hall, Heirisson Island, South Perth and Victoria Park foreshore.</li> </ul>	2-5	DPLH, CoP, SWALSC*	100-500k (NF)	Adoption of Whadjuk People Indigenous Land Use Agreement. Finalisation of WA Cultural Infrastructure Strategy	<p><b>Supported in principle.</b> DPC and Development WA would also be a key partner on this. Suggest that a lead agency is identified given the budget involved.</p> <p>Suggest that the connections listed for the Cultural Centre are reconsidered. It may not be achievable to reinforce connections to all these locations.</p>

<b>1.6 Planning for Matagarup (Heirisson Island)</b> <ul style="list-style-type: none"> <li>In collaboration with the Whadjuk Noongar community and PWVG establish a vision and plan for the future of Matagarup (Heirisson Island) with a focus on recognising Aboriginal cultural value and enhancing the natural qualities (including biodiversity values) and features of the Island.</li> <li>Review the 2014 Heirisson Island Master Plan.</li> </ul>	2-5	CoP, DBCA	100-500k (NF)		<b>Supported.</b>  Suggest that DPC and DPLH are added as key partners on this, given discussions underway about the ILUA.
<b>2.1 Maintain nature and function of the river</b> <ul style="list-style-type: none"> <li>Conduct an asset audit of the foreshore structures, drains and drainage networks including confirmation of levels relative to Australian Height Datum (AHD), in order to inform sea level rise assessment on flooding.</li> <li>Develop and implement an infrastructure upgrade and maintenance plan that responds to the impacts of climate change and long-term sea (river) level rise. This should consider relocation of drainage infrastructure, appropriate design responses based on acceptable levels of inundation of recreational and transport assets, as well as erosion impacts.</li> <li>Prepare a medium to long term strategy for foreshore management with consideration of the impact of sea level rise and other climate change considerations.</li> </ul>	0-2	LGAs, WaterCorp DoT	100-500k (NF)	Water Services Act 2012, LGAs drainage infrastructure maintenance plans. Best Management Practices for Foreshore Stabilisation, DBCA. Policies for development in the Swan Canning Development Control Area.	<b>Supported in principle</b> , if the timeframe is changed to 2-5+ years (or ongoing). The City's most recent flood study investigated foreshore structure and assets in terms of sea level rise only, not in terms of rainfall catchments. No work is currently planned or budgeted for to fill this gap.
	5+	LGAs, DoT, Water Corp, Development WA	100-500k (NF)		<b>Supported in principle.</b>
	5+	LGAs, DBCA	100-500k (NF)		<b>Supported.</b> This will be considered as part of the development of the Riverfront Framework.
<b>2.2 Environment impacts</b> <ul style="list-style-type: none"> <li>Develop a Best Practice Landscape Maintenance Manual for the Precinct that limits the use of chemical fertilisers and pesticides, minimises water use, protects native vegetation etc.</li> </ul>	0-2	LGAs	0-50 (O)	LGA Landscape Maintenance Manuals and Procedures.	<b>Supported in principle.</b> The City is planning to review its Park Precinct Maintenance Specification to ensure ongoing alignment with the Perth Precinct Plan's objectives. This will be undertaken in the coming months to support the re-alignment of the City's maintenance operations with the City's neighbourhood approach.
<b>2.3 Landscape and Vegetation</b> Develop targets for increasing native vegetation cover and biodiversity within the Precinct.	0-2	DBCA, LGAs	50-100k (O)	LGAs current policies & strategies for landscape management.	<b>All actions supported.</b> These actions are business as usual for the City's Parks team when considering changes /opportunities for landscape planting across the city.
<ul style="list-style-type: none"> <li>Explore opportunities to expand WA Wildflowers Way initiative throughout the Precinct.</li> <li>Develop landscape and planting guidelines for the Precinct incorporating flora that is indigenous to the Precinct with the aim of strengthening the ecological linkages between the Precinct and the adjacent River reserves and POS / green infrastructure assets.</li> <li>Develop and implement a green infrastructure linkage plan, incorporating native plants between the Precinct and the surrounding public open spaces and along the key pedestrian and cycling networks.</li> </ul>	0-2	DPLH, Tourism WA, LGAs, DBCA	0-50k (O)		
	0-3+	Not specified	50-100k (O)	WA Wildflowers Way initiative.	The Cultural Development Plan includes the action 'Establish a biodiversity management plan and planting policy that draw on Perth's natural and cultural heritage values'. This has a 4-5 year time frame.
	5+	LGAs	50-100k (O)		Note that the City has already identified primary biodiversity links as part of a recent Green Infrastructure & Biodiversity Study.

<ul style="list-style-type: none"> <li>Develop breeding habitats for iconic fauna (e.g. Black Swans, Long Necked Turtles etc.) in the suitable areas of foreshore (e.g. Clydesdale Reserve).</li> </ul>	5+	LGAs	50-100k (NF)		
<p><b>2.4 Water management</b></p> <ul style="list-style-type: none"> <li>Conduct opportunities and constraints analysis of stormwater assets and develop green infrastructure plan solutions to minimise pollutant and sediment inputs to the river and contribute to Waterwise city objectives (e.g. daylighting of stormwater pipe network to create living streams, wetlands/biofilters, aquifer recharge, storage and reuse etc).</li> </ul>	0-3+	DBCA, DWER, LGAs	100-500k (NF)	Stormwater Best Practice Management Manual.	<p><b>Supported in principle</b>, if:</p> <ul style="list-style-type: none"> <li>this is undertaken as part of a treatment chain approach with all agencies and LGAs, including off-river LGAs that contribute to the stormwater network.</li> <li>The expense is recognised and funding committed by State Government. The budget is expected to be far more than \$500k. This work is not currently planned or budgeted within the City.</li> <li>Amend "...and develop green infrastructure plan solutions..." to "develop solution/s (including green infrastructure)..." Note that the issue of dewatering from existing buildings could be addressed as part of this action.</li> </ul> <p>It is noted that the Stormwater Best Practice Management Manual requires updating to reflect changes in water management practice.</p>
<p><b>3.1 City of Perth Riverfront Framework</b></p> <ul style="list-style-type: none"> <li>Develop a Riverfront Framework and Masterplan for the Perth Water Buneenboro section within City of Perth (CoP), located east of Elizabeth Quay to Matagarup Bridge: <ul style="list-style-type: none"> <li>Explore opportunities for Riverside Drive, such as relocation or narrowing;</li> <li>Explore opportunities to redevelop Terrace Road car park to strengthen connection between the foreshore, Perth Concert Hall and Government House, to expand cultural attractions and provide supporting uses that respect viewsheds and maintain public access and public tenure;</li> <li>Investigate opportunities to improve/provide for a more natural interface with the river, noting that CoP foreshore infrastructure, such as the river wall, is nearing end of life;</li> <li>Incorporate 'designed-flooding-events', and soft-engineering to ensure usability of foreshore area; and</li> <li>Through the Master planning process, investigate a secondary activity node at an appropriate location along Langley Park, diversify infrastructure and amenity to facilitate a broader range of activities, and</li> </ul> </li> </ul>	0-2	CoP	100-500k (F)	CoP City Planning Strategy. MRA Planning Framework.	<p><b>Supported</b> with the following revisions:</p> <ul style="list-style-type: none"> <li>Change name from 'Riverfront Framework and Masterplan' to 'Riverfront Framework'.</li> <li>Remove 'Through the Master planning process...' to leave 'Investigate a secondary activity node...'</li> <li>Change timeframe of implementation to 2-5+ years</li> </ul>



[illegible]

<ul style="list-style-type: none"> <li>Upgrade toilets located next to children's playgrounds to include parents' rooms (including baby change facilities) and universal access change rooms.</li> </ul> <p>Note: Burswood Park facilities already upgraded.</p> <ul style="list-style-type: none"> <li>Install universally accessible toilets at Mends Street to supplement Elizabeth Quay and Waterbank locations.</li> </ul>	2-5				
<p><b>3.4 Barrack Square Masterplan</b></p> <p>Plan for the upgrade and redevelopment of Barrack Square, noting key infrastructure is nearing end of life (for example Jetty 1) (and subsequent considerations)</p>	2-5	DBCA, DoT, Development WA	100-500k (NF)	MRA Normalisation Structural limitations of associated aging infrastructure	<b>Supported.</b> Note that CoP is a key stakeholder/partner in this given that the Development WA is looking to normalise the area by June 2020.
<p><b>3.5 Helipads</b></p> <ul style="list-style-type: none"> <li>Investigate options for land-based helipads.</li> </ul>	0-2	DBCA, CoP	0-50 (NF)	Contingent on commercial viability of on-water helipad	<b>Not supported</b> in current form. Remove CoP as 'lead agency'.
<p><b>5.1 Active transport</b></p> <ul style="list-style-type: none"> <li>Improve active transport connections to deliver equitable choices for all user groups, ages and abilities (e.g. pedestrian, cycling, electric scooters, Segway):</li> <li>- Address gaps in pedestrian and active transport facilities (e.g. bicycle parking, seating, shade, water stations) at activity nodes;</li> <li>- Progressively install separated paths where they are currently shared;</li> <li>- Prioritise north-south connection from Langley Park, across Riverside Drive, to the foreshore;</li> <li>- Across the Causeway, resurface existing shared footpath / cycle path and investigate alternative safety railings to widen the shared path, or reallocate road space;</li> <li>- Investigate the feasibility of Heirisson Island pedestrian and cycle only bridge;</li> <li>- Investigate the opportunity to unify bike hire/bike share across the Precinct: <ul style="list-style-type: none"> <li>Consider locations for cycle stands;</li> <li>Consider integration with passive on-water craft hire, for example kayaks and paddle boards; and</li> <li>Subject to above, and in addition to Point Fraser and South Perth Esplanade, locate potential self-service cycle hire stations and supporting infrastructure at: <ul style="list-style-type: none"> <li>Coode Street;</li> <li>McCallum Park;</li> <li>Waterbank;</li> <li>Langley Park;</li> </ul> </li> </ul> </li> </ul>	0-5	LGAs, DoT	500k + (NF)		<p>All 5.1 actions <b>supported in principle</b>, with the revisions noted below.</p> <p>"Progressively install..."- <b>supported</b>, if timeframe is changed to 2-5 years.</p> <p>"Prioritise north-south.." – change to "investigate north-south".</p> <p>"Across the Causeway..." – supported if CoP is removed as a lead agency.</p> <p>"Investigate the feasibility of Heirisson Island..." – this is currently being undertaken by DoT. Change timeframe to 0-2 years, and amend lead to just DoT.</p> <p>Please add the following text as a dot-point to 5.1 Active Transport:</p> <p>"Consider the Swan River holistically when lighting along its foreshores.</p> <p>Lighting should ensure :</p> <ul style="list-style-type: none"> <li>Continuity of lighting to bike routes and foreshore pathways</li> <li>A consistent lighting experience "</li> </ul>
	0-2	LGAs	500k + (O)		
	0-2	CoP, DBCA, DoT	100-500k (O)		
	2-5	DoT, MRWA DoT, CoP, ToVP, DBCA	500k + (NF)		
	5+		500k + (NF)		
	2-5	LGAs, DoT, Development WA, Tourism WA	50-100k (O)		

<ul style="list-style-type: none"> <li>○ Mends Street;</li> <li>○ Burswood Park; and</li> <li>○ Nelson Ave.</li> </ul> <ul style="list-style-type: none"> <li>• Identify an appropriate location for improved bicycle parking facilities on Heirisson Island.</li> </ul>	0-2	CoP	50-100k (O)		Bicycle parking on Heirisson Island – suggest that the budget is changed to 0-50k. The cost of this action can be covered through the City's operational cycling budget.
<b>5.2 Wayfinding and trails</b> <ul style="list-style-type: none"> <li>• As a component of the Perth Water Buneenboro Cultural Landscape Management Plan (1.3), develop and implement a consistent, Precinct-wide wayfinding masterplan and supporting signage guidelines (including dual Noongar-English naming of sites) that unify Precinct information and connect visitors with surrounding local destinations.</li> <li>• Develop active travel maps (walking and cycling) that promote the Precinct – cultural, heritage, native flora and fauna, wildlife, public art, sculpture etc. Explore options for digital access and display.</li> <li>• Establish electronic circuit/permanent distance markings on paths around Perth Water Buneenboro to designate running/cycling circuits.</li> </ul>	2-5	LGAs	50-100k (NF)		Supported in principle if “Precinct-wide wayfinding masterplan and supporting signage guidelines...” is changed to “Precinct-wide wayfinding signage guidelines...”
	0-2	LGAs, Tourism WA	0-50k (NF)		Supported in principle, if the lead is amended to be Tourism WA, who will be best placed to develop a coordinated package across LGAs.
	0-2	LGAs	0-50k (NF)		“Establish electronic circuit...” <b>Not supported</b> . Amend 5.2 wayfinding action to include ‘permanent distance markings’.
<b>5.3 Facilitate informal water activities</b> <ul style="list-style-type: none"> <li>• Investigate demand and opportunities to construct temporary storage of non-motorised watercraft (e.g. kayaks, stand up paddleboards) to enable recreational users to access a wider range of land destinations (e.g. coffee/lunch break, social engagement, explore).</li> </ul>	0-2	CoSP, CoP, DBCA, Commercial scheme operators	0-50k +ongoing maintenance (O)		Supported in principle. This may be considered as part of the Riverfront Framework.
<b>5.5 Improve jetty and ferry infrastructure</b> <ul style="list-style-type: none"> <li>• Review existing jetties and plan for required upgrades (including consideration of sea level rise) and future provision for potential expanded and additional water-based transport, such as increased ferry services (public and private) and water taxis: <ul style="list-style-type: none"> <li>- Elizabeth Quay – capacity review of existing jetty;</li> <li>- Mends Street – capacity review of existing jetty;</li> <li>- Mends Street – upgrade jetty, and relocate cafe facility to improve access;</li> <li>- Coode Street – upgrade jetty;</li> <li>- Point Fraser, Claisebrook Cove and Optus Stadium – capacity review; and</li> <li>- Claisebrook Cove and Optus Stadium.</li> </ul> </li> </ul>	5+ 2-5 5+ 5+ 2-5 5+	PTA, DoT CoSP, DoT CoSP CoSP LGAs, Burswood LGAs, Burswood	50-100k 50-100k 500k + 500k + 50-100k (NF) 50-100k (NF)	Connect South Masterplan CoSP Foreshore Management Plan	Supported. Supported.

**Agenda  
Item 6.14****Initiation of Amendment No. 41 to City Planning Scheme No.2  
to Introduce a Northbridge Special Entertainment Precinct**

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**Recommendation:*****That Council:***

- 1. pursuant to section 75 of the Planning and Development Act 2005, resolves to initiate Amendment No. 41 to the City Planning Scheme No. 2, as detailed in Attachment 6.14B – Proposed Scheme Amendment No. 41;***
- 2. pursuant to regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves that Amendment No. 41 to the City Planning Scheme No. 2 is a Complex amendment pursuant to regulation 34 of the Regulations for the following reason:***
  - 2.1 the amendment will have an impact that is significant relative to development in the locality.***
- 3. pursuant to section 81 of the Act, resolves to refer Amendment No. 41 to the City Planning Scheme No. 2 to the Environmental Protection Authority;***
- 4. pursuant to regulation 37(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to refer Amendment No. 41 to the City Planning Scheme No. 2 to the Western Australian Planning Commission;***
- 5. pursuant to section 84 of the Act, resolves to advertise Amendment No. 41 to the City Planning Scheme No.2 for public inspection in accordance with regulation 38 of the Regulations;***
- 6. recommends to the Department of Water and Environmental Regulation to incorporate in its drafting instructions for the proposed amendments to the Environmental Protection (Noise) Regulations 1997 (as amended), the provision for a head of power to provide the CEO of the Local Government with the discretion to assign, through the Venue Approval, a higher or lower external amplified music noise level than the nominal external amplified music noise level established for a Special Entertainment Precinct taking into consideration any potential adverse impacts on any existing noise sensitive premises. The latter being required to be demonstrated through an Acoustic Report submitted with the application for Venue Approval.***



FILE REFERENCE: P1034633#02  
 REPORTING OFFICER: Siobhan Linehan, Senior Urban Planner  
 REPORTING UNIT: City Planning  
 RESPONSIBLE DIRECTORATE: Planning and Development  
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil  
 DATE: 11 October 2019  
 ATTACHMENT/S: Attachment 6.14A – Map of the Special Control Area  
 Attachment 6.14B – Proposed Scheme Amendment  
 Attachment 6.14C – MRA Northbridge Entertainment Precinct  
 Attachment 6.14D – Australian State and Local Government Low Frequency Noise Criteria  
 Attachment 6.14E – Table of Current Maximum Ambient Noise Levels – Northbridge Special Entertainment Precinct

### **Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input type="checkbox"/>            | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input checked="" type="checkbox"/> | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

### **Legislation / Strategic Plan / Policy:**

#### **Legislation**

*Environmental Protection Act 1986*  
*Environmental Protection (Noise) Regulations 1997*  
*Planning and Development Act 2005*  
*Planning and Development (Local Planning Schemes) Regulations 2015*  
 City of Perth City Planning Scheme No. 2  
 City of Perth Local Planning Scheme No. 26 (Normalised Redevelopment Areas)  
 Metropolitan Redevelopment Scheme Central Perth Redevelopment Scheme 2012

#### **City of Perth Act 2016**

#### **Objects of the City of Perth**

8(1)(f) - to promote environmentally sustainable development, while ensuring Perth's role as a thriving

business, cultural and entertainment centre, considering the flow-on impact to the Perth metropolitan area

**Integrated Planning and Reporting Framework Implications**

**Strategic Community Plan**  
Strategic Priority - Built Environment

**Policy**

Policy No and Name:

City of Perth:

Precinct Plan No. 1 – Northbridge

Precinct Plan No. 3 – Stirling

William Street Heritage Area Design Guidelines

Northbridge Area 36 – Lake Street Design Guidelines

Northbridge Area 35 – Russell Square Design Guidelines

Metropolitan Redevelopment Authority:

Central Perth Development Policy 3 – Sound and Vibration Attenuation

**Purpose and Background:**

The purpose of the proposed amendment to the City of Perth's City Planning Scheme No. 2 (CPS2) is to introduce a Special Control Area (SCA) to establish a Northbridge Entertainment Precinct.

The proposed Scheme Amendment forms part of a broader package of noise management reforms which the City has been working on with the Department of Planning, Lands and Heritage (DPLH) and the Department of Water and Environmental Regulations (DWER). It is intended that this package of reforms will be released for public comment in November 2019.

**Background**

Northbridge is one of the State's premier entertainment districts servicing the Perth metropolitan region and is characterised by a concentration of entertainment venues including night clubs and bars, in addition to cafés and restaurants. It is also a hub for cultural facilities such as the State Theatre Centre, WA Museum and Art Gallery WA. It is a vibrant mixed-use locality that contributes significantly to Perth's social and cultural scene, as well as its economic development.

Entertainment venues which play live and/or amplified music in Northbridge have historically operated relatively unfettered at higher noise levels than those prescribed under the State Government's *'Environmental (Noise) Regulations 1997'* (Noise Regulations), given the low number of noise sensitive premises such as residential and short stay accommodation situated within the area. However, over the last decade Northbridge has undergone significant change as a consequence of urban renewal. The growth of noise sensitive premises in Northbridge has resulted in uncertainty for entertainment venue operators, due to the potential impact of noise complaints.

Issues with *Environmental Protection (Noise) Regulations 1997*

The primary instruments for noise regulation in the State are the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations).

The Noise Regulations set legally enforceable assigned (or allowable) levels for noise emitted from a premises or venue at the point of a sensitive receiver. The assigned levels (which are defined as outdoor levels) vary according to the type of premises receiving the noise and the time of day the noise is received. Higher levels of protection are afforded to the most sensitive premises, classed as 'noise-sensitive'. Premises classified as noise-sensitive include residential accommodation, small hospitals, schools, aged care facilities and short-term accommodation.

The City along with other local governments across the state is responsible for administering the Noise Regulations. It has however become increasingly difficult to administer some aspects of the Noise Regulations.

The current Noise Regulations requires noise-emitting venues to comply with the assigned outdoor and indoor noise levels for noise-sensitive developments. It is however often difficult for noise-emitting venues to comply with the outdoor noise levels which apply at the noise-sensitive development (i.e. balconies, patios or alfresco areas or inside when the windows and doors open) within entertainment areas. This is due to the high concentration of noise emitting venues and the ambient noise levels being higher, particularly at night.

The issue is predominantly the result of the Noise Regulations applying one set of noise standards across the whole State, with a presumption of separation between land uses. This separation is not present in Northbridge where there is a concentration of entertainment venues that play live and/or amplified music co existing with residential developments or in other mixed-use areas of the city.

Noise emissions in Northbridge have only become an issue since noise sensitive premises being developed. This is due to the Noise Regulations only being enforced when a noise complaint is received.

Accordingly, amendments are required to the State Government's noise management legislation are required to address this issue.

#### State Government's – Discussion Paper '*Planning for Entertainment Noise in the Northbridge Area*'

Ensuring that Northbridge remains one of the State's premier entertainment areas is a shared priority of the State Government and City. Over the last decade the City has advocated for noise management reform including changes to the Noise Regulations to provide for a higher degree of certainty for entertainment venues within Northbridge and provide for cultural diversity and economic growth.

In September 2018, the Department of Planning, Lands and Heritage (DPLH) and the Department of Water and Environmental Regulation (DWER) released a Discussion Paper '*Planning for Entertainment Noise in the Northbridge Area*' to consult on the establishment of an entertainment precinct in Northbridge. The Discussion Paper proposed a package of planning and environmental reforms, including possible changes to the Noise Regulations, to achieve the State Government's commitment to supporting the performing arts sector and night time economy in Western Australia. This included the application of the 'agent of change' principle, whereby any new entertainment venues or residential developments would

be responsible for the protection of noise sensitive receivers from excessive noise. The Discussion Paper also identified a potential boundary for the entertainment precinct.

The Discussion Paper was considered by Council at its meeting held on **27 November 2018**, where it resolved:

*“That Council:*

1. *COMMENDS the State Government for progressing reforms to address noise related land use conflicts and protect existing live music and entertainment venues in the Northbridge Entertainment Area and advises that it is generally supportive of the key reform proposals outlined in the ‘Planning for Entertainment Noise in the Northbridge Area’ public consultation paper. These include the application of the following to the Northbridge Entertainment Area:*
  - 1.1 *the ‘agent of change’ principle;*
  - 1.2 *the removal of outdoor assigned levels for noise sensitive developments and to instead focus only on protection of health and amenity indoors;*
  - 1.3 *higher building and construction standards for both new noise emitting and noise sensitive development;*
  - 1.4 *notifications on titles being required for all new developments alerting prospective purchasers to the non-typical noise environment; and*
  - 1.5 *noise assessments being provided as part of the applications for all new development to demonstrate that it they can be appropriately designed and constructed.*
2. *ADVISES that there is a need to consider:*
  - 2.1 *further reforms to the Environmental Protection (Noise) Regulations 1997 to improve noise monitoring criteria that better addresses low frequency noise, including ‘bass’ associated with amplified music;*
  - 2.2 *the setting of maximum outdoor noise levels at the property boundaries of noise-emitting developments, as an additional criteria within the entertainment area;*
  - 2.3 *the need for consistency across the City of Perth’s and the Metropolitan Redevelopment Authority’s planning scheme and policy framework as the proposed Northbridge Entertainment Area boundaries includes land within the Metropolitan Redevelopment Authority’s Perth City Link Project Area; and*
  - 2.4 *the need to apply the reforms more broadly to other areas within the City of Perth, via a head of power and without the requirement for substantial legislative changes, including the central and west-end areas of Perth which also contain high concentrations of liquor licensed venues and allow for a mixture of entertainment and residential (permanent and short-stay accommodation) land uses under City Planning Scheme No. 2.”*



It is understood that a number of submissions received during public consultation period suggested that the proposed 'agent of change' approach may not provide the level of certainty being sought by entertainment venue operators and that it may be difficult to implement and ensure compliance.

In response, the State Government in consultation with the City is now proposing an alternative approach to noise management in Northbridge as documented in this report.

## **Details:**

### **Co-ordinated State Government and City Approach**

The creation of a Special Entertainment Precinct in Northbridge requires both the State Government and the City to pursue planning and environmental reforms. Key deliverables include the following:

1. **Western Australian Planning Commission Position Statement**

A WAPC Position Statement proposed to provide guidance to local government on the establishment of designated special entertainment precincts.

A draft Position Statement was prepared and endorsed by the WAPC on 24 July 2019 for targeted stakeholder engagement. Representatives from the DPLH along with DWER and the City met with a range of key stakeholders and provided a high level overview of the proposed new noise management approach. This appeared to be generally well received.

2. **Amendment to Environmental Protection (Noise) Regulations 1997**

The Amendment has yet to be drafted however it understood that it will enable:

- local governments to define special entertainment precinct/s for the purposes of noise management in their local planning schemes; and
- entertainment venues situated within a designated special entertainment precinct to have an option to apply to the local government for a special Venue Approval to emit noise levels beyond the current assigned levels under regulation 7 of the Noise Regulations for its day to day operations. The issuing of a Venue Approval will be guided by nominal or strategic noise levels established for the special entertainment precinct under the local government's local planning scheme;
- the Venue Approval would specify a maximum allowable noise level at the venue boundary, or a defined point, for compliance purposes and may have other conditions attached, such as requiring an Acoustic Report.

DWER has prepared preliminary drafting instructions for the proposed Amendment to the Noise Regulations and a Regulatory Impact Statement (RIS) which is a prerequisite to amending the Noise Regulations.

### 3. Amendment to City Planning Scheme No. 2

The City proposes to amend City Planning Scheme No. 2 to establish a Northbridge Special Entertainment Precinct through the creation of a Special Control Area (SCA), the details of which are the subject of this report.

As outlined above it is intended that the proposed WAPC Position Statement, Regulatory Impact Statement (RIS) and proposed Scheme Amendment will be advertised concurrently for public comment in November 2019.

#### **Proposed Scheme Amendment – Northbridge Special Entertainment Precinct**

The intent of establishing a Special Entertainment Precinct/SCA is to ensure that Northbridge remains one of the State's premier entertainment areas through the application of higher sound attenuation standards to development to ensure acceptable levels of acoustic amenity for noise sensitive premises.

The Special Entertainment Precinct/SCA extends over the land bounded primarily by Newcastle, Stirling, Fitzgerald and Wellington Streets, and comprises a Core Entertainment Area and Frame Entertainment Area as shown in Attachment 6.14A. It should be noted that it will not apply to those areas under the planning control of the Metropolitan Redevelopment Authority.

#### Key Objectives and Components

The key objectives of the proposed Northbridge Special Entertainment Precinct/SCA are to:

- (a) Ensure the Northbridge Entertainment Precinct continues to be a primary entertainment area in the city, and evolves as a vibrant culture and arts scene with a variety and a high concentration of entertainment venues;
- (b) Reduce potential land use conflicts between noise sensitive uses and entertainment venues through the careful consideration of the location of such uses, and ensuring the design and construction of buildings incorporate appropriate sound attenuation measures;
- (c) Acknowledge and support a higher concentration of entertainment venues in the Core Entertainment Area by ensuring development incorporates noise attenuation measures which respond to external amplified music noise levels which may be permitted under the *Environmental Protection (Noise) Regulations 1997* (as amended), including levels that may not comply with the standard prescribed under regulation 7.
- (d) Provide a Frame Entertainment Area, which acts as a transitional area, by ensuring development incorporates noise attenuation measures which respond to external amplified music noise levels which may be permitted under the *Environmental Protection (Noise) Regulations 1997* (as amended), including levels that may not comply with the standard prescribed under Regulation 7.

The Scheme Amendment will:

- Establish the boundary of the Special Entertainment Precinct/SCA (which will have application under both the Scheme and Noise Regulations);

- Identify higher external (i.e. strategic) amplified noise levels for the Core and Frame Entertainment Areas for the purposes of setting appropriate noise attenuation standards (which will also guide the issuing of Venue Approvals under the Regulations);
- Set the requirements for new noise sensitive and noise emitting uses/development including:
  - building attenuation requirements;
  - information to be submitted as part of development applications e.g. Acoustic Report and/or a Transmission Loss Report; and
  - conditions of approval eg. - Notification on title.

For the purposes of the Special Entertainment Precinct/SCA, noise sensitive premises include those uses within the Residential and Special Residential (i.e. short stay accommodation) use groups.

#### Noise Attenuation Levels

The purpose of the proposed Special Entertainment Precinct/SCA is not to set assigned external amplified music levels for the Core and Frame Entertainment Areas (as this is beyond the remit of a local planning scheme) but rather to establish nominal or strategic external amplified music sound levels upon which noise attenuation standards for new development will be based. Notwithstanding this, it is understood that some reference will be made to these nominal or strategic levels in the proposed Amendment to the Noise Regulations to guide the issuing of Venue Approvals within the area.

The Scheme Amendment proposes a nominal external amplified music noise level of:

- $L_{Leq}$ , 95dB in the 63 Hz octave band and  $L_{Leq}$ , 86 dB in the 125 Hz octave band within the Core Entertainment Area; and
- $L_{Leq}$ , 79 dB in the 63 Hz octave band and  $L_{Leq}$ , 70 dB in the 125 Hz octave band within the Frame Entertainment Area.

Accordingly, new entertainment venues located in the Core Entertainment Area shall be designed and constructed to incorporate noise attenuation measures to ensure that a level of  $L_{Leq}$  95 dB in the 63 Hz octave band and  $L_{Leq}$  86 dB in the 125 Hz octave band is not exceeded outside the entertainment venue. Within the Frame Entertainment Area new entertainment venues shall be designed and constructed to incorporate noise attenuation measures to ensure that a level of  $L_{Leq}$  79 dB in the 63 Hz octave band and  $L_{Leq}$  70 dB in the 125 Hz octave band is not exceeded outside the entertainment venue.

The noise attenuation standards for new noise sensitive premises have been designed to achieve a maximum internal level of 47 dB in the 63 Hz octave band and  $L_{Leq}$ , 41 dB in the 125 Hz octave band. Accordingly, new noise sensitive premises located in the Core Entertainment Area shall be located, designed and constructed so that the Transmission Loss (noise level reduction due to building attenuation) is at minimum  $L_{Leq}$  48 dB in the 63 Hz octave band and  $L_{Leq}$  45 dB in the 125 Hz octave band. Within the Frame Entertainment Area, new noise sensitive premises shall be located, designed and constructed to achieve sufficient Transmission Loss (noise level reduction due to building attenuation) to achieve an internal level of 47 dB in the 63 Hz octave band and  $L_{Leq}$ , 41 dB in the 125 Hz octave band. In determining the appropriate noise attenuation standards within the Frame Entertainment Area consideration will need to be given to not only the nominal external amplified music

noise level identified for the area but also any higher noise levels experienced in the area due to entertainment venues in the adjoining Core Entertainment Area being able to operate at higher noise levels.

The Scheme Amendment proposes to modify the Scheme definitions of 'plot ratio' and the 'floor area of a building' for the Special Entertainment Precinct/SCA to exclude enclosed balconies (where the glazing is openable above the balustrade level) which are required to assist in mitigating noise intrusion.

#### Land Use Permissibilities

The Scheme Amendment proposes to reclassify Special Residential uses (i.e. short stay accommodation) from 'Preferred Uses' to 'Contemplated Uses' within the Core Entertainment Area and the part of the Frame Entertainment Area situated between Beaufort and Stirling Streets.

This will result in the following land use permissibilities across the Special Entertainment Precinct/SCA:

<b>CPS2 Provisions</b>	<b>Entertainment Use</b>	<b>Residential Use</b>	<b>Special Residential Use</b>
<b>Core</b>	Preferred	Contemplated	Contemplated
<b>Frame:</b>			
Between Beaufort St and Stirling St	Contemplated	Contemplated	Contemplated
Remainder	Contemplated	Preferred	Preferred

It should be noted that no changes are currently proposed to the land use permissibilities under the City's LPS26 which apply to the land on the northern side of Aberdeen Street. Land use permissibilities will remain as follows:

- Precinct NB1: Russell Square - Permanent Residential and Transient Residential are 'Preferred' uses, whereas Dining and Entertainment are 'Contemplated' uses.
- Precinct NB2: Lake Street - Dining and Entertainment and Transient Residential are 'Preferred' uses, whereas Permanent Residential is a 'Contemplated' uses.

#### Residential and Special Residential Bonus Plot Ratio

The Scheme Amendment proposes the removal of bonus plot ratio eligibility for Residential and Special Residential uses (i.e. short stay accommodation) within the Core Entertainment Area and within the portion of the Frame Entertainment Area between Beaufort and Stirling Street. This will result in the following application of Residential and Special Residential bonus plot ratio across the Special Entertainment Precinct/SCA:

<b>CPS2 Provisions</b>	<b>Residential Bonus PR</b>	<b>Special Residential Bonus PR</b>
<b>Core</b>	Not Applicable	Not Applicable
<b>Frame:</b>		
Between Beaufort St and Stirling St	Not Applicable	Not Applicable
Remainder	Applicable	Applicable



**No. 2-6 (Lot 40) Parker Street Special Control Area**

The Scheme Amendment proposes the deletion of the Special Control Area relating to No. 2 - 6 (Lot 40) Parker Street which enables the City to grant bonus plot ratio where development incorporates a new Special Residential use.

Refer to Attachment 6.14B to view the Scheme Amendment in detail.

**Future Supporting Documents**

Separate to the Scheme Amendment, the City will prepare a number of supporting documents including:

- A Local Planning Policy - Noise Attenuation – which will cover the whole of the city and aim to clarify and consolidate current provisions, as well as incorporating additional provisions for the Special Entertainment Precinct/SCA. This will be prepared subsequent to the initiation of the proposed Scheme Amendment.
- A Council Policy – to address the compliance and enforcement matters associated with noise management within the city and to provide guidance around the issuing of Venue Approvals within the Special Entertainment Precinct/SCA. This will be prepared once the City has visibility of the proposed Amendment to the Noise Regulations.

**Stakeholder Engagement:**

In late August 2019, the City sent a letter to landowners situated within the proposed Special Entertainment Precinct/SCA to inform them of the work the City and the State Government had been undertaking on the proposed planning and environmental regulatory reforms within Northbridge. No action was requested from landowners and only one landowner contacted the City with a query.

**Financial Implications:**

ACCOUNT NO:	106070150
BUDGET ITEM:	Planning Schemes and Policies
BUDGETED AMOUNT:	\$463,200
AMOUNT SPENT TO DATE:	\$0
PROPOSED COST:	\$9,500
BALANCE REMAINING:	\$453,700
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.

## **Comments:**

As outlined above, the primary purpose of the Scheme Amendment is to ensure that Northbridge remains one of the State's premier entertainment areas through the application of higher sound attenuation standards to development.

The key components of the Scheme Amendment are discussed below.

### **Core and Frame Entertainment Areas**

The external boundary of the City's proposed Special Entertainment Precinct/SCA is the same as that identified in the State Government's Discussion Paper 'Planning for Entertainment Noise in the Northbridge Area'.

The Metropolitan Redevelopment Authority's (MRA) Central Perth Redevelopment Scheme also incorporates a 'Northbridge Entertainment Precinct' with both Core and Frame Areas. Refer to Attachment 6.14B. The external boundary of the City's proposed Special Entertainment Precinct/SCA is similar to that of MRA's however the MRA's Northbridge Entertainment Precinct excludes an area of predominately noise sensitive uses on the western side of Russell Square bound by Fitzgerald, Aberdeen, James and Shenton Streets. This area is included in the City's proposed Special Entertainment Precinct/SCA to ensure a higher level of noise attenuation is required for any new noise sensitive developments.

The City's proposed Core Entertainment Area has been identified to correspond to:

- The areas with the greatest concentration of high external amplified music noise levels as identified in the 'Northbridge Entertainment Precinct Noise Study' (2012) and the 'Northbridge Noise Monitoring Report' (2019);
- The location of a large number (approximately 40) of the Northbridge entertainment venues which play live/amplified music;
- Fewer noise sensitive premises (accommodating approximately 149 residential premises, which are predominately strata titled and several short-term accommodation premises) than the proposed Frame Entertainment Area (which accommodates approximately 609 residential premises which are predominantly strata titled and 12 short stay accommodation premises); and
- The Scheme land use area where 'Entertainment' uses are preferred and 'Residential' uses are contemplated.

The City's proposed Core Entertainment Area is similar to that of the MRA except the MRA's Core Area also includes properties situated on the northern side of Aberdeen Street (between Lake and William Streets) and on the eastern side of William Street (between Francis and Roe Streets). Refer to Attachment 6.14C.

The properties on the northern side of Aberdeen Street (which fall under the City's planning control) have not been included in the City's proposed Core Entertainment Area as they are intended to form part of a transition area. This is consistent with the Statement of Intent for this area under the City's Local Planning Scheme No. 26: to 'become a mixed land use Precinct that will create a careful transition from the existing core Northbridge entertainment precinct south of Aberdeen Street to the predominantly residential areas north of Newcastle Street'.

Similarly, those properties situated on the eastern side of William Street (which currently fall under the MRA's planning control) have not been included in the City's Core Entertainment

Area as they are intended to provide an area of transition for mixed use development. It should be noted that this area of land is anticipated to be 'normalised' with the planning control to be handed back to the City around mid 2020.

### Noise Attenuation Levels

In determining appropriate nominal external amplified music noise levels for the Core and Frame Entertainment Areas consideration has been given to the following:

- Ensuring that Northbridge remains one of the State's premier entertainment areas, whilst providing an acceptable level of acoustic amenity for noise sensitive premises;
- existing external amplified music noise levels outside of existing entertainment venues and noise sensitive premises;
- likely levels of building attenuation and associated transmission loss of existing noise sensitive premises; and
- levels of building attenuation and associated transmission loss that are possible in new noise sensitive premises and the associated cost implications.

### Impact of Noise

The current Noise Regulations provide for the regulation of noise to protect the health and amenity of noise sensitive premises. For this reason, assigned levels are currently set by the State Government from the point of the receiver rather than the emitter (this will change in however under the proposed Amendment to the Noise Regulations).

The World Health Organisation has carried out research which concluded that exposure to noise, including low frequency noise, can have negative impacts on a person's health and well-being, particularly when they are exposed over a long-time period.

The current assigned levels in the Noise Regulations are A-weighted. These levels attempt to reflect human hearing, but are not as sensitive to low frequency noises, such as that emitted by amplified music. <sup>1</sup>

There is currently no guidance within Australia in relation to what levels of low frequency noise are acceptable. Some States or local governments have however prescribed internal low frequency noise levels as outlined in Attachment 6.14D.

The UK's Department of Environment, Food and Rural Affairs (DEFRA) prescribes a maximum internal low frequency noise level for noise sensitive premises of **L<sub>Leq</sub> 47 dB** at the 63 Hz octave band. Whilst this level was not developed specifically for music, DWER has advised that the nature of the noise (i.e. fluctuating/modulating) upon which this was based has characteristics in common with music. Whilst some other Australian States and local governments have prescribed slightly higher internal low frequency noise levels, DWER has advised that the DEFRA criteria presents the most up to date and appropriate basis to establish criteria for entertainment noise where significant low frequency noise is a feature. Accordingly, the proposed nominal external amplified music noise levels for the Special Entertainment Precinct/SCA are based on a desired maximum internal low frequency noise level for noise sensitive premises of **L<sub>Leq</sub> 47 dB** at 63 Hz octave band.

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<sup>1</sup> Lloyd George Acoustics -Northbridge Entertainment Precinct Noise Study September 2012

### Existing External Amplified Noise Levels

A 2012 Noise Study undertaken by Lloyd George Acoustics and commissioned by the City found that the ambient noise levels outside residential premises within the Northbridge Entertainment Precinct exceeded the Noise Regulations most of the time, particularly between 10pm and 1am on Thursday, Friday and Saturday nights.

In 2019, DWER engaged consultants Lloyd George Acoustics to undertake ambient noise measurements over 4 nights primarily within the proposed Core Entertainment Area.

