



City of Perth

**Ordinary Council Meeting
Minutes**

**17 December 2019
6.00pm**

**Council Chamber
Level 9
Council House**

APPROVED FOR RELEASE

**MURRAY JORGENSEN
CHIEF EXECUTIVE OFFICER**



City of Perth

**Ordinary Council Meeting
Minutes**

**17 December 2019
6.00pm**

**Council Chamber
Level 9
Council House**

Present

Chair Commissioner Andrew Hammond
Commissioner Gaye McMath
Commissioner Len Kosova

Minutes to be confirmed at the next Ordinary Council meeting.

**THESE MINUTES ARE HEREBY CERTIFIED AS
CONFIRMED**

PRESIDING MEMBER'S SIGNATURE

DATE:-----

Minutes of the Ordinary Meeting of the Council of the City of Perth held in the Council Chamber, Ninth Floor, Council House, 27 St Georges Terrace, Perth, on Tuesday, 17 December 2019.

Presiding: **Chair Commissioner, Andrew Hammond**

Commissioners in Attendance:

Commissioner Gaye McMath
Commissioner Len Kosova

Officers in Attendance:

Mr Jorgensen	Chief Executive Officer
Mr Parker	General Manager Corporate Services
Mr Kopec	General Manager Infrastructure and Operations
Ms Banks-McAllister	General Manager Community Development
Mr Miragliotta	General Manager Planning and Economic Development
Mr Ridgwell	Manager Governance
Ms Smith	Alliance Manager Development Approvals
Ms Rutigliano	Governance Officer

Observers:

Seven members of the public
Seven members of staff
No members of the media

1. Prayer / Acknowledgment of Country

The Chief Executive Officer read the prayer.

The Chair Commissioner read the Acknowledgement of Country.

2. Declaration of Opening

6.01pm The Chair Commissioner declared the meeting open.

Passing of Eric Lumsden

The Chair Commissioner acknowledged the passing of the former Chair Commissioner Eric Lumsden who was a close friend and colleague to many people. Eric was a committed professional, incredibly loyal and dedicated to the development of Perth and Western Australia, and a fierce advocate for the strength and importance of local government.

One minute silence was allowed for Eric.

3. Apologies

Nil

4. Question Time for the Public and Notification of Deputations

4.1 Question Time for the Public

Questions received from Brent Fleeton (CM 325013/19), 35 Riverside Drive, East Perth WA 6004 in relation to the On the Point overflow parking matter.

<p>Question:</p>	<ol style="list-style-type: none"> 1. Does the City believe this is an acceptable situation? 2. What are your proposed next steps to rectify this situation? 3. What are you putting in place to ensure something like this doesn't happen again for other ratepayers? 4. Despite my pleas to not proceed with mediation at the Ordinary Council Meeting held on 18 December 2019, stating it was our intention to work this out by simple negotiation between the City and City Foreshore Investments, who made the decision to engage with Freehills on this matter? <ol style="list-style-type: none"> 4.1 What reasons did the City feel that their own staff were ill-equipped to handle this? 4.2 How much did the Freehills engagement cost the ratepayer? 4.3 Did Freehills write the response sent by the former Manager Properties on 3 May 2019 with the counter offer establishing a mechanism for access to the overflow car park? 4.4 Did Freehills provide advice on which state government agency would be the right decision-making authority? 4.5 If yes to the above, which department(s) did they state the City should consult with? 4.6 If no to the above, which officer(s) incorrectly pointed to the Department of Transport as the decision maker for the overflow car park access mechanism?
<p>Response:</p>	<p>The questions were taken on notice.</p>

4.2 Notification of Deputations

A deputation request was received from Ben McCarthy and Ben Widdowson from Almacen Pty Ltd in relation to Item 13.1 - 4 (Lot 5) Brown Street, East Perth – Change of use from gymnasium ('Community') to an event space ('Culture and Creative Industry') and function centre ('Dining and Entertainment') (CM 325017/19).

5. Members on Leave of Absence and Applications for Leave of Absence

Nil

6. Confirmation of Minutes

Moved Commissioner McMath, seconded Commissioner Kosova

That Council CONFIRM the minutes of the Ordinary Council Meeting held on 26 November 2019 and the Special Council Meeting held on 4 December 2019 as a true and correct record.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

7. Announcements by the Chair Commissioner

Nil

8. Disclosures of Members' Interests

Nil

9. Questions by Members of which due notice has been given

Nil

10. Correspondence

Nil

11. Petitions

Nil

12. Matters for which the Meeting may be Closed

In accordance with section 5.23(2) of the *Local Government Act 1995*, to preserve the confidentiality of attachments 13.17A, 13.17B, 13.18A, 13.18B, 13.19A and 13.19B, it is recommended that the meeting be closed to the public prior to consideration of the matters.

Attachment No.	Item No. and Title	Reason
Confidential Attachment 13.17A and 13.17B	Item 13.17 - Electricity Supply Agreement for the City of Perth	s5.23(2)(e)(ii)
Confidential Attachment 13.18A and 13.18B	Item 13.18 - Tender 003-19/20 – Wellington Square Enhancement	s5.23(2)(e)(ii)

Confidential Attachment 13.19A and 13.19B	Item 13.19 - Tender 014-19/20 – Bollard Replacement in Hay and Murray Street Malls – Design and Installation	s5.23(2)(e)(ii)
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13. Reports

En Bloc Motion

Moved Commissioner Kosova, seconded Commissioner McMath

That Council:

- 1. ADOPTS the Officer Recommendations for items 13.2, 13.3, 13.4, 13.5, 13.6, 13.7, 13.9, 13.10, 13.11, 13.12, 13.15, 13.16 and 13.19; and***
- 2. CONSIDERS items 13.1, 13.8, 13.13, 13.14, 13.17 and 13.18 separately.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Item 13.1 4 (Lot 5) Brown Street, East Perth – Change of use from gymnasium ('Community') to an event space ('Culture and Creative Industry') and function centre ('Dining and Entertainment')

FILE REFERENCE:	2019/5302
REPORTING OFFICER:	Chris Bien, Statutory Planner
REPORTING UNIT:	Development Approvals
RESPONSIBLE ALLIANCE:	Planning and Economic Development
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	2 December 2019
ATTACHMENT/S:	Attachment 13.1A – Location Plan Attachment 13.1B – Development Plan Attachment 13.1C – Public Consultation Summary Attachment 13.1D – Applicant Response to Public Consultation
3D MODEL PRESENTATION:	N/A
LANDOWNER:	Almacen Pty Ltd
APPLICANT:	Almacen Pty Ltd
ZONING:	(MRS Zone) Urban (City Planning Scheme Precinct) East Perth (P15) (Local Planning Scheme No. 26 – Normalised Redevelopment Area) EP9 – Brown Street
APPROXIMATE COST:	\$50,000

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Committee to note.*

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

Planning and Development Act 2005
Planning and Development (Local Planning Scheme) Regulations 2015
 Metropolitan Region Scheme
 City Planning Scheme No. 2
 Local Planning Scheme No. 26

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 - Place

Policy

CPS2 Policy No and Name:

2.2 – Public Notification/Advertising
 3.5 – Non-Residential Uses in or Adjacent to Residential Areas

Purpose and Background:

The purpose of this report is to outline the assessment and recommendation for a development application to use an existing tenancy as a function centre.

The subject tenancy is 409 square metres in area and is situated within a strata-titled development that was originally developed to house light industrial uses. It now contains a mix of land uses including residential and light industry, with the subject tenancy most recently approved as a commercial gymnasium. There is a laneway at the rear of the building that provides access for servicing purposes.

The application was originally scheduled to be determined by Council on the 26 November 2019 with a recommendation for refusal. However, the applicant requested the item be withdrawn to enable them to be able to respond to issues which were raised by City officers in the report. The applicant has now responded to these issues by providing some of the outstanding information identified as part of a review of the Noise Impact Assessment and in the Noise Management Plan. This supplementary information has now been assessed as part of the application.

Details:

Approval is sought to change the use of an existing gymnasium to an event space and function centre. The applicant advises that the intent of the proposal is to provide a space that can be hired for private and community based functions including corporate events, product launches, art installations, photography and private dining.

The venue will repurpose and retain the existing internal amenities and structures with no new building additions or alterations being proposed. The venue will contain a main function room, store rooms, communal foyer, toilets and a small kitchen area (which will be used only for reheating and plating of food by catering staff). The venue could accommodate up to approximately 200 people. It is noted that the building owner (Almacen Pty Ltd) will also act as the venue operator.

Compliance with Planning Scheme:Land Use

The subject site is located within the Brown Street Precinct (EP9) under Local Planning Scheme No. 26 (LPS26). The Brown Street Precinct will provide a mix of uses, commercial and high amenity light industry to the north of Brown Street and residential to the south and along the Claisebrook Inlet. This highly prominent location will showcase high quality design and medium density residential development.

Under LPS26, an event space falls within the 'Culture and Creative Industry' land use category while a function centre falls within the 'Dining and Entertainment' land use category. Both the 'Culture and Creative Industry' and the 'Dining and Entertainment' land use groups are 'Contemplated' uses within the Brown Street Precinct.

In determining an application for development approval for a land use within the 'Culture and Creative Industry' land use category, in addition to the matters listed under clause 67 of the Deemed Provisions, Council shall have regard to the following relevant objectives:

- (a) infusing creativity, originality and innovation into the built environment;
- (d) the provisions of flexible and adaptive spaces to live, work and display; and
- (e) ensuring the compatible operation of culture and creative land uses with other land uses in the vicinity of the proposed development.

Similarly, when determining an application for development approval for a land use within the Dining and Entertainment land use category, in addition to other provisions of the Scheme, Council shall have regard to the following objectives:

- (a) enhancing lifestyle, character and vibrancy;
- (b) achieving effective venue management, including venue operation, patron management, and customer and public safety; and
- (c) ensuring the operation of land use does not negatively affect the amenity of the locality, including operating hours, traffic, noise or other emissions, and is compatible with surrounding land uses.

The proposal's compliance with these requirements is discussed in the following sections of this report.

Comments:**Consultation:**

In accordance with clause 34 of CPS2 and clause 64 of the Deemed Provisions, the proposal was advertised to the owners of affected properties within the vicinity of the subject site for a period of 14 days, closing on 11 October 2019. These included 2 and 8 Brown Street, 17–21 Kensington Street, 1–10 Flagstaff Lane, 1–9 Ensign Lane, 1-13 Victory Terrace and 2 Henry Lawson Walk.

A total of 36 submissions were received during the advertising period, with 33 raising objections and three providing support in relation to the proposal.

There were four key issues which the submissions objecting to the proposal commonly raised. These were in relation to noise generated by the use of the venue and by patrons coming and going from the premises; security and anti-social behaviour; demands on parking facilities in the area, availability of alternative transport; and appropriateness of the venue's location given the predominance of residential uses in this locality. A few submissions also outlined the potential of the proposal to decrease property values. It is noted that any impact that the proposed change of use might have on the value of surrounding properties is a matter that, whilst understandably of importance to individual landowners, is not directly relevant in any assessment of the planning merit of a proposal and is not a relevant consideration under the current planning framework.

The three submissions received in support the application noted that the proposed use could provide greater interest and activity in the area.

A summary of the submissions received is attached (refer to Attachment 13.1C).

Land Use and Amenity

The Brown Street Precinct (EP9) is intended to be a mixed use area. The proposed land use meets the general scheme objectives and principles as it has the potential to add to vibrancy, vitality and diversity of the city and to provide additional facilities and amenities in the city. However, LPS26 also acknowledges that this area will become increasingly residential in character. While the street block in which the premises is located consists mainly of commercial and light industrial properties, the area on the southern side of Brown Street and to the east of Victory Terrace is entirely residential. The mixed-use nature of this precinct ensures that a wide range of land uses may be contemplated, but any new land uses should be compatible with the existing land uses.

It is noted that there are existing entertainment venues in the vicinity of the subject site including a tavern and microbrewery at the Bright Tank Brewery, 98 – 100 Brown Street and Whipper Snapper Distillery at 139 Kensington Street. It is noted that functions held at Whipper Snapper Distillery are limited to corporate functions for a maximum of 80 people and a maximum of 26 functions being held each calendar year with no more than three functions being held in any one month.

Given that the proposed function facility could accommodate up to 200 people and that the existing building has not been constructed to contain noise emissions, a significant number of objections raised concerns about the appropriateness of the proposed use in this location and consider that the use will compromise the amenity of a predominately residential area. Other submissions have reservations on how the venue will be utilised and that it will have adverse impacts associated with

noise, parking and transport. Clause 67(n) of the *Planning and Development (Local Planning Schemes) Regulations 2015* notes that the amenity of the locality is to be considered when considering an application for development approval. This includes the character of the locality, and the social impacts of the development. In addition, clause 67(x) also states that consideration should also be given to the impact of the development on the community as a whole notwithstanding the impact of the development on individuals.

These concerns are also addressed in the City's Planning Policy 3.5 (Non-Residential Uses in or Adjacent to Residential Areas) which states that non-residential development on land which abuts land which is or may be used for residential purposes shall only be permitted where the nature of the non-residential use will not cause undue conflict through the generation of traffic or parking or the emission of noise or any other form of pollution which may be undesirable on residential areas. The proposal has the potential to limit and unduly impact on the existing residential population whilst also potentially making the surrounding properties less attractive for future residential development, including within the subject strata building at 2-12 Brown Street.

From the information submitted by the applicant, the City's Officers are not satisfied that the development will ensure a successful mix of land uses and activity in a compatible manner and that the scale of the use and the nature of the building will have adverse impacts on existing residential development and may impact on future potential residential infill and development in this area.

Noise

Almost all the submissions against the proposal referenced noise as a point of concern outlining that this is an issue which resonates strongly among the local community. Many of these submissions were concerned about the volume of noise created by various forms of entertainment and the high number of patrons in the one location, noting it is expected that up to 200 patrons could be accommodated. Once patrons leave the premises, there is heightened concern that this would result in large numbers of people spilling into neighbouring streets and generating noise which will cause late night disturbance to residents.

The applicant included a preliminary acoustic assessment to support the proposal. City officers advised that a more detailed acoustic assessment, including comprehensive noise modelling, was required to be submitted. There should also be a noise management plan that details any management or administrative initiatives required to control the noise from the venue. The applicant has submitted an additional acoustic assessment and further supplementary information. In their submission, the applicant has advised that they believe patron noise will be the most significant source of noise. Whilst the *Environmental Protection (Noise) Regulations 1997* do not account for patron noise, this does not denote the fact that this may not still have the potential to be a disturbance for residents. The applicant highlights that they would like the premise to be used for events which are respectful of the space and the surrounding area. They note that events will be private and will not be allowed to open the venue up to the public.

It is considered that this additional information fails to provide an appropriate level of detail to enable the City's Officers to determine how sound will be attenuated, how the noise will affect the residents in the vicinity of the subject site or how noise issues can be appropriately dealt with or addressed in any approval. The lack of clarity on the required acoustic information and the uncertainty of the range of functions being held, where some responsibility will be left to the client

of the function rather than the operator, are the main concerns with the proposal. This does not provide confidence that the management arrangements can be practically achieved or adhered to.

Whilst there is the option to consider imposing conditions to any approval to attempt to address any noise concerns, installing adequate noise attenuation within the building would require substantial additional work to the property and it is considered that this detail needs to be addressed as part of any application to confirm that noise attenuation can practically and reasonably be achieved whereby noise disturbance to adjoining properties will not be an ongoing and significant issue. Noting the lack of clarity around noise emissions, the proposal is not considered to be compatible with the immediate and surrounding land uses.

Traffic and Parking Impact

Under the provisions of the Perth Parking Policy, the proposed use is not required to provide any on-site tenant parking bays. Brown Street contains on-street parking bays on both sides of the street. In the evenings, these on-street bays are in demand by residents and their guests.

Many residents outlined that the proposal would substantially increase the amount of vehicle traffic in the area and that parking availability within the vicinity was already scarce. A few of the submissions noted that the nearby Perth Stadium has reduced the number of on-street parking bays in the area during event periods and this proposal would put greater strain on the demand for these on-street bays, particularly when the subject venue hosts functions concurrently with events at the stadium.

The perceived lack of parking has raised some concerns on how patrons would get to and from the subject premise without causing a disturbance to surrounding residents. Without appropriate parking, many objectors believe most patrons will access and leave the venue by way of private drop off and pick up, including taxis and ride share services. As such, the main concerns are concentrated around the management of patrons before and after an event or function.

The applicant has advised that they believe the area is well serviced by transport infrastructure. They outline some of the following reasons for this view:

- there is an existing short-term car park with approximately 45 car parking bays on Brown Street approximately 150 metres east of the subject site;
- the subject site contains two designated bays for loading and unloading of supplies and goods;
- there are extensive footpath connections for pedestrians to utilise when they exit the venue;
- a Yellow CAT bus stop and Claisebrook Train Station are approximately 650 metres and 900 metres away respectively from the subject site;
- any hired security will be trained to ensure that issues around vehicles queuing around the subject site will not occur by ensuring traffic can be directed to designated parking bays; and
- there is sufficient capacity on Brown Street to cater for the projected number of guests which the venue is able to accommodate.

If the proposed venue is to operate at maximum capacity (200 patrons), then there could be a considerable shortfall in available parking should a significant number of patrons seek to access the venue by private vehicle. The other primary modes of transport which are outlined include public transport and taxi/ride-sharing services.

Public transport may not be a viable transport option for patrons, particularly in the evenings, noting that the Yellow CAT Bus Service operates on a limited schedule up to 8pm on weekdays and 6pm on weekends and may not operate during periods when the venue would be operating. Patron pick up and drop off through taxis, ride-sharing services and private vehicles is anticipated to be the most popular means of transport.

Private vehicle drop-off and pick-up may temporarily cause minor traffic disruption, although if managed appropriately, its impact may be able to be lessened, particularly if functions are not near the maximum capacity of 200 people. It is noted that the lack of a designated drop off and pick up point may lead to some congestion within the area. However, it is considered that any additional vehicular traffic generated by the change of use can be accommodated within the existing surrounding road network and appropriate management of any event or function should patron numbers be kept to a relatively smaller number.

Noting the above, taxi and ride-sharing services are often reliant on picking up passengers promptly and in an ad-hoc manner. Therefore, adverse traffic and parking impacts could potentially be exacerbated without a dedicated pick up or drop off area for functions and where security personnel may not be able to manage the traffic situation appropriately.

Safety and Security

Post-function patron management has been raised as a particular concern among residents. A significant number of submissions noted they had fears that should the proposal be approved then the potential for anti-social behaviour would increase. Some submissions expressed a lack of confidence that the venue operators would be able to effectively manage patrons while others expressed that there may be a lack of security during events. It is noted that venue operators do not have control over patrons once they have departed the venue beyond asking them to respect residents in the area and not to loiter outside the venue at the conclusion of a function.

While it is noted that some residents believe venues such as Bright Tank Brewery, have assisted in reducing antisocial behaviour in the area as a consequence of more activity in the street, it is understood that these existing venues have smaller patron numbers and in the case of the tavern, patrons disperse throughout the day/evening and are not subject to specific arrival and departure times as is characteristic of private functions. In addition, due to their specific operation the associated clientele, noise and traffic impacts are comparatively predictable. Given the nature of this proposal, where the building might host various wide-ranging functions, the management requirements are more difficult to foresee.

State Planning Policy 7.0 – Design of the Built Environment

State Planning Policy 7.0 provides the broad framework for design of the built environment across Western Australian and applies to all levels of the planning hierarchy including development applications. The policy outlines ten (10) Design Principles which establish 'good design' that can inform the design, review and decision-making process for built environment proposals across the state. Three out of the ten Design Principles are of relevance to this application which are Amenity, Safety and Community.

Amenity:

Amenity, from a good design perspective, means to provide 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. Places should incorporate a mix of uses that work together to create viable environments that respond to the diversity of the local community and its culture. Good design mitigates negative impacts on surrounding buildings and places including noise requiring the provision of appropriate levels of acoustic protection.

The applicant has not provided sufficient information illustrating that the proposal includes the provision of appropriate levels of acoustic protection which may affect current and future land uses within the precinct.

Safety:

The proposal should be able to illustrate that the outcome will provide optimal safety and security both within a development and to the adjacent public realm.

The proposal has generated significant concern from the local community regarding the potential increase in anti-social behaviour and other security issues. From a design perspective, the subject premise offers a clear defined relationship between public and private spaces, however the main concern regarding safety relates to patron activity within the public realm before and after an event. Even though the premise contains a secure and defined entry and lobby area, with the intention of staggering the number of patrons which can leave at any given time, this does not guarantee that nearby residents will not be affected by the behaviour of patrons.

Community:

The proposal should respond to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction. Places should be able to accommodate change over time, create continuity with the past and respond to new social, market or environmental demands.

The proposal is considered to meet the intent and contribute to fostering social interaction and supporting a diversified economy within the area which can be a positive contribution to the community. Whilst the proposed use can further generate economic and social activity, there is however uncertainty if the scale and nature of the proposed use would result in an overall positive social outcome for the local community.