Ambient noise levels were measured outside of:

- 27 (out of a total of 40) entertainment venues and 6 noise sensitive premises within the Core Entertainment Area; and
- 3 (out of a total of 20) entertainment venues and 6 noise sensitive premises within the Frame Entertainment Area.

In the Core Entertainment Area, the ambient noise levels outside of entertainment venues ranged from **L<sub>Leq</sub> 75.2 – 104.2 dB** in the 63Hz octave band whilst the ambient noise levels outside of residential buildings ranged from **L<sub>Leq</sub> 74.2 – 89.6** in the 63Hz octave band.

In the Frame Entertainment Area, the ambient noise levels outside of entertainment venues ranged from **L<sub>Leq</sub> 74.2 – 107.9 dB** in the 63Hz octave band whilst the ambient noise levels outside residential buildings ranged from **L<sub>Leq</sub> 72.5 – 92.4** in the 63 Hz octave band.

Details of these measurements are provided in Attachment 6.14E.

### Building Attenuation Levels

In 2019, DWER engaged consultants Gabriel's Hearne Farrell to examine residential building attenuation.

The actual building attenuation standards of existing residential buildings within the Core and Frame Entertainment Areas have not been able to be fully quantified however based on typical apartment construction within the Core Entertainment Area, the study indicated that existing building attenuation would be such that a transmission loss of **L<sub>Leq</sub> 20 dB** in the 63Hz octave band would likely be achieved.

The study identified that low frequency noise intrusion into residential buildings in the Special Entertainment Precinct/SCA can be controlled to meet a maximum internal low frequency noise level for noise sensitive premises of **L<sub>Leq</sub> 47 dB** at the 63 Hz octave band where external noise levels are up to **L<sub>Leq</sub> 79 dB** in the 63Hz octave band (at an estimated additional cost of approximately 8% to the development). Where the external low frequency noise level exceeds **L<sub>Leq</sub> 79 dB** in the 63Hz octave band, the required building attenuation to achieve a maximum internal low frequency noise level for noise sensitive premises of **L<sub>Leq</sub> 47 dB** at the 63 Hz octave band is unlikely to be viable.

The study also identified that a very large cavity (minimum 1 metre) is required in the double-glazing format to provide good sound reduction performance in the 63 Hz octave band. This would however be achievable by fully glazing the balcony perimeter (i.e. constructing a normal balcony and installing an openable window above the normal balustrade height).



### Core Entertainment Area

Three nominal external amplified music noise level scenarios were considered for the Core Entertainment Area, these being **L<sub>Leq</sub> 85 dB, 90dB and 95dB** at the 63 Hz octave band.

The following table (Table 1) shows the impact of these scenarios on new and existing noise sensitive premises as well as existing venues within the Core Entertainment Area.

Table 1 – Core Entertainment Area – External Amplified Music Noise Level Scenarios

<b>Core Entertainment Area</b>	<b>Scenario 1</b>	<b>Scenario 2</b>	<b>Scenario 3</b>
63 Hz octave band dB L <sub>Leq</sub>	<b>85 dB</b>	<b>90 dB</b>	<b>95 dB</b>
<b>New Noise Sensitive Premises</b>  Transmission Loss Requirements to achieve a maximum internal low frequency noise level of L <sub>Leq</sub> 47 dB at the 63 Hz octave band	Minimum L <sub>Leq</sub> , <b>38 dB</b> in the 63 Hz octave band	Minimum L <sub>Leq</sub> , <b>43 dB</b> in the 63 Hz octave band	Minimum L <sub>Leq</sub> , <b>48 dB</b> in the 63 Hz octave band
	Based on the study findings (DWER July 2019), anything above 79 dB in the 63Hz octave band (to achieve a maximum internal noise level of 47 dB in the 63Hz octave band) is likely to be impractical and cost prohibitive for new noise sensitive development.		
<b>Existing Noise Sensitive Premises</b>  Estimated indoor noise level based on an assumed transmission loss of L <sub>Leq</sub> , <b>20 dB</b> in the 63 Hz octave band	L <sub>Leq</sub> , <b>65 dB</b> @ 63 Hz octave band	L <sub>Leq</sub> , <b>70 dB</b> @ 63 Hz octave band	L <sub>Leq</sub> , <b>75 dB</b> @ 63 Hz octave band
<b>Existing Venues</b>  Number and % of Venues in Compliance based on 2019 Measurements	5/27  18%	11/27  40%	17/27  62%

Attachment 6.14E provides further details of the current noise levels of existing venues within both the Core and Frame Entertainment Areas.

One of the key drivers of establishing the Northbridge Special Entertainment Precinct is to protect the entertainment precinct. There is also a need however to consider what would be an acceptable level of acoustic amenity for noise sensitive premises, particularly those which are existing.

Whilst the building attenuation levels of existing noise sensitive premises have not been able to be fully quantified to determine the impacts of the various scenarios on these premises with a high degree of certainty, the building attenuation standards of recent apartment developments provide a guide as to the possible impacts. Based on these and the associated transmission loss, it is likely that the desired maximum internal amplified music noise level for noise sensitive premises of  $L_{Leq}$  **47 dB** at the 63 Hz octave band would be exceeded under each of the scenarios, with the degree of impact increasing from Scenario 1 to Scenario 3. However, it should be noted that the City has received very few complaints about external amplified music noise levels over the last financial year.

Based on the potential impacts on noise sensitive premises alone, Scenario 1 would be the preferred scenario. However, only 18% or 5 out of the 27 entertainment venues surveyed could currently comply with this level and as such proceeding with such a level would potentially undermine the primary purpose for establishing the Special Entertainment Precinct.

Scenario 2 with a proposed nominal external amplified music noise level of  $L_{Leq}$  **90dB** at the 63 Hz octave band level, is reflective of the maximum amplified music noise levels (ranging between  $L_{Leq}$  **74.2 dB** to  $L_{Leq}$  **89.6 dB** within the 63Hz octave band) recently measured outside of existing noise sensitive premises. However only 40% or 11 out of the 27 entertainment venues surveyed could currently comply with this level.

If the primary purpose of establishing a Special Entertainment Precinct is to ensure that Northbridge remains one of the State's premier entertainment areas then Scenario 3 which proposes a nominal external amplified music noise level of  $L_{Leq}$  **95dB** at the 63 Hz octave band would be preferable. 62% or 17 out of the 27 entertainment venues surveyed currently operate at this level or below. It is acknowledged that 38% of the existing entertainment venues surveyed would need to either reduce their operating levels, or invest in further noise attenuation measures to accord with this proposed nominal level should they choose to apply for a Venue Approval. However, a greater level of certainty would be provided against complaints from noise sensitive premises than what is currently provided for under the Noise Regulations.

Scenario 3 would have the least impact on existing venue operations, however setting such a high level across the whole of the Core Entertainment Area may in some areas exacerbate the current external amplified music noise levels experienced by existing noise sensitive premises should all the existing entertainment venues (appropriately 40) situated within the proposed Core Entertainment Area choose to 'opt in' to seek a Venue Approval. Although the likelihood of every entertainment venue situated within the Core Entertainment Area choosing to opt in to obtain a Venue Approval to operate at the maximum level is questioned.

It is acknowledged that setting such a high level within the Core Entertainment Area is also likely to have greater flow on impacts to the Frame Entertainment Area. The higher the proposed nominal external amplified music noise level in the Core Entertainment Area, the less likely new noise sensitive development will be able to occur within certain areas of the Frame Entertainment Area due to the higher costs associated with attenuating to achieve acceptable internal noise levels. Similarly, the higher the proposed nominal external amplified music noise level in the Core Entertainment Area, the more difficult it may be for some entertainment venues within the Frame Entertainment Area to comply with the proposed nominal external amplified music noise level for that area.

Under each of the scenarios it is unlikely that new noise sensitive premises would be viable or acceptable given the high levels of noise attenuation that would be required to ensure acceptable internal noise levels for these uses.

Considering the primary purpose of establishing the Northbridge Special Entertainment Precinct, Scenario 3 which proposes a nominal external music noise level of **L<sub>Leq</sub> 95dB** at the 63 Hz octave band is considered appropriate. However, it is recommended this be on the basis that the overall external amplified noise level steps down to a level of **L<sub>Leq</sub> 90dB** at the 63 Hz octave band after a certain period of time (e.g. 1am) and possibly also on particular days of the week (e.g. some week days) to provide an acceptable level of acoustic amenity for existing noise sensitive premises. This approach is similar to that adopted in the Fortitude Valley entertainment area in Brisbane (albeit that their maximum external amplified music level is 90dB(C)). This could be incorporated into the Council Policy which the City will need to prepare should the proposed Amendment to the Noise Regulations allow for this.

Additionally, there is considered to be merit for discretion to be provided under the proposed Amendment to the Noise Regulations to enable the City to also issue Venue Approvals in excess of or slightly below the proposed nominal external amplified music noise level of **L<sub>Leq</sub> 95dB** at the 63 Hz octave band for the Core Entertainment Area under the Scheme Amendment taking into consideration any potential adverse impacts on existing noise sensitive uses. For example, recent measurements have indicated that there are venues emitting external music noise levels in excess of **L<sub>Leq</sub> 95dB** at the 63 Hz octave band but given the current separation of land uses, this is not necessarily translating to external music noise levels outside of noise sensitive premises in excess of **L<sub>Leq</sub> 90dB** at the 63 Hz octave band. In cases, however where the separation of land uses is minimal, a slightly lower external noise level may be needed.

#### Frame Entertainment Area

The Frame Entertainment Area is intended to act as a transitional area between the Core Entertainment Area and the area outside of the Special Entertainment Precinct/SCA (including land within the City of Vincent) and provide for a greater mix of land uses, including noise sensitive premises.

In view of this intent, as well as advice from consultant's Gabriel's Hearne Farrell that noise attenuation is only likely to be feasible up to an external amplified music noise levels of **L<sub>Leq</sub> 79 dB** in the 63 Hz octave band to meet acceptable internal levels for noise sensitive premises, the noise attenuation standards within the Frame Entertainment Area have been based on a nominal external amplified music noise level of **L<sub>Leq</sub> 79 dB** in the 63 Hz octave band. It is also intended under the future local planning policy to be prepared that new noise sensitive developments situated outside of the Special Entertainment Precinct/SCA but adjacent to the Frame Entertainment Area also be required to attenuate to this same level.

The proposed external nominal amplified music noise level will have potential implications for those entertainment venues operating above this level. Whilst a limited number of measurements were taken outside of entertainment venues in the Frame Entertainment Area, Attachment 6.14E indicates that there are some entertainment venues which are emitting higher amplified music levels than some of the entertainment venues within the Core Entertainment Area. Should these entertainment venues choose to apply for a Venue Approval, they would either need to reduce their operating levels or invest further in noise attenuation measures to accord with the new assigned levels. However, a greater level of

certainty would be provided against complaints from noise sensitive premises, than what is currently provided for under the Noise Regulations.

Under the proposed external amplified music noise level of **L<sub>Leq</sub> 79 dB** in the 63 Hz octave band for the Frame Entertainment Area, existing noise sensitive premises in the Frame Entertainment Area could potentially receive an internal amplified music noise level of **L<sub>Leq</sub> 59 dB** in the 63 Hz octave band which is above the desired internal amplified music noise level for noise sensitive premises of **L<sub>Leq</sub> 47 dB** in the 63 Hz octave band.

There are limited recent measurements of external amplified music noise levels within the Frame Entertainment Area. Those which exist indicate that the external amplified music noise levels outside some of the existing venues ranged from **L<sub>Leq</sub> 74.2– 107.9dB** within the 63Hz octave band and outside some of the existing noise sensitive premises ranged from **L<sub>Leq</sub> 72.5 to L<sub>Leq</sub> 92.4dB** within the 63Hz octave band. Should these existing venues choose to apply for a Venue Approval they will need to reduce their noise levels which will be of benefit to existing residents.

As discussed above there is also considered to be merit for discretion to be provided under the proposed Amendment to the Noise Regulations to enable the City to issue Venue Approvals in excess of and slightly below the proposed nominal external music noise level of **L<sub>Leq</sub> 79dB** at the 63 Hz octave band taking into consideration any potential impacts on existing noise sensitive uses.

### **Land Use Permissibilities**

As outlined above, the Scheme Amendment proposes to reclassify Special Residential uses (i.e. short stay accommodation) from 'Preferred Uses' to 'Contemplated Uses' within the Core Entertainment Area and part of the Frame Entertainment Area situated between Beaufort and Stirling Streets.

The rationale for this as follows:

- Special Residential uses are proposed to be treated similarly to Residential uses within the Special Entertainment Precinct/SCA as both are regarded as noise sensitive uses under the Noise Regulations (albeit a higher regard is given to permanent residential uses). Consideration has also been given to future proofing any proposed changes of use between Residential and Special Residential uses.
- Residential use is currently a 'Contemplated' use within the proposed Core Entertainment Area.
- A 'Preferred Use' cannot be refused on the basis of its use whilst a 'Contemplated Use' can be approved or refused taking into consideration the provisions of the Scheme and its planning policies.
- The proposal will assist to ensure that only appropriately located, designed and constructed Special Residential development with high building attenuation standards will be approved within the Special Entertainment Precinct/SCA. This will assist to minimise any further land use conflicts and amenity impacts between entertainment venues and short stay accommodation.



## **Residential and Special Residential Bonus Plot Ratio**

CPS2 was amended in 2013 to introduce plot ratio bonuses to areas of the city where Residential and Special Residential development was to be encouraged. This included parts of the Core and Frame Entertainment Areas.

As outlined above, the Scheme Amendment proposes the removal of bonus plot ratio eligibility for Residential and Special Residential uses within the Core Entertainment Area and within the portion of the Frame Entertainment Area between Beaufort and Stirling Street. Further development of these uses in these areas would undermine the role of the precinct as a premier entertainment area.

### **2-6 No. (Lot 40) Parker Street Special Control Area**

As outlined above, the Scheme Amendment proposes the deletion of the Special Control Area relating to No. 2-6 (Lot 40) Parker Street which enables the City to permit bonus plot ratio where development incorporates a new Special Residential use.

This SCA was initiated by the landowner and gazetted in 2015. It was considered at the time that a Special Residential plot ratio bonus could be applied without compromising public amenity and built form objectives and would also provide for the revitalisation of a unique site within Northbridge.

To ensure a consistent approach to the application of Residential and Special Residential plot ratio bonuses within the Core Entertainment Area it is no longer considered appropriate to retain the SCA. The City has yet to receive a development application for the site and arguably the need to facilitate Special Residential (e.g. hotel) development has diminished with the upsurge of such development occurring in various areas of the city in recent years.

### **Removal of the Proposed Growth Area - Draft City Planning Strategy**

The draft City Planning Strategy (draft Strategy) identifies the area between Beaufort and Stirling Streets within the Frame Entertainment Area as a potential residential growth area. To minimise potential land use conflicts within this well-established mixed-use area, it is recommended that this area be removed as a growth area in the draft Strategy.

It should be noted that, no changes are proposed to the bonus plot ratio provisions applicable to the predominantly residential area situated on the western side of Russell Square. This area has a plot ratio of 3.0:1.0 and the potential for a maximum bonus plot ratio of 50%. Residential development can potentially achieve a maximum 20 per cent bonus and Special Residential can achieve up to a 40% bonus plot ratio for a high quality hotel in certain locations. Additionally, the MRA's Perth City Link is anticipated to feature 1,650 apartments, providing living space for 3,000 residents.

Accordingly, it is considered that the proposed SCA and amendments to the CPS2 will assist to manage potential land use conflict within the proposed SCA without compromising the City's ability to achieve its housing infill targets outlined in the State Government's *'Central Sub-Regional Planning Framework'*.

## Planning and Development (Local Planning Schemes) Regulations 2015

The *Planning and Development (Local Planning Schemes) Regulations 2015* include three categories for amending Local Planning Schemes which are; Basic, Standard and Complex. It is considered that the proposed amendment would be a Complex amendment as it will have an impact that is significant relative to development in the locality.

### Conclusion

The Scheme Amendment forms part of a broader package of noise management reforms which the City has been working on with the State Government for entertainment precincts.

The Scheme Amendment seeks to ensure that the Northbridge Special Entertainment Precinct continues to thrive as one of the State's primary entertainment areas whilst providing provide an acceptable level of acoustic amenity for noise sensitive premises.

Potential land use conflicts between noise sensitive uses and entertainment venues are intended to be minimized through the careful consideration of the location of such uses, and ensuring the design and construction of buildings incorporate appropriate sound attenuation measures.

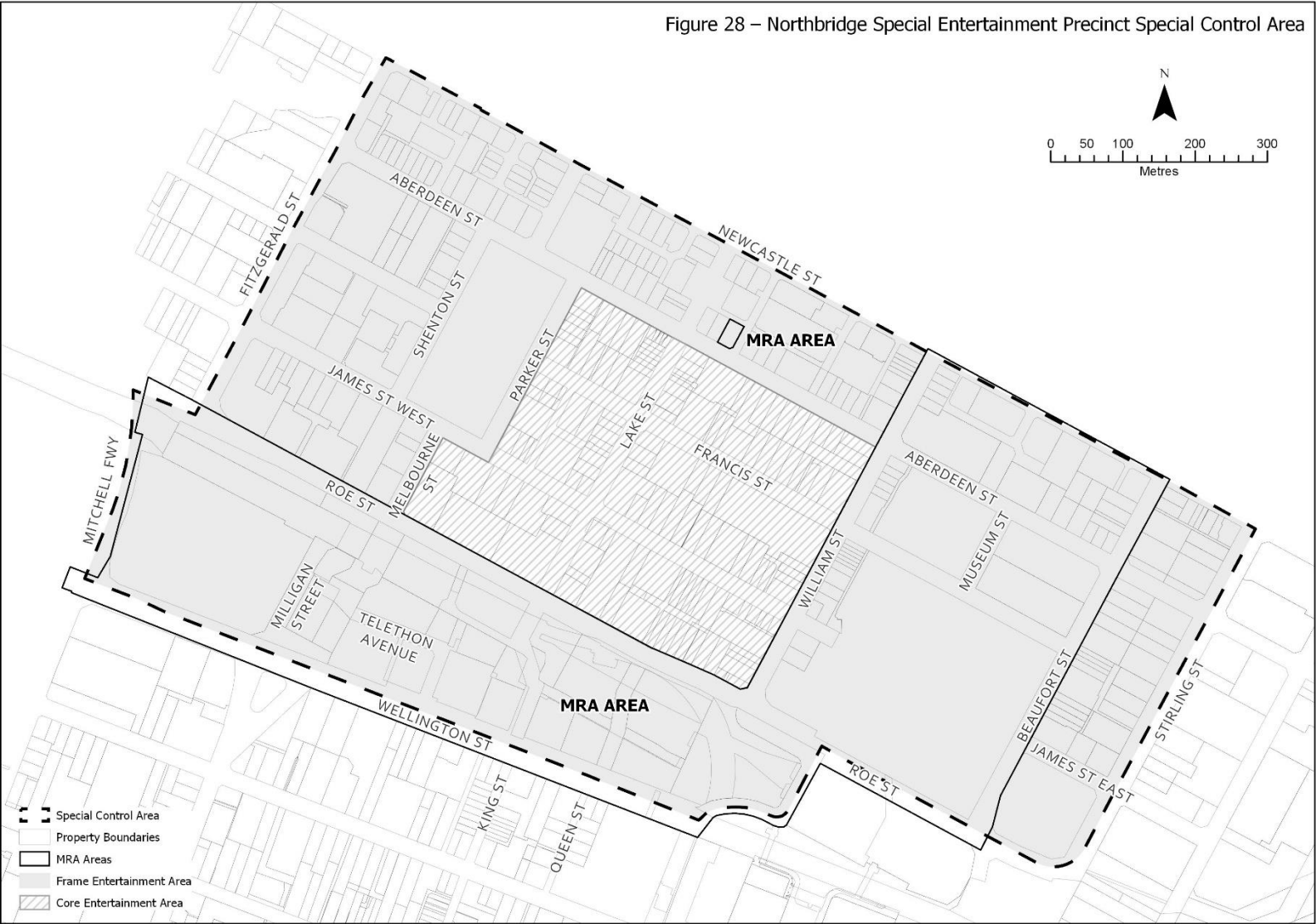
Having regard to the objectives of the proposed Special Entertainment Precinct/SCA and the findings of the various acoustic studies, it is recommended that the proposed noise attenuation standards shall be based on the following nominal external amplified music sound levels of:

- $L_{Leq}$ , **95dB** in the 63 Hz octave band and  $L_{Leq}$ , 86 dB in the 125 Hz octave band within the Core Entertainment Area (on the basis that the overall external amplified noise level steps down to a level of  $L_{Leq}$  **90dB** at the 63 Hz octave band and  $L_{Leq}$ , 81 dB in the 125 Hz octave band after a certain period of time (e.g. 1am), and possibly also on particular days during the week to provide an acceptable level of acoustic amenity for existing noise sensitive premises – discretion would need to be provided for this under the changes to the Noise Regulations); and
- $L_{Leq}$ , 79 dB in the 63 Hz octave band and  $L_{Leq}$ , 70 dB in the 125 Hz octave band within the Frame Entertainment Area.

Accordingly, it is recommended that the Amendment to the Noise Regulations provide a head of power to provide the CEO of a local government with the discretion to assign, through the Venue Approval, a higher or lower external amplified music noise level than the above nominal external amplified music noise levels for the Core and Frame Entertainment Areas taking into consideration any potential adverse impacts on any existing noise sensitive.

In view of the above, it is recommended that Council Initiates Amendment No 41 to CPS2 and forwards a copy of the document to the WAPC and the EPA for their consideration, prior to advertising in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

ATTACHMENT A – Proposed Northbridge Special Entertainment Precinct



**City of Perth**  
**City Planning Scheme**  
**No. 2**



**Amendment No. 41**



**CITY of PERTH**



**RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME**

**CITY OF PERTH**

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**CITY PLANNING SCHEME NO. 2**

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**AMENDMENT NO. 41**

RESOLVED that the Local Government pursuance of Section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Inserting after clause 39(1):  
  
(bb) Northbridge Special Entertainment Precinct - Special Control Area.
2. Inserting the following in Schedule 8 Special Control Areas:

**28. Northbridge Special Entertainment Precinct - Special Control Area**

**28.1 Special Control Area**

The following provisions apply to the land marked as Figure 28 being the Northbridge Special Entertainment Precinct Special Control Area, where it is under the planning control of the local government. The Special Control Area comprises a Core Entertainment Area and a Frame Entertainment Area.

**28.2 Purpose**

The purpose of the Special Control Area is to create a Special Entertainment Precinct to ensure that the Northbridge Entertainment Precinct remains one of the State's premier entertainment areas through the application of higher noise attenuation standards to development.

NOTE - the Special Control Area does not regulate the level of noise emitted by entertainment venues or override the requirements of the '*Environmental Protection (Noise) Regulation 1997*.'

**28.3 Objectives**

- (a) Ensure the Northbridge Special Entertainment Precinct continues to be a primary entertainment area in the city, and evolves as a vibrant cultural and arts scene with a variety and a high concentration of entertainment venues;

- (b) Reduce potential land use conflicts between noise sensitive uses and entertainment venues through the careful consideration of the location of such uses, and ensuring the design and construction of buildings incorporate appropriate noise attenuation measures;
- (c) Acknowledge and support a higher concentration of entertainment venues in the Core Entertainment Area by ensuring development incorporates noise attenuation measures which respond to external amplified music noise levels which may be permitted under the *Environmental Protection (Noise) Regulations 1997* (as amended), including levels that may not comply with the standard prescribed under regulation 7;
- (d) To provide a Frame Entertainment Area, which acts as a transitional area, by ensuring development incorporates noise attenuation measures which respond to external amplified music noise levels which may be permitted under the *Environmental Protection (Noise) Regulations 1997* (as amended), including levels that may not comply with the standard prescribed under regulation 7.

## **28.4 General Provisions**

### **28.4.1 Noise Attenuation Standards**

- (a) Within the Core Entertainment Area, the noise attenuation standards for entertainment venues and noise sensitive premises shall be based on a nominal external amplified music noise level of  $L_{Leq}$ , 95dB in the 63 Hz octave band and  $L_{Leq}$ , 86 dB in the 125 Hz octave band.
- (b) Within the Frame Entertainment Area, the noise attenuation standards for:
  - i) entertainment venues shall be based on a nominal external amplified music noise level of  $L_{Leq}$ , 79 dB in the 63 Hz octave band and  $L_{Leq}$ , 70 dB in the 125 Hz octave band.
  - ii) noise sensitive premises shall be determined as part of a Transmission Loss Assessment, prepared by a qualified acoustic consultant, which takes into consideration that an external amplified music noise level of up to  $L_{Leq}$ , 95dB in the 63 Hz octave band and  $L_{Leq}$ , 86 dB in the 125 Hz octave band could be received from the adjoining Core Entertainment Area, in addition to any external amplified music noise levels assigned for entertainment venues situated within the Special Control Area.
- (c) Where an application for development approval relates to a noise sensitive premises and/or an entertainment venue, the noise attenuation standards outlined in clauses 28.5 and 28.6 respectively shall be complied with.
- (d) Where an application for development approval relates to a mixed-use development which incorporates noise sensitive premises and/or entertainment venues, the noise attenuation standards for these uses outlined in clauses 28.5 and 28.6 respectively shall be complied with.

- (e) Noise attenuation measures shall not have a significantly detrimental impact on building design, including internal amenity, the interface with the public realm, sustainable design and cultural heritage significance.

#### **28.4.2 Requirement for Development Approval**

- (a) As per clause 61(3) of the Deemed Provisions, an application for development approval within this Special Control Area shall be required for:
  - (i) any works associated with a noise sensitive premise, entertainment venue or mixed-use development (which contains a noise sensitive premise and/ or entertainment venue) excluding works under clause 61(1) (d) of the Deemed Provisions; and
  - (ii) any change of use involving a noise sensitive premises or an entertainment venue which involves a works component.

#### **28.4.3 Plot Ratio**

- (a) For the purpose of this Special Control Area, the definitions of 'plot ratio' and the 'floor area of a building' outlined in Schedule 4 of the City Planning Scheme No.2 (as amended) shall exclude enclosed balconies (whereby the glazing is openable above the balustrade level) required to assist in mitigating noise intrusion.

#### **28.5 Noise Sensitive Premises**

- (a) Noise sensitive premises within the Core Entertainment Area shall be located, designed and constructed so that the Transmission Loss is a minimum of  $L_{Leq}$  48 dB in the 63 Hz octave band and  $L_{Leq}$  45 dB in the 125 Hz octave band.
- (b) Noise sensitive premises within the Frame Entertainment Area shall be located, designed and constructed so that the Transmission Loss is a minimum of  $L_{Leq}$  **32 dB** in the 63 Hz octave band and  $L_{Leq}$  **29 dB** in the 125 Hz octave band, plus any additional Transmission Loss required to achieve a theoretical internal design level of 47 dB in the 63 Hz octave band and  $L_{Leq}$  41 dB in the 125 Hz octave band.
- (c) Where an application for development approval relates to an extension or addition of an existing noise sensitive premises, the relevant noise attenuation standards (depending on the location of the property) shall only apply to any new habitable room(s).
- (d) Transmission Loss Design Report
  - (i) An application for development approval relating to a noise sensitive premises shall include a Transmission Loss Design Report, prepared by a qualified acoustic consultant, in a manner and form approved by the local government.

The Transmission Loss Design Report shall include the details of noise attenuation measures that will be included in the proposed development's design and construction to meet the objectives and provisions of this Special Control Area to the local government's satisfaction.

- ii) Noise sensitive premises shall be designed and constructed in accordance with the attenuation measures detailed in the approved Transmission Loss Design Report, in addition to any other attenuation measures required by the local government.
- (e) Noise sensitive premises shall not be approved where the local government is not satisfied that the development can be acoustically attenuated to meet the required Transmission Loss.
- (f) The local government shall, as a condition of development approval for noise sensitive premises, require a notification pursuant to section 70A of the Transfer of Land Act 1893 to inform prospective owners of the likelihood of higher noise levels.
- (g) Prior to the commencement of development, a qualified acoustic consultant shall certify to the satisfaction of the local government that the building is able to be constructed in accordance with the approved Transmission Loss Design Report.
- (h) At practical completion stage and prior to occupation of the development, a qualified acoustic consultant shall certify to the satisfaction of the local government that all the recommendations of the approved Transmission Loss Design Report have been implemented.

## **28.6 Entertainment Venues**

- a) Appropriate noise mitigation shall primarily be achieved through design and construction methods rather than reliance upon on-going operational management measures.
- (b) Entertainment venues located in the Core Entertainment Area shall be designed and constructed to incorporate noise attenuation measures to ensure that a level of  $L_{Leq} 95$  dB in the 63 Hz octave band and  $L_{Leq} 86$  dB in the 125 Hz octave band is not exceeded at 1 metre from the entertainment venue boundary.
- (c) Entertainment venues located in the Frame Entertainment Area shall be designed and constructed to incorporate noise attenuation measures to ensure that a level of  $L_{Leq} 79$  dB in the 63 Hz octave band and  $L_{Leq} 70$  dB in the 125 Hz octave band is not exceeded at 1 metre from the entertainment venue boundary.
- (d) Acoustic Report
  - (i) An application for development approval relating to an entertainment venue shall include an Acoustic Report, prepared by a qualified acoustic consultant, in a manner and form approved by the local government, detailing existing and



proposed attenuation and mitigation measures to ensure the objectives and provisions of this Special Control Area will be met.

- (ii) Entertainment venues that have potential noise impacts, as identified in the Acoustic Report shall incorporate appropriate design, construction methods, materials and devices to mitigate noise emissions to the satisfaction of the local government.
- (e) Prior to the commencement of development, a qualified acoustic consultant shall certify to the satisfaction of the local government that the building is able to be constructed in accordance with the approved Acoustic Report.
- (f) At practical completion stage and prior to occupation of the development, a qualified acoustic consultant shall certify to the satisfaction of the local government that all the recommendations of the approved Acoustic Report have been implemented.

## DEFINITIONS

**Core Entertainment Area** – means the area designated as such in Figure 28.

**External amplified music noise level** – means the maximum, nominal noise level directly attributable to amplified music emitted by an entertainment venue or multiple entertainment venues.

**Entertainment Venue** – means a tavern, nightclub, small bar, function centre, entertainment complex, theatre, or other such entertainment premises that plays amplified music, either live or pre-recorded, on a regular or periodic basis. This includes both indoor and/or outdoor areas where applicable.

**Entertainment Venue Boundary** - means the perimeter walls or outdoor containment structures, floors, ceiling or roof, that form the horizontal and vertical extent of an entertainment venue, unless the entertainment venue is the sole land use on a lot, in which case its horizontal extent shall be the boundaries of the lot upon which it is located. Where an entertainment venue has no physically defined vertical extent, such as in the case of an outdoor area or roof top venue, its vertical extent shall be 4 metres above the ground or floor level of the venue.

**Frame Entertainment Area** – means the area designated as such in Figure 28.

**Noise Sensitive Premises** –for the purposes of this Special Control Area has the same meaning as defined in the *Environmental Protection (Noise) Regulations 1997* (as amended), however excludes the following: churches, education establishments and day-time childcare facilities. This definition includes Special Residential and Residential uses as defined in Schedule 2 of the Scheme.

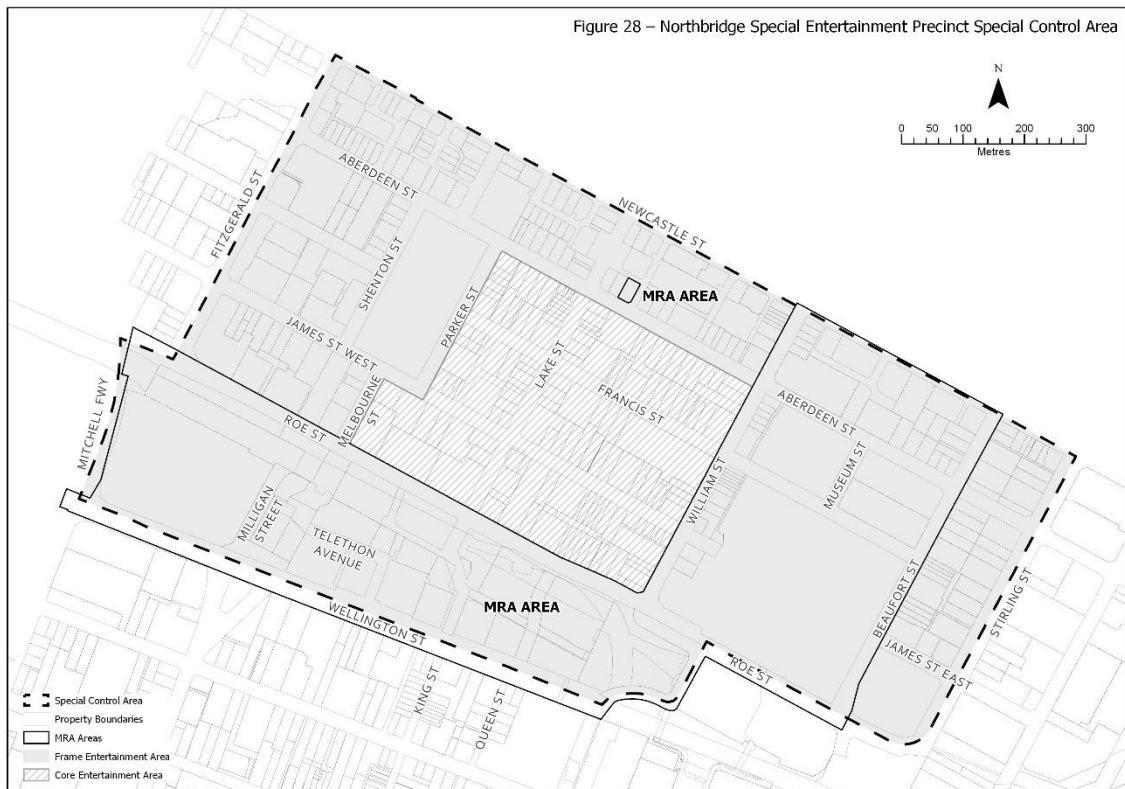
**Receiver** – includes all premises situated within the Special Entertainment Precinct.

**Receiver Facade** – includes the roof and all external walls.

**Special Entertainment Precinct** – means a precinct containing a number of entertainment venues and includes a diverse mix of land uses which contribute to an active night-time economy as referenced in the *'Environmental Protection (Noise) Regulation 1997.'*

**Transmission Loss** – means the noise level reduction provided by a receiver-façade that is required to meet acceptable internal noise levels.

3. Modifying the existing 'Residential' and 'Special Residential' Bonus Plot Ratio Plans to exclude the areas identified in the Core Entertainment Area of the Northbridge Special Entertainment Precinct Special Control Area from being eligible for bonus plot ratio;
4. Modifying the existing 'Residential' and 'Special Residential' Bonus Plot Ratio Plan to exclude the areas identified in the Frame Entertainment Area of the Northbridge Special Entertainment Precinct Special Control Area, situated between Beaufort and Stirling Streets, from being eligible for bonus plot ratio;
5. Modifying P1 Northbridge Use Group Table outlined in Schedule 3 to reclassify Special Residential from a 'Preferred Use' to a 'Contemplated' Use within the Core Entertainment Area of the Northbridge Special Entertainment Precinct Special Control Area;
6. Modifying P3 Stirling Use Group Table outlined in Schedule 3 to reclassify Special Residential Use from a 'Preferred' Use to a 'Contemplated' Uses within the Frame Entertainment Area of the Northbridge Special Entertainment Precinct Special Control Area situated between Beaufort and Stirling Streets;
7. Deleting Clause 39 (s) and Schedule 8 – Special Control Area 19 relating to 2-6 (Lot) Parker Street and renumber accordingly;
8. Amending the City Centre (CC) Precinct Plan Map (P1 to 8) accordingly; and
9. Inserting Figure 28 - Northbridge Special Entertainment Precinct Special Control Areas into Schedule 8 – Special Control Areas of the Scheme.



**Figure 28 –Northbridge Special Entertainment Precinct Special Control Area**

The amendment is complex under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reason:

- The amendment will have an impact that is significant relative to development in the locality.

Dated this xx<sup>th</sup> day of xxxx 2019

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

## **SCHEME AMENDMENT REPORT**

### **1.0 INTRODUCTION**

The purpose of this proposed amendment to City Planning Scheme No. 2 (CPS2) is to introduce a Special Control Area (SCA) to create a Special Entertainment Precinct in Northbridge. The intent of the SCA is to ensure that the proposed Northbridge Special Entertainment Precinct remains one of the State's premier entertainment areas through the application of higher sound attenuation standards to development.

The proposed SCA over the subject area is part of a suite of the State Government's planning and environmental regulatory reforms which aim to:

- provide clear and consistent development guidance for designated Special Entertainment Precincts;
- establish a framework that reduces potential land use conflicts between noise sensitive receivers and entertainment venues through the application of relevant planning considerations; and
- provide an increased level of assurance for entertainment venues by establishing a framework to achieve operational certainty.

### **2.0 BACKGROUND**

Northbridge is one of the State's premier entertainment districts servicing the Perth metropolitan region and is characterised by a concentration of entertainment venues including night clubs and bars and Perth Arena, as well as cafés and restaurants. It is also a hub for cultural facilities such as the State Theatre Centre, Museum and Art Gallery. It is a vibrant mixed-use locality that contributes significantly to Perth's social and cultural scene, as well as its economic prosperity.

Entertainment venues which play live and/or amplified music in Northbridge have historically operated relatively unfettered at higher noise levels than those prescribed under the State Government's *'Environmental (Noise) Regulations 1997'* (Noise Regulations), given the low number of noise sensitive uses such as such residential and short stay accommodation situated within the area. However, the growth of noise sensitive uses in Northbridge over the last decade has resulted in uncertainty for entertainment venue operators, due to the potential for complaints under the Noise Regulations.

Further details of the contribution that the Northbridge Special Entertainment Precinct makes to the economy as well as issues with the Noise Regulations are outlined below.

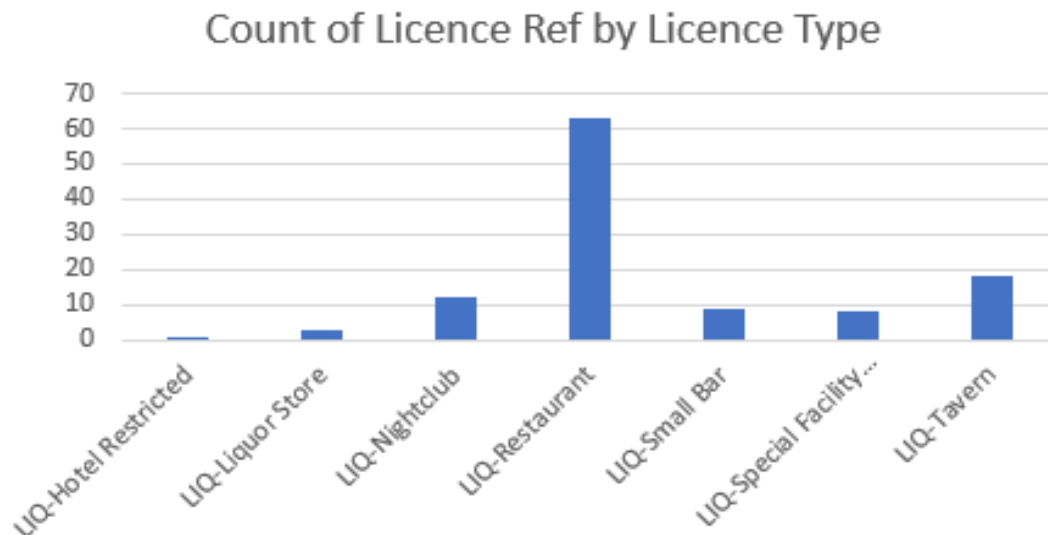
#### **2.1 Economic Contribution**

Northbridge plays a significant economic and cultural role with its concentration of entertainment venues as well as cultural facilities. Collectively, this blend of land uses has created the largest cultural and entertainment precinct in WA.