Conclusion

It is acknowledged that the proposed land use meets the general scheme objectives and principles as it has the potential to add to vibrancy, vitality and to the diversity of the locality and add new facilities and amenities in the area. However, the submissions have raised some valid planning considerations that arise from the numbers of patrons that the venue could accommodate, the nature of the existing building and uncertainty about its capacity to contain noise emissions, and concerns regarding patron management, parking and transport to and from the venue.

The addition of new land uses within mixed-use areas of the City must be done in an appropriate and compatible manner as envisaged under the objectives and principles of the Scheme. It is an objective of LPS26 to deliver vibrant and attractive urban environments which infuse the city with vitality, life and character. It is also an objective to increase the residential population, facilitate increased employment opportunities and a diverse range of businesses, facilities, services, amenities and infrastructure. The Brown Street Precinct is regarded as a mixed-use area, yet there is a significant residential population within the precinct which is in close proximity of the subject site.

Noise is regarded as the most significant issue however the material that the applicant has provided for the accompanying acoustic assessment does not provide detailed evidence and clarification on emission and how it subsequently can be managed. Whilst the applicant has provided a management plan, the City's officers are not satisfied that this would alleviate concerns around the impact that the use would have on the local community and the future development of the area.

It is recommended that the application should be refused on the grounds that the proposed function and event space would have an adverse impact on the amenity of current and future residents in the locality.

Officer Recommendation

Moved Commissioner McMath, seconded Commissioner Kosova

That Council, in accordance with the provisions of the City Planning Scheme No. 2, the Planning and Development (Local Planning Schemes) Regulations – Deemed Provisions for Local Planning Schemes and the Metropolitan Region Scheme, REFUSES the application for the change of use from a gymnasium ('Community') use to an event space ('Culture and Creative Industry') and function centre ('Dining and Entertainment') use at 4 (Lot 5) Brown Street, East Perth as indicated on the Local Planning Scheme Form and Metropolitan Region Scheme Form One dated 4 August 2019 and as shown on the plans received on 13 August 2019 for the following reasons:

- 1. the scale and nature of the proposed change of use 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 proposal will adversely affect the amenity of residents in relation to the environmental impacts and character of the locality;*
 - 1.2 the proposal does not satisfy considerations of amenity and community outcomes as a principle of good design outlined under State Planning Policy 7.0 – Design of the Built Environment;*
 - 1.3 the proposal will be incompatible with the surrounding residential uses, due to its potential to have adverse impacts on residential amenity, and therefore does not meet the objectives and principles of the Local Planning Scheme No. 26;*

1.4 *the proposal will have an undesirable impact in terms of noise, traffic and parking contrary to Policy 3.5 – Non-Residential Uses in or Adjacent to Residential Areas;*

Othe noise impact assessment and noise management plan submitted by the applicant have not provided sufficient details and specifications to achieve the required noise attenuation to provide certainty in regard to the amelioration of any noise impacts.

COUNCIL RESOLUTION

PROCEDURAL MOTION

Moved Commissioner Hammond, seconded Commissioner Kosova

That Council defer consideration of the report titled 4 (Lot 5) Brown Street, East Perth – Change of use from gymnasium ('Community') to an event space ('Culture and Creative Industry') and function centre ('Dining and Entertainment') to clarify matters relating to the proposed land use.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Reason: To clarify matters relating to the proposed land use specifically culture and creative industry and dining and entertainment uses.

Item 13.2 Donation – ANZAC Day 2020

FILE REFERENCE: P1010627-33
 REPORTING OFFICER: Virginia Withers, Senior Sponsorship Officer
 REPORTING UNIT: Activation and Cultural Experience
 RESPONSIBLE ALLIANCE: Community Development
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 17 October 2019
 ATTACHMENT/S: Nil

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Committee to note.*

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)(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 - Partnership

Policy

Policy No and Name: 18.14 – Donations

Purpose and Background:**Applicant Details**

Entity Name	The Returned and Services League of Australia WA Inc.
ABN	59 263 172 184
Entity Type	Other Incorporated Entity
ABN Status	Active
ATO Endorsed Charity Type	<i>Charity, Public Benevolent Institution, Endorsed as a Deductible Gift Recipient (DGR)</i>

The Returned and Services League of WA Branch Incorporated (RSLWA) is a not-for-profit organisation formed in 1916 to attend to the welfare needs of all ex-service and serving personnel, with a mission of advocacy, welfare, camaraderie and commemoration.

RSLWA has applied to the City of Perth for financial assistance towards the costs associated with holding the annual ANZAC Day Commemorations in Perth on 25 April 2020. ANZAC Day Commemorations have been held in the City since 1915.

Details:

Project Title	ANZAC Day Commemorations 2020
Project Date	25 April 2020
Venue	Kings Park, Langley Park, St Georges Terrace, Perth Concert Hall, Government House Gardens
Support Requested	<p>The RSL have requested the following support from the City of Perth. Support to the value of \$115,162 (excluding GST), comprising:</p> <ul style="list-style-type: none"> • A cash donation of \$65,000 to cover traffic management costs of the event; • A cash donation of \$4,500 towards the cost of the saluting dais/staging in St Georges Terrace required for Anzac Day Parade; • In kind support towards the City service fees and charges associated with the event, valued at \$45,662.
Recommendation	Approval
Recommended amount	<p>\$85,000 (excluding GST), comprising:</p> <ul style="list-style-type: none"> • A cash donation of \$39,338 towards the traffic management costs of the event; • In kind support towards the City service fees and charges associated with the event, valued at \$45,662.

RSLWA have requested a donation from the City to support the 2020 ANZAC Day Commemorations. All the activities planned are free-to-the public, and the RSLWA anticipates over 35,000 attendees. Events will include:

- Sunset Service, 5.00pm on 24 April, at the Flame of Remembrance in Kings Park;
- Dawn Service, 6.00am on 25 April at the State War Memorial, Kings Park;
- ANZAC Day Gunfire Breakfast, Government House Gardens;
- ANZAC Day Parade, from the corner of Barrack Street and St Georges Terrace, dispersing on Langley Park where there will be a sausage sizzle provided by the Salvation Army; and
- ANZAC Day Commemorative Service, 11am at Perth Concert Hall.

ANZAC Day Funding Request

RSLWA has requested support totalling \$115,162 from the City, comprising:

1. A cash donation of \$65,000 to cover traffic management costs of the event;
2. A cash donation of \$4,500 towards the cost of the saluting dais/staging in St Georges Terrace required for Anzac Day Parade; and
3. In kind support to waive the service fees and charges associated with the event including banner site hire, Environmental Health fees, bin hire, Reserve Hire and parking bays. City of Perth Officers have valued the in-kind support to be \$45,662 as per the below costings:

Officers also note that ANZAC Day Course route is often changed closer to the event, resulting in differences to applicable fees and charges. The city acknowledges that there may be some small change in these costs due to adjustments in the course route, etc.

A bond amount of \$3,000 is also payable by the RSL and refundable dependant on City services required and is not reflected on the below table. This amount will be required to be paid separately by the RSL and it is not included in the recommended donation.

	<u>ESTIMATED FEES (ex GST)</u>
Approval to conduct ANZAC Day 2020 commemorations and associated activities in the City of Perth, comprising: <ul style="list-style-type: none"> • Public Building Fee (\$871) 	\$871
Approval and use of Langley Park for HAA commemoration (<i>noting the fee is based on the use of Langley West only, with 50% discount</i>) <ul style="list-style-type: none"> • Parks and Reserves – High Impact (non-ticketed) 	\$1,991
Approval and in-kind support for the costs associated with the use of power and water services at Langley Park as required <ul style="list-style-type: none"> • Power 3 Phase (\$93) 	\$93
Bins and cleaning services of the Parade route and Langley Park comprising: <ul style="list-style-type: none"> • 240L Bin Delivery for 60 Bins (\$1,701; • Events Bins 240L (30x Landfill and 30x Recycling); • Bin cleaning charges • 25x 240L bins on Langley Park 	\$1,062

Approval for road closures associated with ANZAC Day as per traffic management plan, Police and Main Road approvals (<i>with 50% discount</i>) <ul style="list-style-type: none"> Road Reserve Hire Fees (Roads / Right of Ways – Non tickets – with infrastructure, covering all roads utilised on the day) 	\$1,379
Removal of street parking bays in the road closure area (<i>estimate based on last year</i>)	\$9,600
In-kind support for the costs associated with access to all open-aired car parks from 12am to 1pm on Anzac Day	\$19,479
In-kind support for the costs associated with the reservation of the City banner poles (T1-T3, M1-M4 and K1, F1, F2, F3) for two weeks prior to Anzac Day	\$11,187
	<u>\$45,662</u>

Acknowledgement of the City of Perth

The City of Perth's support will be acknowledged in relevant promotional materials.

Previous five years City of Perth Support

Year	Amount	Project
2015	\$96,617	ANZAC Day Commemorations (Centenary)
2016	\$67,868	ANZAC Day Commemorations
2017	\$65,000	ANZAC Day Commemorations
2018	\$82,666	ANZAC Day Commemorations
2019	\$95,566	\$83,000 - ANZAC Day Commemorations \$12,566 – Armistice Day (Centenary)
TOTAL	<u>\$407,717.00</u>	

Financial Implications:

ACCOUNT NO:	PJ 13958037000007901
BUDGET ITEM:	Donations
BUDGETED AMOUNT:	\$85,000
AMOUNT SPENT TO DATE:	\$0
PROPOSED COST:	\$85,000
BALANCE REMAINING:	\$0
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.

Although the total donation amount is \$85,000, the RSLWA will receive \$39,332 (excl GST) cash payment with the balance (\$45,662 excl GST) being transferred internally to the service units where the costs are being incurred.

In previous years recipients have been provided the entire amount and have been required to reimburse the City for the services delivered. From a customer service point of view, this process is far easier for our stakeholders.

Comments:

The ANZAC Day Commemorations have a long history in the city and have a high level of importance and significance to the community.

The costs of staging the event have increased in recent years. In 2017, traffic management costs for the event doubled from \$30,000 to \$60,000 due to requirements for hostile vehicle management.

The City of Perth has an annual available budget of \$85,000 for donations and the totality of this amount has been recommended to support the applicant. The City's support will ensure continued delivery of a high quality and safe event that reflects community expectations.

COUNCIL RESOLUTION

Moved Commissioner Kosova, seconded Commissioner McMath

That Council APPROVES a donation to the value of \$85,000 to the Returned and Services League of Australia WA Inc. to assist in the presentation of the 2020 ANZAC Day Commemorations in Perth.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Item 13.3 Strategic Event Sponsorship – Make Smoking History Targa West 2020

FILE REFERENCE: P1038782#02#01
 REPORTING OFFICER: Candice Beadle, Sponsorship Officer
 REPORTING UNIT: Activation and Cultural Experience
 RESPONSIBLE ALLIANCE: Community Development
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 12 November 2019
 ATTACHMENT/S: Nil

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation Section 8 of the *City of Perth Act 2016*
Local Government Act 1995

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 - Partnership

Policy
 Policy No and Name: 18.13 – Sponsorship and Grants

Purpose and Background:**Applicant Details**

Applicant	Targa West Pty Ltd
Entity Name	The Trustee for Ross & Jan Trust & The Trustee For Tapper Family Trust
ABN	93 094 853 133
Entity Type	Other Partnership
ABN Status	Active
ATO Endorsed Charity Type	Not endorsed

Applicant Description

Targa West Pty Ltd is an experienced event management company specialising in high profile motorsport events exclusively based in Western Australia. The company organises 11 annual motorsport events for tarmac rally cars, from grass roots Rally sprints to Targa West, a four-day tarmac rally.

The events run under the auspices of Motorsport Australia (formerly CAMS, the Confederation of Australian Motorsport).

Background

The City of Perth has received a request for a Strategic Event Sponsorship, including in-kind support for the use of City of Perth Parking (CPP) 'Terrace Road Car Park and Grassed Area' and parking bays along Governors Avenue, for a three-year sponsorship term to support the 2020, 2021 and 2022 Targa West events.

Previously the City of Perth's sponsorship and CPP's in-kind sponsorship have been treated as two separate agreements and managed by the separate Business Units. For the 2020 event, one agreement will be drafted which covers both the cash sponsorship and in-kind CPP sponsorship. This will ensure a consistent approach is maintained and will enhance the customer service experience by centralising the administration.

The City has supported Targa West since its inception, with 2020 marking the 16th year of the event.

Details:

Project Title	Make Smoking History Targa West
Project Start Date	06/08/2020
Project End Date	09/08/2020
Venue	Langley Park (including Riverside Drive and Victoria Avenue) Terrace Road Carpark (including Governors Ave) Forrest Place Murray Street Mall Northbridge (James and Lake Streets)

	Hyatt Hotel (Rally HQ and Official Accommodation)
Estimated attendance	30,000
Ticket Cost	Free to attend
Total Project Cost	\$450,000
Total Amount Requested	\$110,500 (24.56% of the total project budget), consisting of: <ul style="list-style-type: none"> • \$80,000 (excl GST) cash component; and • \$30,500 in-kind for the use of CPP 'Terrace Road Car Park and Grassed Area' and Parking Bays along Governors Avenue
Recommendation	Approval for a one-year Strategic Event Sponsorship
Recommended amount	\$93,115.60 (20.69% of the total project budget), consisting of: <ul style="list-style-type: none"> • \$70,000 (excl GST) cash sponsorship; and • \$23,115.60 (excl GST) in-kind for the use of CPP 'Terrace Road Car Park and Grassed Area'

Event Summary

Targa West is a tarmac rally in Western Australia with up to 100 classic and modern cars competing in over 30 special rally stages. The course travels through Kalamunda, Toodyay, Malaga and Bullsbrook before finishing in Perth. The event is run over four days which gives spectators opportunities to see the rally action across the city and surrounds, and culminates in the City of Perth stage alongside Riverside Drive and Langley Park.

The event offers a number of free activities across city public spaces, including Murray Street Mall, Northbridge, Yagan Square, the Riverfront and Langley Park.

Tarmac rallies are the only form of motorsport that brings the action to the people and does not require them to visit a purpose built track.

Event Description

Targa West sees cars compete against the clock, one-at-a-time spaced at 30 second intervals, over the closed road rally stages. They then liaise to the start of the next section at normal road speeds, obeying normal road rules. There are a number of opportunities for their service crew to undertake basic maintenance in designated 'service parks'.

Aside from the Targa West competition several activations, which are free-to-the-public, will be held in the city to encourage visitation and involvement with the event. These additional event components are detailed below:

Pre-Event display – Murray Street Mall – 16 July 2020

A display of six to ten competition cars in the lead-up to the event as a promotional activity to raise awareness and generate public interest. Organisers anticipate 3,000 attendees.

Targa West Ceremonial Start – Forrest Place – 6 August 2020

Targa West will officially open with a ceremonial start on the first day of the event. An expected 80 cars and crews will assemble before a lunchtime event start. The event includes car displays prior to being flagged away at 30 second intervals to head off to their first competitive stage. This allows the public to enjoy the spectacle of Targa West. The Organisers anticipate 3,500 attendees.

Targa West Show 'n' Shine - Northbridge – 7 August 2020

The Northbridge precinct will host the Show 'n' Shine which is a display of 80 event rally cars on James and Lake Streets and video rally footage on the Northbridge Piazza Screen. Organisers anticipate 2,500 attendees. According to the Culture Counts survey which was undertaken in 2019, the event had a direct economic benefit exceeding \$150,000.

Shannon's Classics on the Park – Riverside Drive – 9 August 2020

A car display on the grass area between Riverside Drive and the Swan River with approximately 300 classic and contemporary vehicles on display and around 40 different car clubs involved, showcasing a wide variety of makes and models. This activation takes place on the final day of the rally which allows spectators to enjoy the action of the racing and the car display. Organisers anticipate 3,000 attendees.

Celebration of Motorsport – Langley Park – 9 August 2020

A motorsport display on Langley Park, showcasing over 400 vehicles representing all forms of motorsport including speedway, circuit racing, motorbike, motocross, jet boats, go karts, historic racing, off road, Dakar raid cars, drag cars etc. The Organisers anticipate 5,000 attendees.

City of Perth Family Zone, Langley Park – 9 August 2020

The Family Zone provides a range of family friendly activities (e.g. Scaletrix competitions, Hot Wheels Stunt Racing, Mario Kart competition, Bouncy Castle, Face Painter etc) specifically aimed at providing families a fun area and allows children 'hands-on' opportunities to engage with the event.

Targa City Sprint - Terrace Rd Carpark, Victoria Avenue, Governors Avenue, Riverside Dr and Langley Park – 9 August 2020

The Targa City Sprint, is a separate event on the Sunday morning where up to 80 cars compete in a Rally sprint on City of Perth Stage on Riverside Drive, providing action in the morning in the lead up to the Targa cars at lunchtime. The Organisers anticipate 1,000 attendees.

City of Perth Special Stage and Podium Finish - Terrace Road Carpark, Victoria Avenue, Governors Avenue, Riverside Drive and Langley Park – 9 August 2020

The Grand Finale to the four-day competition is the City of Perth Super Stage which brings the rally action to the people. The City of Perth Special Stage is approximately 2km long and incorporates sections of Victoria Avenue, Terrace Road Car Park, Terrace Road, Governors Avenue and Riverside Drive.

The Podium Finish then takes place on Victoria Avenue. The Organisers anticipate 5,000 attendees.

City of Perth Gala Presentation Dinner – Hyatt Hotel – 9 August 2020

A gala dinner to present trophies to the winners and acknowledge sponsors, competitors, officials, and crew. The Organisers anticipate 350 attendees.

Previous five years City of Perth Support and Acquittals

Year	Amount	Project
2015	\$50,000	Targa West
2016	\$47,500	Targa West
2017	\$48,000	Targa West
2018	\$70,000	Targa West
2019	\$70,000	Targa West
TOTAL	\$285,500	

- The City of Perth has received an acquittal for the previous support; and
- City Officers can confirm that all previous funding has been satisfactorily acquitted.

Impact Reporting

In 2019, City of Perth engaged Culture Counts to conduct a public survey and local business survey to measure the success of Targa West. Key insights from the 2019 report include:

- 94% of respondents were either satisfied or very satisfied with their experience at the event;
- 60% of respondents travelled to the event by car;
- 66% of businesses located in Northbridge indicated that business was better than a typical day on the evening of the Show ‘n’ Shine event;
- 80% of businesses surveyed around Langley Park indicated that business was better than a typical day on the Targa West final event day;
- The majority of businesses both in Northbridge and around Langley Park were supportive of Targa West and are supportive of similar events in the areas;
- The event attracted economic stimulus with an estimated \$650,000 in direct spend.

Sponsorship Benefits

The applicant will provide the following benefits to the City of Perth and CPP for the requested sponsorship amount:

- Co-naming rights to the 'City of Perth Super Stage' held on the Swan River foreshore;
- City of Perth acknowledged as sponsor of the City of Perth Family Zone;
- City of Perth and CPP signage ('Feathers', 'screams', CCB covers etc) displayed at pre-event functions and during the event;

- City of Perth and CPP logos and/or advertisement to appear on printed material including advertising flyers and posters, competitor’s road books, rally and service crew guides, officials’ safety plans;
- City of Perth and CPP Advertisement in the Spectator Guide;
- City of Perth and CPP logos prominently displayed on the front/bonnet of all competition and official course cars/support vehicles;
- City of Perth and CPP logos on Start/Finish Arches;
- City of Perth and CPP logos and link and banner advertisement on Targa West website;
- City of Perth and CPP support to be acknowledged in media and promotional material including event Facebook page, YouTube channel, eNews letters, website;
- City of Perth and CPP support acknowledged on Facebook event pages and sharing of City of Perth/Visit Perth City/ CPP content on Targa West Facebook pages;
- City of Perth acknowledged in radio advertisements (96fm) when promoting the City of Perth Special Stage;
- Commissioner or representative to be invited to officiate at a number of high profile functions including the Ceremonial Start in Forrest Place;
- Naming rights to the City of Perth Gala Presentation Dinner;
- City of Perth advertisement to be played during the Gala Dinner;
- City of Perth logo on all Dinner Invitations and/or tickets;
- City of Perth representative invited to address the dinner attendees; and
- Content creation and cross promotion opportunities utilising video and ‘Drone’ footage and still images from the event to promote the City of Perth as a vibrant and colourful destination on Social Media, online and in the traditional press.