Northbridge accommodates over 100 licensed premises of which about half currently host, or have the capacity to host, music events. **Figure 1** below indicates the overall number of liquor licences and types of licences by location.

**Figure 1 – Overall number and types of liquor licence for Northbridge (source DRGL, 2018-2019)**



The contribution of entertainment uses must be considered in the broader context of the night time economy (NTE) which is drink, entertainment and food. This is necessary because of the complementary linkages that exist between the uses.

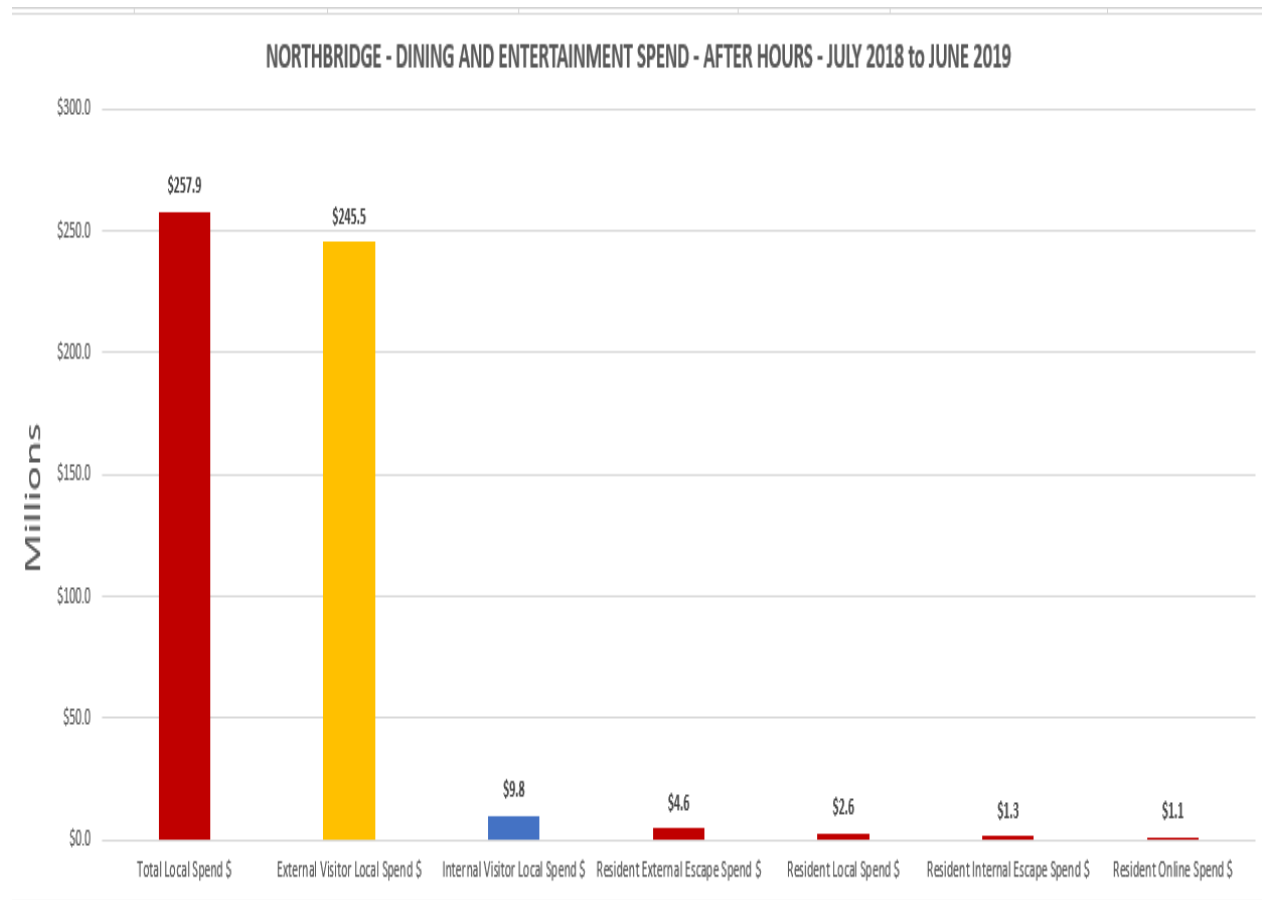
An economic analysis of the proposed Northbridge Special Entertainment Precinct undertaken by Lucid Economics in 2018 on behalf of Tourism WA, demonstrated that the value of tourism generated within the precinct equated to \$174 million in Gross State Product and approximately 1,600 jobs (both directly and indirectly). The report stated that late night activity (10pm – 4am) is responsible for 40% of total activity in the precinct, generating \$70 million in Gross State Product and supporting 639 jobs (both directly and indirectly).

The report also found that Northbridge:

- represented 15% of the City of Perth's total accommodation and food service sector turnover
- represented 18% of the City of Perth's total employment in accommodation and food services
- represented 23% of the City of Perth's visitation (over 27% of the City's day trip visitors)
- represented 16% of the City of Perth's visitor expenditure
- was the 3<sup>rd</sup> most visited precinct within the City of Perth
- was the City of Perth's most vibrant precinct (as perceived by West Australians)

**Figure 2** below provides an overview of after hours spending on dining and entertainment within the Northbridge Precinct for the 2018-2019 financial year.

**Figure 2 – Northbridge - Dining and Entertainment Spend – After Hours – (source Spend Map, 2018-2019)**



Data provided by Spend Map indicated that overall after hour spending on dining and entertainment within the Northbridge Precinct for the 2018-2019 financial year was \$257.9 million of which External visitors (coming from outside of the City Perth) contributed a total of \$245.5 million.

It is estimated that in 2017 the precinct attracted approximately 916,000 visitors. The Lucid Economics 2018 report suggested that with recent and planned investments (Perth Arena, Perth City Link, Perth Stadium, New Museum for WA, hotels and other tourism infrastructure) the importance of Northbridge as a precinct will continue to grow. In 2026, tourism in Northbridge is expected to equate to \$273 million in Gross State Product and 2,500 jobs, which is an increase of 57% over 2017 figures.

A report prepared by the Department of Culture and the Arts on Live Music Venues review in July 2015 stated that there are some potential barriers to continual growth in live music due to the impact of residential infill, in addition to rising venue establishment costs and potential increase in rents in successful precincts.

## **2.2 Issues with Environmental Protection (Noise) Regulations 1997**

The primary instruments for noise regulation in the State are the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations).

The Noise Regulations set legally enforceable assigned (or allowable) levels for noise emitted from a premises or venue at the point of a sensitive receiver. The assigned levels (which are defined as outdoor levels) vary according to the type of premises receiving the noise and the time of day the noise is received. Higher levels of protection are afforded to the most sensitive premises, classed as 'noise-sensitive'. Premises classified as noise-sensitive include residential accommodation, small hospitals, schools, aged care facilities and short-term accommodation.

Given the high density of entertainment venues in Northbridge cumulative emissions may arise which impact on nearby noise sensitive premises. While entertainment venues are also located in other areas of the city, the density of venues contributing to noise emissions is more pronounced in Northbridge.

Noise emissions in Northbridge have only become an issue since the growth of noise sensitive uses in the area. This is due to the Noise Regulations only being enforced when a noise complaint is received.

City of Perth data on complaints about Northbridge entertainment noise suggest that complaints fluctuate from year to year. Between 2012 and 2017, the annual level of complaints about music noise varied from 10 to 45 (of which between 7 to 20 relate to established music venues).

**Table 1** below highlights that the City has received four complaints regarding amplified music from venues within Northbridge during the 2018-2019 financial year, with some of these being in relation to a pop up bar site. It should be noted however that the City is currently investigating a noise complaint from a resident residing in a recently constructed residential premises on Stirling Street concerning the current external amplified music levels.

**Table 1 – Northbridge Noise Complaints 2018-2019 Financial Year**

**2018-2019**

Suburb	NORTHBRIDGE
Row Labels	Count of Request Type Description
Air Conditioners Noise	1
Noise Complaint Amplified Music	4
NOISE COMPLAINTS	18
Noise Complaints Building/Construction	1
Noise Incident	3
<b>Grand Total</b>	<b>27</b>

It is understood that consultation undertaken by the Department of Local Government, Sport and Cultural Industries (DLGSC) in 2018 with live music venue operators indicated that *'compliance with environmental and Liquor Licensing regulation coupled with the upsurge of residential infill is placing a burden on venue operators'*. Established entertainment venues are aware of regulatory requirements and the constraints these could impose on their ongoing operation, regardless of whether they are actively receiving complaints from nearby residents.

The City along with other local governments across the State is responsible for administering the Noise Regulations. For the City, and several other local governments, it has become increasingly difficult to administer some aspects of the Noise Regulations.

The issue is predominantly the result of the Noise Regulations applying one set of noise standards across the whole State, with a presumption of separation between land uses. This separation is not present in Northbridge where there is a concentration of entertainment venues that play live and/or amplified music co-existing with residential developments.

Other complications in the application and enforcement of the Noise Regulations include:

- The current Noise Regulations requires noise-emitting venues to comply with the assigned outdoor and indoor noise levels for noise-sensitive premises. It is however often difficult for noise emitting venues to comply with the outdoor noise levels which apply at the noise sensitive development (i.e. balconies, patios or alfresco areas) within entertainment areas. This is due to the external ambient noise levels (such as traffic, patrons noise, in addition to music which spills out into the street) being higher than those prescribed in the Noise Regulations. Accordingly, at various times of the day/night throughout the week and weekend, there are areas across Northbridge that do not comply with the Noise Regulations.
- The Noise Regulations are intended to become more stringent as the night progresses to suit a typical noise environment where noise levels would reduce from evening to night. For example, the external assigned level of 55/50/45dB (A) in the Noise Regulations would typically apply to entertainment noise at noise sensitive premises situated within the SCA, varying depending on the time of day and day of the week. The most stringent assigned level would typically be 45dB(A), which would apply after 10:00pm at night<sup>1</sup>. The reverse, however, occurs in Northbridge on a Friday, Saturday and Sunday night. The noise levels increase at night particularly between 11pm and 1am on Friday and Saturday nights/Sunday morning.
- Additionally, where noise is measured inside a building, adjustments of either 10dB or 15 dB apply to the measured levels, depending on whether the windows and doors to the building are open or shut. So, for a typical residential building within the SCA, the internal assigned noise levels would need to be 30-35 dB(A) at night (after 10pm) to comply with the Noise Regulations.<sup>2</sup>
- The Noise Regulations do not provide certainty for entertainment venues as the noise levels that they must comply with are determined at each noise receiver and compliance should be achieved at each receiver. As a result, the allowable noise levels for entertainment venues change as new noise sensitive development occurs in the area. Additionally, only the noise emitter is responsible to ameliorating noise impacts.
- The current assigned levels under the Noise Regulations are A weighted, which attempt to reflect human hearing, but are not sensitive to low frequency noise, such as that emitted by amplified music. Alternatives are available that provide a better relationship to bass related noise complaint/intrusion.
- During the investigation and measurement of a noise complaint, determining the entertainment venue that is causing the annoyance is often difficult to isolate and confirm. This is because other similar venues are operating simultaneously and identifying

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<sup>1</sup> Lloyd George Acoustics - Northbridge Entertainment Precinct Noise Study September 2012

<sup>2</sup> Lloyd George Acoustics Northbridge Entertainment Precinct Noise Study September 2012



the offending venue requires sophisticated methods of analysis. It is further exacerbated with measurements required to be undertaken at the noise sensitive receiver.

The complications above make measuring, analysing and enforcing the Noise Regulations, in relation to entertainment venues in Northbridge, as well as in other mixed-use areas difficult.

Whilst the City receives a limited number of complaints about amplified music from entertainment venues in Northbridge, the complexities and resources required to resolve the issues are a burden on the City.

### **2.3 State Government and City Coordinated Approach**

To help maintain the unique character of Northbridge as one of the State's premier entertainment precincts the City has over the last decade strongly advocated for noise management reform including changes to the Noise Regulations to provide for a higher degree of certainty for entertainment venues within Northbridge.

In September 2018, the Department of Planning, Lands and Heritage (DPLH) and the Department of Water and Environmental Regulation (DWER) released a Discussion Paper 'Planning for Entertainment Noise in the Northbridge Area' to consult on the establishment of an entertainment precinct in Northbridge. The Discussion Paper proposed a package of planning and environmental reforms, including possible changes to the Noise Regulations, to achieve the State Government's commitment to supporting the performing arts sector and night time economy in Western Australia. This included the application of the 'agent of change' principle, whereby any new entertainment venues or residential developments would be responsible for the protection of noise sensitive receivers from excessive noise. The Discussion Paper also identified a potential boundary for the entertainment precinct.

It is understood that a number of submissions received during public consultation period suggested that the proposed 'agent of change' approach may not provide the level of certainty being sought by entertainment venue operators and that it may be difficult to implement and ensure compliance.

In response, the State Government in consultation with the City is now proposing an alternative approach to noise management in Northbridge as outlined below in **section 6.0**.

### **3.0 SUBJECT AREA**

The proposed SCA comprises land bound by Newcastle Street to the north, Stirling Street to the east, Wellington Street to the south and Fitzgerald Street to the west, and comprises a Core Entertainment Area and Frame Entertainment Area as shown on **Figure 28** of the Scheme Amendment. It will not apply however to those areas under the planning control of the Metropolitan Redevelopment Authority (MRA) (now known as 'Development WA' as the MRA and LandCorp have recently merged).

#### **Current and Surrounding Land Uses**

The proposed SCA Northbridge is a diverse and dynamic inner-city area that is characterised by a robust cultural, entertainment and night time economy. A concentration of entertainment uses is situated east of Russell Square, with residential uses largely concentrated west of Russell Square and in the northern portion of the proposed SCA towards Newcastle Street. Short stay

accommodation, in addition to a variety of commercial development is spread throughout the SCA. A variety of mixed-retail offerings are provided along William and James Streets.

The built form within the proposed SCA is somewhat informed by its function as one of the State's primary entertainment and cultural precincts. The area contains predominately low to medium scale development, with some recent larger-scale development interspersed in certain locations. There are a number of places and areas of cultural heritage significance situated within the proposed SCA including the City's William Street Heritage Area, MRA's William Street Conservation Precinct and along Aberdeen Street.

Over 40% of the SCA accommodates the Perth City Link (PCL) and the Perth Cultural Centre which are under the MRA's planning authority.

The Perth Cultural Centre is situated within the eastern portion of the SCA and incorporates a mix of fine-grain low scale heritage buildings (accommodated within the MRA's William Street Conservation Precinct) through to medium-scale cultural administrative and education buildings such as the Art Gallery of WA, the State Library of WA, North Metro TAFE campus, the Perth Theatre Centre and the new Museum (under construction).

PCL situated in the southern portion of the SCA is being delivered in stages by the State Government and private sector. Major elements which have been completed include the new Perth Arena; rail and bus works, the first four mixed use commercial buildings within the Kings Square precinct, as well as Wellington Gardens.

Yagan Square is also a major component of the PCL. It is situated between the central Perth Train Station, the heritage listed Horseshoe Bridge and the underground Perth Busport in the eastern part of PCL. It provides a range of entertainment/cultural experiences in addition to a variety of food and beverage offerings.

**Table 2** below indicates the property types and numbers within the Proposed Core Entertainment Area.

**Table 2 – Property details within the Proposed Core Entertainment Area**

<b>Property Type</b>	<b>Number of Properties</b>
Residential	149 properties (all strata lots except for one freehold lot)
Special Residential	7 properties accommodating a range of short stay accommodation from a hotel to a lodging house.
Entertainment Venues (excluding restaurants and cafes)	Approximately 40
Total (including commercial, retail, residential and special residential etc.)	331 properties (predominantly strata lots)

**Table 3** below indicates the property types and numbers within the Proposed Frame Entertainment Area.

**Table 3 – Property details within the Proposed Frame Entertainment Area**

Property Type	Number of Properties
Residential	609 properties
Special Residential	12 properties accommodating a range of short stay accommodation including purpose built student accommodation, serviced apartments, a hotel and lodging houses.
Entertainment Venues (excluding restaurants and cafes)	Approximately 20
Total excluding the MRA Areas (including commercial, retail, residential and special residential etc.)	791 properties (predominantly strata lots)
Total within the MRA Areas (including commercial, retail, residential and special residential etc.)	179 properties

A number of properties within the proposed SCA are owned by State Government agencies including the Housing Authority and Development WA.

The land uses within the areas surrounding the SCA are generally mixed use in nature. It should be noted that the area to the north of the SCA is situated within the City of Vincent

#### **4.0 STATE & REGIONAL PLANNING CONTEXT**

##### **4.1 Perth and Peel @ 3.5 Million and Central Sub-Regional Planning Frameworks**

These planning frameworks estimate that the Perth and Peel regions' population will increase by 1.5 million by 2050 and recognise that continued urban sprawl is placing unsustainable pressure on the environment, resources, infrastructure and amenity.

The strategic land use planning and infrastructure framework seeks to guide:

- where future homes and jobs should be located;
- how to protect important environmental assets;
- how to best utilise existing and proposed infrastructure; and
- appropriate areas for greater infill development and residential density.

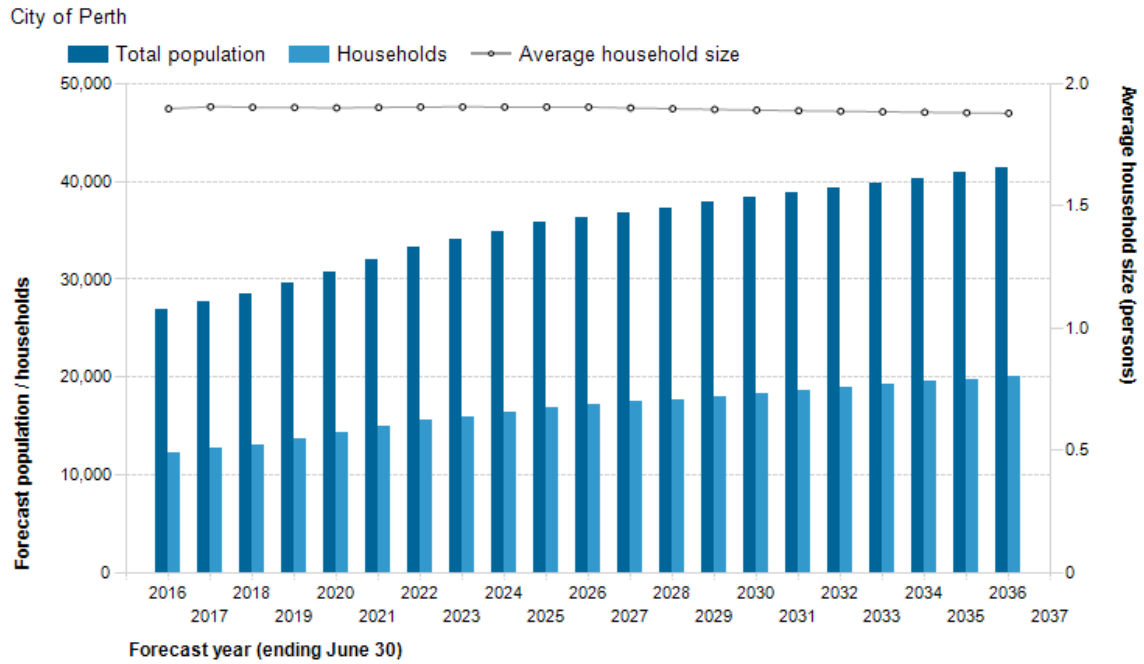
The '*Central Sub-Regional Planning Framework*' identified the following targets:

- additional 215,000 infill dwellings and 780,000 new jobs within Central Sub-Region by 2050.
- 16,000 additional infill dwellings within the City of Perth by 2031.

The residential population for Perth city is currently forecast (based on business as usual) to be 41,341 by 2036, of which 3,748 will be within Northbridge.

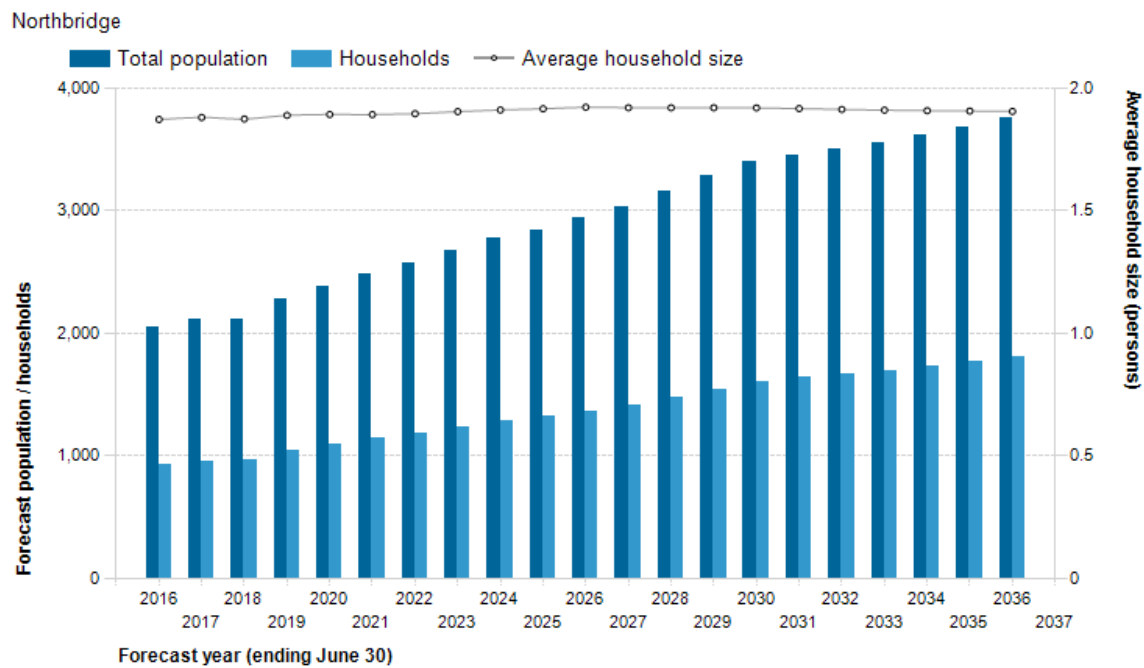
The graphs below provide a detailed breakdown of these forecasts and also indicate that Perth city is forecast to accommodate 25,468 dwellings by 2036, of which 2,262 will be within Northbridge.<sup>3</sup>

**Figure 3 – Forecast residential population for the City of Perth**



Source::Population and household forecast, 2016 to 2036, prepared by .id Consulting, March 2019

**Figure 4 – Forecast residential population for Northbridge**



Source: Population and household forecast, 2016 to 2036, prepared by .id +Consulting, March 2019

<sup>3</sup> .id Consulting, March 2019



PCL when complete is also anticipated to feature:

- 1,650 apartments, providing living space for 3,000 residents;
- 244,000sqm of commercial space for offices, shops and more, creating space for 13,500 workers; and
- 250 hotel rooms and 350 short-stay apartments.

Accordingly, proposed planning and environmental regulatory reforms will be required to assist in managing conflict between entertainment venues and noise-sensitive land uses to ensure vibrant, liveable and successful communities.

It is considered that the proposed SCA and amendments to the City's City Planning Scheme No. 2(CPS2) will assist to manage potential land use conflict within the proposed SCA without compromising the City's ability to achieve its housing infill targets outlined in the State Government's *'Central Sub-Regional Planning Framework'*.

#### **4.2 State Planning Policy 4.2 Activity Centres for Perth and Peel (SPP 4.2)**

State Planning Policy 4.2 sets out broad planning requirements for the development of new activity centres and the redevelopment and renewal of existing centres. SPP 4.2 objectives include the following:

- Ensure activity centres provide sufficient development intensity and land use mix to support high frequency public transport.
- Plan activity centres to support a wide range of retail and commercial premises and promote a competitive retail and commercial market.
- Increase the range of employment in activity centres and contribute to the achievement of sub-regional employment self-sufficiency targets.
- Increase the density and diversity of housing in and around activity centres to improve land efficiency, housing variety and support centre facilities

The SPP identifies the Capital City Activity Centre as including the City's suburbs of Northbridge, Perth, West and East Perth.

Further consideration of land use permissibilities is discussed in **section 8** of this report to ensure a vibrant inner- city area.

#### **4.3 State Planning Policy 7.3 Apartment Design (SPP 7.3)**

This policy provides apartment design guidance to minimise the impacts of noise using apartment siting and layout, and construction techniques for noise attenuation, to deliver broad economic, environmental, social and cultural benefits.

New development within the proposed SCA will need to accord with the SPP7.3 policy provisions.

#### **4.4 State Planning Policy 5.4 – Road and Rail (SSP 5.4) – September 2019**

The objectives of this policy are to:

- Protect the community from unreasonable levels of transport noise;
- Protect strategic and other significant freight transport corridors from incompatible urban encroachment;
- Ensure transport infrastructure and land use can mutually exist within urban corridors;
- Ensure that noise impacts are addressed as early as possible in the planning process; and
- Encourage best practice noise mitigation design and construction standards.

This policy has application in the southern portion of the SCA due to the railway that traverses this area. The policy sets out the assigned noise targets to be measured from the façade of the proposed building and also provides an assigned indoor level for noise sensitive premises similar to the current approach under the Noise Regulations.

#### **4.5 Metropolitan Region Scheme**

The Metropolitan Region Scheme (MRS) only applies to the portions of the SCA under the City's planning control. These portions of the SCA are primarily zoned 'Central City Area' under the MRS with the exception of Russell Square which is reserved for 'Parks and Recreation'.

### **5.0 LOCAL PLANNING CONTEXT**

The local planning framework for the proposed SCA is complex as it deals with two planning authorities namely the City of Perth and the MRA and their associated planning schemes and policies.

#### **5.1 City of Perth Act 2016**

The *City of Perth Act* (Act) came into effect on 1 July 2016. The objects of the *City of Perth Act 2016* relevant to the planning and management of noise are outlined below:

*'4. (a) to recognise, promote and enhance:*

*(i) the special social, economic, cultural, environmental and civic role that the City of Perth plays because Perth is the capital of Western Australia; and*

*(ii) the important role that the City of Perth plays in representing the broader Perth area and the State of Western Australia on both a national and international level;'*

Clause 8 of the Act outlines further objectives namely:

- *'to initiate and promote the continued growth and environmentally sustainable development of the City of Perth and ensure its continued role as a thriving centre of business with vibrant cultural and entertainment precincts, while enhancing and protecting its natural environment and having due regard to the flow-on impact on the Perth metropolitan area;*
- *to maintain and strengthen the local, national and international reputation of the Perth metropolitan area as an innovative, sustainable and vibrant global city that attracts and welcomes everyone;*

- *to nurture and support the initiatives and innovations of the diverse precincts of the City of Perth;*
- *to develop and maintain collaborative inter-governmental relationships at regional, State, national and international levels with a view to developing and implementing strategies for the continued improvement of the City of Perth;'*

It is considered that the proposed SCA will assist to facilitate the role of the City as an 'innovative, sustainable and a vibrant global city' with 'cultural and entertainment precincts'.

## **5.2 Draft City Planning Strategy**

The City has prepared a draft City Planning Strategy (the Strategy) to guide growth and development across the Perth city for the next 10-15 years. The draft Strategy will inform the preparation of the new City Planning Scheme No. 3, which will replace the current CPS2. The City is currently reviewing submissions received on the draft Strategy from preliminary community consultation that was recently undertaken.

The draft Strategy identifies the need to mitigate land-use conflict through appropriate planning controls in order to protect neighbourhood identity. In the Northbridge neighbourhood, key actions have been identified for the City to work with State Government, landowners and entertainment venue operators in the designation of the Northbridge Entertainment Area boundary and the implementation of associated planning and environmental reforms.

The draft Strategy reiterates the vision for Northbridge as follows:

*'Northbridge is the entertainment capital of Perth, attracting people from across the metropolitan area and beyond. They are drawn to its lively and gritty nightlife, combined with its diverse food scene.'*

*Northbridge is also the hub of a vibrant culture and arts scene, supported by the residential creatives that call this neighbourhood home. There is a true sense of community in this inner-city neighbourhood'.*

The draft Strategy also refers specifically to the proposed Northbridge Entertainment Precinct and states the need to *'support and protect Northbridge as the primary entertainment centre and a place of culture, art and creative industries and protect it from non-complementary land uses'*. The draft Strategy states that the primary land use focus in this area should be entertainment, creative and cultural industries, food and beverage, small business and not-for-profit as outlined in **Figure 5**.

The draft Strategy identifies Russell Square and the areas surrounding the Square, as well as the area of the SCA to the east of the Perth Cultural Centre (identified as 'Northbridge East') as investigation areas.

The Russell Square investigation area primarily deals with establishing a master plan to enhance the Square and the activation of land surrounding the Square.

The 'Northbridge East' investigation area covers the majority of CPS2 Precinct 3 (Stirling) and includes the area of land between Beaufort and Stirling Street. It is also identified as a growth area and as such the draft Strategy states that *'more detailed planning and investment is required in the area to ensure new residents are provided with the services and amenities required to*

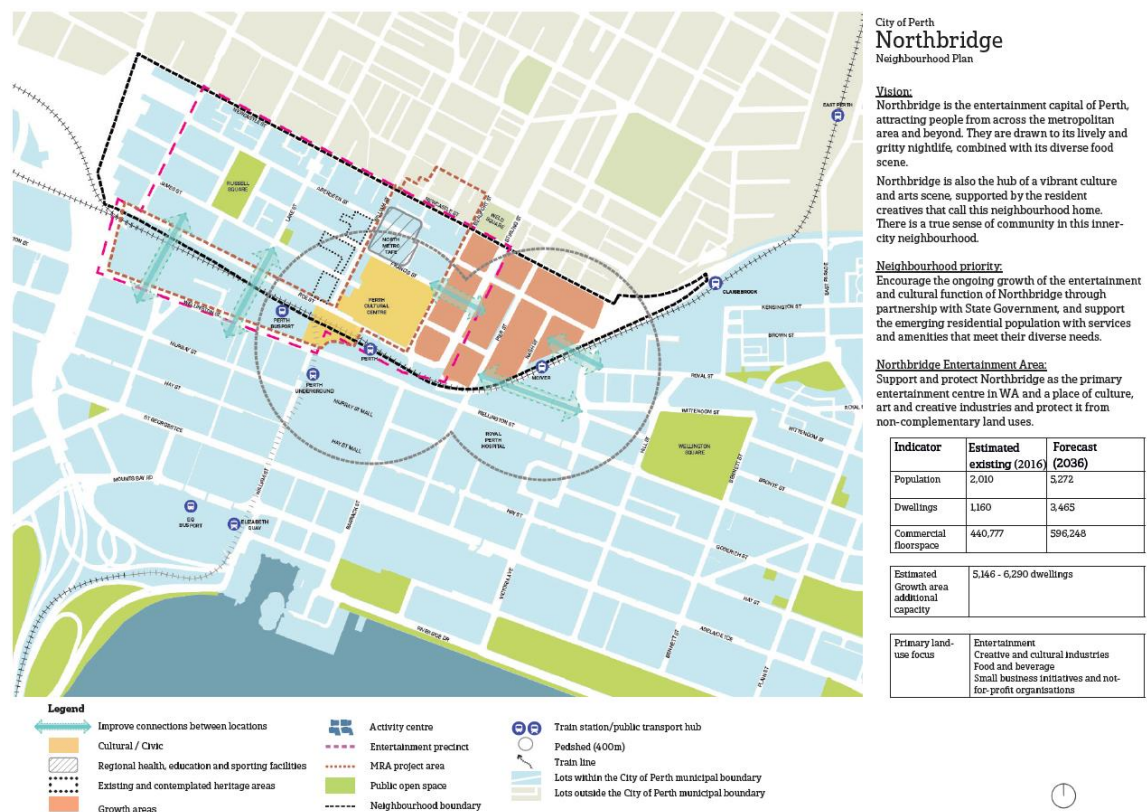
support their needs.’ It states that growth should be coordinated and a future plan for the neighbourhood must consider a number of matters including the following:

- New community and live-local land uses being required to support the growing residential population;
- Impacts of noise and appropriate built form controls to respond to the impacts of the Northbridge Entertainment Area.

Under the draft Strategy, the Perth Cultural Centre is identified as a ‘Cultural and Civic Spine’ investigation area to guide the investigation of land between the Perth Cultural Centre and the Perth Concert Hall to better connect a number of key destinations.

Further consideration of the above matters is discussed in detail in section 8.0 of the report.

**Figure 5 – Draft Northbridge Neighbourhood Plan<sup>4</sup>**



## 5.3 City Planning Scheme No. 2

### 5.3.1 Scheme Use Area and Precinct Plans

The CPS 2 applies to the portions of the SCA under the City’s planning control. CPS 2 divides the Scheme Area up into a number of Scheme Use Areas as well as Precincts.

These portions of the SCA are primarily included in the ‘City Centre’ Scheme Use Area under the CPS2 with the exception of the northern portion of the SCA, situated between Newcastle, Fitzgerald, William and Aberdeen Streets, which is included in the Normalised Redevelopment

<sup>4</sup> City of Perth’s - Draft City Planning Strategy 2019



Area and also contained within the City's Local Planning Scheme No. 26 (Normalised Redevelopment Areas).

The 'Northbridge Precinct' (P1) under the CPS2 covers a significant portion of the SCA. The intent of the 'Northbridge Precinct' is to:

*"continue to evolve as a diverse, interesting and dynamic inner-city precinct and will be promoted as an attractive destination for the local population and interstate and overseas visitors. This Precinct will remain Perth's primary entertainment and night life area and provide a variety of residential and visitor accommodation and commercial services. It will be a unique area in terms of uses and character and the social and cultural diversity that clearly distinguishes the Precinct will be fostered."*

The CPS2 Precinct Plan for Northbridge states:

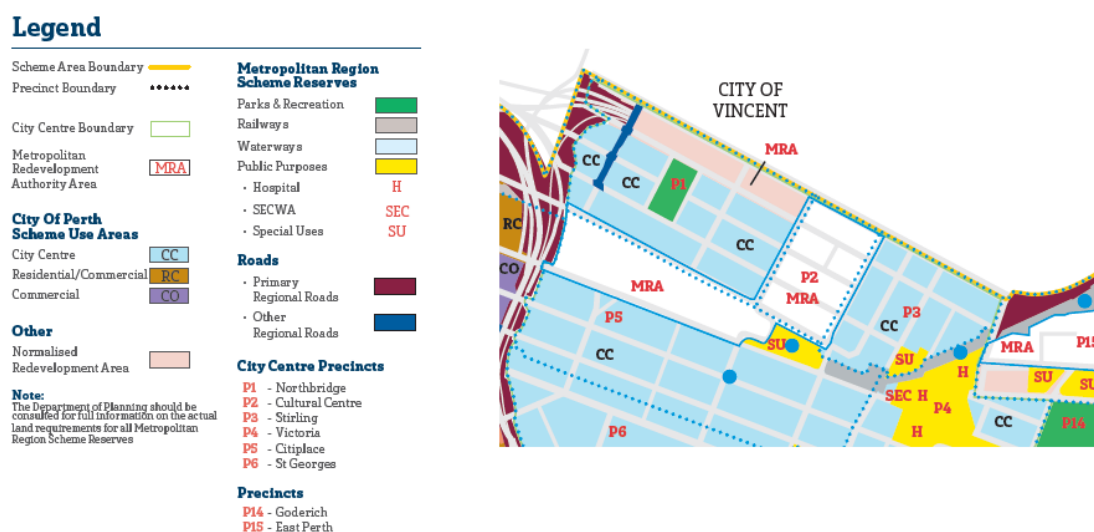
*'East of Russell Square, entertainment activities will predominate. However, a rich mix of other commercial uses, including short stay accommodation such as hotels and serviced apartments will be encouraged. The remainder of the Precinct, generally west of Russell Square, will have a residential emphasis, accommodating a variety of residential dwellings, visitor accommodation and other compatible non-residential uses'.*

A smaller portion of the SCA (situated between Beaufort and Stirling Streets) is captured within 'Stirling Precinct (P3) under the CPS2. The intent of this Precinct is to:

*'develop as an office, mixed commercial and residential area taking advantage of good access to public transport and close proximity to retail and entertainment areas. The section of the Precinct between Beaufort and Stirling Streets will consolidate as a secondary office area for the city centre, with residential uses and visitor accommodation also encouraged throughout the precinct. Offices and commercial uses such as showrooms, shops and educational activities, which add life and interest to the street, are appropriate along Stirling Street. Restaurants (including cafes), specialised retail and service activities, along with residential uses at upper levels are encouraged to locate along Beaufort Street.'*

An extract of the CPS2 Scheme Use Area map is provided below.

Figure 6 – Extract of the City Planning Scheme No.2-Scheme Map



### 5.3.2 CPS2 Land Use Permissibility

The land use permissibilities within the Northbridge Precinct reflect the intent set out in the Precinct Plan and show a distinction between east and west of Russell Square. East of Russell Square, Entertainment use is a 'Preferred' use while Residential use is a 'Contemplated' use. West of Russell Square, the opposite applies whereby Entertainment use is a 'Contemplated' use while Residential is a 'Preferred' use as outlined in **Table 4** below. Special Residential<sup>5</sup> is a 'Preferred' use throughout the proposed SCA.

**Table 4 – CPS2 - Schedule 3 Use Group Table– P1 Northbridge (cc)**

Use Group	Use Symbol	
	East of Russell Square	West of Russell Square
Business Services	P	C
Civic	C	C
Community and Cultural	P	P
Dining	P	P
Education 1	C	C
Education 2	C	C
Entertainment	P	C
Healthcare 1	C	C
Healthcare 2	C	C
Home Occupation	C	P
Industry - Light	X	X
Industry - Service	C	C

<sup>5</sup> Special Residential is defined in Schedule 2 of CPS2 as meaning - premises providing short-term, temporary or specialised residential accommodation including: lodging house, hotel, serviced apartment.

Industry - Cottage	C	C
Mixed Commercial	C	C
Office	C	C
Recreation and Leisure	P	C
Residential	C/X(1)	P/X(2)
Retail (Central)	C	X
Retail (General)	P	C
Retail (Local)	P	P
Special Residential	P/X(3)	P/X(4)
Storage	C	C

Notes:

X(1) – Means the use is prohibited where it fronts the street at pedestrian level.

X(2) - Means for lots with frontage to Roe Street, Fitzgerald Street or which are located west of Fitzgerald Street the use is prohibited where it fronts the street at pedestrian level.

X(3) - Means the use is prohibited where it fronts the street at pedestrian level unless it provides pedestrian interest and activity.

X(4)-Means for lots with frontage to Roe Street, Fitzgerald Street or which are located west of Fitzgerald Street the use is prohibited where it fronts the street at pedestrian level unless it provides pedestrian interest and activity.

The Northbridge Precinct Plan also provides the following guidance with respect to land use.

- (a) *‘East of Milligan, Shenton and Palmerston Streets entertainment activities such as restaurants, cafes, nightclubs and theatres will remain prevalent; an ample mix of other uses such as shops, small offices, showrooms, small-scale service industry, community activities and visitor accommodation will be encouraged.*
- (b) *West of Milligan, Parker and Palmerston Streets a greater residential component, accommodating a variety of residential and visitor accommodation and other compatible non-residential uses, including small local shops, community facilities, recreational uses, restaurants, coffee shops, medical consulting rooms, service industries and small showrooms and workshops will be supported.*

Within the Stirling Precinct (P3) – Residential and Entertainment Uses are both ‘Contemplated’ Uses, whilst Special Residential is a ‘Preferred’ Use.

Due to higher external amplified music levels proposed within the Core and Frame Entertainment Areas outlined in the report, a number of changes are proposed to the land use permissibilities to minimise any further land use conflicts and amenity impacts between entertainment venues and noise sensitive uses. This is discussed in further detail in **section 8** of the report.

### 5.3.3 CPS 2 Special Control Areas

Within the proposed SCA, three Special Control Areas exist under CPS 2 over a number of individual development sites, namely:

- Special Control Area No.15 - 92-120 Roe Street;
- Special Control Area No. 18 - 30 Beaufort Street; and
- Special Control Area No.19 - 2-6 (Lot 40) Parker Street.