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
Cultural Outcomes	
To what extent does the event celebrate the diversity of Perth as a capital city?	3.67
Social Outcomes	
To what extent does the event strengthen social cohesion and provide opportunities to connect?	3.17
Civic Outcomes	
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?	4.50
Economic Outcomes	
Does the event stimulate the local economy and provide opportunities for engagement with local business?	3.67
Organisational Competency	
Does the applicant have a demonstrated capacity to manage all aspects of the event?	3.83
Does the event demonstrate financial viability through evidence of support from other government agencies, business or community organisations?	3.17
Benefits	
Does the event offer adequate benefits/ recognition for the City?	4
Sub total 26 out of 35	

Optional Assessment Criteria <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>	
To what extent does the event celebrate Aboriginal Culture?	N/A
To what extent does the event attract significant interstate and international visitation by promoting Perth as a tourism destination?	N/A
Additional score	
TOTAL ASSESSMENT SCORE 26 out of 35 (74.29 %)	

Financial Implications:

ACCOUNT NO:	P13958043000007901
BUDGET ITEM:	Event Annual Sponsorship
BUDGETED AMOUNT:	To be determined
AMOUNT SPENT TO DATE:	\$0
PROPOSED COST:	\$70,000
BALANCE REMAINING:	To be determined
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	N/A

The cash sponsorship amount will be budgeted in financial year 2020/21 budget which is yet to be determined.

All figures quoted in this report are exclusive of GST.

Although the total sponsorship amount is \$93,115.60 (excl GST), the applicant will receive a \$70,000 cash payment with the balance (\$23,115.60 excl GST) being transferred internally to the service units where the direct costs are being incurred.

Comments:

Targa West is a unique offering on the city's event calendar which otherwise does not cater for motorsport enthusiasts. The event is free, accessible for all ages and encourages a broad demographic into the city. The assessment panel felt that the event draws in visitation from community members who would not otherwise come into the city, including regional visitors.

With a diverse program of activities across numerous dates and locations in the city, the panel commented that there would be substantial economic benefit to local traders.

Organisers are engaged in the sponsorship and have demonstrated a willingness to work closely with City officers. The organisers have taken onboard feedback, including implementing the City of Perth Family Zone in 2018, which has enhanced the family-friendly offering of the event.

The City has a long history of support of the event and the organisers have submitted a strong application which presents a clear commitment to deliver another quality event.

A one-year sponsorship term is recommended to ensure future applications are considered appropriately within the City's changing event landscape and new strategic community plan.

COUNCIL RESOLUTION

Moved Commissioner Kosova, seconded Commissioner McMath

That, subject to adoption of the 2020/21 budget, Council;

- 1. **APPROVES Strategic Event Sponsorship of \$93,115.60 (excluding GST) for one year to Targa West Pty Ltd for the Make Smoking History Targa West 2020 event; and***
- 2. **AUTHORISES the Chief Executive Officer to negotiate with the applicant the final list of sponsorship benefits according to the Council approved funding amount.***

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Item 13.4 Key Sector Development Sponsorship – Wise Realities, Healthcare Immersive Technologies Symposium

FILE REFERENCE: P1037825#02#04
 REPORTING OFFICER: Jordan Nix, Sponsorship Officer
 REPORTING UNIT: Activation and Cultural Experience
 RESPONSIBLE ALLIANCE: Community Development
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 15 November 2019
 ATTACHMENT/S: Nil

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation Section 8 of the *City of Perth Act 2016*
Local Government Act 1995

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 - Partnership

Policy
 Policy No and Name: 18.13 – Sponsorship and Grants

Purpose and Background:**Applicant Details**

Entity Name	Wise Realities Institute for Healthcare Emerging Technologies Research Limited
ABN	59628424340
Entity Type	Australian Public Company
ABN Status	Active
ATO Endorsed Charity Type	Health Promotion Charity

Wise Realities is a not-for-profit research organisation providing young researchers opportunities for development through a network of academic, industry and community collaborators. Their aim is to promote and advance health by creating a supportive and motivating environment for new and experienced researchers.

Details:

Sponsorship Category	Key Sector Development Sponsorship
Applicant	Wise Realities Institute for Healthcare Emerging Technologies Research
Project Title	Healthcare Immersive Technologies Symposium 2020
Project Start Date	06/03/2020
Project End Date	07/03/2020
Venue	Not confirmed
Estimated attendance	200
Total Project Cost	\$91,518
Total Amount Requested	\$10,000 (10.9% of the total project cost)
Recommendation	Approve
Recommended amount	\$10,000 (10.9% of the total project cost)
Assessment Score	49 out of 65 (75.38%)

Project Description

The Healthcare Immersive Technologies Symposium is an annual gathering of researchers, executives, policymakers and the community to discuss and promote advances of immersive technologies in healthcare.

The inaugural symposium was held in 2019 in response to organisers observing a lack of communication, participation and awareness preventing immersive healthcare technologies research from reaching potential in recognition and investment. Organisers state the 2020 event will aim to extend the reach further to the national and international researchers and industries.

The 2020 symposium will focus on the concept 'Less Medication, More Innovation', encouraging a conversation about health promotion and prevention in WA Health. This involves the use of immersive technologies to improve the wellbeing of people and address health challenges faced in Western Australia such as ageing population, mental health, and health promotion regarding smoking, alcohol and drug use.

Organisers state that meaningful engagement with venture capitalists can create an investment culture in Perth that can create new IP and start-up opportunities. Perth researchers and innovators will present their research projects at the symposium with the aim to attract local, national and international investors and start the commercialisation process.

On the second day of the symposium, workshops will be conducted to provide an opportunity for local initiatives such as the Digital Health Accelerator program and Perth BioDesign to promote their programs and provide training and skill development opportunities for businesses within the City of Perth. Organisers will also look to the emerging gaming sector to discover new opportunities in non-gaming fields like healthcare.

Organisers are currently finalising the program and confirming national and international speakers. Participation at the 2019 symposium included a welcome address from the Chief Scientist of WA and attendance by health professionals, start-ups, researchers, health executives, industry leaders, government representatives and the community.

Previous five years City of Perth Support and Acquittals

Year	Amount	Project
2015	N/A	
2016	N/A	
2017	N/A	
2018	N/A	
2019	\$5,000	Healthcare Immersive Technologies Symposium 2019
TOTAL	\$5,000	

- The City of Perth has received an acquittal for the previous support; and
- City Officers can confirm that all previous funding has been satisfactorily acquitted.

Sponsorship Benefits

Organisers will provide the following benefits for the requested sponsorship:

- Publication of an article on the state of virtual reality /alternate reality in healthcare in Perth with the rights to use for the Think Perth campaign;
- Filming and photo opportunities at the event for the Think Perth campaign;
- Marketing and promotion of the event on the Think Perth website for more registrations and to showcase the calibre of events within the City of Perth;
- Provision of material from Wise Realities to enable the City to create an industry profile/newsletter to release around the time of the event to drive interest in the event;
- Logo recognition on all program promotional material;
- Logo recognition on event website with link to the Think Perth website;
- Copy of delegate guest list;
- Content and information for the Think Perth newsletter and reports;
- Opportunity to display City of Perth signage at the event; and
- Opportunity for City representatives to participate, speak or present at the event.

Assessment Score Card

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

Essential Project Criteria	Score (5)
<i>All applications are assessed on the following criteria:</i>	
Alignment with a Key Sector	
To what extent does the project support the growth and development of an established or emerging key sector that represents importance to the City of Perth's economy?	4.25
To what extent does the project assist the City of Perth in developing a compelling narrative on our unique selling points and raise the profile and reputation of the City of Perth as a premier Capital City to do business within the relevant sector?	4.50
+3.5Prestige and Significance	
To what extent does the applicant demonstrate prestige and significance?	4.25
Project Plan and Other Funding Sources	
Has the applicant provided evidence of a robust project plan?	3.75
Has the applicant included a budget detailing investment through a variety of funding sources?	3.50
Has the applicant demonstrated what specific elements the City of Perth funding is supporting and what extra capacity the funding will enable	3.75
Sponsorship Benefits	
Please rate the level of benefits and recognition provided to the City	4.00
Sub total 28 out of 35	
Additional Project Outcomes	
<i>Applicants must address at least two of the following six outcome areas. Applicants can address as many outcome areas as are relevant to the project or initiative.</i>	
Outcome 1. Investment Attraction	3.50
Outcome 2. International Business Development	3.25
Outcome 3. Short term Direct Economic Benefits	3.25
Outcome 4. Long term Economic Development	3.50
Outcome 5. Professional Development, Training and Skill Development	3.50
Outcome 6. Linkages and Knowledge Exchange	4.00
Project Outcomes addressed: 6	
Sub total 21 out of 30	
TOTAL ASSESSMENT SCORE 49 out of 65 (75.38%)	

Financial Implications:

ACCOUNT NO:	PJ 13958067000007901
BUDGET ITEM:	Medical Health and Life Sciences
BUDGETED AMOUNT:	\$65,000
AMOUNT SPENT TO DATE:	\$10,000
PROPOSED COST:	\$10,000
BALANCE REMAINING:	\$45,000
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.

Comments:

The outcomes of the Healthcare Immersive Technologies Symposium will support the City’s strategic objectives of positioning the city for continued business, employment and economic growth (E1.1) and position the City as a thriving centre for business (E1.2). The City’s support of the medical and life science sector more broadly contributes to the strategic priority of facilitating a globally connected diverse economy (E1.2.1). The symposium connects industry professionals together and builds resilience within the emerging sector.

The first symposium in 2019 was successfully delivered and organisers have identified additional funding would support increased promotion to attract national and international delegates. The budget shows sustainability by attracting funding from several government departments and ticket sales. The growth of the symposium and level of sponsorship benefits provided present significant opportunity to leverage the Think Perth campaign.

Commercialisation of healthcare innovation is an important issue within the medical and life science sector. Increased knowledge and understanding of emerging technologies, and how to communicate this to venture capitalists, will support investment into local innovators and start-ups.

COUNCIL RESOLUTION

Moved Commissioner Kosova, seconded Commissioner McMath

That Council:

1. **APPROVES** a Key Sector Development Sponsorship of \$10,000 (excluding GST) to Wise Realities Institute for Healthcare Immersive Technologies Symposium 2020; and
2. **AUTHORISES** the Chief Executive Officer to negotiate with the applicant the final list of sponsorship benefits according to the Council approved funding amount.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Item 13.5 Community Enhancement Grant Round 2 – 2019/20

FILE REFERENCE: P1037940#02#02
 REPORTING OFFICER: Jordan Nix, Sponsorship Officer
 REPORTING UNIT: Activation and Cultural Experience
 RESPONSIBLE ALLIANCE: Community Development
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 14 November 2019
 ATTACHMENT/S: Attachment 13.5A – Detailed Officer Assessment

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation Section 8 of the *City of Perth Act 2016*
Local Government Act 1995

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 - Partnership

Policy
 Policy No and Name: 18.13 – Sponsorship and Grants

Purpose and Background:

The Community Enhancement Grant program supports local community groups to deliver projects which address a diverse range of community needs for City of Perth residents, workers and/or visitors. Applicants must provide evidence of an identified community need and demonstrate a gap in the current level of service delivery. The objectives of the program are:

Connect people

- Encourage increased participation in community and civic life;
- Strengthen social cohesion and belonging; and
- Encourage the development of grassroots community networks and relationships.

Increase Opportunity

- Enhance the health of the City's community through improvements to physical, mental and social wellbeing;
- Increase knowledge, change attitudes or modify behaviours to improve health and wellbeing outcomes; and
- Facilitate inclusion and equitable access to community life, services and facilities.

Build Community Capacity and Encourage Collaboration

- Support collaboration between stakeholders who aim to work towards a common goal and share services;
- Increase community capacity to address local needs; and
- Contribute to the City's neighbourhood profile.

The City of Perth offers two public funding rounds for Community Enhancement Grants in the 2019/20 financial year, open to all applicants who meet the eligibility requirements. Applicants can apply for grants up to \$15,000. The maximum funding contribution provided by the City can be up to 100% of the total project budget, however diverse and sustainable budgets are encouraged.

Details:

Applications are assessed against the criteria of the Community Enhancement Grant program, based on goals identified in the City of Perth Strategic Community Plan.

The City received 11 applications in the current round. One application was ineligible. The remaining 10 applications were assessed by a four-person assessment panel consisting of members from the City of Perth administration. Recommendations are provided based on the quality of the application, strategic outcomes likely to be achieved and the assessment scores.

The assessment panel recommends five applications for approval and five for decline. All applications scoring above 70% in assessment are recommended for support. All applications under this threshold are recommended for decline.

RANK	APPLICANT	PROJECT	REQUESTED AMOUNT	ASSESSMENT SCORE	RECOMMENDATION
1	The Underground Collaborative	Ground+Co Café	\$11,596	82.44%	\$11,596
2	Volunteering WA	Perth School Vollieday Program	\$15,000	80.50%	\$13,000
3	Western Australia Youth Theatre Company Inc	WAYTCO Open Access Performance Classes	\$14,400	76.57%	\$14,000
4	ConnectGroups Support Groups Association WA Inc	Hand to Heart	\$15,000	74.00%	\$13,000
5	Perth City Farm	Kids in the Garden	\$6,374	72.40%	\$4,500
6	One Voice for Aussie Youth LTD	Mobile Shower Wrap Around Services	\$15,000	69.03%	Decline
7	Volleyball Western Australia	Discover Volleyball at Yagan Square	\$15,000	62.20%	Decline
8	Salsaal Integration Association Ic.	Yoga, First Aid and Swimming Lessons for Women and Men	\$10,000	54.28%	Decline
9	Australian Alzheimer's Research Foundation Inc	Public Lectures	\$13,000	52.90%	Decline
10	Multicultural Communities Council of WA INC.	Emergency Relief Kit for Homeless	\$15,000	51.70%	Decline
TOTAL			\$130,370 Requested		\$56,096 Recommended

Financial Implications:

ACCOUNT NO:	PJ 1395-80250-0000-7901
BUDGET ITEM:	Community EnhancementGrants
BUDGETED AMOUNT:	\$60,000
AMOUNT SPENT TO DATE:	\$2,535
PROPOSED COST:	\$56,096
BALANCE REMAINING:	\$1,369
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.

Comments:

The second round of Community Enhancement Grants received a larger number of high-scoring applications. A range of programs are supported that will provide benefit for City residents, workers and visitors. Participants in the programs range from school-aged children to seniors, ensuring wide ranging benefits and outcomes within different parts of the community.

The assessment panel is confident the supported projects have the potential for long-term growth and sustainability beyond the life of the grant.

COUNCIL RESOLUTION

Moved Commissioner Kosova, seconded Commissioner McMath

That Council:

1. **APPROVES Community Enhancement Grants totalling \$56,096 (excluding GST) to the following applicants:**
 - 1.1 *The Underground Collaborative for Ground+Co Café (\$11,596);*
 - 1.2 *Volunteering WA for Perth School Vollieday Program (\$13,000);*
 - 1.3 *Western Australia Youth Theatre Company for Open Access Performance Classes (\$14,000);*
 - 1.4 *ConnectGroups WA for Hand to Heart (\$13,000);*
 - 1.5 *Perth City Farm for Kids in the Garden (\$4,500);*

2. **APPROVES Community Enhancement Grants totalling \$56,096 (excluding GST) to the following applicants:**
 - 2.1 *The Underground Collaborative for Ground+Co Café (\$11,596);*
 - 2.2 *Volunteering WA for Perth School Vollieday Program (\$13,000);*
 - 2.3 *Western Australia Youth Theatre Company for Open Access Performance Classes (\$14,000);*
 - 2.4 *ConnectGroups WA for Hand to Heart (\$13,000);*
 - 2.5 *Perth City Farm for Kids in the Garden (\$4,500);*

3. **DECLINES sponsorship of the following applicants:**
 - 3.1 *One Voice for Aussie Youth for Mobile Shower Wrap Around Services;*
 - 3.2 *Volleyball WA for Discover Volleyball at Yagan Square;*
 - 3.3 *Salsaal Integration Association for Yoga, First Aid and Swimming Lessons for Women and Men;*
 - 3.4 *Australian Alzheimer's Research Foundation for Public Lectures;*
 - 3.5 *Multicultural Communities Council of WA for Emergency Relief Kit for Homeless;*
and

4. ***AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the applicants the final list of sponsorship benefits for inclusion in the agreement, according to the Council-approved funding amount.***

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Item 13.6 Arts Grants Round 3 – 2019/20

FILE REFERENCE: P1037135#04
 REPORTING OFFICER: Jordan Nix, Sponsorship Officer
 REPORTING UNIT: Activation and Cultural Experience
 RESPONSIBLE ALLIANCE: Community Development
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 14 November 2019
 ATTACHMENT/S: Attachment 13.6A – Detailed Officer Assessment

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation Section 8 of the *City of Perth Act 2016*
Local Government Act 1995

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 - Partnership

Policy
 Policy No and Name: 18.13 – Sponsorship and Grants

Purpose and Background:

Arts Grants are accessible to a wide range of applicants and support a broad variety of art forms and creative cultural practice including, but not limited to; performance seasons, arts industry events, exhibitions, festivals, film, photography, multi-disciplinary and community arts projects.

The City of Perth offered three public funding rounds for Arts Grants in the 2019/20 financial year, open to all applicants who meet the eligibility requirements.

There are two categories within the Arts Grants program:

- Under \$15,000; and
- \$15,001 - \$40,000.

The maximum funding contribution provided by the City can be up to 100% of the total project budget, however diverse and sustainable budgets are encouraged.

Benefits

The City of Perth does not expect commercial sponsorship benefits from the Arts Grants program, however we do have mandatory recognition requirements which must be provided as follows:

- Logo recognition on all project promotional material and project website;
- Opportunity to display City of Perth signage during the project, if applicable; and
- Opportunity for the City of Perth Digital team to access the project and produce content at our own cost

Applicants may choose to offer additional benefits or recognition to the City which will be negotiated with by the Sponsorship Officer based on final funding recommendations.

Details:

Applications are assessed against the criteria of the Arts Grants program, based on goals identified in the City of Perth Strategic Community Plan.

The City received 17 applications in the current round. The applications were assessed by a four-person assessment panel consisting of members from the City of Perth administration. Recommendations are provided based on the quality of the application, strategic outcomes likely to be achieved and the assessment scores.

The assessment panel recommends 11 applications for approval and six for decline. All applications scoring above 65% in assessment are recommended for support. All applications under this threshold are recommended for decline.

RANK	APPLICANT	PROJECT	REQUESTED AMOUNT	ASSESSMENT SCORE	RECOMMENDED AMOUNT	ARTFORM
1	Propel Youth Arts WA	Youth Week WA KickstART Festival 2020	\$15,000	91.50%	\$15,000	Festival

COUNCIL MINUTES

TUESDAY, 17 DECEMBER 2019

RANK	APPLICANT	PROJECT	REQUESTED AMOUNT	ASSESSMENT SCORE	RECOMMENDED AMOUNT	ARTFORM
2	Ms Sandra Murray	Unseen: art from the Kimberley	\$13,770	86.33%	\$11,500	Art Exhibition
3	The Last Great Hunt	Hunting for Place: STAY WITH US	\$40,000	85.60%	\$20,000	Theatre
4	Yirra Yaakin Theatre Company	Youth Ensemble Collaboration	\$31,000	84.76%	\$25,000	Theatre
5	RTRFM 92.1	In The Pines 2020	\$13,000	82.50%	\$6,000	Music
6	Centre for Stories	Inner City Residency	\$10,101	72.33%	\$6,000	Literature
7	Tone List	Audible Edge Festival of Exploratory Music: City Program	\$5,000	71.00%	\$5,000	Music
8	WA Youth Jazz Orchestra	King Street Corner Pocket Jazz Festival	\$40,000	68.93%	\$27,000	Music
9	Australian Baroque	Festival Baroque	\$27,240	67.86%	\$14,000	Classical Music
10	Ms Melissa Cantwell	Whale Fall	\$20,000	66.43%	\$10,000	Theatre
11	Miss Jasmine Leivers	WA Made Film Festival	\$10,000	65.00%	\$6,500	Film
12	Ms Emma Humphreys	The Garden of Aphrodite	\$12,000	59.00%	Decline	Theatre
13	John Curtin Gallery	Artists in the City	\$14,750	57.83%	Decline	Art Talks
14	Proof the Band	Proof the Band Play the Australian Songbook	\$38,350	44.29%	Decline	Music
15	Ms Jennipher McDonald	Power Playmaking Forum Theatre - Participatory Project	\$10,000	41.00%	Decline	Theatre
16	Livin Lovin Perth	Livn Lovin Perth	\$28,886	34.52%	Decline	Literature
27	Ms Nancy Boswell	Machine Knit Scarf Exhibition	\$1,557	26.50%	Decline	Craft
TOTAL			\$330,653 Requested		\$146,000 Recommended	

Financial Implications:

ACCOUNT NO:	PJ 13958006000007901
BUDGET ITEM:	Arts Grants
BUDGETED AMOUNT:	\$265,000
AMOUNT SPENT TO DATE:	\$148,559
PROPOSED COST:	\$116,441
BALANCE REMAINING:	\$0
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	N/A

ACCOUNT NO:	PJ 13958043000007901
BUDGET ITEM:	Event Annual Sponsorship
BUDGETED AMOUNT:	\$700,000
AMOUNT SPENT TO DATE:	\$630,000
PROPOSED COST:	\$29,599
BALANCE REMAINING:	\$40,000
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.