SCA No. 15 and No. 18 relate primarily to car parking and plot ratio calculations although SCA No. 15 also provides guidance in relation to built form. They are not considered to significantly be affected by the proposed SCA under this Scheme Amendment.

SCA No. 19 relating to 2-6 (Lot 40) Parker Street Special Control Area however includes the following objectives:

- *To enable the development of Special Residential land uses through bonus plot ratio.*
- *To ensure that any development resulting from the granting of Special Residential bonus plot ratio exhibits design excellence and positively contributes to the architectural and urban design quality and character of Northbridge.*
- *To provide for the revitalisation of a unique site within Northbridge.*

It incorporates a clause which allows the local government to permit a bonus plot ratio of up to a maximum of 20% per lot where the development incorporates a new Special Residential use.

There is also provision to require development to incorporate appropriate noise attenuation measures with an aim to significantly reduce low frequency noise within the sleeping areas. Consideration is also required to be given to the location of sleeping areas and the types of glazing, door and window casings, wall and ceiling materials as well as insulation.

This Scheme Amendment is looking to remove the eligibility for Special Residential and Residential bonuses within the proposed Core Entertainment Area which has implications for the above SCA and is discussed in further detail in **section 8** of the report.

## 5.4 **Local Planning Scheme No. 26 (Normalised Redevelopment Areas)**

As outlined above, a portion of the SCA (north of Aberdeen Street) is contained within the City's Local Planning Scheme No. 26 (Normalised Redevelopment Areas) (LPS26). This Scheme provides planning provisions for the 'normalised' redevelopment areas with the administrative power to determine applications being provided by the CPS2. It details the requirements for development in the New Northbridge Project Area. This minor local planning scheme is complementary to CPS2.

The Vision for the New Northbridge Project Area is:

*'New Northbridge will develop as a vibrant, cosmopolitan community that builds on the rich history and unique atmosphere of Northbridge. The area will exemplify the Scheme Principles, with unique, people-focused design, true diversity and connections with the city centre to the south and inner suburbs to the north. The area will incorporate adaptive reuse of heritage buildings with a mix of residential, office and educational development, as well as retail and entertainment activities, which will develop as an exciting yet natural extension of the existing mixed land use distinct of Northbridge.'*



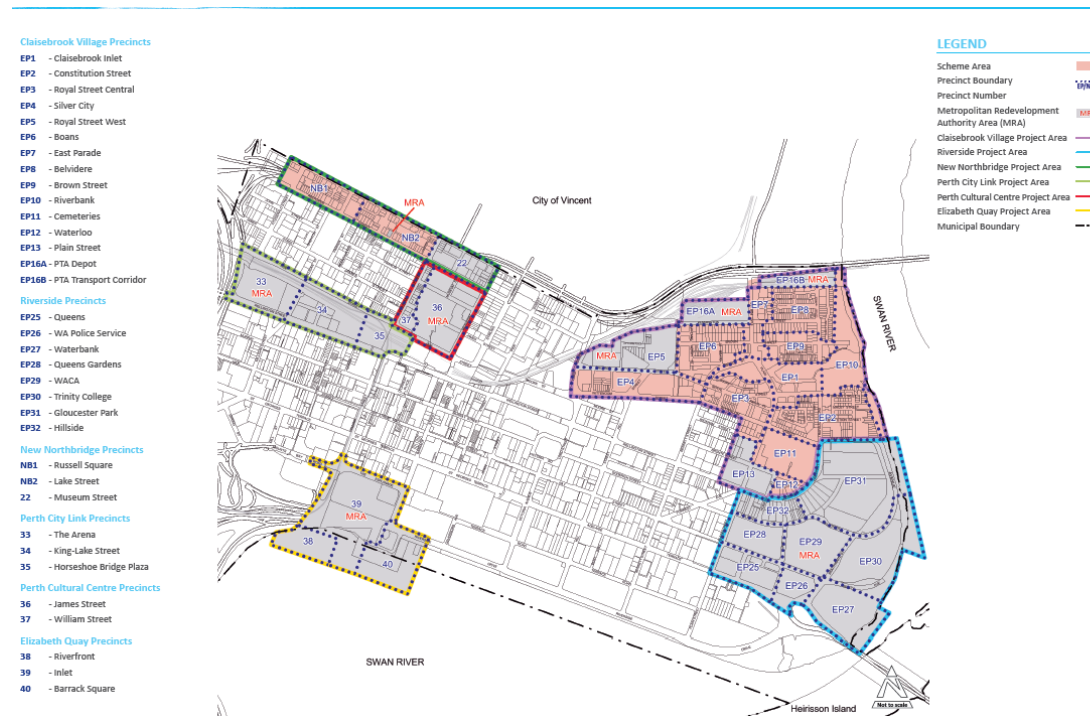
In considering development applications within the New Northbridge Project Area, the City is to have regard to the following objectives:

- (a) To facilitate the successful operation of Northbridge as a mixed land use environment; and
- (b) To reduce land use conflicts between residential and entertainment development by achieving a careful mix of land uses, acoustic attenuation of buildings, and management of amenity impacts.

This is consistent with the intent of the proposed SCA.

An extract of LPS26 Scheme map is provided below in **Figure 7**.

**Figure 7 –Local Planning Scheme No. 26 - Scheme Map**



#### 5.4.1 Precinct NB1: Russell Square - Statement of Intent

A portion of the proposed SCA is situated within the Russell Square Precinct under the LPS26. The intent of the Precinct is for it to *'continue to encourage a rich social and cultural diversity with an emphasis on infill residential development providing single lot, multiple dwellings and mixed-use buildings'*.

Within this precinct Permanent Residential and Transient Residential are 'Preferred' uses, whereas Dining and Entertainment are 'Contemplated' uses.

#### 5.4.2 Precinct NB2: Lake Street Statement of Intent

A portion of the proposed SCA is situated within the Lake Street Precinct under the LPS26. The intent of the Precinct is to *'become a mixed land use Precinct that will create a careful transition from the existing core Northbridge entertainment precinct south of Aberdeen Street to the predominantly residential areas north of Newcastle Street. Essential to the successful activation*

*of the Lake Street Precinct is the creation of a social focal point based around the Plateia Hellas in Lake Street. The Plateia will provide a community and entertainment space, framed by high quality dining, retail and mixed-use development, and add to the quality pedestrian experience of Lake Street.'*

Within this precinct, Dining and Entertainment and Transient Residential are 'Preferred' uses, whereas Permanent Residential is a 'Contemplated' uses.

No changes are proposed to the existing land use permissibilities outlined in the New Northbridge Project Area, as such action would require a separate Scheme Amendment under LPS26. However, as part of the preparation of the City Planning Scheme No. 3, further consideration should be given as to whether Entertainment and Transient Residential uses should be 'Contemplated' uses to allow for any potential development of such uses to be considered on a case by case in accordance with the objectives and provisions of the SCA. It would also enable the local government to consider the potential impact of new entertainment venues on the amenity of properties situated within the City of Vincent.

## **5.5 MRA's Central Perth Redevelopment Scheme 2012**

The remaining portions of the SCA are under the planning control of the MRA and include the PCL, the Perth Cultural Centre and a portion of the New Northbridge Project Area. These areas are subject to the provisions of the MRA's Central Perth Redevelopment Scheme 2012.

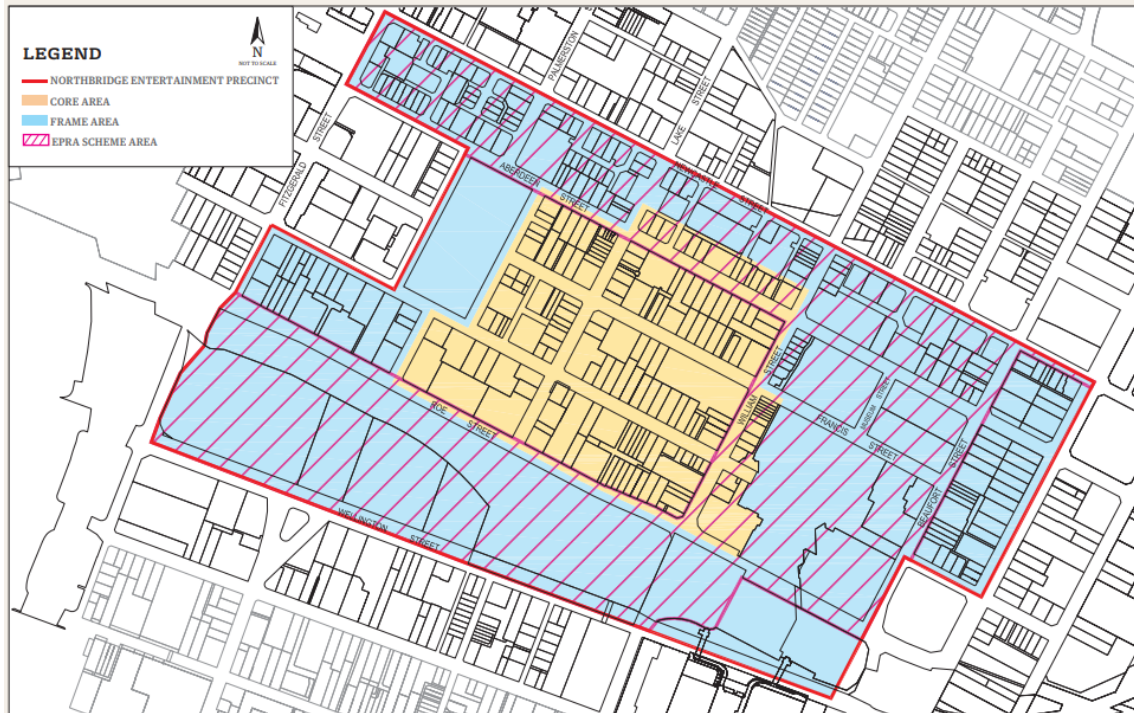
Section 4.17 of the MRA's Central Perth Redevelopment Scheme 2012 incorporates a Special Control Area to accommodate a 'Northbridge Entertainment Precinct' which also accommodates a Core and Frame Areas and includes land under the planning control of the City and subject to CPS2 and LPS26.

The MRA's Northbridge Entertainment Precinct differs to the Special Entertainment Precinct/SCA being proposed by the City in this Scheme Amendment in that it excludes an area of predominately noise sensitive uses on the western side of Russell Square bound by Fitzgerald, Aberdeen, James and Shenton Streets.

The boundaries of the MRA's Core Area (which is under the planning control of the City) are somewhat similar to that proposed by the City in this Scheme Amendment except it also includes those properties situated on the northern side of Aberdeen Street (between Lake and William Streets) and the properties situated on the east side of William Street (between Francis and Roe Streets) as shown on Figure 6 below. This is discussed further in section 8 of the report.

Figure 8 – Extract from the MRA's Central Perth Redevelopment Scheme 2012 –

## Northbridge Entertainment Precinct Map



The MRA's vision for the Northbridge Entertainment Precinct is similar to that proposed by the City whereby it states:

*'the central area of Northbridge has an important role in providing entertainment to residents and visitors of the Perth region, particularly evening and late night entertainment through live music, dancing, cultural activities and dining and drinking. The Authority seeks to support the ongoing operation of entertainment activities in this area, whilst also enabling a diverse and successful urban environment to develop across the Scheme Area'.*

The MRA's Northbridge Entertainment Precinct Map still indicates sections of the New Northbridge Project Area as still being under the planning control of the MRA which have since been 'normalised' (with planning control transferred to the City).

It should be noted that the City's CPS2 Precinct Plan No. 2 – Cultural Centre states that the City in commenting on any MRA development applications should consider a number of matters including:

*'Along William Street, activities such as restaurants (including cafes), night clubs and theatres should remain prevalent, other uses such as shops, small offices and showrooms are also appropriate provided they are compatible, in terms of scale and intensity, with activities in the adjoining Northbridge Precinct.'*

Similarly, the City's CPS2 Precinct Plan No. 5 – Citiplace also provides general guidance to the City in commenting on any MRA development applications in the PCL area.

The land use permissibilities for the relevant project areas are outlined in **Table 5** below.

**Table 5 –MRA Project Areas**

Project Areas	Category 7 Dining and Entertainment	Category 5A Permanent Residential	Category 5B Transient Residential
New Northbridge– Precinct 22 Museum Street	Contemplated Use	Preferred Use	Preferred Use
The Link	Contemplated Use	Preferred Use  (except for Precinct 33-Arena where it is a Contemplated Use)	Preferred Use
Perth Cultural Centre	Preferred Use	Contemplated Use	Contemplated Use

## 5.6 Local Planning Policies

The City of Perth's *Residential Design Policy* and the MRA's *Development Policy 3 – Sound and Vibration Attenuation* provide design guidance on noise attenuation. These include requirements for developers to demonstrate an understanding of the noise context of the site and provide appropriate construction measures to achieve sound attenuation, such as glazing options and wall and roof treatments, to meet the requirements of the Noise Regulations and comply with the Building Code of Australia. These policies will need to be amended to reflect the City's and the State Government's proposed planning and environmental reforms.

A number of CPS2 and LPS26 local planning policies including the *James, William Roe and Lake Street Block Planning and Development Guidelines*, in addition to the relevant Precinct Plans may also need to be amended as part of the preparation of the City's Noise Attenuation Policy to align with the objectives and provisions of the proposed SCA.

## 6.0 COORDINATED STATE GOVERNMENT AND CITY APPROACH

The creation of a Special Entertainment Precinct in Northbridge requires both the State Government and the City to pursue planning and environmental reforms. Key deliverables include the following:

### 1. Western Australian Planning Commission Position Statement

The DPLH will release for public comment a draft Western Australian Planning Commission (WAPC) Position Statement to provide guidance to local government on the establishment of designated special entertainment precincts.



## 2. Amendment to Environmental Protection (Noise) Regulations 1997

The DWER will consult on proposed changes to the *Environmental Protection (Noise) Regulations 1997* that will apply to designated special entertainment precincts to enable a different approach to the regulation of noise.

The Amendment has yet to be drafted however it is understood that it will enable:

- local governments to define special entertainment precinct/s for the purposes of noise management in their local planning schemes; and
- entertainment venues situated within a designated special entertainment precinct to have an option to apply to the local government for a special Venue Approval to emit noise levels beyond the current assigned levels under regulation 7 of the Noise Regulations for its day to day operations. The issuing of a Venue Approval will be guided by nominal or strategic noise levels established for the special entertainment precinct under the local government's local planning scheme.
- the Venue Approval would specify a maximum allowable noise level at the venue boundary, or a defined point, for compliance purposes and may have other conditions attached, such as requiring an Acoustic Report.

The DWER has prepared preliminary drafting instructions for the proposed Amendment to the Noise Regulations and a Regulatory Impact Statement (RIS) which is a prerequisite to amending the Noise Regulations.

## 3. Amendment to City Planning Scheme No. 2

The City proposes to amend City Planning Scheme No. 2 to establish a Northbridge Special Entertainment Precinct through the creation of a Special Control Area (SCA), the details of which are the subject of this report.

It is intended that this package of reforms will be released for public comment in November 2019.

### **7.0 THE PROPOSAL**

#### **7.1 Proposed Scheme Amendment – Northbridge Special Entertainment Precinct**

The intent of establishing a Special Entertainment Precinct is to ensure that Northbridge remains one of the State's premier entertainment areas through the application of higher sound attenuation standards to development.

The proposed SCA extends over the land bounded primarily by Newcastle, Stirling, Fitzgerald and Wellington Streets, and comprises 'Core' and 'Frame' Entertainment Areas, as shown in Figure 28. It excludes those areas under the planning control of the MRA.

##### i) Key Objectives and Components

The key objectives of the proposed SCA are to:

- (a) Ensure the Northbridge Entertainment Precinct continues to be a primary entertainment area in the city, and evolves as a vibrant culture and arts scene with a variety and a high concentration of entertainment venues;

- (b) Reduce potential land use conflicts between noise sensitive uses and entertainment venues through the careful consideration of the location of such uses, and ensuring the design and construction of buildings incorporate appropriate sound attenuation measures;
- (c) Acknowledge and support a higher concentration of entertainment venues in the Core Entertainment Area by ensuring development incorporates noise attenuation measures which respond to external amplified music noise levels which may be permitted under the Environmental Protection (Noise) Regulations 1997 (as amended), including levels that may not comply with the standard prescribed under regulation 7.
- (d) Provide a Frame Entertainment Area, which acts as a transitional area, by ensuring development incorporates noise attenuation measures which respond to external amplified music noise levels which may be permitted under the Environmental Protection (Noise) Regulations 1997 (as amended), including levels that may not comply with the standard prescribed under regulation 7.

The proposed SCA will:

- Establish the boundary of the proposed SCA (which will have application under both the Scheme and Noise Regulations);
- Identify higher external (i.e. strategic) amplified noise levels for the Core and Frame Entertainment Areas for the purposes of setting appropriate noise attenuation standards (which will also guide the issuing of Venue Approvals under the Regulations);
- Set the requirements for new noise sensitive and noise emitting uses/development including:
  - building attenuation requirements;
  - information to be submitted as part of development applications e.g. Acoustic Report and/or a Transmission Loss Report;
  - conditions of approval e.g. - Notification on title.

For the purposes of the SCA:

- entertainment venues are defined as a tavern, nightclub, small bar, function centre, entertainment complex, theatre, club or other such entertainment premises that plays amplified music, either live or pre-recorded, on a regular or periodic basis. This definition does not generally include cafes and restaurants unless these establishments host music events. It also does not include festivals, micro-festivals or one-off public events, for which suitable case-by case-approvals processes already exist.
- noise sensitive premises include those uses within the Residential and Special Residential (i.e. short stay accommodation) use groups.

## ii) Noise Attenuation Levels

The purpose of the proposed SCA is not to set assigned external amplified music levels for the Core and Frame Entertainment Areas (as this is beyond the remit of a local planning scheme) but rather to establish nominal or strategic external amplified music sound levels upon which noise attenuation standards for building will be based. Notwithstanding this, it is understood that

some reference will be made to these nominal or strategic levels in the proposed Amendment to the Noise Regulations to guide the issuing of Venue Approvals within the area.

The SCA proposes a nominal external amplified music noise level of:

- $L_{Leq}$ , **95 dB** in the 63 Hz octave band and  $L_{Leq}$ , **86 dB** in the 125 Hz octave band within the Core Entertainment Area; and
- $L_{Leq}$ , **79 dB** in the 63 Hz octave band and  $L_{Leq}$ , **70 dB** in the 125 Hz octave band within the Frame Entertainment Area.

Accordingly, new entertainment venues located in the Core Entertainment Area shall be designed and constructed to incorporate noise attenuation measures to ensure that a level of  $L_{Leq}$  **95 dB** in the 63 Hz octave band and  $L_{Leq}$  **86 dB** in the 125 Hz octave band is not exceeded outside the entertainment venue. Within the Frame Entertainment Area new entertainment venues shall be designed and constructed to incorporate noise attenuation measures to ensure that a level of  $L_{Leq}$  **79 dB** in the 63 Hz octave band and  $L_{Leq}$  **70 dB** in the 125 Hz octave band is not exceeded outside the entertainment venue.

The noise attenuation standards for new noise sensitive premises have been designed to achieve a maximum internal level of  $L_{Leq}$  **47 dB** in the 63 Hz octave band and  $L_{Leq}$  **41 dB** in the 125 Hz octave band. Accordingly, new noise sensitive premises located in the Core Entertainment Area shall be located, designed and constructed so that the Transmission Loss (noise level reduction due to building attenuation) is at minimum  $L_{Leq}$  **48 dB** in the 63 Hz octave band and  $L_{Leq}$  **45 dB** in the 125 Hz octave band. Within the Frame Entertainment Area, new noise sensitive premises shall be located, designed and constructed to achieve sufficient Transmission Loss (noise level reduction due to building attenuation) to achieve an internal level of **47 dB** in the 63 Hz octave band and  $L_{Leq}$  **41 dB** in the 125 Hz octave band. In determining the appropriate noise attenuation standards within the Frame Entertainment Area consideration will need to be given to not only the nominal external amplified music noise level identified for the area but also any higher noise levels experienced in the area due to entertainment venues in the adjoining Core Entertainment Area being able to operate at higher noise levels.

### iii) Land Use Permissibilities

The proposed Scheme Amendment proposes to reclassify Special Residential uses from 'Preferred Uses' to 'Contemplated Uses' within the Core Entertainment Area and part of the Frame Entertainment Area situated between Beaufort and Stirling Streets.

Special Residential uses are described under CPS 2 as '*premises providing short-term, temporary or specialised residential accommodation including: lodging house, hotel, serviced apartment.*'

This will result in the following land use permissibilities across the proposed SCA:

**Table 6 –CPS2 Proposed Land Use Permissibilities**

<b>CPS2 Provisions</b>	<b>Entertainment Use</b>	<b>Residential Use</b>	<b>Special Residential Use</b>
<b>Core</b>	Preferred	Contemplated	Contemplated
<b>Frame:</b>			
Between Beaufort St and Stirling St	Contemplated	Contemplated	Contemplated
Remainder	Contemplated	Preferred	Preferred

It should be noted that no changes are currently proposed to the land use permissibilities under the City's LPS26 which apply to the land on the northern side of Aberdeen Street. Land use permissibilities will remain as follows:

- Precinct NB1: Russell Square - Permanent Residential and Transient Residential are 'Preferred' uses, whereas Dining and Entertainment are 'Contemplated' uses.
- Precinct NB2: Lake Street - Dining and Entertainment and Transient Residential are 'Preferred' uses, whereas Permanent Residential is a 'Contemplated' uses.

iv) Residential and Special Residential Bonus Plot Ratio

The proposed Scheme Amendment includes the removal of bonus plot ratio eligibility for Residential and Special Residential uses within the Core Entertainment Area and within the portion of the Frame Entertainment Area between Beaufort and Stirling Street.

This will result in the following application of Residential and Special Residential bonus plot ratio across the Special Entertainment Precinct/SCA:

**Table 7 –Residential and Special Residential Bonus Plot Ratio**

	<b>Residential Bonus PR</b>	<b>Special Residential Bonus PR</b>
<b>Core</b>	Not Applicable	Not Applicable
<b>Frame:</b>		
Between Beaufort St and Stirling St	Not Applicable	Not Applicable
Remainder	Applicable	Applicable

v) Special Control Area No. 19 - No. 2-6 (Lot 40) Parker Street

The proposed Scheme Amendment includes the deletion of the Special Control Area No. 19 relating to No. 2-6 (Lot 40) Parker Street. This SCA enables the City to permit bonus plot ratio



of up to a maximum of 20% per lot where the development incorporates a new Special Residential use.

vi) Plot Ratio Definition

It is recommended the for the purpose of this SCA, the definitions of 'plot ratio' and the 'floor area of a building' outlined in CPS2 exclude enclosed balconies (where the glazing is openable above the balustrade level) as these are required to assist in mitigating noise intrusion

## 7.2 Other

i) Removal of the Proposed Growth Area - Draft City Planning Strategy

The draft City Planning Strategy (draft Strategy) identifies the area between Beaufort and Stirling Streets within the Frame Entertainment Area as a potential residential growth area. Separate to the proposed Scheme Amendment, it is recommended that this area of the proposed SCA be removed as a growth area (to minimise potential land use conflicts within this well-established mixed-use area and portion of the Frame Entertainment Area) from the draft Strategy.

ii) Future Supporting Documents

Separate to the proposed Scheme Amendment, the City will prepare a number of supporting documents including:

- A Local Planning Policy - Noise Attenuation – which will cover the whole of the city and aim to clarify and consolidate current provisions, as well as incorporating additional provisions for the Special Entertainment Precinct. This will be prepared subsequent to the initiation of the proposed Scheme Amendment.
- A Council Policy – to address the compliance and enforcement matters associated with noise management within the city and to provide guidance around the issuing of Venue Approvals within the Special Entertainment Precinct. This will be prepared once the City has visibility of the proposed Amendment to the Noise Regulations.

## 8.0 PLANNING RATIONALE

The planning rationale for the key components of the proposed Scheme Amendment are outlined below.

### 8.1 Core and Frame Entertainment Areas

The external boundary of the proposed SCA is the same as that identified in the State Government's Discussion Paper 'Planning for Entertainment Noise in the Northbridge Area'.

The Metropolitan Redevelopment Authority's (MRA) Central Perth Redevelopment Scheme also incorporates a 'Northbridge Entertainment Precinct' with both Core and Frame Areas. Refer to **Figure 8**. The external boundary of the City's proposed Special Entertainment Precinct/SCA is similar to that of MRA's however the MRA's Northbridge Entertainment Precinct excludes an area of predominately noise sensitive uses on the western side of Russell Square bound by Fitzgerald, Aberdeen, James and Shenton Streets. This area is included in the City's proposed Special Entertainment Precinct/SCA to ensure a higher level of noise attenuation is required for any new noise sensitive developments.

The proposed Core Entertainment Area has been identified to correspond to:

- The areas with the greatest concentration of high external amplified music noise levels as identified in the 'Northbridge Entertainment Precinct Noise Study' (2012) and the 'Northbridge Noise Monitoring Report' (2019);
- The location of a large number (approximately 40) of the Northbridge entertainment venues which play live/amplified music;
- Fewer noise sensitive premises (accommodating approximately 149 residential premises, which are predominately strata titled and several short-term accommodation premises) than that situated within the proposed Frame Entertainment Area (which accommodates approximately 609 residential premises, which are predominantly strata titled and 12 short stay accommodation premises); and
- The CPS2 use area where 'Entertainment' uses are preferred and 'Residential' uses are contemplated.

The City's proposed Core Entertainment Area is similar to that of the MRA except the MRA's Core Area also includes properties situated on the northern side of Aberdeen Street (between Lake and William Streets) and on the eastern side of William Street (between Francis and Roe Streets).

The properties on the northern side of Aberdeen Street (which fall under the City's planning control) have not been included in the City's proposed Core Entertainment Area as they are intended to form part of a transition area. This is consistent with the Statement of Intent for this area under the City's Local Planning Scheme No. 26: to *'become a mixed land use Precinct that will create a careful transition from the existing core Northbridge entertainment precinct south of Aberdeen Street to the predominantly residential areas north of Newcastle Street'*.

Similarly, those properties situated on the eastern side of William Street (which currently fall under the MRA's planning control) have not been included in the City's Core Entertainment Area as they are intended to provide an area of transition for mixed use development. It should be noted that this area of land is anticipated to be 'normalised' with the planning control to be handed back to the City around mid-2020.

The City's proposed Frame Entertainment Area will act as a transitional zone between the Core Entertainment Area and the area outside of the SCA (including land to the north within the City of Vincent).

## **8.2 Noise Attenuation Levels**

In determining appropriate nominal external amplified music noise levels for the Core and Frame Entertainment Areas consideration has been given to the following:

- ensuring Northbridge remains one of the State's premier entertainment areas whilst providing an acceptable level of acoustic for noise sensitive premises;
- existing external amplified music noise levels outside of existing entertainment venues and noise sensitive premises;
- likely levels of building attenuation and associated transmission loss of existing noise sensitive premises; and
- levels of building attenuation and associated transmission loss that are possible in new noise sensitive premises and the associated cost implications.

### 8.2.1 Impact of Noise

The current Noise Regulations provide for the regulation of noise to protect the health and amenity of noise sensitive premises. For this reason, assigned levels are currently set by the State Government from the point of the receiver rather than the emitter (this will change however under the proposed Amendments to the Noise Regulations).

The World Health Organisation (WHO) has carried out research which concluded that exposure to noise, including low frequency noise, can have negative impacts on a person's health and well-being, particularly when they are exposed over a long-time period.<sup>6</sup>

The current assigned levels in the Noise Regulations are A-weighted. These levels attempt to reflect human hearing, but are not as sensitive to low frequency noises, such as that emitted by amplified music.<sup>7</sup>

There is currently no guidance within Australia in relation to what levels of low frequency noise are acceptable. Some States or local governments have however prescribed internal low frequency noise levels as outlined in **Table 8**.

**Table 8 – Australian State and Local Government Low Frequency Noise Criteria**

Criteria	63 Hz one octave band dB L <sub>Lin eq</sub>
Fortitude Valley	48
South Australian Guideline <sup>8</sup>	48
Sydney low frequency proposed Option 1 <sup>9</sup>	44
Sydney low frequency proposed Option 2	48

The UK's Department of Environment, Food and Rural Affairs (DEFRA) prescribes a maximum internal low frequency noise level for noise sensitive premises of **L<sub>Leq</sub> 47 dB** at the 63 Hz octave band. Whilst this level was not developed specifically for music, DWER has advised that the nature of the noise (i.e. fluctuating/modulating) upon which this was based has characteristics in common with music. Whilst some other Australian States and local governments have prescribed slightly higher internal low frequency noise levels, DWER has advised that the DEFRA criteria presents the most up to date and appropriate basis to establish criteria for entertainment noise where significant low frequency noise is a feature. Accordingly, the proposed nominal external amplified music noise levels for the SCA are based on a desired

<sup>6</sup> World Health Organisation- Night Noise Guidelines for Europe (2009)

<sup>7</sup> Lloyd George Acoustics -Northbridge Entertainment Precinct Noise Study September 2012

<sup>8</sup> Identical to Fortitude Valley criteria.

<sup>9</sup> Summation of spectral levels not to exceed a broadband level.

maximum internal low frequency noise level for noise sensitive premises of **L<sub>Leq</sub> 47 dB** at 63 Hz octave band.

#### 8.2.2 Existing External Amplified Noise Levels

The City engaged consultants Lloyd George Acoustics in 2012 to undertake an independent noise study of Northbridge to gain an evidence base from which to develop new legislation, planning provisions and management strategies.

The study found that the ambient noise levels outside noise sensitive premises within the Northbridge Entertainment Precinct exceeded the Noise Regulations most of the time, particularly between 10pm and 1am on Thursday, Friday and Saturday nights.

In 2019, DWER engaged consultants Lloyd George Acoustics to undertake ambient noise measurements over 4 nights primarily within the proposed Core Entertainment Area. Key objectives of the study included identifying the noise levels currently emitted by venues and obtaining an indication of the ambient noise levels near noise sensitive premises.

Ambient noise levels were measured outside of:

- 27 (out of a total of 40) entertainment venues and 6 noise sensitive premises within the Core Entertainment Area; and
- 3 (out of a total of 20) entertainment venues and 6 noise sensitive premises within the Frame Entertainment Area.

In the Core Entertainment Area, the ambient noise levels outside of entertainment venues ranged from **L<sub>Leq</sub> 75.2 – 104.2 dB** in the 63Hz octave band whilst the ambient noise levels outside of residential buildings ranged from **L<sub>Leq</sub> 74.2 – 89.6** in the 63Hz octave band.

In the Frame Entertainment Area, the ambient noise levels outside of entertainment venues ranged from **L<sub>Leq</sub> 74.2 – 107.9 dB** in the 63Hz octave band whilst the ambient noise levels outside residential buildings ranged from **L<sub>Leq</sub> 72.5 – 92.4** in the 63 Hz octave band.

Details of these measurements are provided in **Schedule 3**.

#### 8.2.3 Building Attenuation Levels

In 2019, DWER engaged consultants Gabriel's Hearne Farrell to examine residential building attenuation.

The actual building attenuation standards of existing residential buildings within the Core and Frame Entertainment Areas have not been able to be fully quantified however based on typical apartment construction within the Core Entertainment Area, the study indicated that existing building attenuation would be such that a transmission loss of **L<sub>Leq</sub> 20 dB** in the 63Hz octave band would likely be achieved.

The study identified that low frequency noise intrusion into residential buildings in the Special Entertainment Precinct/SCA can be controlled to meet a maximum internal low frequency noise level for noise sensitive premises of **L<sub>Leq</sub> 47 dB** at the 63 Hz octave band where external noise levels are up to **L<sub>Leq</sub> 79 dB** in the 63Hz octave band (at an estimated additional cost of approximately 8% to the development). Where the external low frequency noise level exceeds **L<sub>Leq</sub> 79 dB** in the 63Hz octave band, the required building attenuation to achieve a maximum



internal low frequency noise level for noise sensitive premises of  $L_{Leq}$  **47 dB** at the 63 Hz octave band is unlikely to be viable.

Please see **Schedule 3** for further details.

#### 8.2.4 Core Entertainment Area

A key objective of the proposed SCA is to enable a higher concentration of entertainment venues in the Core Entertainment Area by acknowledging that higher external amplified music levels arising from entertainment venues are permitted in this area than in the Frame Entertainment Area.

Accordingly, three nominal external amplified music noise level scenarios were considered for the Core Entertainment Area, these being  $L_{Leq}$  **85 dB**, **90dB** and **95dB** at the 63 Hz octave band.

The following table (Table 9) shows the impact of these scenarios on new and existing noise sensitive premises as well as existing venues within the Core Entertainment Area.

**Table 9 — Core Entertainment Area – External Amplified Music Noise Level Scenarios**

<b>Core Entertainment Area</b>	<b>Scenario 1</b>	<b>Scenario 2</b>	<b>Scenario 3</b>
63 Hz octave band dB $L_{Lin eq}$	<b>85 dB</b>	<b>90 dB</b>	<b>95 dB</b>
<b>New Noise Sensitive Premises</b>  Transmission Loss Requirements to achieve a maximum internal low frequency noise level of $L_{Leq}$ 47 dB at the 63 Hz octave band	Minimum $L_{Leq}$ , <b>38 dB</b> in the 63 Hz octave band	Minimum $L_{Leq}$ , <b>43 dB</b> in the 63 Hz octave band	Minimum $L_{Leq}$ , <b>48 dB</b> in the 63 Hz octave band
	Based on study findings of the Gabriels Hearne Farrell Report commissioned by DWER July 2019, anything above 79 dB in the 63Hz octave band (to achieve an internal noise level of 47 dB in the 63Hz octave band) is likely to be impractical and cost prohibitive for new noise sensitive development.		
<b>Existing Noise Sensitive Premises</b>  Estimated indoor noise level based on an assumed transmission loss of $L_{Leq}$ , <b>20 dB</b> in the 63 Hz octave band	$L_{Leq}$ , <b>65 dB</b>  @ 63 Hz octave band	$L_{Leq}$ , <b>70 dB</b>  @ 63 Hz octave band	$L_{Leq}$ , <b>75 dB</b>  @ 63 Hz octave band
<b>Existing Venues</b>  Number and % of Venues in Compliance based on 2019 Measurements	5/27  18%	11/27  40%	17/27  62%

One of the key drivers of establishing the Northbridge Special Entertainment Precinct is to protect the entertainment precinct. There is also a need however to consider what would be an acceptable level of acoustic amenity for noise sensitive premises, particularly those which are existing.

Whilst the building attenuation levels of existing noise sensitive premises have not been able to be fully quantified to determine the impacts of the various scenarios on these premises with a high degree of certainty, the building attenuation standards of recent apartment developments provide a guide as to the possible impacts. Based on these and the associated transmission loss, it is likely that the desired maximum internal amplified music noise level for noise sensitive premises of  $L_{Leq}$  **47 dB** at the 63 Hz octave band would be exceeded under each of the scenarios, with the degree of impact increasing from Scenario 1 to Scenario 3. However, it should be noted that the City has received very few complaints about external amplified music noise levels over the last financial year.

Based on the potential impacts on noise sensitive premises alone, Scenario 1 would be the preferred scenario. However, only 18% or 5 out of the 27 entertainment venues surveyed could currently comply with this level and as such proceeding with such a level would potentially undermine the primary purpose for establishing the Special Entertainment Precinct.

Scenario 2 with a proposed nominal external amplified music noise level of  $L_{Leq}$  **90dB** at the 63 Hz octave band level, is reflective of the maximum amplified music noise levels (ranging between  $L_{Leq}$  **74.2 dB** to  $L_{Leq}$  **89.6 dB** within the 63Hz octave band) recently measured outside of existing noise sensitive premises. However only 40% or 11 out of the 27 entertainment venues surveyed could currently comply with this level.

If the primary purpose of establishing a Special Entertainment Precinct is to ensure that Northbridge remains one of the State's premier entertainment areas then Scenario 3 which proposes a nominal external amplified music noise level of  $L_{Leq}$  **95dB** at the 63 Hz octave band would be preferable. 62% or 17 out of the 27 entertainment venues surveyed currently operate at this level or below. It is acknowledged that 38% of the existing entertainment venues surveyed would need to either reduce their operating levels, or invest in further noise attenuation measures to accord with this proposed nominal level should they choose to apply for a Venue Approval. However, a greater level of certainty would be provided against complaints from noise sensitive premises than what is currently provided for under the Noise Regulations.

Scenario 3 would have the least impact on existing venue operations, however setting such a high level across the whole of the Core Entertainment Area may in some areas exacerbate the current external amplified music noise levels experienced by existing noise sensitive premises should all the existing entertainment venues (appropriately 40) situated within the proposed Core Entertainment Area choose to 'opt in' to seek a Venue Approval. Although the likelihood of every entertainment venue situated within the Core Entertainment Area choosing to opt in to obtain a Venue Approval to operate at the maximum level is questioned.

It is acknowledged that setting such a high level within the Core Entertainment Area is also likely to have greater flow on impacts to the Frame Entertainment Area. The higher the proposed nominal external amplified music noise level in the Core Entertainment Area, the less likely new noise sensitive development will be able to occur within certain areas of the Frame Entertainment Area due to the higher costs associated with attenuating to achieve acceptable internal noise levels. Similarly, the higher the proposed nominal external amplified music noise level in the Core Entertainment Area, the more difficult it may be for some entertainment venues

within the Frame Entertainment Area to comply with the proposed nominal external amplified music noise level for that area.

Under each of the scenarios it is unlikely that new noise sensitive premises would be viable or acceptable given the high levels of noise attenuation that would be required to ensure acceptable internal noise levels for these uses.

Considering the primary purpose of establishing the Northbridge Special Entertainment Precinct, Scenario 3 which proposes a nominal external music noise level of  $L_{Leq}$  **95dB** at the 63 Hz octave band is considered appropriate. However, it is recommended this be on the basis that the overall external amplified noise level steps down to a level of  $L_{Leq}$  **90dB** at the 63 Hz octave band after a certain period of time (e.g. 1am) and possibly also on particular days of the week (e.g. some week days) to provide an acceptable level of acoustic amenity for existing noise sensitive premises. This approach is similar to that adopted in the Fortitude Valley entertainment area in Brisbane (albeit that their maximum external amplified music level is 90dB(C)). This could be incorporated into the Council Policy which the City will need to prepare should the proposed Amendment to the Noise Regulations allow for this.

Additionally, there is considered to be merit for discretion to be provided under the proposed Amendment to the Noise Regulations to enable the City to also issue Venue Approvals in excess of or slightly below the proposed nominal external amplified music noise level of  $L_{Leq}$  **95dB** at the 63 Hz octave band for the Core Entertainment Area under the Scheme Amendment taking into consideration any potential adverse impacts on existing noise sensitive uses. For example, recent measurements have indicated that there are venues emitting external music noise levels in excess of  $L_{Leq}$  **95dB** at the 63 Hz octave band but given the current separation of land uses, this is not necessarily translating to external music noise levels outside of noise sensitive premises in excess of  $L_{Leq}$  **90dB** at the 63 Hz octave band. In cases, however where the separation of land uses is minimal, a slightly lower external noise level may be needed.

#### 8.2.5 Frame Entertainment Area

The Frame Entertainment Area is intended to act as a transitional area between the Core Entertainment Area and the area outside of the Special Entertainment Precinct/SCA and provide for a greater mix of land uses, including noise sensitive premises.

In view of this intent, as well as advice from consultant's Gabriel's Hearne Farrell that noise attenuation is only likely to be feasible up to an external amplified music noise levels of  $L_{Leq}$  **79 dB** in the 63 Hz octave band to meet acceptable internal levels for noise sensitive premises, the noise attenuation standards within the Frame Entertainment Area have been based on a nominal external amplified music noise level of  $L_{Leq}$  **79 dB** in the 63 Hz octave band. It is also intended under the future local planning policy to be prepared that new noise sensitive developments situated outside of the Special Entertainment Precinct/SCA but adjacent to the Frame Entertainment Area also be required to attenuate to this same level.

The proposed external nominal amplified music noise level will have potential implications for those entertainment venues operating above this level. Whilst a limited number of measurements were taken outside of entertainment venues in the Frame Entertainment Area, the noise monitoring survey discussed above indicates that there are some entertainment venues which are emitting higher amplified music levels than some of the entertainment venues within the Core Entertainment Area. Should these entertainment venues choose to apply for a Venue Approval, they would either need to reduce their operating levels or invest further in noise

attenuation measures to accord with the new assigned levels. However, a greater level of certainty would be provided against complaints from noise sensitive premises, than what is currently provided for under the Noise Regulations.

Under the proposed external amplified music noise level of **L<sub>Leq</sub>79 dB** in the 63 Hz octave band for the Frame Entertainment Area, existing noise sensitive premises in the Frame Entertainment Area could potentially receive an internal amplified music noise level of **L<sub>Leq</sub>59 dB** in the 63 Hz octave band which is above the desired internal amplified music noise level for noise sensitive premises of **L<sub>Leq</sub>47 dB** in the 63 Hz octave band.

There are limited recent measurements of external amplified music noise levels within the Frame Entertainment Area. Those which exist indicate that the external amplified music noise levels outside some of the existing venues ranged from **L<sub>Leq</sub> 74.2 – 107.9Db** within the 63Hz octave band and outside some of the existing noise sensitive premises ranged from **L<sub>Leq</sub> 72.5 to L<sub>Leq</sub> 92.4dB** within the 63Hz octave band. Should these existing venues choose to apply for a Venue Approval they will need to reduce their noise levels which will be of benefit to existing residents.

As discussed above there is also considered to be merit for discretion to be provided under the proposed Amendment to the Noise Regulations to enable the City to issue Venue Approvals in excess of and slightly below the proposed nominal external music noise level of **L<sub>Leq</sub> 79dB** at the 63 Hz octave band taking into consideration any potential impacts on existing noise sensitive uses.

### **8.3 Land Use Permissibilities**

As outlined above, the Scheme Amendment proposes to reclassify Special Residential uses (i.e. short stay accommodation) from 'Preferred Uses' to 'Contemplated Uses' within the Core Entertainment Area and part of the Frame Entertainment Area situated between Beaufort and Stirling Streets.

The rationale for this as follows:

- Special Residential uses are proposed to be treated similarly to Residential uses within the SCA as both are regarded as noise sensitive uses under the Noise Regulations (albeit a higher regard is given to permanent residential uses). Consideration has also been given to future proofing any proposed changes of use between Residential and Special Residential uses.
- Residential use is currently a 'Contemplated' use within the proposed Core Entertainment Area.
- A 'Preferred Use' cannot be refused on the basis of its use whilst a 'Contemplated Use' can be approved or refused taking into consideration the provisions of the Scheme and its planning policies.
- The proposal will assist to ensure that only appropriately located, designed and constructed Special Residential development with high building attenuation standards will be approved within the SCA. This will assist to minimise any further land use conflicts and amenity impacts between entertainment venues and short stay accommodation.



#### 8.4 Residential and Special Residential Bonus Plot Ratio

CPS2 was amended in 2013 to introduce plot ratio bonuses to areas of the city where Residential and Special Residential development was to be encouraged. This included parts of the Core and Frame Entertainment Areas.

As outlined above, the Scheme Amendment proposes the removal of bonus plot ratio eligibility for Residential and Special Residential uses within the Core Entertainment Area (along Roe Street) and within the portion of the Frame Entertainment Area (between Beaufort and Stirling Street).

The plot ratios and bonus plot ratio applicable within these areas is outlined below.

**Table 10 – Bonus Plot Ratio Application**

	<b>Core Entertainment Area (along Roe Street)</b>	<b>Frame Entertainment Area (between Beaufort and Stirling Streets)</b>
Plot Ratio	4.0:1.0	Lots fronting Newcastle Street: 3.0:1.0  Remainder: 4.0:1.0
Maximum Bonus Plot Ratio	50%	50%
Bonus Plot Ratio Items	Residential – 20%  Special Residential – 20 - 40%  Heritage & Public Facilities (combined) – 20%	Residential – 20%  Special Residential - 20 – 40%  Heritage and Public Facilities (combined) – 20%

Whilst heritage and public facilities plot ratio bonuses (where applicable) may be granted for developments within these areas, it is acknowledged that the proposal to remove Residential and Special Residential bonuses will have development implications for properties within these areas.

The draft City Planning Strategy however includes the following actions for the Northbridge neighbourhood (which extends beyond the SCA to the east - see **Figure 3**):

- *Increase residential densities in identified growth areas where they do not result in significant land use conflict;*
- *Support residential growth in the eastern portion of the neighbourhood (primarily outside of the proposed Northbridge Entertainment Area boundary) and ensure residential development is supported by local services and amenities to meet the growing daily needs of residents in this area.*

Given the high density of entertainment venues within the Core Entertainment Area and the current mix of land uses (including entertainment venues) within the subject portion of the Frame Entertainment Area, it is considered that Residential and Special Residential uses should not be encouraged due to the potential for land use conflict. To retain these bonuses may undermine the work that the City and the State Government are trying to achieve to ensure that the proposed Northbridge Entertainment Precinct remains one of the State's premier entertainment areas.

It should be noted that, no changes are proposed to the predominantly residential area situated on the western side of Russell Square. This area has a plot ratio of 3.0:1.0 and the potential for a maximum bonus plot ratio of 50%. Residential development can potentially achieve a maximum 20 per cent bonus and Special Residential can achieve up to a 40% bonus plot ratio for a high quality hotel in certain locations. As such it is likely that the City can still achieve the State Government's infill housing targets.

**Figure 9 – Special Residential Bonus Plot Ratio Plan**



**Figure 10—Residential Bonus Plot Ratio Plan**

### 8.5 Special Control Area No. 19 - No. 2-6 (Lot 40) Parker Street

As outlined above, the Scheme Amendment proposes the deletion of the Special Control Area relating to No. 2-6 (Lot 40) Parker Street which was established to enable the City to permit bonus plot ratio where development incorporates a new Special Residential use.

This SCA was initiated by the landowner and gazetted in 2015. It was considered at the time that a Special Residential plot ratio bonus could be applied without compromising public amenity and built form objectives and would also provide for the revitalisation of a unique site within Northbridge.

The subject site is situated on the eastern side of Russell Square and is in close proximity to a number of existing entertainment venues which play live and/or amplified music. The proposed Core Entertainment Area will experience higher external amplified music noise levels than elsewhere within the proposed Northbridge Entertainment Precinct. Retaining the bonus plot ratio for Special Residential on this site may lead to potential land use conflicts and compromise the intent of the Proposed Northbridge Entertainment Area.

To ensure a consistent approach to the application of Residential and Special Residential plot ratio bonuses within the Core Entertainment Area it is no longer considered appropriate to retain the SCA. The City has yet to receive a development application for the site and arguably the need to facilitate Special Residential (e.g. hotel) development has diminished with the upsurge of such development occurring in various areas of the city in recent years.

### 8.6 New Noise Sensitive Premises –Memorials on Title.

Although Northbridge is well known as a lively entertainment precinct with music spilling into the street from various entertainment venues, new residents may still move into the area

without fully appreciating, or being prepared, for the noise environment that they will be exposed to.

Higher noise attenuation standards will be required in the Core Entertainment Area, which is likely to discourage any new noise sensitive uses (i.e. Residential and Special Residential) as they may not be financially feasible.

Notwithstanding this, it is recommended, that a notification on the certificate of title (pursuant to section 70A of the Transfer of Land Act 1893) be imposed upon all noise sensitive to inform prospective owners of potential noise impacts.

### **8.7 Plot Ratio Definition**

A key finding of the Gabriels Hearne Farrell Report commissioned by DWER July 2019, into the evaluation of residential buildings in Northbridge identified that a very large cavity (minimum 1 metre) is required in the double-glazing format to provide good sound reduction performance in the 63 Hz octave band. This would however be achievable by fully glazing the balcony perimeter (i.e. constructing a normal balcony and installing an openable window above the normal balustrade height).

Under the current definitions of 'plot ratio' and the 'floor area of a building' outlined in CPS2 enclosed balconies are included as part of the plot ratio calculation. However, it is recommended that for the purpose of this SCA, these definitions exclude enclosed balconies (where the glazing is openable above the balustrade level) as these are required to assist in mitigating noise intrusion.

### **8.8 Heritage Considerations**

The proposed Northbridge Special Entertainment Precinct contains several places and areas of cultural heritage significance including a number of properties listed on the State Register. It is acknowledged that a number of existing venues are accommodated within buildings that were constructed to a different building code and sometimes built with materials that are not easily adapted. Nevertheless, any required noise attenuation measures should be designed so that they do not have a significant detrimental impact on any cultural heritage significance of a place and will need to have regard to any relevant local and/or state heritage policies.

### **9.0 PLANNING AND DEVELOPMENT (LOCAL PLANNING SCHEMES) REGULATIONS 2015**

The *Planning and Development (Local Planning Schemes) Regulations 2015* include three categories for amending Local Planning Schemes which are; Basic, Standard and Complex. It is considered that the proposed amendment would be a Complex amendment as it will have an impact that is significant relative to development in the locality.

### **10.0 CONCLUSION**

The Scheme Amendment forms part of a broader package of noise management reforms which the City has been working on with the State Government for entertainment precincts.

The Scheme Amendment seeks to ensure that the Northbridge Special Entertainment Precinct continues to thrive as one of the State's primary entertainment areas whilst providing provide an acceptable level of acoustic amenity for noise sensitive premises.

Potential land use conflicts between noise sensitive uses and entertainment venues are intended to be minimized through the careful consideration of the location of such uses, and ensuring the design and construction of buildings incorporate appropriate sound attenuation measures.

Having regard to the objectives of the proposed SCA and the findings of the various acoustic studies, the proposed noise attenuation standards shall be based on the following nominal external amplified music sound levels of:

- $L_{Leq}$ , **95dB** in the 63 Hz octave band and  $L_{Leq}$ , 86 dB in the 125 Hz octave band within the Core Entertainment Area (on the basis that the overall external amplified noise level steps down to a level of  $L_{Leq}$  **90dB** at the 63 Hz octave band and  $L_{Leq}$ , 81 dB in the 125 Hz octave band after a certain period of time (e.g. 1am), and possibly also on particular days during the week to provide an acceptable level of acoustic amenity for existing noise sensitive premises – discretion would need to be provided for this under the changes to the Noise Regulations);
- $L_{Leq}$ , **79 dB** in the 63 Hz octave band and  $L_{Leq}$ , **70 dB** in the 125 Hz octave band within the Frame Entertainment Area.



## Planning and Development Act 2005

### RESOLUTION TO AMEND LOCAL PLANNING SCHEME

#### CITY OF PERTH

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#### CITY PLANNING SCHEME NO. 2

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#### AMENDMENT NO. 41

RESOLVED that the Local Government pursuant to Section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Inserting after clause 39(1):

(bb) Northbridge Special Entertainment Precinct - Special Control Area.

2. Inserting the following in Schedule 8 Special Control Areas:

#### **28. Northbridge Special Entertainment Precinct - Special Control Area**

##### **28.1 Special Control Area**

The following provisions apply to the land marked as Figure 28 being the Northbridge Special Entertainment Precinct Special Control Area, where it is under the planning control of the local government. The Special Control Area comprises a Core Entertainment Area and a Frame Entertainment Area.

##### **28.2 Purpose**

The purpose of the Special Control Area is to create a Special Entertainment Precinct to ensure that the Northbridge Entertainment Precinct remains one of the State's premier entertainment areas through the application of higher noise attenuation standards to development.

NOTE - the Special Control Area does not regulate the level of noise emitted by entertainment venues or override the requirements of the '*Environmental Protection (Noise) Regulation 1997*.'

##### **28.3 Objectives**

- (a) Ensure the Northbridge Special Entertainment Precinct continues to be a primary entertainment area in the city, and evolves as a vibrant cultural and arts scene with a variety and a high concentration of entertainment venues;

- (b) Reduce potential land use conflicts between noise sensitive uses and entertainment venues through the careful consideration of the location of such uses, and ensuring the design and construction of buildings incorporate appropriate noise attenuation measures;
- (c) Acknowledge and support a higher concentration of entertainment venues in the Core Entertainment Area by ensuring development incorporates noise attenuation measures which respond to external amplified music noise levels which may be permitted under the *Environmental Protection (Noise) Regulations 1997* (as amended), including levels that may not comply with the standard prescribed under regulation 7;
- (d) To provide a Frame Entertainment Area, which acts as a transitional area, by ensuring development incorporates noise attenuation measures which respond to external amplified music noise levels which may be permitted under the *Environmental Protection (Noise) Regulations 1997* (as amended), including levels that may not comply with the standard prescribed under regulation 7.

## **28.4 General Provisions**

### **28.4.1 Noise Attenuation Standards**

- (a) Within the Core Entertainment Area, the noise attenuation standards for entertainment venues and noise sensitive premises shall be based on a nominal external amplified music noise level of  $L_{Leq}$ , 95dB in the 63 Hz octave band and  $L_{Leq}$ , 86 dB in the 125 Hz octave band.
- (b) Within the Frame Entertainment Area, the noise attenuation standards for:
  - i) entertainment venues shall be based on a nominal external amplified music noise level of  $L_{Leq}$ , 79 dB in the 63 Hz octave band and  $L_{Leq}$ , 70 dB in the 125 Hz octave band.
  - ii) noise sensitive premises shall be determined as part of a Transmission Loss Assessment, prepared by a qualified acoustic consultant, which takes into consideration that an external amplified music noise level of up to  $L_{Leq}$ , 95dB in the 63 Hz octave band and  $L_{Leq}$ , 86 dB in the 125 Hz octave band could be received from the adjoining Core Entertainment Area, in addition to any external amplified noise levels assigned for entertainment venues situated within the Special Control Area.
- (c) Where an application for development approval relates to a noise sensitive premises and/or an entertainment venue, the noise attenuation standards outlined in clauses 28.5 and 28.6 respectively shall be complied with.
- (d) Where an application for development approval relates to a mixed-use development which incorporates noise sensitive premises and/or entertainment venues, the noise attenuation standards for these uses outlined in clauses 28.5 and 28.6 respectively shall be complied with.

- (e) Noise attenuation measures shall not have a significantly detrimental impact on building design, including internal amenity, the interface with the public realm, sustainable design and cultural heritage significance.

#### **28.4.2 Requirement for Development Approval**

- (a) As per clause 61(3) of the Deemed Provisions, an application for development approval within this Special Control Area shall be required for:
  - (i) any works associated with a noise sensitive premise, entertainment venue or mixed-use development (which contains a noise sensitive premise and/ or entertainment venue) excluding works under clause 61(1) (d) of the Deemed Provisions; and
  - (ii) any change of use involving a noise sensitive premises or an entertainment venue which involves a works component.

#### **28.4.3 Plot Ratio**

- (a) For the purpose of this Special Control Area, the definitions of 'plot ratio' and the 'floor area of a building' outlined in Schedule 4 of the City Planning Scheme No.2 (as amended) shall exclude enclosed balconies (whereby the glazing is openable above the balustrade level) required to assist in mitigating noise intrusion.

#### **28.5 Noise Sensitive Premises**

- (a) Noise sensitive premises within the Core Entertainment Area shall be located, designed and constructed so that the Transmission Loss is at minimum  $L_{Leq}$  48 dB in the 63 Hz octave band and  $L_{Leq}$  45 dB in the 125 Hz octave band.
- (b) Noise sensitive premises within the Frame Entertainment Area shall be located, designed and constructed so that the Transmission Loss is a minimum of  $L_{Leq}$  32 dB in the 63 Hz octave band and  $L_{Leq}$  29 dB in the 125 Hz octave band, plus any additional Transmission Loss required to achieve a theoretical internal design level of 47 dB in the 63 Hz octave band and  $L_{Leq}$  41 dB in the 125 Hz octave band.
- (c) Where an application for development approval relates to an extension or addition of an existing noise sensitive premises, the relevant noise attenuation standards (depending on the location of the property) shall only apply to any new habitable room(s).
- (d) Transmission Loss Design Report
  - (i) An application for development approval relating to a noise sensitive premises shall include a Transmission Loss Design Report, prepared by a qualified acoustic consultant, in a manner and form approved by the local government. The Transmission Loss Design Report shall include the details of noise

attenuation measures that will be included in the proposed development's design and construction to meet the objectives and provisions of this Special Control Area to the local government's satisfaction.

- ii) Noise sensitive premises shall be designed and constructed in accordance with the attenuation measures detailed in the approved Transmission Loss Design Report, in addition to any other attenuation measures required by the local government.
- (e) Noise sensitive premises shall not be approved where the local government is not satisfied that the development can be acoustically attenuated to meet the required Transmission Loss.
- (f) The local government shall, as a condition of development approval for noise sensitive premises, require a notification pursuant to section 70A of the Transfer of Land Act 1893 to inform prospective owners of the likelihood of higher noise levels.
- (g) Prior to the commencement of development, a qualified acoustic consultant shall certify to the satisfaction of the local government that the building is able to be constructed in accordance with the approved Transmission Loss Design Report.
- (h) At practical completion stage and prior to occupation of the development, a qualified acoustic consultant shall certify to the satisfaction of the local government that all the recommendations of the approved Transmission Loss Design Report have been implemented.

## **28.6 Entertainment Venues**

- a) Appropriate noise mitigation shall primarily be achieved through design and construction methods rather than reliance upon on-going operational management measures.
- (b) Entertainment venues located in the Core Entertainment Area shall be designed and constructed to incorporate noise attenuation measures to ensure that a level of  $L_{Leq}$  95 dB in the 63 Hz octave band and  $L_{Leq}$  86 dB in the 125 Hz octave band is not exceeded at 1 metre from the entertainment venue boundary.
- (c) Entertainment venues located in the Frame Entertainment Area shall be designed and constructed to incorporate noise attenuation measures to ensure that a level of  $L_{Leq}$  79 dB in the 63 Hz octave band and  $L_{Leq}$  70 dB in the 125 Hz octave band is not exceeded at 1 metre from the entertainment venue boundary.
- (d) Acoustic Report
  - (i) An application for development approval relating to an entertainment venue shall include an Acoustic Report, prepared by a qualified acoustic consultant, in a manner and form approved by the local government, detailing existing and

proposed attenuation and mitigation measures to ensure the objectives and provisions of this Special Control Area will be met.

- (ii) Entertainment venues that have potential noise impacts, as identified in the Acoustic Report shall incorporate appropriate design, construction methods, materials and devices to mitigate noise emissions to the satisfaction of the local government.
- (e) Prior to the commencement of development, a qualified acoustic consultant shall certify to the satisfaction of the local government that the building is able to be constructed in accordance with the approved Acoustic Report.
- (f) At practical completion stage and prior to occupation of the development, a qualified acoustic consultant shall certify to the satisfaction of the local government that all the recommendations of the approved Acoustic Report have been implemented.

## DEFINITIONS

**Core Entertainment Area** – means the area designated as such in Figure 28.

**External amplified music noise level** – means the maximum, nominal noise level directly attributable to amplified music emitted by an entertainment venue or multiple entertainment venues.

**Entertainment Venue** – means a tavern, nightclub, small bar, function centre, entertainment complex, theatre, or other such entertainment premises that plays amplified music, either live or pre-recorded, on a regular or periodic basis. This includes both indoor and/or outdoor areas where applicable.

**Entertainment Venue Boundary** - means the perimeter walls or outdoor containment structures, floors, ceiling or roof, that form the horizontal and vertical extent of an entertainment venue, unless the entertainment venue is the sole land use on a lot, in which case its horizontal extent shall be the boundaries of the lot upon which it is located. Where an entertainment venue has no physically defined vertical extent, such as in the case of an outdoor area or roof top venue, its vertical extent shall be 4 metres above the ground or floor level of the venue.

**Frame Entertainment Area** – means the area designated as such in Figure 28.

**Noise Sensitive Premises** –for the purposes of this Special Control Area has the same meaning as defined in the *Environmental Protection (Noise) Regulations 1997* (as amended), however excludes the following: churches, education establishments and day-time childcare facilities. This definition includes Special Residential and Residential uses as defined in Schedule 2 of the Scheme.

**Receiver** – includes all premises situated within the Special Entertainment Precinct.

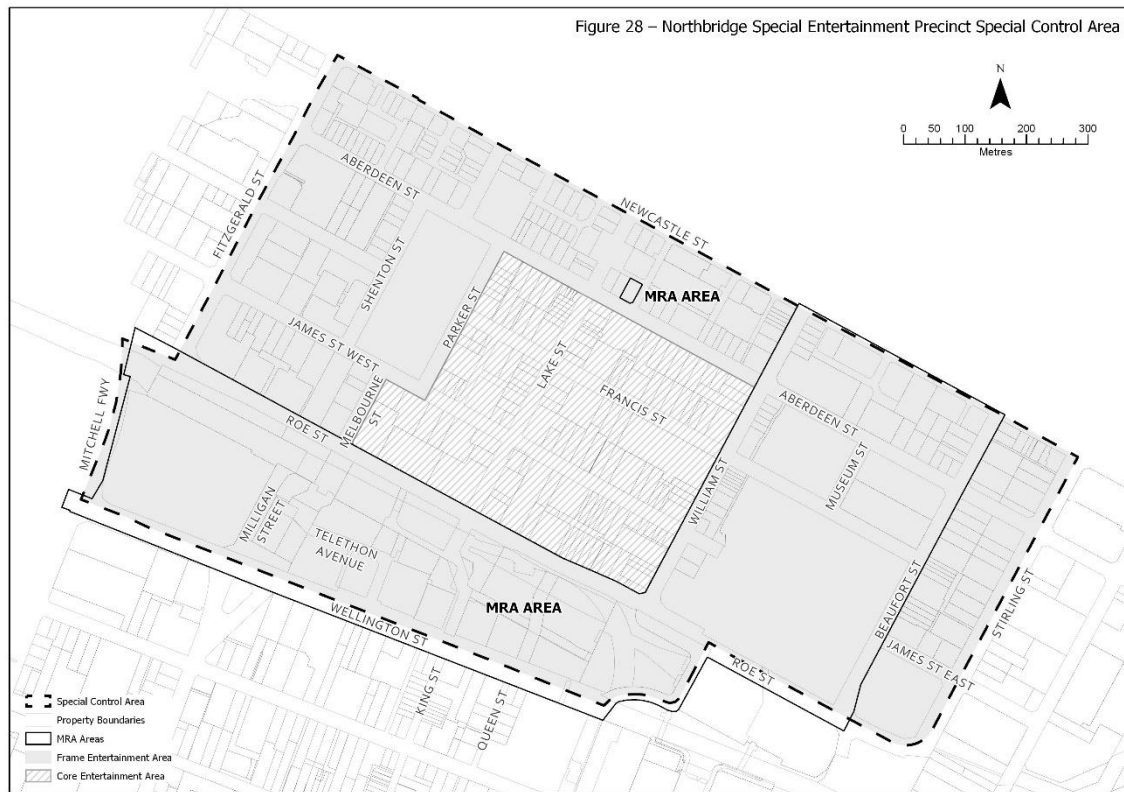


**Receiver Facade** – includes the roof and all external walls.

**Special Entertainment Precinct** – means a precinct containing a number of entertainment venues and includes a diverse mix of land uses which contribute to an active night-time economy as referenced in the *'Environmental Protection (Noise) Regulation 1997.'*

**Transmission Loss** – means the noise level reduction provided by a receiver-façade that is required to meet acceptable internal noise levels.

3. Modifying the existing the 'Residential' and 'Special Residential' Bonus Plot Ratio Plans to exclude the areas identified in the Core Entertainment Area of the Northbridge Special Entertainment Precinct Special Control Area from being eligible for bonus plot ratio;
4. Modifying the existing 'Residential' and 'Special Residential' Bonus Plot Ratio Plan to exclude the areas identified in the Frame Entertainment Area of the Northbridge Special Entertainment Precinct Special Control Area, situated between Beaufort and Stirling Streets, from being eligible for bonus plot ratio;
5. Modifying P1 Northbridge Use Group Table outlined in Schedule 3 to reclassify Special Residential from a 'Preferred Use' to a 'Contemplated' Use within the Core Entertainment Area of the Northbridge Special Entertainment Precinct Special Control Area;
6. Modifying P3 Stirling Use Group Table outlined in Schedule 3 to reclassify Special Residential Use from a 'Preferred' Use to a 'Contemplated' Uses within the Frame Entertainment Area of the Northbridge Special Entertainment Precinct Special Control Area situated between Beaufort and Stirling Streets;
7. Deleting Clause 39 (s) and Schedule 8 – Special Control Area 19 relating to 2-6 (Lot) Parker Street and renumber accordingly;
8. Amending the City Centre (CC) Precinct Plan Map (P1 to 8) accordingly;
9. Inserting Figure 28 - Northbridge Special Entertainment Precinct Special Control Areas into Schedule 8 – Special Control Areas of the Scheme.



**Figure 28 –Northbridge Special Entertainment Precinct Special Control Area**

The amendment is complex under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reason:

- The amendment will have an impact that is significant relative to development in the locality.

FORM 6A

**COUNCIL ADOPTION**

This [Complex/] Amendment was adopted by resolution of the Council of the [LOCAL GOVERNMENT] at the [NAME] Meeting of the Council held on the [ day ] day of [ month ], 20[ year ].

.....  
MAYOR/SHIRE PRESIDENT

.....  
CHIEF EXECUTIVE OFFICER

**COUNCIL RESOLUTION TO ADVERTISE**

by resolution of the Council of the [LOCAL GOVERNMENT] at the [NAME] Meeting of the Council held on the [ day ] day of [ month ], 20[ year ], proceed to advertise this Amendment.

.....  
MAYOR/SHIRE PRESIDENT

.....  
CHIEF EXECUTIVE OFFICER

**COUNCIL RECOMMENDATION**

This Amendment is recommended [for support/ not to be supported] by resolution of the [LOCAL GOVERNMENT] at the [NAME] Meeting of the Council held on the [ number ] day of [ month ], 20[ year ] and the Common Seal of the [LOCAL GOVERNMENT] was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....  
MAYOR/SHIRE PRESIDENT

.....  
CHIEF EXECUTIVE OFFICER

**WAPC ENDORSEMENT (r.63)**

.....  
DELEGATED UNDER S.16 OF  
THE P&D ACT 2005

DATE.....

**FORM 6A CONTINUED**

**APPROVAL GRANTED**

.....

**MINISTER FOR PLANNING**

**DATE.....**

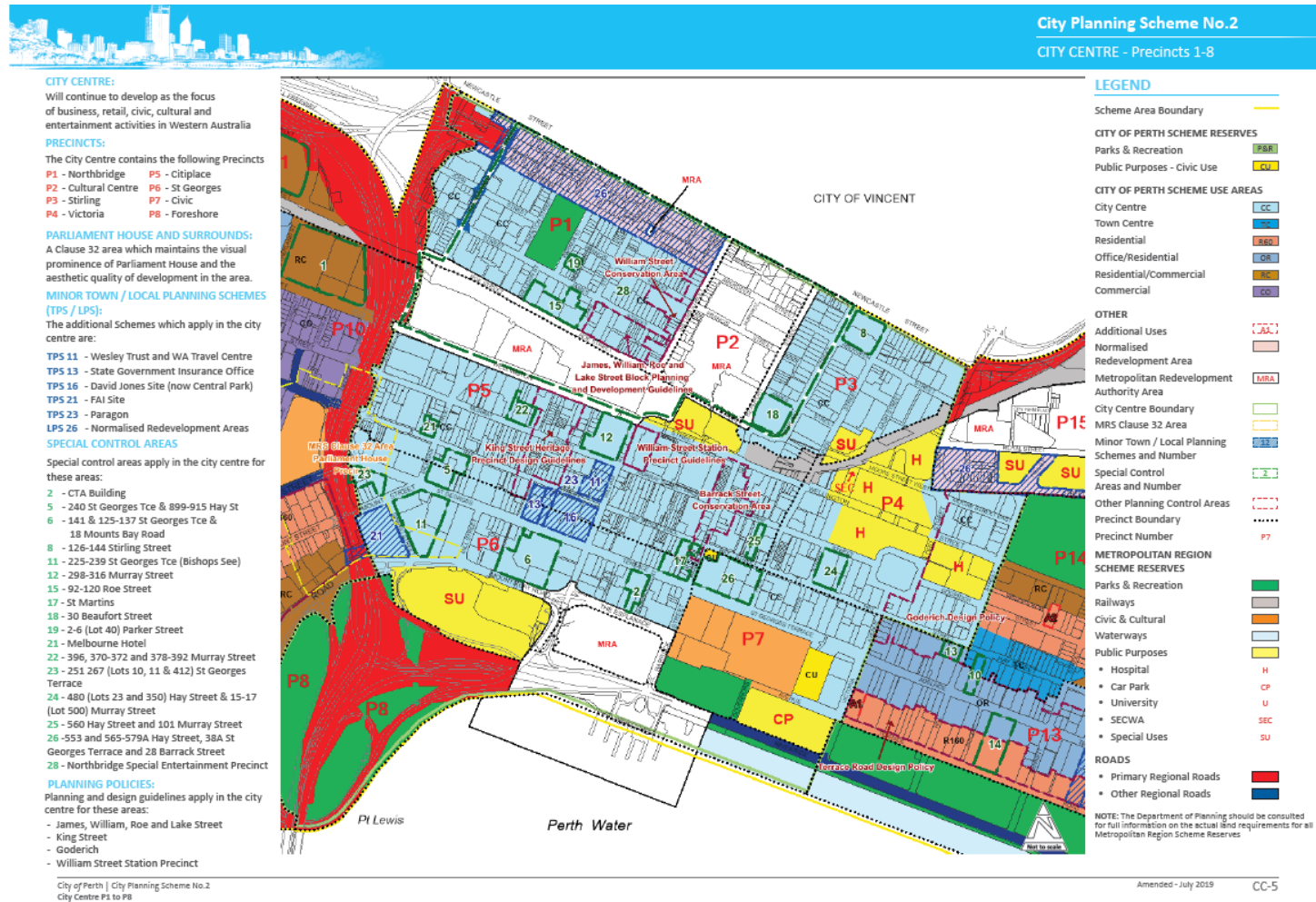




## SCHEDULE 1 - EXISTING CITY CENTRE PRECINCTS PLAN (P1 TO 8)



## SCHEDULE 2 – PROPOSED CITY CENTRE PRECINCTS PLAN (P1 TO 8)



### **SCHEDULE 3 - INFORMING ACOUSTIC STUDIES**

#### Northbridge Entertainment Precinct Noise Study (2012)

The City engaged consultants Lloyd George Acoustics in 2012 to undertake an independent noise study of Northbridge to gain an evidence base from which to develop new legislation, planning provisions and management strategies. The study was completed in 2012 and included 26 recommendations.

The key recommendations included:

- Imposing higher construction standards for all new residential development in the Northbridge Entertainment Precinct.
- Allocating noise certificates to entertainment venues prescribing an internal C-weighted noise level limit based on an external noise limit and establishing an associated enforcement procedure.
- Developing an information and education strategy for existing and future businesses and residents.

The study found the ambient noise levels outside residential premises within the Northbridge Entertainment area exceeded the Noise Regulations most of the time, particularly between 10pm and 1am on Thursday, Friday and Saturday nights. This creates some complexity in enforcing the Regulations in Northbridge and requires sophisticated methods of noise analysis to reliably determine which venue/s are emitting the noise resulting in complaints.<sup>10</sup>

#### Evaluation of Residential Building Attenuation

The State Government (DWER) engaged consultants Gabriels Hearne Farrell to undertake an acoustic study in July 2019 for the proposed Northbridge Entertainment Precinct evaluating residential building attenuation. The purpose of this study was to focus on low frequency noise intrusion and determine a practical approach to acoustic upgrades.

The study stated there are currently no clear design standards for low frequency noise in Australia. Based on a review of various Australian examples including Fortitude Valley, the implied requirements of the Noise Regulations, and the approach taken internationally, a design objective for the 63Hz

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<sup>10</sup> Lloyd George Acoustics - *Northbridge Entertainment Precinct Noise Study (2012)*

and 125 Hz octave bands is recommended, this being based on the UK DEFRA curve. As such, the design objective for internal noise levels due to music entertainment noise intrusion were set at Leq **47dB** in the 63 Hz Octave Band and Leq **41 dB** in the 125 Hz Octave Band.

The study found that recent apartment constructions in the Northbridge area had the following characteristics:

- High mass external walls being concrete or cavity brick;
- Upgraded glazing typically 10.38mm glass; and
- Typical light frame roof ceiling construction with double layer plaster sheeting to ceiling.

The study stated that whilst the above construction standards would provide satisfactory attenuation to address the general ambient noise level, generated from traffic and street activity, in Northbridge, it would not however provide satisfactory attenuation to address the low frequency noise associated with the music entertainment industry. These construction standards would generally equate to a transmission loss of  $L_{Leq}$ , **20 dB** in the 63 Hz octave band/

The study outlined the design and construction requirements to maximise sound reduction performance through the façade of multi storey residential buildings to address low frequency noise and also provided an indication of the additional costs to construction.

The study identified that low frequency noise intrusion into residential building in the Northbridge Precinct can be controlled to meet Low Frequency Noise design targets where external noise levels are up to **65 dB(A)** and **79 dB(C)** at the 63 Hz octave band. It was estimated that the additional cost associated with the constructing to these levels would be in the order of 8%. Where the external noise levels exceed these levels, it is likely that further increases in construction standards are not likely to be practical nor financially viable.

The implications are that new noise sensitive development within the Core Entertainment Area given the current levels is likely to be unviable. However, such development would be achievable within certain areas of the proposed Frame Entertainment Area and it may be possible to develop 'deem to comply' standards in these areas.

The study also identified that a very large cavity (minimum 1 metre) is required in the double-glazing format to provide good sound reduction performance in the 63 Hz octave band. This would however be achievable by fully glazing the balcony perimeter (i.e. constructing a normal balcony and installing an openable window above the normal balustrade height).

### Northbridge Noise Monitoring Report - September 2019

In 2019, DWER engaged consultants Lloyd George Acoustics to undertake ambient noise measurements primarily within the proposed Core Entertainment Area. Key objectives of the study included identifying the noise levels currently emitted by venues and obtaining an indication of the ambient noise levels near noise sensitive premises.

The noise monitoring survey was undertaken on Friday 16 August 2019, Saturday 17 August 2019, Friday 23 August 2019 and Saturday 24 August 2019 between 10pm and 1am (the following day).

The City has tabulated the noise measurements provided in the survey at the 63Hz levels to capture the low frequency noise levels associated with amplified music levels in Tables 1 and 2 below.

**Table 1 – Existing Venues**

SCA Area	No Venues *	Volume range @ 63Hz	Max 63Hz level	Compliant venues	% of compliance	Non compliant venues	% of non-compliance
Core	27	75.2 – 104.2dB	80 dB	<b>2</b>	7%	25	93%
			85 dB	<b>5</b>	18%	22	82%
			90 dB *	<b>11</b>	40%	16	60%
			95 dB Proposed	<b>17</b>	62%	10	38%
			100 dB	<b>25</b>	92%	2	8%
Frame	3	74.2 – 107.9dB	79 dB* Proposed	<b>0</b>	0	3	100%
			85 dB	<b>0</b>	0	3	100%



			90 dB	<b>2</b>	67%	1	33%
			95 dB	<b>2</b>	67%	1	33%
			100 dB	<b>2</b>	67%	1	33%

## Notes

1. The number of venues referred to in column 2 of this table refers to the number of venues at which noise readings were undertaken for the Northbridge Noise Monitoring Report.
2. The 'volume range @ 63 Hz' column represents the range of sound levels that venues are currently operating at. The lower level represents the quietest venue on its quietest night, the highest level is the loudest venue on its loudest night.
3. The 'Max 63 Hz level' column expresses different theoretical maximum venue boundary levels that could be set through the SCA. The compliance columns relate to the number of venues that would comply, or not comply, with that theoretical imposed maximum level.

The survey selected 27 out of the 40 venues situated within the proposed Core Entertainment Area and indicated a noise range between  $L_{Leq11}$  **75.2 dB** and  $L_{Leq}$  **104.2 dB** within the 63Hz octave band. The majority (92%) of the venues operated at or below a maximum of  $L_{Leq}$  **100 dB**.

The survey sample for the venues situated within the Frame Entertainment Area was limited with only 3 venues situated closest to the Core Entertainment out of a total of 20 venues surveyed.

Interestingly, the survey indicated a noise range of between  $L_{Leq}$  **74.2 dB** to  $L_{Leq}$  **107.9 dB** within the 63Hz octave band for venues situated within the Frame Entertainment Area which was greater than that of the venues situated within the Core Entertainment Area. Two of the three venues also operated at or below a maximum of  $L_{Leq}$  **100dB**.

However, it is acknowledged as only 3 venues were surveyed it is unlikely to be a representative sample for the Frame Entertainment Area.

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<sup>11</sup> Lloyd George Acoustics -Sound level descriptor  $L_{Leq}$  or 'equivalent continuous sound level', is a widely-used parameter used for sound levels that fluctuate over time. This parameter better represents the noise a person is exposed to due to entertainment uses, compared to  $L_{10}$ , that only represents the noise level exceeded just for 10% of the measurement period or  $L_{Max}$  that describes the highest sound level spike during measurement. This parameter is also easier to apply as it is more mathematically robust when considering contributing levels from various noise sources.

**Table 2 – Existing Noise Sensitive Premises**

SCA Area	No noise sensitive buildings	Current 63 Hz range	63 Hz levels	Number of current receivers	Nearest Venue
Core	6	74.2 – 89.6	< 85 dB	<b>4</b> R3, R1, R2, R8	R3: V32c, V21c R1: V6c, V16c R2: V20c, V21c R8: V12c, V41c, V11c
			85 – 90 dB	<b>2</b> R12, R5	R12: V32c, V21c R5: V28c
			90 – 95 dB	<b>0</b>	
			95 – 100 dB	<b>0</b>	
			> 100 dB	<b>0</b>	
Frame	6	72.5 – 92.4	< 85 dB	<b>4</b> R9, R10, R11, R6	R9: V38f R10: V34f, V22f R11: V12c, V41c R6: V35c
			85 - 90 dB	<b>0</b>	
			90 - 95 dB	<b>2</b> R4, R7	R4: V23c, V24c, V25c R7: V33f, V32c
			95 - 100 dB	<b>0</b>	
			> 100 dB	<b>0</b>	

**Notes**

1. The number of noise sensitive buildings referred in column 2 of this table represent the number of noise sensitive buildings at which noise readings were undertaken for the Northbridge Noise Monitoring Report 2.
2. Each of the noise sensitive buildings listed in column 2 may contain multiple dwellings.