Budget remaining from the Event Sponsorship program has been allocated to Arts Grants to support the quantity of high-quality applications received in the round. Officers have confirmed the proposed transfer of \$29,999 will not impact the delivery of the Event Sponsorship Program.

Comments:

A large number of quality applications were received in Round 3 of Arts Grants. Applications recommended for support were able to demonstrate alignment with the assessment criteria and the City’s strategic community goals.

A range of artforms will be supported through the round, including art exhibitions, theatre, contemporary and classical music, literature, and film.

The supported applications will increase community participation in unique arts and cultural experiences, as well as strengthening the arts industry by providing professional development opportunities for Western Australian artists and encouraging industry collaborations.

COUNCIL RESOLUTION

Moved Commissioner Kosova, seconded Commissioner McMath

That Council:

1. **APPROVES** Arts Grants totalling \$146,000 (excluding GST) to the following applicants:
 - 1.1 *Propel Youth Arts for Youth Week KickstART Festival 2020 (\$15,000);*
 - 1.2 *Sandra Murray for Unseen: art from the Kimberley (\$11,500);*
 - 1.3 *The Last Great Hunt for Hunting for Place: Re-developing and remounting theatre work STAY WITH US (\$20,000);*
 - 1.4 *Yirra Yaakin Theatre Company for Youth Ensemble Collaboration (\$25,000);*
 - 1.5 *RTRFM 92.1 for In The Pines 2020 (\$6,000);*
 - 1.6 *Centre for Stories for Inner City Residency (\$6,000);*
 - 1.7 *Tone List for Audible Edge Festival of Exploratory Music: City Program (\$5,000);*
 - 1.8 *WA Youth Jazz Orchestra for King Street Corner Pocket Jazz Festival (\$27,000);*
 - 1.9 *Australian Baroque for Festival Baroque (\$14,000);*
 - 1.10 *Melissa Cantwell for Whale Fall (\$10,000);*
 - 1.11 *Jasmine Leivers for WA Made Film Festival (\$6,500);*
2. **DECLINES** sponsorship of the following applicants:
 - 2.1 *Emma Humphreys for The Garden of Aphrodite;*
 - 2.2 *John Curtin Gallery for Artists in the City;*
 - 2.3 *Proof the Band for Proof the Band Play the Australian Songbook;*
 - 2.4 *Jennifer McDonald for Power Playmaking Forum Theatre Participatory Project;*
 - 2.5 *Livin Lovin Perth for Living Lovin Perth book;*
 - 2.6 *Nancy Boswell for Machine Knit Scarf Exhibition; and*
3. **AUTHORISES** the Chief Executive Officer (or an appointed delegate) to negotiate with the applicants the final list of sponsorship benefits for inclusion in the agreement, according to the Council-approved funding amount.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Item 13.7 Proclamation Changes to Mitchell Freeway (Northbound) – Addition of Ramp H274 at Loftus Street Off Ramp

FILE REFERENCE: P1000570-2
 REPORTING OFFICER: Imre Szito, Principal Transport Planner
 REPORTING UNIT: Transport and Urban Design
 RESPONSIBLE ALLIANCE: Planning and Economic development
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 15 November 2019
 ATTACHMENT/S: Attachment 13.7A – Proclamation request (MRWA)
 Attachment 13.7B – Mitchell Freeway Ramp H274 Loftus Street

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation Sections 13 and 13A of the *Main Roads Act 1930*

City of Perth Act 2016 **Objects of the City of Perth**
 8(1)(a) - to provide for the good government of persons in the City of Perth, including residents, ratepayers and visitors

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

Policy
 Policy No and Name: N/A

Purpose and Background:

Main Roads Western Australia (Main Roads) upgraded the Northbridge Tunnel in 2013 to provide three traffic lanes each direction. The project included construction of a new on-ramp to Mitchell Freeway northbound from the Loftus Street exit. This ramp was constructed for safety reasons, to allow a safe exit onto Vincent Street so that drivers did not need to cross three lanes of traffic to exit. Ramp H274 links the Graham Farmer Freeway (Westbound) off-ramp at Loftus Street directly with the Mitchell Freeway (Northbound) carriageway.

Ramp H274 falls entirely within the footprint of Mitchell Freeway Reserve, in an area zoned in the Metropolitan Region Scheme (MRS) as Primary Regional Road. Main Roads is responsible for the administration, operation and maintenance of this ramp. No pedestrian or cycle path has been impacted by this proposal.

To formalise the responsibility for this road link that now exists, the Commissioner of Main Roads Western Australia intends to make a recommendation to the Governor to proclaim H274 as shown on the attached plans as 'Highway' in accordance with Sections 13 and 13A of the *Main Roads Act 1930*. Section 13A Clause (2) of the Act prescribes that, before making any recommendation to the Governor, any road be declared to be a highway or main road; the Commissioner shall notify in writing the local government in which the road to be declared is situated.

The proposed proclamation of Ramp H274 will clarify and confirm the responsibility of Main Roads for the management of this already constructed main road link.

Details:

Main Roads is requesting the City of Perth to endorse the above described changes that have occurred within the Loftus Street off-ramp area. Attached to the proclamation request letter are Drawings 201521-0043-00 and 200921-0190-02 in accordance with Section 13 of the *Main Roads Act 1930*. This request is to align the Main Roads proclamation plans with the roads that now exist within this interchange. Subject to Council endorsement, Main Roads requests the Chief Executive Officer (CEO) of the City of Perth to certify on the original drawings Council's endorsement of the proposal as shown. The original drawings will then be returned to Main Roads for gazettal.

Stakeholder Engagement:

The proposal will not have any impact on the City, ratepayers or any third parties. Therefore, stakeholder engagement is not required for this administrative transaction.

Financial Implications:

There are no financial implications related to this report.

Comments:

The proposed proclamation by Main Roads as shown on the plans will not change the status or responsibility for any of the road network in the Loftus Street interchange. It is purely an administrative matter to align the proclamation with the road layout in the interchange as they exist now.

The Administration recommends that Proclamation Drawings 201521-0043-00 and 200921-0190-02 are endorsed by Council.

COUNCIL RESOLUTION

Moved Commissioner Kosova, seconded Commissioner McMath

*That Council **ENDORSES** Main Roads proposed proclamation of Ramp H274 off Mitchell Freeway (Northbound) as a Highway, as detailed in Main Roads WA Drawings 201521-0043-00 and 200921-0190-02.*

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Item 13.8 Roe Street Enhancement – Final Masterplan 2019

FILE REFERENCE: P1026458
 REPORTING OFFICER: Amanda Mannolini, Lead City Designer
 REPORTING UNIT: Transport and Urban Design
 RESPONSIBLE ALLIANCE: Planning and Economic Development
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 20 November 2019
 ATTACHMENT/S: Attachment 13.8A - Roe Street Enhancement – Final Masterplan 2019

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation	N/A
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 - Place
Policy	
Policy No and Name:	N/A

Purpose and Background:

This report presents feedback from the community consultation on the Revised Roe Street Enhancement Masterplan 2019 adjacent to Perth City Link. The report also outlines how this has informed the changes to the Plan and proposed next steps.

Perth City Link is a major transformational project which is reconnecting the CBD with Northbridge for the first time in 100 years. The project will create 13.5 hectares of new space for people to live, work, study, invest and play between the Horseshoe Bridge and the Perth Arena over what was once railway line.

The Roe Street Enhancement will be an important step in realising the vision of Perth City Link to will ensure the street meets the needs of a new city population and its reconnection with the CBD.

Details:

A survey was launched on 27 September 2019 and made available on the City’s online platform, Engage Perth. All property owners, tenants and businesses along Roe Street and an extended area bound by Fitzgerald, Wellington, Aberdeen and Beaufort Streets were directly informed of the survey via a letter drop. Key stakeholders such as Development WA and Department of Transport were also invited to provide comment.

The Revised Roe Street Masterplan attracted a total number of 181 responses (168 through Engage Perth, eight written submissions and five comments through social media) at the close of the consultation process on 31 October 2019. 85% of respondents through Engage Perth were supportive of the Masterplan with the most popular five benefits identified as follows:

1. Separated and protected bike lanes;
2. Wider footpaths for pedestrians;
3. New trees;
4. Reduced speed limit; and
5. Outdoor dining.

A detailed consultation report has been placed on the Council Hub.

Several key areas of interest emerged during the consultation process and the feedback received has informed the refinement of the Masterplan:

Revised Masterplan 2019	General feedback	Final Masterplan Response
Cycle lane width	Would like the width to be more generous to allow for passing cyclists.	The Masterplan proposes wider bike lanes – between 1.8 – 2.0 metres - and narrower traffic lanes which will be subject to further negotiation with Main Roads WA.

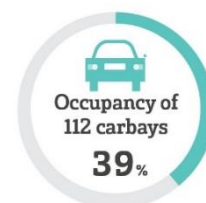
Cycle lane protection at intersections	Would like more protection at intersections such as a granite kerb.	A granite kerb to separate the cycle lane will be installed at the approaches to all intersections. The use of green treatment at conflict areas is still subject to approval by Main Roads WA.
Trees	Need for tree planting and shade.	An additional 170 new trees will be planted. This will be a combination of <i>Eucalyptus maculata</i> which perform well in urban environments, punctuated with feature trees to highlight Chinatown and key pedestrian crossing points. The final number of the proposed trees is still subject to the location of underground services.

The Final Masterplan proposes a site-specific response with 1.8 – 2 metre wide protected uni-directional cycle lane on either side of the road travelling in the same direction as the traffic, resulting in the following:

- Reinforces Roe Street and the city as a destination;
- Allows cyclists to move in the same direction as traffic lanes, providing a legible and intuitive cross section for all road users;
- More integrated cycle route with existing city infrastructure;
- Mitigates conflict and risk at all intersections and crossovers;
- Facilitates key movements; and
- Allows cyclists ease of transition from Roe Street into the CBD and Northbridge.