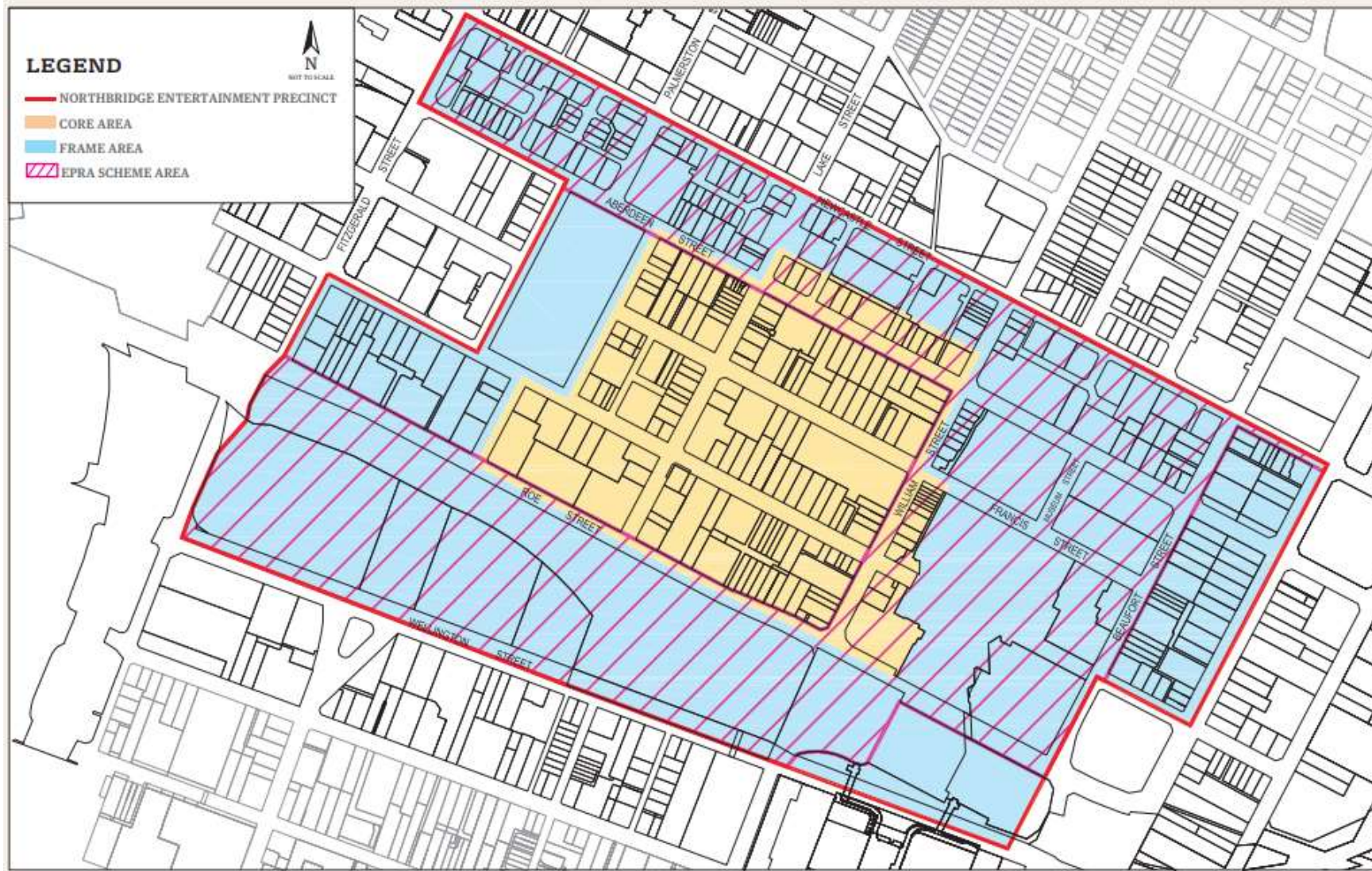
Table 2 indicates that within the proposed Core Entertainment Area, noise levels ranging between  $L_{Leq}$  **74.2 dB** to  $L_{Leq}$  **89.6 dB** within the 63Hz octave band occurred outside of the noise sensitive premises.

In a section of the proposed Frame Entertainment Area, noise levels ranging between  $L_{Leq}$  **72.5 dB** to **92.4 dB** within the 63Hz octave band occurred outside of the noise sensitive premises. Interestingly, two noise sensitive premises situated within the proposed Frame Entertainment Area (one situated on the eastern side of William Street and the other situated on the northern side of Aberdeen Street) received noise levels up to  $L_{Leq}$  **91-92dB** within the 63Hz octave band. These noise levels were higher than those found outside noise sensitive uses within the proposed Core Entertainment Area.

DWER has advised that the average noise levels across the SCA, including both the Core and Frame Entertainment Areas, equates to  $L_{Leq}$  **81dB** within the 63Hz octave band with an anticipated internal level within noise sensitive premises of **61db** (based on a typical apartment construction outlined in the Gabriels Hearne Farrell Acoustic Study dated July 2019).

The findings of the survey indicate that the noise levels can fluctuate from one night to the next depending on the type of music on the night, patron numbers and whether any external glazing is kept closed or not. It was also noted that all noise levels were recorded at 1.5 metres above ground and therefore, elevated receivers are potentially subjected to higher noise levels as well as low frequency levels given that less shielding from adjacent buildings would occur.

MRA Central Perth Redevelopment Scheme 2012 – Northbridge Entertainment Precinct Map



Australian State and Local Government Low Frequency Noise Criteria

Criteria	63 Hz one octave band dB L <sub>Lin eq</sub>
Fortitude Valley	48
South Australian Guideline <sup>1</sup>	48
Sydney low frequency proposed Option 1 <sup>2</sup>	44
Sydney low frequency proposed Option 2	48

<sup>1</sup> Identical to Fortitude Valley criteria.

<sup>2</sup> Summation of spectral levels not to exceed a broadband level.



**Current Maximum Ambient Noise Levels – Northbridge Special Entertainment Precinct (Lloyd George Acoustics, 2019)**

**Table a – Existing Venues**

SCA Area	No Venues *	Volume range @ 63Hz	Max 63Hz level	Compliant venues	% of compliance	Non compliant venues	% of non-compliance
Core	27	75.2 – 104.2dB	80 dB	<b>2</b>	7%	25	93%
			85 dB	<b>5</b>	18%	22	82%
			90dB	<b>11</b>	40%	16	60%
			95 dB* Proposed	<b>17</b>	62%	10	38%
			100 dB	<b>25</b>	92%	2	8%
Frame	3	74.2 – 107.9dB	79 dB* Proposed	<b>0</b>	0	3	100%
			85 dB	<b>0</b>	0	3	100%
			90 dB	<b>2</b>	67%	1	33%
			95 dB	<b>2</b>	67%	1	33%
			100 dB	<b>2</b>	67%	1	33%

**Notes**

1. The number of venues referred to in column 2 of this table refers to the number of venues at which noise readings were undertaken for the Northbridge Noise Monitoring Report (2019).
2. The 'volume range @ 63 Hz' column represents the range of sound levels that venues are currently operating at. The lower level represents the quietest venue on its quietest night, the highest level is the loudest venue on its loudest night.
3. The 'Max 63 Hz level' column expresses different theoretical maximum external amplified noise level that could be set through the SCA. The compliance columns relate to the number of venues that would comply, or not comply, with that theoretical imposed maximum level.

**Table b – Existing Residential Buildings**

SCA Area	No residential buildings	Current 63 Hz range	63 Hz levels	Number of current receivers	Nearest Venue
Core	6	74.2– 89.6	< 85 dB	<b>4</b> R3, R1, R2, R8	R3: V32c, V21c R1: V6c, V16c R2: V20c, V21c R8: V12c, V41c, V11c
			85 – 90 dB	<b>2</b> R12, R5	R12: V32c, V21c R5: V28c
			90 – 95 dB	<b>0</b>	
			95 – 100 dB	<b>0</b>	
			> 100 dB	<b>0</b>	
Frame	6	72.5 – 92.4	< 85 dB	<b>4</b> R9, R10, R11, R6	R9: V38f R10: V34f, V22f R11: V12c, V41c R6: V35c
			85 - 90 dB	<b>0</b>	
			90 - 95 dB	<b>2</b> R4, R7	R4: V23c, V24c, V25c R7: V33f, V32c

**Notes**

1. The number of residential buildings referred in column 2 of this table represent the number of residential buildings at which noise readings were undertaken for the Northbridge Noise Monitoring Report (2019).
2. Each of the residential buildings listed in column 2 may contain multiple dwellings.

**Recommendation:*****That Council:***

1. ***APPROVES the transfer of \$95,755.92 from Trust T00039 in accordance with the request from the Achievers Club; and***
2. ***APPROVES the budget amendment to accommodate all expenditure as outlined in Table 1.***

FILE REFERENCE:	P1037704
REPORTING OFFICER:	Sally Savage, Operations Coordinator – Community Services
REPORTING UNIT:	Community Services
RESPONSIBLE DIRECTORATE:	Community and Commercial Services
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	2 October 2019
ATTACHMENT/S:	Attachment 6.15A – Letter from Achiever’s Club

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

**Legislation / Strategic Plan / Policy:**

<b>Legislation</b>	<i>Local Government Financial Management Regulations 1996</i> Clause 12(1)(b)
<b>City of Perth Act 2016</b>	<b>Objects of the City of Perth</b> 8(1)(d) - to continuously improve the services and facilities provided to the community, visitors and tourists
<b>Integrated Planning and Reporting Framework Implications</b>	<b>Strategic Community Plan</b> Strategic Priority - Social
<b>Policy</b>	
Policy No and Name:	NA

**Purpose and Background:**

The Achievers Club is fundraising group that was established in 2000 by a small group of Volunteers from the Citiplace Community Centre. The groups purpose was to raise funds through the Centre and spend the funds on the purchase of equipment and capital works projects at the Centre.

Over the 19 years of operation, the Group has raised over \$500,000 through activities such as raffles, book sales, running a craft stall at the Centre, and operation of the Centres Op Shop. The current unspent balance of the funds raised by the Achievers Club is \$95,755.92. These funds are currently held in the City's Trust, however the Club has agreed for the funds to be moved to the City's municipal account so that the sum of funds can be expended for the benefit of the Centre.

Previous purchases made for the Centre with Achievers Club raised funds have included various assets and capital works, refurbishment of the Op Shop, purchase of an interactive screen for the conference room, and purchase of a bain-marie and pie warmer for the kitchen.

Membership of the Achievers' Club has dwindled, with only three volunteers remaining in 2019. With a smaller membership, the capacity to carry out fundraising initiatives declined significantly. The City has worked with the three remaining members of the Achievers Club over the past 12 months to agree on close out of the Achievers Club (and associated fundraising activities).

Following closure of the Group, the Achievers Club will no longer be involved in fundraising activities. Instead, all funds raised by sales from the Op Shop, craft stall, book sales, bus trips and raffles will be directed back into the operating costs of the Citiplace Community Centre.

**Details:**

In October 2018, the Operations Coordinator commenced discussions with the Achiever's Club to review governance of the Club. At the initial meeting, the Operations Coordinator discussed the City's intention to realign income activities at the Centre to a more appropriate financial and governance model. The Coordinator outlined the need to change the model to an Advisory Group for the Centre which would no longer have full control over finances however would be able to put forward suggestions for purchases and works to benefit the Centre and the community. Following the initial meeting, the Coordinator met with the Group on another 10 occasions to work

collaboratively with the group to change the existing Achievers Club model to be advisory in nature and reflect a more appropriate financial and governance model.

Throughout the consultation with the Group, a number of actions were completed:

- Achievers Club closed the separate bank account that was set up in the name of the Achievers Club and was fully controlled by two of the three remaining members of the Group – the balance of this account (over \$70,000) was transferred to the City's Trust Account;
- All funds collected through activities that had historically been seen as 'raised' by the Achievers Club (Op Shop, book stalls, raffles and bus trips and craft stall) was then receipted and banked into the Trust account by the Centre Supervisor through the Centre's weekly reconciliation process;
- The Achievers Club agreed that as of the commencement of the 2019/20 financial year, the funds raised through the activities that had historically been seen as being 'raised' by the Achievers Club (Op Shop, book stalls, raffles, bus trips and craft stall) would be directed into the Centre's income account, to contribute towards the operating costs of the Centre;
- The Achievers Club submitted a list of operational and capital projects for the balance of the Trust to be expended on; and
- It was agreed that once the sum of the Trust was expended, the Group would be wound up, and the new model of the Advisory Group would be launched.

It is important to note that the Achievers Club is a non-incorporated Club, therefore there is no legislative narrative (constitution) to explain how to deal with the remainder of funds on the closure of the Club. Due to the Club being non-incorporated, the City have requested Achievers Club to provide written agreement that the funds be moved from the City's Trust and reimbursed to the City, which the City will then deploy towards purchasing the items listed below. The attached letter outlines the agreement between the Achievers Club and the City to facilitate that outcome.

The below table outlines the purchases to be made with the Achievers Club funds and the associated budget amendment.

**Table 1 – Proposed Budget Amendment**

Details	Current Budget	Amendment	Revised Budget
Complete repaint of the Centre	\$32,455.50	\$0.00	\$32,455.50
Interactive TV Screen for large conference room	\$0.00	\$15,903.00	\$15,903.00
New chairs for the dining room (140 chairs)	\$0.00	\$20,944.00	\$20,944.00
Artificial plants to go throughout the Centre	\$0.00	\$3,599.42	\$3,599.42
Remainder of funds to be allocated towards the construction of a storeroom off the Centre	\$0.00	\$22,854.00	\$22,854.00
<b>Total Expenditure</b>			<b>\$95, 755.92</b>



<b>Funds Transferred from Trust</b>	<b>\$0.00</b>	<b>\$95,755.92</b>	<b>\$95,755.92</b>
<b>Net Impact on Municipal Surplus</b>			<b>\$0</b>

**Financial Implications:**

ACCOUNT NO:	PJ 1205 60130 0000
BUDGET ITEM:	N/A
BUDGETED AMOUNT:	N/A
AMOUNT SPENT TO DATE:	N/A
PROPOSED COST:	\$95,755.92
BALANCE REMAINING:	N/A
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	N/A

**Comments:**

Current membership of the group comprises of three long standing volunteers of the Centre.

The City has consulted with the three remaining members of the Achievers Club on 10 occasions in the last 12 months to reach agreement of a forward plan for the Club, and associated expenditure of funds.



# City of Perth

23 September 2019

Achievers Club  
C/O Janet Shriver

Dear Achievers Club,

**RE: Expenditure of funds in the City's Trust account**

In October 2018, the Operations Coordinator commenced discussions with the Achiever's Club to review governance of the Club. Throughout the meetings, the Operations Coordinator discussed the City's intention to realign income activities at the Centre to a more appropriate financial and governance model.

At the meetings, the Achievers Club confirmed agreement to expend the total sum of \$95,755.92 which has been raised by the Club and is remaining in the City's Trust. The Achievers Club have agreed that the funds be expended on the items listed below:

Item	Cost
Complete repaint of the Centre	\$32,455.50
Interactive TV Screen for large conference room	\$15,903.00
New chairs for the dining room (140 chairs)	\$20,944.00
Artificial plants to go throughout the Centre	\$3,599.56
Remainder of funds to be allocated towards the construction of a storeroom off the Centre	\$22,854
<b>TOTAL</b>	<b>\$95,755.92</b>

Please sign below to confirm that the Achievers Club agree for the funds in the Trust account to be reimbursed to the City, which the City will then deploy towards purchasing the agreed items listed above.

Janet Shriver – President Achievers Club

Helen Le Cordier – Treasurer Achievers Club

Jenny Rance – Vice president Achievers Club

**Agenda  
Item 6.16**

**Financial Statements and Financial Activity Statement for the  
Period Ended 31 August 2019**

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**Recommendation:**

***That Council RECEIVES the Financial Statements and the Financial Activity Statement for the period ended 31 August 2019 as detailed in Attachment 6.16A of this report.***

FILE REFERENCE:	P1014149-25
REPORTING OFFICER:	Neil Jackson, Senior Management Accountant
REPORTING UNIT:	Finance
RESPONSIBLE DIRECTORATE:	Corporate Services
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	14 October 2019
ATTACHMENT/S:	Attachment 6.16A - Financial Statements and Financial Activity Statement for the period ended 31 August 2019

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

**Legislation / Strategic Plan / Policy:**

<b>Legislation</b>	Section 6.4(1) and (2) of the <i>Local Government Act 1995</i> Regulation 34(1) of the <i>Local Government (Financial Management) Regulations 1996</i>
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<b>City of Perth Act 2016</b>	<b>Objects of the City of Perth</b> 8(1)(d) - to continuously improve the services and facilities provided to the community, visitors and tourists
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<b>Integrated Planning and Reporting Framework Implications</b>	<b>Strategic Community Plan</b> Leadership
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**Policy**

Policy No and Name: N/A

**Comments:**

The Financial Activity Statement commentary compares the actual results for the two months to 31 August 2019 with the budget approved by Council at its meeting Special Meeting held on **23 July 2019**.

**FINANCIAL ACTIVITY STATEMENT FOR THE TWO MONTHS TO  
31 AUGUST 2019**

**REPORT OF VARIANCES TO BUDGET**

**This report compares the actual performance for the two months to 31 August 2019 to the 2019/20 Budget adopted by Council on 23 July 2019.**

**Operating Revenue**

- Parking revenue for the year to date was \$12.4 million, which was \$326,000 under the budget. The variance relates mainly to Undercover, Open Air car parks and Kerbside parking underperforming.
- Fines and costs were \$1.7 million, being \$106,000 or 6.8% above budget for the period. The variance relates to higher than anticipated revenue from Parking fines and penalties.
- Rubbish collection revenue was \$9.5 million, or \$251,000 above budget, relating to additional revenue from new strata properties now replacing vacant land of \$162,000 and additional recycling revenue of \$89,000.
- Investment Income and Interest was \$585,000 under the budget mainly due to the timing of penalty interest on rates instalments.

**Operating Expenditure**

- Employee costs for the year to date were \$13.3 million, being \$642,000 under the budget. This is mostly a timing difference due to staff turnover and vacant positions.
- Materials and Contracts were \$1.4 million under the budget as a result of underspend in Properties, Infrastructure and IT maintenance along with timing variances in contractors and consultants for Marketing projects mostly in Christmas and New Years \$114,000 and Winter in the City \$292,000.
- Depreciation and Amortisation was over the budget by 1.6% or \$93,000.

**Investing Activities**

- Capital expenditure was \$7.1 million under budget for the year to date as detailed below.



**FINANCIAL ACTIVITY STATEMENT FOR THE TWO MONTHS TO  
31 AUGUST 2019**

**REPORT OF VARIANCES TO BUDGET**

<b>Capital expenditure Variance for the period to August 2019</b>				
<b>Details</b>	<b>Budget 2019/20</b>	<b>Year to Date</b>		
		<b>Actual</b>	<b>Budget</b>	<b>Variance</b>
Wellington Square Enhancement	5,762,600	93,818	64,894	28,924
East End Revitalisation	4,222,550	79,119	893,702	(814,583)
Perth Convention & Exhibition Centre - Subsidence Rectification	4,000,000	60	17,206	(17,146)
Integrated Parking Management and Enforcement System	3,900,000	22,425	822,000	(799,575)
Bollard Replacement in Hay & Murray St Malls	1,422,859	7,724	-	7,724
Lighting - Council House Upgrades	1,281,293	20,472	12,826	7,646
Digital Workplace Enhancements	855,126	14,137	137,484	(123,347)
2-Way Street Projects	379,000	68,220	158,500	(90,280)
St Georges Tce ( Irwin — Victoria St) Lighting - Upgrade	239,181	5,441	239,181	(233,740)
Spring Street Pedestrian Crossing	196,549	5,615	19,655	(14,040)
HRIS System Review and Implementation	150,000	41,700	101,176	(59,476)
Projects with no spending YTD	25,374,650	-541	4,311,077	(4,311,618)
All other projects	9,033,717	676,966	1,348,965	(671,999)
<b>TOTAL</b>	<b>56,817,525</b>	<b>1,035,156</b>	<b>8,126,666</b>	<b>(7,091,510)</b>

**Financing Activities**

- Transfers to Reserves were under budget by \$15,000 mainly due to lower interest income on Reserve funds.
- Transfers from Reserves were under budget by \$558,000 as a result of timing differences for projects funded from Reserve funds.

**Amounts sourced from Rates**

- Rates revenue raised was \$270,000 or 0.3% under budget due to timing differences for interim and back rates.

## CITY OF PERTH

## FINANCIAL ACTIVITY STATEMENT for the period ended 31 August 2019

	Budget 2019/20 \$	Actual YTD 31-Aug-19 \$	Budget YTD 31-Aug-19 \$	Variance YTD 31-Aug-19 \$
<b>Proceeds from Operating Activities</b>				
<b>Operating Revenue</b>				
Parking Fees	73,201,532	12,446,339	12,771,848	(325,509)
Fines and Costs	9,057,395	1,666,691	1,560,768	105,923
Investment Income and Interest	5,012,305	537,042	1,122,058	(585,016)
Community Service Fees	1,666,270	291,841	277,712	14,129
Rubbish Collection	10,099,700	9,486,750	9,236,033	250,717
Rentals and Hire Charges	5,212,039	688,927	869,648	(180,721)
Recurrent Grants	1,427,431	207,274	77,414	129,860
Contributions, Donations and Reimbursements	862,567	111,320	149,647	(38,327)
Other Income	4,385,655	1,235,760	1,423,612	(187,852)
Distribution from TPRC	350,000	0	0	0
	<b>111,274,894</b>	<b>26,671,942</b>	<b>27,488,740</b>	<b>(816,797)</b>
<b>Less: Operating Expenditure</b>				
Employee Costs	83,404,019	13,339,075	13,976,746	637,671
Materials and Contracts	53,499,590	5,975,984	7,417,544	1,441,560
Utilities	3,244,992	524,091	548,440	24,349
Insurance Expenditure	1,040,519	184,914	173,503	(11,411)
Depreciation and Amortisation	35,541,567	6,016,802	5,923,594	(93,208)
Interest Expenses	573,408	116,849	116,502	(347)
Loss on Disposal of Assets	1,769,729	15,052	294,955	279,903
Expense Provisions	655,791	126,824	109,299	(17,526)
Other Expenditure	25,527,828	3,735,939	4,266,658	530,719
	<b>205,257,444</b>	<b>30,035,531</b>	<b>32,827,241</b>	<b>2,791,710</b>
Add back Depreciation	(35,541,567)	(6,016,802)	(5,923,594)	93,208
Less: Movement in Liabilities associated with Restricted Cash	5,808,466			
(Loss) / Profit on Disposals	(1,769,729)	(15,052)	(294,955)	(279,903)
	<b>173,754,614</b>	<b>24,003,677</b>	<b>26,608,692</b>	<b>2,605,015</b>
<b>Net Surplus/(Deficit) from Operations</b>	<b>(62,479,720)</b>	<b>2,668,266</b>	<b>880,047</b>	<b>1,788,218</b>
<b>Investing Activities</b>				
Capital Grants	1,191,862	1,425,000	0	1,425,000
Capital Expenditure	(56,817,525)	(1,035,156)	(8,126,666)	7,091,510
Proceeds from Disposal of Assets/Investments	1,325,391	182,003	225,135	(43,132)
<b>Sub-total Investing Activities</b>	<b>(54,300,271)</b>	<b>571,847</b>	<b>(7,901,531)</b>	<b>8,473,378</b>
<b>Financing Activities</b>				
Repayment of Borrowings	(6,904,163)	(1,921,540)	(1,921,540)	0
Transfers to Reserves	(52,067,823)	(395,477)	(380,000)	(15,477)
Transfer from Reserves	50,525,111	17,972,702	18,530,000	(557,298)
<b>Sub-total Financing Activities</b>	<b>(8,446,875)</b>	<b>15,655,685</b>	<b>16,228,460</b>	<b>(572,775)</b>
Add: Opening Funds	34,052,456	39,263,413	39,263,413	0
<b>Net Surplus/(Deficit) before Rates</b>	<b>(91,174,410)</b>	<b>58,159,211</b>	<b>48,470,390</b>	<b>9,688,821</b>
Amount Sourced from Rates	96,419,628	96,378,021	96,648,003	(269,982)
<b>Closing Funds</b>	<b>5,245,218</b>	<b>154,537,232</b>	<b>145,118,393</b>	<b>9,418,839</b>

## CITY OF PERTH

## CURRENT POSITION AS AT THE END OF THE PERIOD 31 August 2019

Description			Budget 2019/20	Actual YTD 31-Aug-19	Budget YTD 31-Aug-19	Variance YTD 31-Aug-19
<b>Current Assets</b>			\$	\$	\$	\$
Cash and Cash Equivalents			6,964,785	27,784,817	28,197,788	(412,971)
Deposits and Prepayments			4,787,964	18,332,199	22,787,964	(4,455,765)
Money Market Investments - Municipal Funds			5,498,142	39,745,081	40,498,142	(753,061)
Money Market Investments - Restricted Funds			111,016,948	83,966,717	85,616,948	(1,650,231)
Trade and Other Receivables			13,551,253	111,957,151	100,962,046	10,995,105
Inventories			920,355	775,786	920,355	(144,569)
<b>Total Current Assets</b>			<b>142,739,447</b>	<b>282,561,751</b>	<b>278,983,243</b>	<b>3,578,508</b>
<b>Current Liabilities</b>						
Trade and Other Payables			18,532,986	42,239,182	41,203,607	1,035,575
Employee Entitlements			3,448,217	11,110,597	10,448,217	662,380
Provisions			7,944,295	54,616	44,295	10,321
Borrowings			8,778,971	5,638,871	5,778,971	(140,100)
<b>Total Current Liabilities</b>			<b>38,704,469</b>	<b>59,043,266</b>	<b>57,475,090</b>	<b>1,568,176</b>
<b>Working Capital Position Brought Forward</b>			<b>104,034,978</b>	<b>223,518,485</b>	<b>221,508,153</b>	<b>2,010,332</b>
Deduct Restricted Cash Holdings			(111,016,948)	(83,966,717)	(85,616,948)	1,650,231
Add Current Liabilities not expected to clear			3,448,217	9,346,593	3,448,217	5,898,376
Add Current Borrowings			8,778,971	5,638,871	5,778,971	(140,100)
<b>Current Funds Position Brought Forward</b>			<b>5,245,218</b>	<b>154,537,232</b>	<b>145,118,393</b>	<b>9,418,839</b>

<b>Net Cash on Hand</b>			\$	\$	\$	\$
Cash On Hand			6,964,785	27,784,817	28,197,788	(412,971)
Money Market Investments			116,515,090	123,711,798	126,115,090	(2,403,292)
<b>Funds on Hand</b>			<b>123,479,875</b>	<b>151,496,615</b>	<b>154,312,878</b>	<b>(2,816,263)</b>
<b>Analysis of Funds on Hand</b>						
Reserves			111,016,948	83,966,717	85,616,948	(1,650,231)
Provisions			11,392,512	11,165,213	10,492,512	672,701
General Funds			1,070,415	56,364,685	58,203,418	(1,838,733)
<b>Funds on Hand</b>			<b>123,479,875</b>	<b>151,496,615</b>	<b>154,312,878</b>	<b>(2,816,263)</b>

## **EXPLANATORY NOTES – FINANCIAL ACTIVITY STATEMENT**

### **BACKGROUND**

- Regulation 34 of the Local Government (Financial Management) Regulations 1996 was amended effective from 1 July 2005.
- The amendment prescribes a monthly Financial Activity Statement (FAS) reporting the sources and application of funds, as set out in the Rate Setting Statement which is included in the Annual Budget.

### **PURPOSE**

- The FAS reports the actual financial performance of the City in relation to its adopted budget, which has been structured on financial viability and sustainability principles.
- The FAS is intended to act as a guide to Council of the impact of financial activities and the reasons for major variances to the annual budget estimates.

### **PRESENTATION**

- Regulation 34 prescribes the minimum detail to be included in the FAS. These are listed below.
  - Annual Budget estimates, and approved revisions to these, are to be included for comparison purposes.
  - Actual amounts of income and expenditure to the end of the month of the FAS.
  - Material variances between the comparable amounts and commentary on reasons for these.
  - The net current assets at the end of the month to which the FAS relates.
- An explanation of the composition of the net current assets at the end of the month to which the FAS relates; less committed and restricted assets.
- Councils are given the option of adopting a format which is considered most appropriate to their needs. These options are listed below.
  - According to nature and type classification,
  - by program, or
  - by business unit.
- It is recommended that while the information presented by cost objects (programs and activities) or by cost centres (business units) are useful for expense allocation and cost centre accountability purposes, they are less informative and difficult to comprehend in matters of disclosure and less effective in cost management and control.
- The FAS has therefore been presented in the format using nature and type classification as the most meaningful disclosure to the Council and public.

### **FORMAT**

- The FAS is formatted to align with the Rate Setting Statement.
- The first part deals with operating income and expenditure, excluding rate revenue.
- The next classification is the amount spent on capital expenditure and debt repayments.
- The classification 'Financing Activities' provides a statement of sources of funds other than from operating or rates revenue, which are usually associated with capital expenditure.
- Attached to the FAS is a statement of 'Net Current Assets' for the budget and actual expenditure to the end of the month to which the FAS relates.
- Opening and closing funds represent the balance of 'Net Current Assets', not including any funds which are committed or restricted.
- "Committed assets" means revenue unspent but set aside under the annual budget for a specific purpose.
- "Restricted assets" means those assets the uses of which are restricted, wholly or partially, by regulations or other externally imposed requirements", e.g. reserves set aside for specific purposes.
- To avoid duplication in calculating 'Closing Funds on hand', certain balances, such as provisions and borrowings, are also deducted.
- The total Closing Funds on hand are to be taken into account when calculating the amount to be raised by rates each year.
- The classification "Net Cash on Hand" represents the balances of funds held in cash or invested and the analysis into those funds reserved, carried forward or remaining unspent at the end of the month to which the FAS relates.



# **CITY of PERTH**

## **Financial Report**

**For the 2 month ended 31 August 2019**



**CITY OF PERTH  
MUNICIPAL**

*Statement of Comprehensive Income for the 2 months ended 31 August 2019*

*(By Program)*

	<i>Note</i>	<b>*Budget 2019/2020</b>	<b>Revised Budget YTD</b>	<b>Actual YTD 31/08/2019</b>	<b>YTD Variance</b>	
<b>OPERATING REVENUE</b>		<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>%</b>
General Purpose Funding Rates		97,492,728	97,430,603	96,404,011	(1,026,592)	-1.1%
General Purpose Funding Other		4,994,353	679,991	650,222	(29,769)	-4.4%
Law, Order, Public Safety		85,674	12,653	13,038	385	3.0%
Health		981,000	561,530	649,567	88,037	15.7%
Education and Welfare		1,951,603	325,267	361,599	36,332	11.2%
Housing		885,259	147,543	167,281	19,738	13.4%
Community Amenities		13,033,342	9,625,161	9,912,241	287,080	3.0%
Recreation and Culture		1,767,438	297,357	142,922	(154,435)	-51.9%
Transport		84,507,422	14,717,777	14,418,978	(298,799)	-2.0%
Economic Services		1,116,620	270,655	219,851	(50,804)	-18.8%
Other Property and Services		529,083	68,205	110,256	42,051	61.7%
Total Operating Income		207,344,522	124,136,742	123,049,966	(1,086,776)	-0.9%
<b>OPERATING EXPENDITURE</b>						
Governance		(7,851,722)	(1,294,953)	(1,185,980)	(108,973)	8.4%
General Purpose Funding		(1,669,591)	(296,417)	(313,670)	17,253	-5.8%
Law, Order, Public Safety		(6,635,762)	(1,078,663)	(1,032,408)	(46,255)	4.3%
Health		(2,467,498)	(385,602)	(311,914)	(73,688)	19.1%
Education and Welfare		(4,580,602)	(782,601)	(644,867)	(137,734)	17.6%
Housing		(668,931)	(111,488)	(110,269)	(1,219)	1.1%
Community Amenities		(28,410,176)	(4,574,603)	(3,942,524)	(632,079)	13.8%
Recreation and Culture		(37,803,006)	(5,933,654)	(5,058,137)	(875,517)	14.8%
Transport		(81,477,431)	(13,309,658)	(12,913,181)	(396,477)	3.0%
Economic Services		(18,993,788)	(2,761,990)	(2,567,454)	(194,536)	7.0%
Other Property and Services		(12,929,208)	(2,002,660)	(1,940,075)	(62,585)	3.1%
Total Operating Expenditure		(203,487,715)	(32,532,287)	(30,020,479)	(2,511,808)	7.7%
<b>NET FROM OPERATIONS</b>		<b>3,856,807</b>	<b>91,604,455</b>	<b>93,029,487</b>	<b>1,425,032</b>	<b>1.6%</b>
<b>GRANTS/CONTRIBUTIONS</b>						
For the Development of Assets						
- General Purpose Funding		103,000	-	-	-	0.0%
- Transport		1,088,862	-	1,425,000	1,425,000	0.0%
Total Grants/Contributions		1,191,862	-	1,425,000	1,425,000	0.0%
<b>DISPOSAL/WRITE OFF OF ASSETS</b>						
Gain/(Loss) on Disposal of Assets	2	(1,769,729)	(294,955)	(15,053)	279,902	-94.9%
<b>Change in net assets resulting from operations before significant items</b>		<b>3,278,940</b>	<b>91,309,500</b>	<b>94,439,434</b>	<b>3,129,934</b>	<b>3.4%</b>
<b>SIGNIFICANT ITEMS</b>						
Distribution from TPRC		350,000	-	-	-	0.0%
<b>Change in net assets resulting from operations after significant items</b>		<b>3,628,940</b>	<b>91,309,500</b>	<b>94,439,434</b>	<b>3,129,934</b>	<b>3.4%</b>

\* 2019/2020 Budget adopted by Council on 23 July 2019

**CITY OF PERTH  
MUNICIPAL**

*Statement of Comprehensive Income for the 2 months ended 31 August 2019*

*(By Nature or Type)*

	<i>Note</i>	<i>*Budget 2019/2020</i>	<i>Revised Budget YTD</i>	<i>Actual YTD 31/08/2019</i>	<i>YTD Variance</i>	
<b>OPERATING REVENUE</b>		<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>%</b>
Rates		96,419,628	96,648,003	96,378,021	(269,982)	-0.3%
Grants and Contributions for Non Capital Purposes		2,289,998	227,060	318,594	91,534	40.3%
Fees and Charges		102,166,481	25,863,253	25,598,942	(264,311)	-1.0%
Interest and Investment Income		5,012,305	1,122,058	537,042	(585,016)	-52.1%
Other Revenue		1,456,110	276,370	217,367	(59,003)	-21.3%
Total Revenue from Operating Activities		207,344,522	124,136,745	123,049,966	(1,086,779)	-0.9%
<b>OPERATING EXPENDITURE</b>						
Employee Costs		(83,404,020)	(13,976,746)	(13,339,075)	(637,671)	4.6%
Materials and Contracts		(53,499,590)	(7,417,545)	(5,975,984)	(1,441,561)	19.4%
Utilities		(3,244,992)	(548,440)	(524,091)	(24,349)	4.4%
Depreciation and Amortisation		(35,541,567)	(5,923,594)	(6,016,802)	93,208	-1.6%
Interest		(573,408)	(116,502)	(116,849)	347	-0.3%
Insurance		(1,040,519)	(173,503)	(184,914)	11,411	-6.6%
Expenses Provision		(655,791)	(109,299)	(126,824)	17,526	-16.0%
Other Expenses from Ordinary Activities		(25,527,828)	(4,266,658)	(3,735,940)	(530,718)	12.4%
Total Expenses from Ordinary Activities		(203,487,715)	(32,532,287)	(30,020,479)	(2,511,808)	7.7%
Change in Net Assets from Ordinary Activities before Capital Amounts		3,856,807	91,604,457	93,029,487	1,425,030	1.6%
<b>GRANTS/CONTRIBUTIONS</b>						
Grants and Contributions- Capital		1,191,862	-	1,425,000	1,425,000	0.0%
<b>NET OPERATING SURPLUS</b>		5,048,669	91,604,457	94,454,487	2,850,030	3.1%
<b>DISPOSAL/WRITE OFF OF ASSETS</b>	<b>2</b>	(1,769,729)	(294,955)	(15,053)	279,902	-94.9%
<b>SIGNIFICANT ITEMS</b>						
Distribution from TPRC		350,000	-	-	-	0.0%
<i>Change in net assets resulting from operations after capital amounts and significant items</i>		3,628,940	91,309,502	94,439,434	3,129,931	3.4%

\* 2019/2020 Budget adopted by Council on 23 July 2019

**CITY OF PERTH  
MUNICIPAL**

*Statement of Financial Position as at 31 August 2019*

	Note	31/08/2019	30/06/2019
<b>CURRENT ASSETS</b>		\$	\$
Cash and Cash Equivalents	11	27,784,817	42,946,181
Deposits/Prepayments	4	18,332,199	1,384,093
Other financial assets at amortised cost	3, 11	123,711,798	108,181,271
Trade and Other Receivables	5	10,962,416	12,053,180
Rates Receivable	1	100,994,735	914,187
Inventories		775,786	829,609
<b>TOTAL CURRENT ASSETS</b>		<b>282,561,751</b>	<b>166,308,521</b>
<b>NON CURRENT ASSETS</b>			
Other financial assets at amortised cost	3	2,447,453	2,448,395
Financial assets at fair value through profit and loss	3	175,171	175,171
Trade and Other Receivables	5	69,759	59,293
Investments accounted for using the equity method	3	9,905,758	9,900,521
Property, Plant and Equipment	8	719,086,046	722,111,405
Infrastructure	8	368,494,895	371,427,927
Capital Work in Progress	8	47,553,381	46,773,693
<b>TOTAL NON CURRENT ASSETS</b>		<b>1,147,732,463</b>	<b>1,152,896,405</b>
<b>TOTAL ASSETS</b>		<b>1,430,294,214</b>	<b>1,319,204,926</b>
<b>CURRENT LIABILITIES</b>			
Trade and Other Payables	6	42,239,182	23,860,403
Employee Benefits	7	11,110,597	10,961,634
Provisions	7	54,616	10,960
Loan Liability	9	5,638,871	6,782,383
<b>TOTAL CURRENT LIABILITIES</b>		<b>59,043,266</b>	<b>41,615,380</b>
<b>NON CURRENT LIABILITIES</b>			
Employee Benefits	7	1,678,522	1,678,522
Loan Liability	9	8,122,723	8,900,751
<b>TOTAL NON CURRENT LIABILITIES</b>		<b>9,801,245</b>	<b>10,579,273</b>
<b>TOTAL LIABILITIES</b>		<b>68,844,511</b>	<b>52,194,653</b>
<b>NET ASSETS</b>		<b>\$1,361,449,703</b>	<b>\$1,267,010,273</b>
<b>EQUITY</b>			
Accumulated Surplus		805,113,970	693,096,749
Asset Revaluation Reserve	10	469,921,563	469,921,563
Reserves	10	86,414,170	103,991,961
<b>TOTAL EQUITY</b>		<b>\$1,361,449,703</b>	<b>\$1,267,010,273</b>

**CITY OF PERTH  
MUNICIPAL**

*Statement of Changes in Equity for the 2 months ended 31 August 2019*

	Accumulated Surplus	Asset Revaluation Reserve	Cash/investment Backed	Total Equity
	\$	\$	\$	\$
<b>Balance at 1 July 2018</b>	681,287,295	477,204,390	100,418,439	1,258,910,124
Net result	8,100,149	-	-	8,100,149
Asset Revaluation Reserve Transfers	7,282,827	(7,282,827)	-	-
Reserve Transfers	(3,573,522)		3,573,522	-
Balance at 30 June 2019	\$693,096,749	\$469,921,563	\$103,991,961	\$1,267,010,273
	\$	\$	\$	\$
<b>Balance at 1 July 2019</b>	693,096,749	469,921,563	103,991,961	1,267,010,273
Net result	94,439,434	-	-	94,439,434
Asset Revaluation Reserve Transfers	-	-	-	-
Reserve Transfers	17,577,791		(17,577,791)	-
<b>Balance at the end of the reporting period</b>	<b>\$805,113,974</b>	<b>\$469,921,563</b>	<b>\$86,414,170</b>	<b>\$1,361,449,706</b>



**CITY OF PERTH  
MUNICIPAL**

*Statement of Cash Flows for the 2 months ended 31 August 2019*

	Note	*Budget 2019/2020	YTD Actual 31/08/2019	YTD Variation	
		\$	\$	\$	%
<b>Cash Flows from Operating Activities</b>					
<b>Receipts</b>					
Rates		96,419,628	20,683,895	(75,735,733)	-78.5%
Fees and Charges		102,166,481	19,811,641	(82,354,840)	-80.6%
Interest		5,012,305	672,536	(4,339,769)	-86.6%
Other		1,806,110	298,358	(1,507,752)	-83.5%
		205,404,524	41,466,430	(163,938,094)	-79.8%
<b>Payments</b>					
Employee Costs		(83,404,020)	(13,618,215)	69,785,805	83.7%
Materials and Contracts		(53,499,590)	(7,005,920)	46,493,670	86.9%
Interest		(573,408)	(169,656)	403,752	70.4%
Other		(30,469,130)	(19,377,147)	11,091,983	36.4%
		(167,946,148)	(40,170,938)	127,775,210	76.1%
Net Cash Flows from Operating Activities	12	37,458,376	1,295,492	(36,162,883)	96.5%
<b>Cash Flows from Investing Activities</b>					
Proceeds from Disposal of Assets		1,325,391	182,003	(1,143,388)	-86.3%
Proceeds from Disposal of Investments		-	25,658,200	25,658,200	0.0%
Purchase Land and Buildings		(16,522,757)	-	16,522,757	-100.0%
Purchase Infrastructure Assets		(22,281,475)	-	22,281,475	-100.0%
Purchase Plant and Mobile Equipment		(16,885,165)	(255,467)	16,629,698	98.5%
Purchase Office Furniture and Equipment		(1,128,128)	-	1,128,128	-100.0%
Work in Progress		-	(589,635)	(589,635)	0.0%
Purchase of Investments		-	(41,193,021)	(41,193,021)	0.0%
Net Cash Flows from Investing Activities		(55,492,134)	(16,197,920)	39,294,214	-70.8%
<b>Cash Flows from Financing Activities</b>					
Repayment of Borrowings		(6,904,163)	(1,921,540)	4,982,623	72.2%
		(6,904,163)	(1,921,540)	4,982,623	72.2%
<b>Cash Flows from Government and Other Parties</b>					
<b>Receipts from Appropriations/Grants</b>					
Recurrent		2,289,998	237,603	(2,052,395)	-89.6%
Capital		1,191,862	1,425,000	233,138	19.6%
		3,481,860	1,662,603	(1,819,257)	-52.2%
Net Increase (Decrease) in Cash Held		(21,456,061)	(15,161,365)	6,294,696	-29.3%
Cash at 1 July 2019		149,719,007	42,946,181	(106,772,826)	-71.3%
Cash at 31 August 2019	11	128,262,946	27,784,817	(100,478,129)	-78.3%

\* 2019/2020 Budget adopted by Council on 23 July 2019



## MUNICIPAL

## Notes to the Balance Sheet for the 2 months ended 31 August 2019

## 1 Rates Receivable

	Actual YTD 31/08/2019	2018/19 30/06/2019
	\$	\$
Outstanding Amount at 30 June 2019	914,187	721,402
Rates Levied for the Year	96,174,550	92,244,168
Late Payment Penalties	6,956	211,402
Ex Gratia Rates	7,648	7,436
Rates Administration Fee	17,316	377,828
Rates Instalment Interest	-	355,339
Back Rates	195,823	264,262
Bins Levy	6,662,081	80,236
Emergency Services Levy	20,119,434	178,540
	124,097,995	94,440,613
Amount Received during the Period	23,103,260	93,526,426
Outstanding Amount at 31 August 2019	\$100,994,735	\$914,187

## 2 Gain/(Loss) on Disposal/Write off of Assets

	Annual Budget	Actual YTD 31/08/2019
<b>Land and Buildings</b>	\$	\$
Proceeds on Disposal	-	-
Less: Carrying amount of assets sold/written off	101,811	-
(Loss) on Disposal/Write Off	(101,811)	-
<b>Infrastructure</b>		
Proceeds on Disposal	-	-
Less: Carrying amount of assets written off	1,677,221	-
(Loss) on Write Off	(1,677,221)	-
<b>Plant and Mobile Equipment</b>		
Proceeds on Disposal	1,318,951	182,003
Less: Carrying amount of assets sold/written off	1,259,082	197,056
Profit on Disposal /Write Off	59,869	(15,053)
<b>Furniture and Equipment</b>		
Proceeds on Disposal	6,440	-
Less: Carrying amount of assets sold /written off	57,006	-
(Loss) on Disposal/Write Off	(50,566)	-
<b>Gain/(Loss) on Disposal/Write off of Assets</b>	<b>(\$1,769,729)</b>	<b>(15,053)</b>

## 3 Other Financial Assets

Current	31/08/2019	30/06/2019
<b>Short Term Cash Investments *</b>	\$	\$
Bank/Term Deposits	117,750,000	102,250,000
Managed Funds	5,961,798	5,931,271
<b>Total Current Investments</b>	<b>\$123,711,798</b>	<b>\$108,181,271</b>

\* Short Term Cash Investments as stated in Note 11.

Non Current	31/08/2019	30/06/2019
Other financial assets at amortised cost	\$	\$
Mortgage Backed Securities (MBS)	2,447,453	2,448,395
	2,447,453	2,448,395
Equity in Local Government House	175,171	175,171
Equity in Mindarie Regional Council	6,091,422	6,091,422
Equity in Tamala Park Regional Council	3,814,336	3,809,099
	9,905,758	9,900,521

## MUNICIPAL

## Notes to the Balance Sheet for the 2 months ended 31 August 2019

## 4 Deposits/Prepayments

	31/08/2019	30/06/2019
	\$	\$
Prepaid Insurance	1,912,071	-
Prepaid Parking Bay Licence Fees	14,809,929	4,551
Other	1,610,199	1,379,542
	<b>\$18,332,199</b>	<b>\$1,384,093</b>

## 5 Trade And Other Receivables

	31/08/2019	30/06/2019
<b>Current</b>	<b>\$</b>	<b>\$</b>
Accrued Interest and Investment Income	733,338	868,832
Accrued Income	3,561,441	4,404,716
Modified Penalties/Fines and Costs	8,239,239	8,084,413
Debtors - General		
Australian Taxation Office - GST Refundable	-	642,097
Other Debtors	2,816,078	2,280,076
	15,350,096	16,280,134
Less: Provision for Doubtful Debts	(4,387,680)	(4,226,954)
	<b>\$10,962,416</b>	<b>\$12,053,180</b>
<b>Non Current</b>		
Pensioners' Rates Deferred	69,759	59,293
	<b>\$69,759</b>	<b>\$59,293</b>

## 6 Trade And Other Payables

	31/08/2019	30/06/2019
<b>Current</b>	<b>\$</b>	<b>\$</b>
Trade Creditors	11,561,375	13,305,766
Emergency Services Levy	18,024,410	209,367
Interest Payable on Loans	99,904	152,711
Accrued Expenses - Operating	3,647,627	3,355,274
Accrued Expenses - Capital	201,088	11,035
Advances Received for Recoverable Works	23,645	11,780
Income Received / Raised in Advance	1,675,726	1,950,847
Australian Taxation Office - GST Payable	206,868	-
Other Creditors	6,798,539	4,863,623
	<b>\$42,239,182</b>	<b>\$23,860,403</b>

## MUNICIPAL

## Notes to the Balance Sheet for the 2 months ended 31 August 2019

## 7 Employee Benefits

	31/08/2019	30/06/2019
<b>Current</b>	<b>\$</b>	<b>\$</b>
Leave Entitlements		
Annual Leave	4,983,155	4,904,535
Self Funded Leave	282,870	262,088
Long Service Leave	5,731,794	5,680,333
Recognition of Employees- Presentations	112,778	114,678
	<b>\$11,110,597</b>	<b>\$10,961,634</b>
<b>Non Current</b>		
Annual Leave	419,791	419,791
Long Service Leave	1,258,731	1,258,731
	<b>\$1,678,522</b>	<b>\$1,678,522</b>

## Provisions

	31/08/2019	30/06/2019
<b>Current</b>	<b>\$</b>	<b>\$</b>
Workers Compensation	54,616	10,960
	<b>54,616</b>	<b>\$10,960</b>

## 8 Property, Plant and Equipment and Work in Progress

	31/08/2019	30/06/2019
	<b>\$</b>	<b>\$</b>
Land - fair value	417,713,132	417,713,132
Less: Accumulated Depreciation	(9,000,221)	(8,887,868)
	<b>408,712,911</b>	<b>408,825,264</b>
Buildings - at fair value	473,009,318	473,009,318
Less: Accumulated Depreciation	(205,858,783)	(203,951,819)
	<b>267,150,535</b>	<b>269,057,499</b>
Leasehold Improvements - at fair value	669,758	669,758
Less: Accumulated Depreciation	(124,160)	(120,707)
	<b>545,598</b>	<b>549,051</b>
Infrastructure Assets - at cost/fair value	608,764,500	608,764,500
Less: Accumulated Depreciation	(240,269,605)	(237,336,573)
	<b>368,494,895</b>	<b>371,427,927</b>
Plant and Mobile Equipment - at cost/fair value	41,692,047	41,847,769
Less: Accumulated Depreciation	(28,894,178)	(28,543,027)
	<b>12,797,869</b>	<b>13,304,742</b>
Office Furniture and Equipment - at cost/fair value	46,921,367	46,921,367
Less: Accumulated Depreciation	(17,042,234)	(16,546,518)
	<b>29,879,133</b>	<b>30,374,849</b>
Property, Plant and Equipment	<b>1,087,580,941</b>	<b>1,093,539,332</b>
Work in Progress - at cost	47,553,381	46,773,693
	<b>47,553,381</b>	<b>46,773,693</b>
Total Property, Plant and Equipment and Work in Progress	<b>\$1,135,134,322</b>	<b>\$1,140,313,025</b>

## MUNICIPAL

## Notes to the Balance Sheet for the 2 months ended 31 August 2019

## 8 Property, Plant and Equipment and Work in Progress - Movement at Cost

	Balance 30/06/2019	Acquisitions Actual YTD 31/08/2019	Transfers Actual YTD 31/08/2019	Discovered/Initial Recognition of Asset Actual YTD 31/08/2019	Disposals/ Write off/ Actual YTD 31/08/2019	Reclassification Actual YTD 31/08/2019	Balance 31/08/2019
	\$	\$	\$	\$	\$		\$
Land	417,713,132	-	-	-	-	-	417,713,132
Buildings	473,009,318	-	-	-	-	-	473,009,318
Leasehold Improvements	669,758	-	-	-	-	-	669,758
Infrastructure Assets	608,764,500	-	-	-	-	-	608,764,500
Plant and Mobile Equipment	41,847,769	255,467	-	-	(411,189)	-	41,692,047
Office Furniture and Equipment	46,921,367	-	-	-	-	-	46,921,367
Work in Progress	46,773,693	779,688	-	-	-	-	47,553,381
	\$1,635,699,537	\$1,035,155	-	-	(411,189)	-	\$1,636,323,503

## 9 Loan Liability

	31/08/2019	30/06/2019
<b>Current</b>	\$	\$
Loans - Western Australian Treasury Corporation	5,638,871	6,782,383
<b>Non Current</b>		
Loans - Western Australian Treasury Corporation	8,122,723	8,900,751

## 10 Reserve Funds

Purpose of Reserve Fund	Balance 30/06/2019	Transfer from Accumulated Surplus	Transfer to Accumulated Surplus	Balance 31/08/2019
	\$	\$	\$	\$
Refuse Disposal and Treatment	3,814,076	17,425	(4,369)	3,827,132
Concert Hall - Refurbishment and Maint.	6,694,101	30,734	-	6,724,835
Asset Enhancement	32,496,838	148,539	(261,629)	32,383,748
Street Furniture Replacement	136,725	628	-	137,353
Parking Levy	21,972,143	19,827	(17,653,798)	4,338,172
Art Acquisition	419,074	1,909	(3,200)	417,783
Heritage Incentive	697,406	3,202	-	700,608
Parking Facilities Development	22,971,242	105,011	(49,706)	23,026,547
Employee Entitlements	1,989,973	9,100	-	1,999,073
David Jones Bridge	392,103	1,794	-	393,897
Bonus Plot Ratio	675,473	3,089	-	678,562
PCEC Fixed Plant Replacement	5,177,940	23,678	-	5,201,618
Enterprise and Initiative	6,003,159	27,452	-	6,030,611
Public Art	551,708	2,523	-	554,231
	103,991,961	394,911	(17,972,702)	86,414,170
* Asset Revaluation	469,921,563	-	-	469,921,563
	\$573,913,524	\$394,911	(\$17,972,702)	\$556,335,733

\* The Asset Revaluation Reserve is a non cash backed reserve and cannot be used, except for adjustments to fixed assets on their revaluation, disposal or write off

## MUNICIPAL

Notes to the Balance Sheet for the 2 months ended 31 August 2019

## 11 Cash Reconciliation

	31/08/2019	30/06/2019
	\$	\$
Cash and Cash Equivalents	27,784,817	42,946,181
Short Term Cash Investments	123,711,798	108,181,271
	<b>\$151,496,615</b>	<b>\$151,127,452</b>

## 12 Reconciliation of Net Cash Provided By Operating Activities to Operating Surplus

	31/08/2019	30/06/2019
	\$	\$
Change in Net Assets Resulting from Operations	94,439,434	6,885,753
Adjustment for items not involving the movement of Funds:		
Depreciation	6,016,802	35,181,475
Doubtful Debts	160,726	243,503
(Gain)/Loss on Disposal/Write off/Contribution of Assets	15,053	7,169,271
	100,632,015	49,480,002
Revenues Provided By :		
Government Grants	(1,662,603)	(4,106,572)
	(1,662,603)	(4,106,572)
Change in Operating Assets and Liabilities		
<b>Add Back</b>		
Decrease in Inventories	53,823	242,833
Decrease in Deposits and Prepayments	-	353,082
Decrease in Accrued Interest and Dividend Income	135,494	223,370
Decrease in Deferred Debtors	-	3,356
Decrease in Accrued Income	843,275	-
Increase in Income Received /Raised in Advance	-	782,173
Increase in Accrued Expenses	292,353	864,644
Increase in Provisions	192,619	52,587
Increase in Trade and Other Payables	18,212,430	1,459,857
<b>Deduct</b>		
Decrease in Income Received /Raised in Advance	(263,256)	-
Decrease in Accrued Interest Payable	(52,807)	(79,156)
Increases in Deferred Debtors	(10,466)	-
Increase in Trade and Other Receivables	(100,129,279)	(71,693)
Increase in Prepayments	(16,948,106)	-
Increase in Accrued Income	-	(2,636,953)
	(97,673,920)	1,194,100
Net Cash Provided by Operating Activities	<b>\$1,295,493</b>	<b>\$46,567,530</b>



## MUNICIPAL

Notes to the Balance Sheet for the 2 months ended 31 August 2019

## 13 Ratios

	31/08/2019	30/06/2019
<b>1 Current Ratio</b>		
<u>Current Assets minus Restricted Assets</u>		
Current Liabilities minus Liabilities associated with Restricted Assets	3.36	1.56
<b>2 Debt Ratio</b>		
<u>Total Liabilities</u>		
Total Assets	4.81%	3.96%
<b>3 Debt Service Ratio</b>		
<u>Debt Service Cost</u>		
Available Operating Revenue	48.64%	5.06%
<b>4 Rate Coverage Ratio</b>		
<u>Net Rate Revenue</u>		
Operating Revenue	78.35%	45.30%
<b>5 Outstanding Rates Ratio</b>		
<u>Rates Outstanding</u>		
Rates Collectable	81.38%	0.97%
<b>6 Untied Cash to Unpaid Creditors Ratio</b>		
<u>Untied Cash</u>		
Unpaid Trade Creditors	5.84	3.73
<b>7 Gross Debt to Revenue Ratio</b>		
<u>Gross Debt</u>		
Total Revenue	11.18%	7.59%
<b>8 Gross Debt to Economically Realisable Assets Ratio</b>		
<u>Gross Debt</u>		
Economically Realisable Assets	1.30%	1.65%

Restricted Assets includes reserve funds and tied contributions not utilised at 31.08.2019

**Agenda**  
**Item 6.17**

**Payments from Municipal Funds – September 2019**

**Recommendation:**

***That Council, in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, RECEIVES the list of payments made under delegated authority for the month ended 30 September 2019 and recorded in the Minutes of the Council, the summary of which is as follows:***

<b>FUND</b>	<b>PAID</b>
<b>Municipal Fund</b>	<b>\$ 21,310,125.15</b>
<b>TOTAL:</b>	<b><u><u>\$ 21,310,125.15</u></u></b>

FILE REFERENCE:	P1036562-9
REPORTING OFFICER:	Reshma Jahmeerbacus, Acting Manager Finance
REPORTING UNIT:	Finance
RESPONSIBLE DIRECTORATE:	Corporate Services
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	8 October 2019
ATTACHMENT/S:	A detailed list of payments made under delegated authority for the month ended 30 June 2019 can be accessed by the Commissioners via the Council Hub. Members of the public can access the list of payments on request.

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

**Comments:**

\$7,842,866.57 to The Department of Fire and Emergency Services comprising of:

- \$369,249.39 paid from the Sundry Creditor account for payment voucher payments comprising of:

- \$287,019.75 to Technology One Ltd comprising of:

- \$261,460.03 for annual support and maintenance fee for the period 1/7/2019 to 30/6/2020;
- \$25,559.72 for Post go live support for new HRIS system; and

\$209,625.20 to Electricity Generation and Retail Pty Ltd for electricity.

**Recommendation:*****That Council:***

1. ***GRANTS a Power of Attorney (as detailed in Attachment 6.18B) for the land which is the subject of the Tamala Park Regional Council Establishment Agreement, to the position titles listed at Schedule 1 of the Draft Power of Attorney, to enable the nominated positions to carry out the land dealings listed in the Draft Power of Attorney;***
2. ***Subject to paragraph 1, REVOKES the previous Powers of Attorney dated 13 September 2013 and 7 August 2012; and***
3. ***AUTHORISES the execution of the Power of Attorney and revocation of the previous Powers of Attorney by common seal.***

FILE REFERENCE:	P1025381-2
REPORTING OFFICER:	Kathleen O'Brien, Paralegal
REPORTING UNIT:	Governance
RESPONSIBLE DIRECTORATE:	Corporate Services
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	16 September 2019
ATTACHMENT/S:	Attachment 6.18A – Letter from Tamala Park Regional Council Attachment 6.18B – Letter from McLeod's enclosing Draft Power of Attorney and associated documents

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies.</i>  |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

**Legislation / Strategic Plan / Policy:**

<b>Legislation</b>	Sections 143 and 144 of the <i>Transfer of Land Act 1893</i>
<b>City of Perth Act 2016</b>	<b>Objects of the City of Perth</b> 8(1)(a) - to provide for the good government of persons in the City of Perth, including residents, ratepayers and visitors
<b>Integrated Planning and Reporting Framework Implications</b>	<b>Strategic Community Plan</b> Strategic Priority - Leadership
<b>Policy</b>	
Policy No and Name:	N/a

**Purpose and Background:**

The City is one of the seven member-councils of Tamala Park Regional Council (TPRC). Each member council owns a share of the Tamala Park land, with the City holding a one-twelfth share. TPRC is seeking a revised Power of Attorney from each council member to enable TPRC to develop and sell land within Tamala Park.

At its meeting held on **11 October 2011**, Council approved the granting of Power of Attorney to the TPRC as follows:

*“That the Council appoints the Tamala Park Regional Council as the attorney for the City to exercise the powers granted by the Power of Attorney as detailed in Schedule 6 with the intention of enabling the Tamala Park Regional Council to develop and sell land within Tamala Park.”*

Following further legal advice and clarification of the intent of certain clauses in the original Tamala Park Establishment Agreement, the TPRC found that a revision to the Power of Attorney document was needed to allow the Chief Executive Officer of the TPRC to act on behalf of the member councils to develop and sell the land at Tamala Park.

A revised Power of Attorney document was executed on 14 February 2012 and revoked any previous powers of attorney which may have been granted by the City to the TPRC. The revision gave the Chief Executive Officer of the TPRC a personal Power of Attorney but limited his powers to prevent him from signing any documentation to be lodged at Landgate to affect the subdivision or final transfer of land to purchasers.

Subsequently it became apparent that the limitations in the Power of Attorney granted in February 2012 created an administrative burden as the signature of each of the seven landowners was still required to finalise each subdivision and transfer of land to purchasers.

As a result, a further revision to the Power of Attorney was sought, which removed the limitations on powers of the TPRC’s Chief Executive Officer allowing him to sign all documentation required to affect the subdivision, sale and transfer of land to third parties on behalf of the owners. This revision meant that the signatures of all seven landowning councils were no longer required on these documents, removing the administrative burden and allowing the timely subdivision, sale and transfer of land within Tamala Park. At its ordinary council meeting held **7 August 2012**, Council approved the revised Power of Attorney.



Following this, in 2013 the TPRC member local governments granted to the TPRC Chief Executive Officer and the Chief Executive Officer of the member local governments Power of Attorney to enable the efficient subdivision and sale of the TPRC land without the subdivision or sale documentation requiring approval and signatures of each of the member local governments. This Power of Attorney has been in place since 2013.

The 2013 Power of Attorney has been recently reviewed by TPRC's legal representative McLeod's Barristers & Solicitors. McLeod's Barristers & Solicitors recommended that the Powers of Attorney be updated to refer to the Chief Executive Officers' position titles, including those acting as Chief Executive Officer, rather than individually naming persons. This would alleviate the need to change the instrument due to personnel changes. All other aspects of the Power of Attorney are to remain unchanged.

### **Details:**

The Power of Attorney enables the TPRC CEO (or the CEOs of the member local governments) to carry out land dealings within the land which is the subject of the Tamala Park Regional Council Establishment Agreement, including the following:

- Contracts of sale (which includes without limitation the decision to sell, the selling price and the terms and conditions of sale);
- Transfer of land;
- Easements;
- Deeds of surrender of easement;
- Applications for surrender or extinguishment of easement;
- Caveat; and
- Withdrawals of caveat.

The full list of authorised dealings is detailed at Schedule 2 of the Draft Power of Attorney contained in Attachment 6.18B.

The land that the Power of Attorney is granted for is:

- a) Lot 9001 on Deposited Plan 73462 and being the whole of the land comprised in Certificate of Title Volume 2790 Folio 174;
- b) Lot 9510 on Deposited Plan 73462 and being the whole of the land comprised in Certificate of Title Volume 2790 Folio 175; and
- c) Lot 9511 on Deposited Plan 73462 and being the whole of the land comprised in Certificate of Title Volume 2790 Folio 176.

The Power of Attorney is to be granted to the employees of the:

- a) Tamala Park Regional Council;
- b) Town of Cambridge;
- c) City of Joondalup;
- d) City of Perth;
- e) City of Stirling;
- f) Town of Victoria Park;
- g) City of Wanneroo; and
- h) City of Vincent,

who from time to time occupy a position which includes the words “chief executive officer” or “acting chief executive officer” within the titled position.

The Power of Attorney is on the same terms as the previously authorised Power of Attorney but for the changes from individually named persons to position titles for administrative efficiency and an updated description of the land following title changes.

**Financial Implications:**

There are no financial implications related to this report.

**Comments:**

The revised power of attorney is believed to be appropriate to enable the previously authorised Power of Attorney to operate effectively despite personnel changes over time.



Our Ref: D-19-0001359

16 September 2019

Murray Jorgensen  
Chief Executive Officer  
City of Perth  
GPO Box C120  
PERTH WA 6000

Transmitted via email: [REDACTED]

Dear Murray

**RE: TAMALA PARK REGIONAL COUNCIL POWERS OF ATTORNEY**

I am advised that you recently received correspondence from McLeods Barristers & Solicitors regarding Powers of Attorney associated with Tamala Park Regional Council. My apologies if this caused some confusion.

In 2012 the Tamala Park Regional Council (TPRC) approved Powers of Attorney (POA) relating to that portion of Lot 9504 (TPRC holdings) which is the subject of the Tamala Park Regional Council Establishment Agreement (2006).

In 2013 the TPRC member local governments subsequently granted to the TPRC CEO and the CEOs of the member local governments POAs to enable the efficient subdivision/sale of the TPRC land without the subdivision/sale documentation requiring approval/signatures of the member local governments.

The POA enables the TPRC CEO (or the CEOs of the member local governments) to carry out land dealings, including the following:

- Contract of sale (which includes without limitation the decision to sell, the selling price and the terms and conditions of sale);
- Transfer of land;
- Easement;
- Deed of surrender of easement;
- Application for surrender or extinguishment of easement;
- Caveat; and
- Withdrawal of caveat.

Given the passage of time the TPRC's legal advisor (McLeods Barristers & Solicitors) was requested to review the POAs and provide advice on possible changes given the time since the POA was registered and change in local government personnel. McLeods Barristers & Solicitors, recommended that the POAs should be updated and that the POAs refer to CEOs' position rather than named persons. This would alleviate the need to change POAs if personnel change. All other aspects of the POAs remain unchanged.

- 2 -

At its meeting of 15 August 2019, the Tamala Park Regional Council resolved as follows:

1. APPROVES the preparation of revised Powers of Attorney for that portion of Lot 9504 which is the subject of the Establishment Agreement, to refer to Chief Executive Officer's position rather than named persons and also include reference to Acting Chief Executive Officer TPRC to enable the nominated positions to carry out land dealings, in accordance with the approved Powers of Attorney (2013). All other aspects of the POA are to remain unchanged.
2. Subject to (1) REVOKES the previous Powers of Attorney (2013) granted by the member Local Governments.

I would therefore request your support in obtaining the required Council approvals and execution of the POAs.

Should you have any questions please do not hesitate to contact me.

Yours sincerely



Tony Arias  
CHIEF EXECUTIVE OFFICER



Our Ref AH:TPRC:44644

Your Ref

11 September 2019

Mr Murray Jorgensen  
Chief Executive Officer  
City of Perth  
Council House  
27 St George's Terrace  
PERTH WA 6000

*By Email: [info@cityofperth.wa.gov.au](mailto:info@cityofperth.wa.gov.au)*

Dear Mr Jorgensen

**Tamala Park Regional Council – Powers of Attorney**

We refer to correspondence dated 30 August 2019 forwarded to you by Anne Hurley of our office.

Accordingly, we *attach* the following draft documents for your review:

1. Revised Power of Attorney; and
2. Revocations of existing Powers of Attorney.

Please let us know once you have reviewed the documents so that we can attend to any changes/amendments and then put the documents in final form for execution by the City.

Please do not hesitate to contact Fiona Grgich or Michelle Fong if you have any queries regarding the above.

Yours faithfully

Contact:	Fiona Grgich
Email:	<a href="mailto:fgrgich@mcleods.com.au">fgrgich@mcleods.com.au</a>
Enc.	Draft Power of Attorney Draft Revocations x 2



Stirling Law Chambers  
220 Stirling Highway  
Claremont WA 6010  
Tel (08) 9383 3133  
Fax (08) 9383 4935  
Email: [mcleods@mcleods.com.au](mailto:mcleods@mcleods.com.au)



FORM B 2

FORM APPROVED  
NO. B2891WESTERN AUSTRALIA  
TRANSFER OF LAND ACT 1893 AS AMENDED**BLANK INSTRUMENT FORM****POWER OF ATTORNEY**

(Note 1)

BY THIS POWER OF ATTORNEY created this                      day of                      2019  
CITY OF PERTH of 27 St Georges Terrace, Perth, Western Australia.

**RECITALS:**

- A. The City of Perth (**City**) is registered as the proprietor of an estate in fee simple as to 1/12 undivided shares in land being:
- (a) Lot 9001 on Deposited Plan 73462 and being the whole of the land comprised in Certificate of Title Volume 2790 Folio 174;
  - (b) Lot 9510 on Deposited Plan 73462 and being the whole of the land comprised in Certificate of Title Volume 2790 Folio 175; and
  - (c) Lot 9511 on Deposited Plan 73462 and being the whole of the land comprised in Certificate of Title Volume 2790 Folio 176,
- and, where the context so requires, includes any part or parts of the above described land.
- (**Lots**)
- B. The Lots previously formed part of Lot 9504 being the whole of the land comprised in certificate of title Volume 2230 Folio 333 (**Lot 9504**).
- C. The City together with the Town of Cambridge, City of Joondalup, City of Vincent, City of Stirling, Town of Victoria Park and the City of Wanneroo (**local government participants**) agreed subject to the approval of the Minister for Local Government to establish a regional local government known as the Tamala Park Regional Council (**TPRC**) pursuant to section 3.61 of the *Local Government Act 1995* for the purpose of effecting the rezoning, subdivision, development, marketing and sale of that portion of Lot 9504 as is shown on the sketch annexed hereto as **Annexure "A" (Land)**.
- C. In accordance with section 3.61(2) of the *Local Government Act 1995* the City and the local government participants entered into an agreement to establish the TPRC and to set out the various matters as prescribed by section 3.64 of the *Local Government Act 1995* (**Establishment Agreement**), which agreement was signed by all of the parties to that document and approved by the Minister for Local Government on 24 January 2006.
- D. Pursuant to clause 4 of the Establishment Agreement the TPRC is permitted to undertake the rezoning, subdivision, development, marketing and sale of the Land in accordance with the objectives set out under the Establishment Agreement.

- E. The City wishes to enter into this power of attorney for the purpose of enabling the TPRC to carry out the marketing and sale of the Land on behalf of the City and to enable the TPRC to carry out and satisfy the obligations of the City in disposing of the Land or any part thereof under section 3.58(3) of the *Local Government Act 1995* and to do all such things and matters as are more particularly set out in the Schedule to this Power of Attorney to effect the transfer of any lots created from the subdivision of the Land.

### ***Appointment of Attorney.***

#### **1. *Appointment of Attorney***

- (a) By this deed the City APPOINTS the persons specified in Schedule 1 (**Attorney**) to be its attorney and in its name to exercise the powers granted by this Power of Attorney.
- (b) The City empowers the Attorney acting jointly and severally to do the things specified in Schedule 2.

#### **2. *Powers of Attorney***

The City grants to the Attorney the power to sell and deal with any part or parts of the Land which comprises or will comprise a lot or a strata lot under or by virtue of the *Transfer of Land Act 1893* and the *Strata Titles Act 1985* (**Acts**) of which the City is the proprietor under the Acts and for that purpose:

- (a) to undertake the matters specified in the Schedule 2 to this Power of Attorney;
- (b) to execute a document specified in the Schedule 2 to this Power of Attorney (**Document**); and
- (c) do all things necessary or expedient to give effect to a Document including, but not limited to, completing any blanks and making any amendments, alterations and additions which may be considered necessary by the Attorney.

#### **3. *Extent of Powers***

Each power granted under this Power of Attorney includes the powers:

- (a) to execute that power:
  - (i) wholly or in part;
  - (ii) in any manner; and
  - (iii) on terms and subject to conditions approved by the Attorney;
- (b) to do, execute and perform all things necessary or desirable in connection with that power;
- (c) to exercise that power and to do, execute and perform anything in connection with that power; and
- (d) to vary, alter or annul anything done by the Attorney in connection with that power.

4. ***To market and sell the Land or any part thereof.***

The City grants the Attorney the right to do all such acts matters and things and to sign and execute all documents necessary to effect the marketing and sale of the Land or any part thereof and furthermore to accept and sign any contracts of sale for the Land or any part thereof subject to compliance with the provisions of section 3.58(3) of the *Local Government Act 1995*.

5. ***To carry out all actions necessary to satisfy section 3.58(3) of the Local Government Act 1995.***

The City grants the Attorney the power to do all such acts matters and things and to carry out the obligations of the City under section 3.58(3) of the *Local Government Act 1995* to enable the disposal of the Land or any part thereof from the City to a buyer(s) and for that purpose its attorney shall be permitted to:

- (a) advertise any proposed disposition of the Land or any part thereof in accordance with section 3.58(3) of the *Local Government Act 1995*;
- (b) consider any submissions made in response to the advertising of the proposed disposition and following consideration of those submissions make a decision as to whether to proceed with that disposal in accordance with the requirements of section 3.58(3)(b) of the *Local Government Act 1995*; and
- (c) following a decision being made by its attorney to dispose of the Land or any part thereof in accordance with section 3.58(3) of the *Local Government Act 1995*, sign any contract for the sale of the Land or any part thereof on behalf of the City and provide a copy of any signed contract to any buyer(s) and/or agent of any buyer(s).

6. ***To do other necessary acts.***

The Attorney agrees to do every other thing which may be deemed necessary, proper or expedient for fully and effectually marketing and selling the Land or any part thereof and to ensure that the City satisfies its obligations under section 3.58(3) of the *Local Government Act 1995* prior to disposing of the Land or any part thereof.

7. ***Reliance on Appointment***

Any person, including the Registrar of Titles of Western Australia, dealing with the Attorney under this Power of Attorney is:

- (a) entitled to rely on execution of any document by that person as conclusive evidence that:
  - (i) this Power of Attorney has come into effect;
  - (ii) this Power of Attorney has not been revoked; and
  - (iii) that the power being exercised or being purported to be exercised is properly exercised and that the circumstances have arisen to authorise the exercise of that power; and
- (b) not required to make any inquiries in respect of any of the above matters.

8. ***Declaration of validity.***

The City declares that all and each of the assurances and acts, contracts, matters and things which shall be given, made, executed or done by its attorney for the above-mentioned purposes shall be as good, valid and effectual to all intents and purposes as if the same had been signed, sealed, delivered, given or made or done by the City.

9. ***Ratification***

The City undertakes to ratify all that the Attorney lawfully does or causes to be done under this Power of Attorney.

10. ***Indemnity***

The City indemnifies the Attorney in respect of any loss arising from any act done under this Power of Attorney.

11. ***Revocation***

This Power of Attorney will remain in full force until the earlier of:

- (a) the date on which the whole of the Land is subdivided and all subdivided lots created from the subdivision of the Land have been transferred to a third party; or
- (b) the date on which notice of revocation of this Power of Attorney is received by the Attorney.

12. ***Interpretation***

In this Power of Attorney, unless the context otherwise requires:

- (a) headings, underlines and numbering do not affect the interpretation or construction of this Power of Attorney;
- (b) words importing the singular include the plural and vice versa;
- (c) words importing a gender include any gender;
- (d) an expression importing a natural person includes any company, partnership, joint venture, association, corporation or other body corporate;
- (e) a reference to any statute, regulation, proclamation or local law includes all statutes, regulations, proclamations or local law varying, consolidating or replacing them, and a reference to a statute includes all regulations, proclamations and local laws issued under that statute; and
- (f) the Schedule and Annexures (if any) form part of this Power of Attorney.

## Schedule 1 - Attorney

The employees of the:

- (a) Tamala Park Regional Council;
- (b) Town of Cambridge;
- (c) City of Joondalup;
- (d) City of Perth;
- (e) City of Stirling;
- (f) Town of Victoria Park;
- (g) City of Wanneroo; and
- (h) City of Vincent,

who from time to time occupy a position which includes the words “chief executive officer” or “acting chief executive officer” within the titled position.



## Schedule 2 - Relevant Matters and Documents

(1) Any:

- (a) contract of sale (which includes without limitation the decision to sell, the selling price and the terms and conditions of sale);
- (b) transfer of land;
- (c) easement;
- (d) deed of surrender of easement;
- (e) application for surrender or extinguishment of easement;
- (f) caveat;
- (g) withdrawal of caveat;
- (h) application for new Certificates of Title for any subdivision of land;
- (i) application for subdivision;
- (j) deed of restrictive covenant;
- (k) surrender of restrictive covenant;
- (l) section 70A Notification;
- (m) section 165 Notification; and
- (n) deed of novation, deed of covenant or other deed

in respect of the Land or lots which are comprised of the Land.

(2) Any other document:

- (a) dealing with the development or subdivision of the Land, including documents required by all relevant authorities, including without limitation the local government, Western Power, Telstra, AlintaGas and Water Corporation; and

- (b) in connection with the sale, transfer, subdivision or development,

of the Land or any part of the Land or lots which are comprised of the Land.

(3) Any other document dealing with the management and allocation of proceeds of sale of the Land or lots which are comprised of the Land in accordance with the terms and conditions of the Establishment Agreement of the Tamala Park Regional Council, including without limitation the opening of accounts and depositing of monies in such accounts, and the withdrawal of such monies and the signing, acceptance or endorsement of all cheques in connection with the sale, transfer, subdivision or development of the Land or lots which are comprised of the Land.

THE COMMON SEAL of the CITY OF )  
PERTH is affixed in the presence of: )

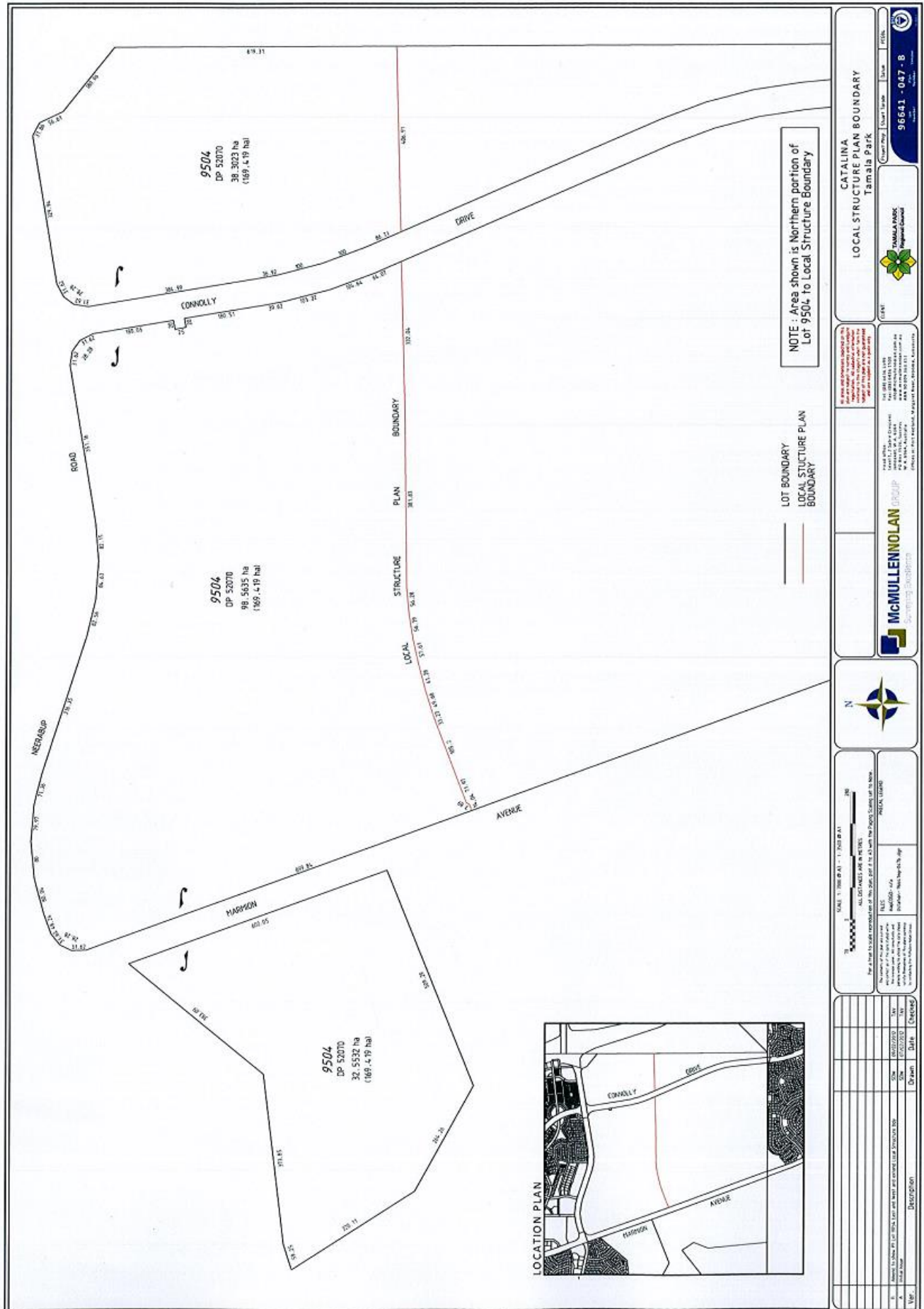
\_\_\_\_\_  
LORD MAYOR

\_\_\_\_\_  
(Print Full Name)

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

\_\_\_\_\_  
(Print Full Name)

DRAFT

**Annexure A**

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DRAFT

**INSTRUCTIONS**

1. This form may be used only when a "Box Type" form is not provided or is unsuitable. It may be completed in narrative style.
2. If insufficient space hereon Additional Sheet Form B1 should be used.
3. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
4. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the persons signing this document and their witnesses.

**NOTES**

1. Insert document type.
2. A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult Person. The address and occupation of the witness must be stated.

**OFFICE USE ONLY**

LODGED BY McLeods Barristers &amp; Solicitors

ADDRESS 220 Stirling Highway  
CLAREMONT WA 6010

PHONE No. 9383 3133

FAX No. 9383 4935

REFERENCE No. AH:44644

ISSUING BOX No. 346K

PREPARED BY McLeods Barristers &amp; Solicitors

ADDRESS 220 Stirling Highway  
CLAREMONT WA 6010

PHONE No. 9383 3133 FAX No. 9383 4935

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN  
LODGING PARTY.**TITLES, LEASES, DECLARATIONS ETC. LODGED HEREWITH**

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| 1. _____ | Received Items  |
| 2. _____ | Nos.            |
| 3. _____ |                 |
| 4. _____ |                 |
| 5. _____ |                 |
| 6. _____ | Receiving Clerk |

Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.

EXAMINED



FORM B 2

FORM APPROVED  
NO. B2891WESTERN AUSTRALIA  
TRANSFER OF LAND ACT 1893 AS AMENDED**BLANK INSTRUMENT FORM****REVOCATION OF POWER OF ATTORNEY**

(Note 1)

THIS DEED OF REVOCATION made on \_\_\_\_\_ day of \_\_\_\_\_ 2019 by  
CITY OF PERTH of 27 St Georges Terrace, Perth, Western Australia.

1. The City of Perth (**City**) is the donor of a Power of Attorney dated 7 August 2012 and registered at Landgate Registration Number M35081 (**Registered Power of Attorney**) wherein it appointed JOHN ANTHONY ARIAS, Chief Executive Officer, Tamala Park Regional Council as its attorney and in the City's name to exercise the powers granted by the Registered Power of Attorney.
2. The City, by this Deed, hereby revokes the powers described above and appointed in the Registered Power of Attorney.

THE COMMON SEAL of the CITY OF )  
PERTH is affixed in the presence of: )

\_\_\_\_\_  
LORD MAYOR

\_\_\_\_\_  
(Print Full Name)

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

\_\_\_\_\_  
(Print Full Name)

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EXAMINED

FORM B 2

FORM APPROVED  
NO. B2891WESTERN AUSTRALIA  
TRANSFER OF LAND ACT 1893 AS AMENDED**BLANK INSTRUMENT FORM****REVOCATION OF POWER OF ATTORNEY**

(Note 1)

THIS DEED OF REVOCATION made on \_\_\_\_\_ day of \_\_\_\_\_ 2019 by  
CITY OF PERTH of 27 St Georges Terrace, Perth, Western Australia.

1. The City of Perth (**City**) is the donor of a Power of Attorney dated 13 September 2013 and registered at Landgate Registration Number M402569 (**Registered Power of Attorney**) wherein it appointed the following persons, jointly and severally, as its attorney:

- (a) JOHN ANTHONY ARIAS, Chief Executive Officer, Tamala Park Regional Council;
- (b) WAYNE PATRICK BURNS, Senior Project Officer, Tamala Park Regional Council;
- (c) JASON RICHARD BUCKLEY, Chief Executive Officer, Town of Cambridge;
- (d) GARRY GEORGE HUNT, Chief Executive Officer, City of Joondalup;
- (e) GARY JOHN STEVENSON, Chief Executive Officer, City of Perth;
- (f) STUART JARDINE, Chief Executive Officer, City of Stirling;
- (g) ATHANASIOS KYRON, Chief Executive Officer, Town of Victoria Park;
- (h) JOHN GIORGI, Chief Executive Officer, City of Vincent; and
- (i) DANIEL JOHN SIMMS, Chief Executive Officer, City of Wanneroo,

and in the City's name to exercise the powers granted by the Registered Power of Attorney.

2. The City, by this Deed, hereby revokes the powers described above and appointed in the Registered Power of Attorney.

THE COMMON SEAL of the CITY OF )  
PERTH is affixed in the presence of: )

\_\_\_\_\_  
LORD MAYOR

\_\_\_\_\_  
(Print Full Name)

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

\_\_\_\_\_  
(Print Full Name)

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| 2. _____ | Nos.            |
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| 6. _____ | Receiving Clerk |

Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.

EXAMINED

Report to the Agenda Briefing Session**Agenda  
Item 6.19****Third Party Travel Contribution - Alliance Manager Community  
Safety and Amenity - SEAL 2020 (Securing Environments,  
Assets and Landmarks 2020)**

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**Recommendation:**

***That Council APPROVES Third Party Travel to the Alliance Manager Community Safety and Amenity by Akolade Pty Limited to attend and present at SEAL 2020 (Securing Environments, Assets and Landmarks 2020) Conference.***

FILE REFERENCE:	P1029480-2
REPORTING OFFICER:	Konrad Seidl, Alliance Manager Community Safety and Amenity
REPORTING UNIT:	Community Safety and Amenity
RESPONSIBLE DIRECTORATE:	Community Development Alliance
REPORT AUTHOR DISCLOSURE OF INTEREST:	Direct Financial Interest
DATE:	1 October 2019
ATTACHMENT/S:	Nil

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

**Legislation / Strategic Plan / Policy:**

**Legislation** 5.83 of the *Local Government Act 1995*

***City of Perth Act 2016*****Objects of the City of Perth**

8(1)(c) - to provide a safe, clean and aesthetic environment for the community, city workers, visitors and tourists



**Policy**

12.7 – Staff Conference Attendance and Expenses

Policy No and Name:

10.1 – Code of Conduct

**Purpose and Background:**

The “SEAL 2020 (Securing Environments, Assets and Landmarks 2020)” Conference is to be held at Pullman Melbourne Albert Park from the 19 March and 20 March 2020.

The Alliance Manager of Community Safety and Amenity has been invited by event company Akolade Pty Limited to present insights on developing and implementing a community safety strategy. The Conference provider has offered to support travel and accommodation arrangements.

**Details:**

At its meeting held on **17 May 2016**, Council resolved that;

“That Travel being paid for by a Third Party comes to Council for Approval”.

The contribution to Travel as determined in the *Local Government Act 1995* includes airfares and accommodation incidental to a journey. It is estimated that travel and accommodation related to this invitation will be approximately \$1,200.

The City of Perth SafeCity Strategy 2017 – 2020 is the focus of the presentation along with other community safety projects that have been realised by the City of Perth. This is excellent recognition of the progress the City has made in the Community Safety space.

**Financial Implications:**

There are no financial implications related to this report.

**Comments:**

The conference provides an excellent opportunity for the City of Perth to be recognised for its progress toward a safer city. The lessons learnt from the City identifying its gaps, developing strategy and subsequently implementing projects can be imparted to conference attendees which will assist communities across Australia to enhance safety. The conference will further expose the City to safety projects trialled elsewhere which may be adapted to be introduced locally.

**Recommendation:*****That Council:***

1. ***APPROVES the City entering into a Management Agreement for Animal Care Facilities (as attached as a draft in Attachment 6.20A) to receive services from the City of South Perth related to the use of dog impound facilities pursuant to s. 3.68 of the Local Government Act 1995 and s. 11(2) of the Dog Act 1976; and***
2. ***AUTHORISES the Chief Executive Officer (or appointed delegate) to negotiate and execute the agreement and negotiate variations, extensions and amendments to the agreement.***

FILE REFERENCE:	P1001762-3
REPORTING OFFICER:	Vivian Browne, Coordinator Ranger and Security Services
REPORTING UNIT:	Community Safety and Amenity
RESPONSIBLE DIRECTORATE:	Community Development Alliance
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	14 October 2019
ATTACHMENT/S:	Attachment 6.20A – Management Agreement for Animal Care Facility Between City of South Perth and City of Perth

**Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

**Legislation / Strategic Plan / Policy:****Legislation**

S3.68 of the *Local Government Act 1995*  
S11(2) of the *Dog Act 1976*

***City of Perth Act 2016*****Objects of the City of Perth**

8(1)(d) - to continuously improve the services and facilities provided to the community, visitors and tourists

**Integrated Planning and Reporting Framework Implications**

**Strategic Community Plan**  
Strategic Priority - Social

**Policy**

Policy No and Name: N/A

**Purpose and Background:**

To have an agreement in place between the City of Perth and the City of South Perth for the use of the City of South Perth's Animal Care Facility (ACF) for impounding of dogs from the City of Perth's jurisdiction. Until June 2019 the City of Perth had an agreement in place with Shenton Park Dogs Refuge. It was decided not to renew this agreement as the City of South Perth's pricing was more competitive due to their lower annual fee and lower cost per day for impounding. The City of South Perth has similar agreements in place with Town of Victoria Park, City of Gosnells, City of Canning and the Town of Bassendean and is currently finalising an agreement with another local government body.

**Details:**

This agreement is necessary because City of Perth is required to have an ACF for any dog impounded within the jurisdiction of the City of Perth. The City of Perth currently has a temporary arrangement in place with the City of Vincent to house impounded dogs. The City of South Perth has the necessary facilities and skills to manage the facility suitably. The South Perth ACF was opened in 2014 and has the capacity and suitable requirements of the City of Perth to impound dogs.

**Key Terms**

The details of the agreement are included in Attachment 6.20A. The key terms are as follows:

- The term of the agreement is until 30 June 2021 with the option to request to extend the agreement;
- The cost to the City is detailed in clause 9 of the agreement and will vary based on the number of dogs impounded in a year and their circumstances. In the last 5 years the City of Perth has on average impounded 10 dogs per annum. The primary costs are the annual fee of \$1,500, and a daily fee of \$30.00 per day, per dog that is impounded. Veterinary costs may be incurred where needed; and
- The City of South Perth will ensure legislated requirements such as registration and microchipping occur prior to releasing the animal to the owner (where applicable).

The ACF may also be used for other small animals except cats, as the City of Perth has an agreement with the Cat Haven WA for impounding or trapping cats.

Euthanising of a dog will be a last resort as the ACF will attempt to re-home rather than euthanise a dog. This will also be assessed on a case by case basis as a dog may be considered too dangerous to be successfully re-homed. Any re-homing or euthanasia is determined through communication between the ACF and the City of Perth.

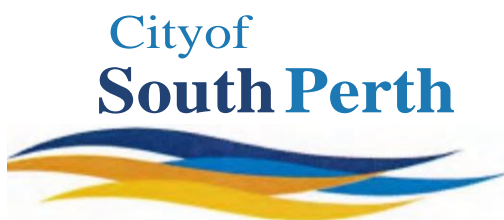
### **Financial Implications:**

ACCOUNT NO	1100-8003-00000-7251
BUDGET ITEM:	Other professional fees and animal registration control
BUDGETED AMOUNT:	\$7,500
AMOUNT SPENT TO DATE:	\$630.33
PROPOSED COST:	\$2220
BALANCE REMAINING:	\$4649.67
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.

### **Comments:**

It is recommended that the agreement is entered into as the City requires an Animal Care Facility for the impounding of dogs.



City of Perth

# Management Agreement for ANIMAL CARE FACILITY

between

CITY OF SOUTH PERTH

and

CITY OF PERTH



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## Parties-

City of South Perth (the **City**)  
of Civic Centre, corner Sandgate Street & South Terrace,  
South Perth, Western Australia 6151

and

City of Perth (**Perth**)  
of Council House, 27 St Georges Tee  
Perth, Western Australia 6000

## Terms used

Words in this Agreement that are also defined in the Dog Act have the same definition as they have in both Acts. Unless the context otherwise requires:

**Animal Care Facility (ACF)** means the facility operated by the City of South Perth that is, or may be, used for keeping dogs and other animals as approved by the City.

**Dog** A domesticated carnivorous mammal (*Canis familiaris* syn. *Canis lupus subsp. familiaris*) occurring as a wide variety of breeds and are kept as pets.

**Day** refers to a 24 hour period from one midnight to the next. (or part thereof).

**Dog Act** means the *Dog Act 1976(WA)*

**Euthanasia** means the destroying of a dog in a humane manner consistent with ethical veterinary practice.

**Microchip** means an identification device of a prescribed type that-

- (a) is capable of being implanted in a dog; and
- (b) is designed to record information in a way that can be electronically retrieved;

**Microchipping** in relation to a dog, means implanting a microchip.

**Registered** means a registered dog under the *Dog Act 1976*;

**Registration** means registering a dog under the *Dog Act 1976*;

**Registered owner**, in relation to a dog, means the person in whose name the dog is registered;

**Registration tag**, in relation to a dog, means the registration tag given to the owner of the dog under the *Dog Act 1976*;

**Sterilisation** means made permanently infertile by a surgical procedure;

**Working Day** means a day other than a Saturday, a Sunday, or a public holiday.

## Background -

1. The City owns and manages an ACF located at 199 Thelma Street, Como.
2. The ACF was opened on 17 December 2014.
3. The ACF has 12 internal Dog Kennels, 5 outside Dog kennels, 2 outside dog exercise runs, 18 quarantine cat cages, 28 ventilated cat condos and 32 moveable cages if required.

4. The City has a dedicated Animal Care Facility Officer from Monday to Sunday 9:30am-4pm at the facility.
5. The ACF will be open to the public from 12pm-3pm Monday to Sunday and by appointment at other times, if staff are available.

**It is hereby agreed as follows -**

1. The City grants to Perth the use of the ACF for the purpose of accommodating dogs and other animals as approved by the City seized by Perth and for all related purposes incidental to such impounding under the provisions of the Dog Act, Dog Regulations, and any local laws created and governed by Perth.
2. That Perth residents can drop off dogs to the ACF for impounding.
3. The City will collect all impound fees and sustenance fees in relation to owned dogs that are collected from the ACF.
4. The City will process dog registrations as per the Dog Act for impounded Perth dogs and forward them to Perth.
5. The City and Perth will make every reasonable attempt to identify the owner of all impounded dogs.
6. The City will impound all identified or unidentified dogs if not claimed by the owners for a period of no less than 7 (seven) days from the impoundment of the Dog by Perth.
7. In agreeance by both parties, the City shall house any dog that is subject to a Perth court prosecution under the Dog Act.
8. Unclaimed dogs may be euthanized, sold or rehomed to an animal rescue organisation through communication and control of Perth.
9. The City will maintain an Impounded Register and will submit a monthly report and invoice to Perth detailing all dogs from Perth which have been impounded, reclaimed, euthanised or rehomed.

**Clause 1- Housing and Care**

- a) The City shall ensure that impounded dogs are housed, watered, fed and adequately cared for at all times during the impoundment process, including veterinary care as required.
- b) Veterinary treatment can only be undertaken with the written (email) approval from Perth whilst the Dog is the responsibility of Perth, (Dogs; 7 days), and as per Clause 9.
- c) The City will ensure the ACF is kept in a state of cleanliness and hygiene at all times.
- d) Perth may inspect the ACF by appointment with the City's Coordinator Ranger Services.
- e) The City will permit members of the public to enter the ACF facilities during normal operational hours to reclaim their dog.
- f) When the City is acting on behalf of Perth, the City will use Perth's logo on relevant documentation. This will occur by agreement and is expected to include forms such as collection and registration.

**Clause 2- Training of Personnel**

The management, qualifications and training of City staff will be the responsibility of the City.

**Clause 3- Reclaim and Impound Fees**

- a) Where an unowned dog, after the period (7 days) is not claimed, the City will then take

possession of the dog, and the related fees and charges, as listed, will be charged to Perth in a detailed invoice sent on a monthly basis by the City.

- b) Where a dog that is identified as owned, after the period (7 days) is not claimed by its owner, and the processes as detailed in the Dog Act have occurred, the City will then take possession of the dog, and the related fees and charges, as listed, will be charged to Perth in a detailed invoice sent on a monthly basis by the City.

#### **Clause 4- Registration**

- a) The City agrees to collect dog registration fees applicable to any unregistered dog at the time it is claimed by its owner and will issue a receipt for such a payment using a process as agreed by both parties.
- b) The City shall forward that fee collected on behalf of Perth, plus the required Registration form(s) to Perth.
- c) A copy of the receipt will to be provided to the owner for all registration fees collected on behalf of Perth.
- d) Perth will complete the registration process upon receiving the receipt, money and the prescribed registration form(s).
- e) The registration fees charged will be in accordance with Regulation 17 of the Dog Regulations 2013.

#### **Clause 5 - Sterilisation and Micro Chipping**

- a) The City will ensure that no dogs are released to the owner or a new owner, unless the dog has been, microchipped and registered.
- b) The owner is to pay for all the costs directly relating to the microchipping of their dog prior to release, in addition to any reclaim and impound fees.
- c) If the dog is being rehomed, all veterinary costs directly relating to the sterilisation and microchipping will be recouped from the sale of the dog from the new owner.

#### **Clause 6 - Seizure and Impounding**

- a) Officers from the Perth Rangers will be able to deliver dogs to the ACF during both normal operating hours and after hours by appointment. Perth staff are responsible for the completion of all impounding paperwork for all dogs they impound at the ACF.
- b) Residents from Perth will be able to deliver dogs to the ACF during public open times. In those circumstances, the City would be responsible for the completion of the impounding paperwork. The resident must produce proof of residency in the district of Perth and complete a drop off form.
- c) All other duties relating to the impounding and housing of dogs, such as provision of daily accommodation and sustenance, will be performed by the City.
- d) Officers from Perth Rangers are to issue all seizure notices to all owned dogs that are brought into the ACF, as per the *DogAct*.

## Clause 8 - Forms

### 1. Impound forms

Details of the impounded dog shall be on the nominated Perth impound form and contain the following information:

- i. Full description of dog including breed, colour and sex.
- ii. Details of location where dog was impounded.

### 2. Release forms

Release of the impounded dog to its owner shall be on the nominated Perth form and contain the following information:

- i. Full name, address, date of birth, and contact details, of dog owner.
- ii. Full details of person liable for the control of the dog, including name, address, date of birth and contact details (if other than the owner)
- iii. Drivers Licence number and photocopy of drivers licence, or similar level of proof of residency within the City of Perth.

### 3. Drop off forms

When a Perth resident drops off a dog to the ACF, they shall complete a Perth Drop off Form and provide the following information:

- i. Full name, address, date of birth, and contact details, of the resident dropping of the dog.
- ii. Drivers licence number and photocopy of drivers licence, or similar level of proof of residency within Perth.

## Clause 9 - Fees and Charges

- a) Annual Occupancy Cost of \$1,500.00
- b) \$30.00 per day, per dog that is impounded at the ACF.
- c) The daily fee includes all care and sustenance.
- d) The City will collect an additional Impound Fee or Sustenance Fee from an identified owner as required by Perth.
- e) Veterinary costs including euthanasia and body removal to be paid by Perth will be:

Product	Price
Consult Cost (Basic)	\$0.00
Euthanasia	<b>\$0.00</b>
Xylazine injection for euthanasia Body	veterinary pricing
Cremation (no ashes returned)	\$36.00
Any other veterinary service	veterinary pricing

Please note that the City currently uses Vet West, South Perth for any veterinary treatment. These prices above may change subject to the vet costs. Consult charges may change depending on the circumstances, but the basic consult is at no cost.

These prices are agreed upon by the City and Vet West on a financial yearly basis; however prices may be subject to change.



**Clause 10 - invoicing**

- a) The amount payable shall be invoiced monthly.
- b) Invoices will be payable within 30 days from the end of that months receipt.
- c) All fees and charges will be reviewed annually.

**Clause 11 - Default**

- a) If any fees due to the City are in arrears for thirty (30) days and remain unpaid for a further thirty (30) days, after a demand in writing has been made by the City to Perth, the City may cancel this agreement by notice in writing.
- b) For the purpose of Clause 11(a), this agreement ceases to be valid seven (7) days after the City has notified Perth of their intention to cancel the agreement.
- c) Should Perth believe the City has breached any conditions of this agreement, they are to give written notice to the City of the breach. Should the City not rectify the breach within thirty (30) days of the notice, Perth may serve a notice of cancellation of this agreement on the City.
- d) For the purpose of Clause 11(c), this agreement ceases to be valid seven (7) days after Perth has notified the City of their intention to cancel the agreement.

**Clause 12 - Indemnity**

Except to the extent caused or contributed to by any act, neglect, default or omission of the City, or City's agents, contractors or employees, Perth indemnifies the City against all claims, demands, legal proceedings or causes of action which the City may incur in connection with the loss of life, or personal injury, or damage to any property occurring at the ACF or arising out of the use by Perth of the ACF to the extent occasioned by any act, neglect, default or omission by Perth or by an employee, agent, contractor or licensee of Perth's or by any other person at the ACF with Perth express or implied consent.

**Clause 13- Costs**

Any costs incurred from this Agreement shall be the responsibility of the respective party.

**Clause 14- Term of Agreement**

It is **further agreed** that this term of this Agreement will be for 2 years effective from 1 August 2019 and expire on the 30 June 2021.

If any party wishes to terminate the Agreement, they must provide one (1) month written notice to the other party. The parties agree to then consult regarding the future of the Agreement.

Review of the Agreement will be every 2 years commencing from the 30th June 2021. Perth may request to extend the Agreement. This request shall be in writing to the City prior to 30 June 2021.

**Recommendation:**

*That Council **ACCEPTS** the most suitable tenders, being those submitted by the following, to supply the illuminated Christmas decorations stated, in the financial year specified and in accordance with the rates indicated:*

**1. Financial Year 2019/20:****1.1 Visual Inspirations Australia Pty Ltd (inclusive of 5% discount)**

- a. Hay Street, Colin Street to Outram Street – Option 1 - \$52,419.10**
- b. Hay Street, corners Colin and Outram Streets – Option 2 - \$75,806.73**
- c. Wellington Street, Barrack Street to Milligan Street – Option 1 - \$145,758.36**
- d. Hay Street Mall Poles – Option 2 - \$150,001.20**
- e. Forrest Place Flag Poles – Option 2 - \$68,081.56**
- f. Murray Street Multi-Function Poles – Option 2 - \$113,258.81**

**1.2 St Lucia Holdings Pty Ltd t/a Artform Signs and Displays**

- a. Royal Street, East Perth – Option 1 – Prototype Only - \$7,920**

**1.3 Mark One Visual Promotions Pty Ltd****1.4 St Georges Terrace, Victoria Avenue to Milligan Street – Option 2 - \$343,680****1.5 Forrest Place Pillars – Option 1 - \$32,900****2. Financial Year 2020/21 and subject to Council Approval of the 2020/21 Capital Budget:****2.1 Visual Inspirations Australia Pty Ltd (inclusive of 5% discount)**

- a. Murray Street Mall Poles – Option 1 - \$190,092.44**
- b. Murray Street “Goosenecks” – Hay Street “Goosenecks” Option 2 - \$99,403.16**
- c. Hay Street “Goosenecks” – Option 2 - \$102,890.99**
- d. William Street, Wellington Street to The Esplanade/Mounts Bay Road – Option 1 - \$198,214.56**
- e. Barrack Street, Wellington Street to St Georges Terrace – Option 1 - \$66,407.33**

**2.2 St Lucia Holdings Pty Ltd t/a Artform Signs and Displays**

- a. Royal Street, East Perth – Option 1 - \$102,960**
- b. Murray Street Mall Trees – Option 1 - \$184,800**

FILE REFERENCE: P1038184  
 REPORTING OFFICER: Mel Wilson  
 REPORTING UNIT: Infrastructure and Assets  
 RESPONSIBLE DIRECTORATE: Infrastructure and Operations  
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil  
 DATE: 10 October 2019  
 ATTACHMENT/S: Confidential Attachment 6.21A – Schedule of Rates  
 Confidential Attachment 6.21B – Evaluation Matrix  
 Confidential Attachment 6.21C – Option Breakdown

### **Council Role:**

- |                                     |                |   |
|-------------------------------------|----------------|---|
| <input type="checkbox"/>            | Advocacy       | <i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | Executive      | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | Legislative    | <i>Includes adopting local laws, town planning schemes and policies</i>   |
| <input type="checkbox"/>            | Quasi-Judicial | <i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/>            | Information    | <i>For the Council/Committee to note.</i>   |

### **Legislation / Strategic Plan / Policy:**

**Legislation** Part 4 of the *Local Government (Functions and General) Regulations 1996*

#### ***City of Perth Act 2016***

#### **Objects of the City of Perth**

8(1)(c) - to provide a safe, clean and aesthetic environment for the community, city workers, visitors and tourists

**Integrated Planning and Reporting Framework Implications**

**Strategic Community Plan**  
 Strategic Priority - Social

#### **Policy**

Policy No and Name: 9.7 – Purchasing Policy

## **Purpose and Background:**

Tender 123-18/19 – Design and Supply of Illuminated Christmas Decorations was advertised in the West Australian on Wednesday, 26 June 2019. The Tender closed at 2pm on Tuesday, 27 August 2019 with the following tenders received:

- Visual Inspirations Australia Pty Ltd;
- St Lucia Holdings Pty Ltd t/a Artform Signs and Displays;
- Mark One Visual Promotions Pty Ltd;
- Christmas Concepts Australia Pty Ltd t/a Commercial Christmas Services; and
- Shine Rise Pty Ltd t/a Alltech Electrical and Data Services and RGB Illumination.

The City installs Christmas decorations throughout the Central Business District (CBD), Northbridge, West Perth and East Perth each year utilising both leased and City owned decoration suites. A number of City suites are approaching or have reached end of useful life while the lease agreement concludes following Christmas 2019. The City plans on replacing these decorations over two financial years, 2019/20 and 2020/21. Initial use of all suites is scheduled for Christmas 2020.

The City sought to engage up to three suitably qualified contractors to conceptualise, design, fabricate and supply new bespoke illuminated decorations to be installed at specific locations within the city. Tenderers were able to submit concepts/designs and costings for all or some decoration suites with up to three different concepts for each suite. Each decoration is required to be of a high quality befitting a capital city and should capture the spirit, magic and joy of Christmas in order to provide a spectacular attraction enthralling, exciting and delighting the public. The City expects each decoration suite to be in use for a minimum of seven years before either replacement or major refurbishment.

## **Existing Decorations**

### **Leased**

The City is currently in the last year of a three-year leasing arrangement for decorations at six locations at an overall cost of \$1,474,079. This arrangement includes installation, dismantling, maintenance and storage of decorations and concludes following Christmas 2019. To ensure continuity of displays for Christmases beyond 2019 the City now needs to purchase decorations for the following locations:

- Hay Street, West Perth between Colin and Outram Streets
- Royal Street, East Perth between Plain Street and Leahy Walk
- St Georges Terrace between Victoria Avenue and Pier Street
- St Georges Terrace between William and Milligan Streets
- Hay Street Mall
- Wellington Street between Barrack and Milligan Streets

### **Owned**

City owned decorations are installed, dismantled and maintained under a separate Contract. All decoration assets are stored at the City owned building located at 337 Wellington Street, Perth and commonly known as the Gasworks. Inspection, testing and consequential maintenance of decorations is undertaken between August and September each year and ensures each decoration is safe and functional prior to installation in October or November.

Several decoration suites are now reaching or exceeded end of useful life and therefore require a greater degree of maintenance and care than those purchased more recently. Later model decorations use state of the art materials and LED lighting generally providing more spectacular displays and electrical longevity. Decoration suites requiring replacement under this tender are:

Hay Street, West Perth, corners of Outram Street and Colin Street

In use since 2011, it is now difficult to source maintenance parts. Existing light poles will be replaced with multi-function poles in the short to medium term and existing decorations cannot be adjusted to suit. New decorations will compliment or match those between Colin and Outram Streets and have the ability to be fitted to either existing or future poles.

Murray Street Mall

Illuminated cages currently used around 43 tree trunks have been in continuous use since 2008. The City has spent \$12,847 over the last year maintaining the lighting.

Decorations installed on the Commonwealth Bank building façade have been in use since 1995 and despite refurbishment in 2011 are now reaching end of useful life.

Forrest Place

Two Angels utilised on the top of the granite lighting pillars have been in use since 2003. Maintenance has not been excessive, but the decorations are now outdated and have little visual impact when illuminated. Six adjacent banner poles have not previously been decorated and it is proposed to now utilise these to further enhance the area.

The City has decorated the front of the GPO building for a number of years and the three wreaths utilised are now reaching end of life having originally been installed in 1995 and refurbished in 2011.

Hay and Murray Streets, "Goosenecks" between William and King Streets

"Gooseneck" poles and support beams are located onto permanent bases in three locations on each street. Current decorations have been in use since 2003 and require regular maintenance. Existing lighting can longer be sourced, and aesthetic appearance has declined. The City has expended \$6,528 over the last year on general maintenance of the decorations. New decorations will utilise permanent bases and existing support structures.

Multi-function light poles have been installed on Murray Street between William and King Streets and it is proposed new decorations be installed on these to compliment those being installed on the "Goosenecks".

Barrack Street between Wellington Street and St Georges Terrace

Existing decorations are difficult and time consuming to install and, as materials deteriorate, will require substantial refurbishment following Christmas 2019. Decorations do not have a high aesthetic appeal with minimal lighting and plain design elements.

King Street between Wellington Street and St Georges Terrace

Light poles in this location are currently not utilised for motifs with existing decorations requiring support infrastructure to be installed and removed each year. New overhead decorations were



purchased and installed for Christmas 2018 and, under this tender, it was proposed to compliment these with matching decorations utilising the street light poles.

## **Details:**

### **Compliance Assessment Summary:**

Four of the five tenderers complied with the tender conditions and requirements. Shine Rise Pty Ltd t/a Alltech Electrical and Data Services and RGB Illumination failed to provide the required information and did not complete the necessary checklists. The company was evaluated as non-compliant and was not considered further.

### **Qualitative Assessment against Selection Criteria:**

Tenderers were required to address the selection criteria in the specification in detail to demonstrate both their experience and ability to provide the required services.

The criteria were:

#### **Demonstrated Capacity and Experience**

The Tenderer must demonstrate that their company have the capacity and capability to provide the required services. The Tenderer must, as a minimum, address the following information:

- a) Provide details of their management and coordination capacity to provide the service, – including, but not limited to, all specialist sub-contractors and suppliers.
- b) Provide details of recent experience of similar size and scope completed by your organisation including works description, project value and your role.
- c) Tenderers shall explain how the examples provided relate to the works under this project.

#### **Methodology**

- a) Provide methodology on how you will coordinate and manage the delivery of the service.
- b) Provide detail of trim, lighting, drivers and transformers where applicable and including, but not limited to, availability of replacement items, supplier, model number, colour, country of origin, serviceability and any specialised maintenance requirements.
- c) Provide details on:
  - Storage methodology.
  - Installation and dismantle methodology.
  - Warranties

#### **Concept Designs**

Provide illustrations and details on each of the concept design options offered for each suite. Up to three options for each suite may be submitted.

The four remaining submissions were assessed and ranked according to the criteria with emphasis on capacity, experience and methodologies. Each submission was assessed individually and ranked in order of merit against the qualitative criteria.

## **1. Visual Inspirations Australia Pty Ltd**

This company provided an outstanding and high-quality response to all criteria clearly demonstrating their understanding and ability to provide the City with the required services. Visual Inspirations offered 5% discount on prices offered if the City purchased 11 or more suites.

### *Demonstrated Capacity and Experience*

Based in Western Australia, Visual Inspirations provided an extensive background of key staff involved in Christmas projects along with relevant sub-contractors including electricians and lighting suppliers. The company has substantial experience in providing similar services both to local government and private enterprise. Visual Inspirations are currently providing supply and install services to the City of Sydney over five years and have previously supplied the City of Perth with Christmas items including the Council House kangaroos.

### *Methodology*

The submission provided a very thorough time line detailing each stage for the two financial years and including expected delivery dates to the City. Visual Inspirations included where each decoration would be manufactured, and details of electrical componentry and trims utilised. The company provides sound warranties for all items used including three years for electrical items such as lighting and transformers. Storage, installation and dismantle methodologies were vague but depend largely on which suites are selected. This information will be provided when purchases are finalised.

### *Concept Designs*

Visual Inspirations provided a very professional and well rendered catalogue of bespoke designs mostly meeting the City's requirements. Each suite was well considered and designed taking into account scale and location, day and night appeal and allowing for different sized poles or available support space in specific locations. Design concepts are varied in styling but follow similar themes designed to complement each other while allowing each location to be unique without being disjointed.

## **2. Mark One Visual Promotions Pty Ltd**

This company provided an adequate to very good submission demonstrating their ability to undertake the required services.

### *Demonstrated Capacity and Experience*

Mark One have substantial experience in the industry providing similar services to various Perth metropolitan local governments, including the City of Perth, and private businesses. The submission provided an organisational chart, concise staff curricula vitae and a list of staff nominated to be directly involved in this project. Sub-contractor information was considered basic other than for the actual fabrication of the decorations. Mark One are based in Western Australia.

### *Methodology*

The submission provided basic information including construction detail and source locations. Construction of decorations would be undertaken either locally or at one of two, named, European

specialist manufacturers. Warranty detail for electrical and materials, including construction, were provided and stock of spare, European sourced items would be maintained locally.

### *Concept Designs*

Mark One provided a number of options, some with options within options. Some designs were considered appropriate while the Angels for St Georges Terrace met the brief exactly. Concept renderings were reasonable and sufficient enough to evaluate how the decorations may look in the chosen location. Some decorations offered appeared to be off the shelf designs from one or both European suppliers.

## **3. St Lucia Holdings Pty Ltd t/a Artform Signs and Displays**

### *Demonstrated Capacity and Experience*

Based in Western Australia, Artform provided only a marginal response to the criteria. Although supplying the City with Christmas decorations some time ago, including the St Georges Terrace Angels, the company has very limited relevant experience and would be outsourcing a number of the processes.

### *Methodology*

Artform provided timelines for the suites clearly indicating milestones and contractors. The submission provided some storage solutions and details on trim, lighting and warranties along with a video on the manufacturing process undertaken to produce the proposed acrylic decorative items.

### *Concept Designs*

The concepts from Artform were well rendered and clearly demonstrated their appearance in-situ. While some designs failed to effectively reflect Christmas or were not in accordance with the Specification others were imaginative and provided very creative solutions, particularly those for installation in trees. The company indicated a prototype of each selected design would be required prior to full production.

## **4. Christmas Concepts Australia Pty Ltd t/a Commercial Christmas Services**

### *Demonstrated Capacity and Experience*

Christmas Concepts have provided similar services to four local governments in NSW with the largest declared contract being for \$250,000. The submission failed to provide information in relation to organisational structure or key staff and did not provide any information on sub-contractors.

### *Methodology*

The submission failed to provide any schedules or timelines and did not address how the company would manage and coordinate service provision from interstate. Basic material information was provided as was warranty period. Source materials would be from Europe, but no supplier details were provided.

*Concept Designs*

The submission provided a reasonable rendering of the designs in some locations while the design concepts were quite basic, lacked excitement and appeared to be generally off the shelf. Many did not meet the specifications and appeared to be undersized for some locations.

**Financial Implications:****Approved Capital Budget 2019/20**

ACCOUNT NO:	PJ 14150
BUDGET ITEM:	Lighting – Christmas Decorations
BUDGETED AMOUNT:	\$988,047
AMOUNT SPENT TO DATE:	\$0
PROPOSED COST:	\$989,825.76
BALANCE REMAINING:	-\$1,778.76
ANNUAL MAINTENANCE:	\$30,000
ESTIMATED WHOLE LIFE COST:	\$1,109,826

**Proposed Capital Budget 2020/21 (Subject to Council approval)**

ACCOUNT NO:	TBA
BUDGET ITEM:	Lighting – Christmas Decorations
BUDGETED AMOUNT:	\$1,045,000
AMOUNT SPENT TO DATE:	\$0
PROPOSED COST:	\$944,768.48
BALANCE REMAINING:	\$100,231.52
ANNUAL MAINTENANCE:	\$30,000
ESTIMATED WHOLE LIFE COST:	\$1,064,768

Estimated Whole of Life Cost is calculated on the first three years of maintenance being subject to warranty and then 3% of purchase price for each of the following four years.

All figures quoted in this report are exclusive of GST.

**Comments:**

As the city retail and hospitality industries come under increasing and consistent pressure from similar businesses in the suburbs it is imperative the City provide a point of difference to attract visitors, particularly during the peak shopping period of Christmas. The City's Christmas Light Trail has proven very successful, activating various areas of the city and creating a magical festive spirit. The City's street decorations are an integral part of the Trail and have provided the public with much pleasure and enjoyment since being introduced over 40 years ago.

Tender Specifications requested that decorations *"must be of a high quality befitting a capital city. Decorations should capture the spirit, magic and joy of Christmas and be such as to provide a spectacular attraction to enthrall, excite and delight the public"*. It is important, therefore, that when selecting new suites, the aesthetic value of each is well considered together with its place in the

built environment, value for money, on-going maintenance and storage requirements, back-up service and installation methodology.

Visual Inspirations Australia Pty Ltd provided an outstanding submission with designs that clearly meet the City's requirements and public expectations while both Mark One Visual Promotions Pty Ltd and St Lucia Holdings Pty Ltd T/A Artform Signs and Displays offered designs that either met with requirements or provided unique design solutions that would ultimately deliver the City substantial savings.

It is therefore recommended the City purchase the following suites for the locations stated and from the suppliers noted:

### **Financial Year 2019/20**

#### *Visual Inspirations Australia Pty Ltd<sup>1</sup>*

- Hay Street, Colin Street to Outram Street – Option 1 - \$55,178
- Hay Street, corners Colin and Outram Streets – Option 2 - \$79,796.56
- Wellington Street, Barrack Street to Milligan Street – Option 1 - \$153,429.85
- Hay Street Mall Poles– Option 2 (including entry statements) - \$157,896
- Forrest Place Flag Poles – Option 2 - \$71,664.80
- Murray Street Multi-Function Poles - Option 2 - \$119,219.80

#### *St Lucia Holdings Pty Ltd t/a Artform Signs and Displays*

- Royal Street, East Perth – Option 1 - \$7,920 – Prototype

#### *Mark One Visual Promotions Pty Ltd*

- St Georges Terrace, Victoria Avenue to Milligan Street – Option 2 - \$501,200<sup>2</sup>
- Forrest Place Pillars – Option 1 – Deer - \$32,900

<sup>1</sup> In their submission, Visual Inspirations Australia Pty Ltd advised that the City would receive a discount of 5% off tendered prices should 11 to 15 sites be selected. As such, 5% discount has been applied to the prices above and are indicated in the recommendation.

<sup>2</sup> The City has now reduced the scope of this suite and will reuse the existing 12 pair of Angels. New Angels to be installed between Victoria Avenue and Pier Street and William Street and Milligan Street will match existing in design and lighting capability. Cost will therefore be reduced to \$343,680.

### **Financial Year 2020/21 (subject to Council approval)**

#### *Visual Inspirations Australia Pty Ltd<sup>1</sup>*

- Murray Street Mall Poles – Option 1 - \$200,097.30
- Murray Street “Goosenecks” – Hay Street Option 2 with red highlights - \$126,850<sup>3</sup>
- Hay Street “Goosenecks” – Option 2 - \$108,306.30
- William Street, Wellington Street to The Esplanade/Mounts Bay Road – Option 1 - \$208,646.90
- Barrack Street, Wellington Street to St Georges Terrace – Option 1 - \$69,902.45



<sup>3</sup>Design is the same as Hay Street “Goosenecks” therefore price is as per Hay Street and engineering costs will not apply. Cost reduced to \$104,634.90 less 5%.

*St Lucia Holdings Pty Ltd t/a Artform Signs and Displays*

- Murray Street Mall Trees – Option 1 - \$184,800
- Royal Street, East Perth – Option 1 – \$102,960

The following locations have not been awarded as no submission met the City’s requirements:

- Forrest Place – GPO Façade
- Murray Street Mall – Commonwealth Bank Façade

The following locations have not been awarded due to budget constraints and change of scope:

- King Street
- Hay Street Mall trees
- Forrest Place trees.

CONFIDENTIAL ATTACHMENT 6.21A, 6.21B AND 6.21C  
ITEM 6.21 - TENDER 123-18/19 - DESIGN AND SUPPLY OF  
ILLUMINATED CHRISTMAS DECORATIONS

FOR THE AGENDA BRIEFING SESSION

22 OCTOBER 2019

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