To further minimise cyclist conflict with vehicles and people alighting from parked cars, the car-bays along Roe Street, from Fitzgerald to Stirling Street, have been adjusted based on feedback. This also responds to current daytime parking occupancy rates with is currently only at 39% (data captured February 2019):

PARKING TYPE	EXISTING CARBAYS	FINAL MASTERPLAN PROPOSED CARBAYS
2 hour	99	43*
5 minute	4	*short term bay allocation
15 minute	2	TBA
Motorbike	3	5
Loading	1	3
Charter	3	0
Total	112	51



PARKING

Parking operates at an average occupancy of 39% (weekdays). Usage is higher at night when no fee applies

Other key elements of the Final Masterplan include:

- New lighting and CCTV including analytical cameras to enhance safety and security;
- Smart lighting which can be monitored and adjusted remotely to improve energy efficiency;
- Way-finding signage;
- WiFi to support visitors and to encourage people to spend time in the street;
- Retention of parking on the southern side of the street to service businesses in Yagan Square and Roe Street as well as ride share;
- Widened footpaths to facilitate comfortable pedestrian movement as well as street based activities such as outdoor dining; and
- Removal of two traffic lanes to make the street more pedestrian focused and allow ease of movement between the city and Northbridge.

Stakeholder Engagement:

Stakeholder and community participation in the refinement of the Roe Street Masterplan was identified as critical to achieving the best outcome for the project. Consultation with key stakeholders including the DevelopmentWA, Department of Transport and Main Roads WA on the 2019 design was undertaken from March to June 2019. At the time, DevelopmentWA and Main Roads WA provided in-principle support for the Plan. The Department of Transport’s preference is to retain a bi-directional facility rather than the unidirectional design proposed by the City.

Department of Transport have since qualified their preference that if the City insists on proceeding with the uni-directional operation that there are multiple design improvements which should be addressed.

A series of engagement activities were undertaken in October 2019 including:

- Decals – footpath stickers with project information located at key points along Roe Street;
- Engage Perth survey;
- Letter drops; and
- Meetings.

Survey information was also handed out on Roe Street during the consultation period on the following days:

Date	Time	Location
Tuesday, 8 October 2019	2pm – 3pm	Corner of Yagan Square and Roe Street
Tuesday, 15 October 2019	7am – 9am	Decal (pavement signage) installation and consultation at all intersections between Beaufort and Fitzgerald Streets
Thursday, 17 October 2019	8am – 9am	Corner of Yagan Square and Roe Street
Wednesday, 23 October 2019	8am – 9am	Corner of Yagan Square and Roe Street
Friday, 25 October 2019	8am – 9am	Corner of King and Roe Streets

	3pm – 4pm	
Tuesday, 29 October 2019	8am – 9am	Corner of Yagan Square and Roe Street

Key Stakeholders:

State Government	Community	Other
Main Roads WA Department of Transport DevelopmentWA (formerly MRA) Department Local Government, Sport and Cultural Industries (Cultural Centre)	Roe Street and an extended area bound by Fitzgerald, Wellington, Aberdeen and Beaufort Streets: <ul style="list-style-type: none"> • Residents • Businesses • Property owners 	Westcycle

Financial Implications:

ACCOUNT NO:	PJ10225
BUDGET ITEM:	Roe Street Upgrade
BUDGETED AMOUNT FY 2019/20:	\$119,109
AMOUNT SPENT TO DATE:	\$8,263
PROPOSED COST:	\$207,000
BALANCE REMAINING:	\$0

All figures quoted in this report are exclusive of GST.

The current financial year 2019/20 budget is for design documentation relevant to traffic signals, signs, pavement and electrical lighting concept design. The additional \$96,154 is required to complete traffic modelling recently requested by Main Roads WA.

The Roe Street Enhancement project has been identified in the Long Term Financial Plan so the construction can commence in mid-2021, with completion expected by the end of 2022.

Estimated Construction Cost

An independent quantity surveyor estimated the construction cost at \$20,280,000 including a 20% contingency for project management and design and unforeseen construction costs. This estimate was based on the Final Masterplan should be considered as being within +/- 30% accuracy.

The previous estimate in 2017 was \$15,442,000. This estimate in 2017 excluded works east of Beaufort Street as well as project management and design costs. The 2019 estimate includes new lighting to the transition between Roe and Stirling Street.

A more detailed cost estimate will be completed during detailed design and presented to a future Council meeting for consideration.

Description	Subtotal
<ul style="list-style-type: none"> • Preliminaries – includes traffic management, set out, safety management • Stormwater – pits and associated pipework • Underground services – includes new pit lids, minor relocations and adjustments • Civil works – asphalt, box out, kerbs, pram ramps, reconstruction. • Traffic signals – all intersections • Hard landscaping – demolition and paving • Soft landscaping – trees and landscaping • *Cycle lane barrier infrastructure – includes granite kerbs at intersections, zipper kerbs mid-block and concrete kerb barrier east of Beaufort Street • Street furniture – bins, parking signs, wayfinding, seats and benches • Lighting & CCTV – includes conduits and relocation • Parking equipment – ticket machines 	
Cost indication	\$14,700,000
Other project costs: <ul style="list-style-type: none"> • Construction contingency 20% • Escalation costs • Design and project management • Staging over two financial years 	
Total cost indication	\$20,280,000
*The zipper kerbs mid-block cycle lane barrier can be replaced with a granite kerb 150mm high x 500mm wide for an extra over cost.	\$500,000



Example: Zipper kerb separator, Barcelona



Example: granite kerb separator, Melbourne

While the estimated annual maintenance costs over the life expectancy of the assets is not provided in this report, the City's standard material palette will be used and therefore the life cycle cost of this project is consistent with current asset expectations.

Program

Construction is scheduled to commence mid-2021, with completion expected by the end of 2022.

The streetscape enhancement works will commence following underground service installations in Roe Street for Perth City Link development lots by DevelopmentWA planned to commence mid-2020. The City will coordinate with DevelopmentWA to minimise construction time, costs and disruption to adjacent businesses and the public.

Comments:

Feedback during the Revised Masterplan process has indicated a high level of support for the enhancement and the proposed changes.

The Roe Street enhancement will be a significant investment in Northbridge area that will benefit residents, businesses, property owners and visitors to the city. By making this street more pedestrian focused, the Final Masterplan reinforces the connection between the central business district and Northbridge, helping to facilitate the overall regeneration of this area.

A more detailed cost estimate will be completed during detailed design and presented to a future Council meeting for consideration along with a proposed construction schedule.

COUNCIL RESOLUTION

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

1. ***APPROVES the Roe Street Final Masterplan 2019 as detailed in this report including granite cycle lane separator kerbs along the full length from Fitzgerald Street to Beaufort Street at an extra over cost of \$500,000; and***
2. ***APPROVES unbudgeted expenditure of \$96,154 for traffic signal design for completion in 2019/20.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Item 13.9 Initiation of Amendment No. 42 to City Planning Scheme No. 2 to Introduce a Special Control Area Over 1202 (Lot 50), 1204 (Lot 51) Hay Street and 80 (Lot H65) Colin Street, West Perth

FILE REFERENCE	P1038541
REPORTING OFFICER:	Stephanie Norgaard, Urban Planner
REPORTING UNIT:	City Planning
RESPONSIBLE ALLIANCE	Planning and Economic Development
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	26 November 2019
ATTACHMENT/S:	Attachment 13.9A – Scheme Amendment Report Attachment 13.9B – Location Plan Attachment 13.9C – Concept Plans Attachment 13.9D – Planning Maps
3D MODEL PRESENTATION:	Yes
LANDOWNER:	B & C Corporate Pty Ltd, Uniting Church of Australia Property Trust and Hedgerow Pty Ltd
APPLICANT:	PTS Town Planning
ZONING:	Town Centre
APPROXIMATE COST:	\$5,820.84

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation

Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015
Planning and Development Regulations 2009
 City of Perth City Planning Scheme No. 2

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 - Place

Policy

Policy No and Name: West Perth Precinct Plan (P10)
 Perth Parking Policy 2014

Purpose and Background:

The City received a request to amend City Planning Scheme No. 2 (CPS2) to introduce a Special Control Area (SCA) over No. 1202 (Lot 50), No. 1204 (Lot 51) Hay Street and No. 80 (H65) Colin Street, West Perth (subject site). The request was received from PTS Town Planning on behalf of the landowners of the subject site.

The proposed scheme amendment will allow the subject site to be treated as one site for the purposes of allocating plot ratio and tenant car parking. It will also enable the subject site to be eligible for public facilities bonus plot ratio and introduce objectives/design criteria to guide the future redevelopment of the site.

The purpose of this report is for Council to consider initiation of Amendment No. 42 to enable referral to the Environmental Protection Authority and the commencement of community consultation.

Details:

Site Location and Context

The subject site is located on the corner of Hay Street and Colin Street, West Perth, as shown on the location plan provided in Attachment 13.9B. The site comprises of three lots with a total area of 5,342m². A summary of the individual lot characteristics is provided in the following table.

Table 1: SCA Ownership

Lot	Address	Volume/Folio	Deposit Plan	Area	Landowner
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Lot 50	1202 Hay Street	1986/91	75084	1991m ²	B & C Corporate Pty Ltd
Lot 51	1204 Hay Street	1986/92	75084	1788 m ²	Uniting Church of Australia Property Trust
Lot H65	80 Colin Street	1363/165	2045	1563 m ²	Hedgerow Pty Ltd

The subject site is bounded by Hay Street to the south, Colin Street to the west, Mayfair Street to north and a mixed-use development to the east. The broader area is characterised by a mix of commercial development fronting Hay Street and office/residential development in the surrounding area.

Lot 51 on the subject site contains two single storey buildings, being the Ross Memorial Church and a mixed-use building (café and shop). Lot 50 and Lot H65 both contain two storey office buildings. The remaining portion of the subject site comprises of at-grade car parking and paving/landscaping treatment.

The Ross Memorial Church is listed on the CPS2 heritage list. The Statement of Significance identifies the adjoining building (also on Lot 51) as also having heritage value. This is due to the building being constructed with the bricks from the Presbyterian Hall (previously built on the site in 1913).

A Conservation Management Plan (CMP) was prepared for the Ross Memorial Church in 2012. The CMP identifies the Ross Memorial Church as being as being a landmark in the community due to its prominent corner location. The CMP also acknowledges the Ross Memorial Church's contribution to the community's sense of place through its continuity of form and function since 1917.

Proposal

The applicant submitted a scheme amendment request for a SCA to allow the subject site to be treated as one site for the purposes of:

- calculating plot ratio;
- distributing plot ratio within the SCA;
- eligibility to apply for public facilities bonus plot ratio;
- calculating and distributing car parking; and
- consolidating vehicle access.

Since lodgement, the Administration has worked with the applicant to further refine the SCA provisions and introduce additional provisions to guide the future development of the site; and ensure the ongoing conservation of the Ross Memorial Church.

The applicant has applied to be eligible for a public facilities plot ratio bonus, specifically for the provision of a public space and pedestrian facilities. Examples of a public space and pedestrian facilities includes a public plaza or park, with pedestrian links and pedestrian amenities (seating, shade etc).

A public space concept plan including a set of design principles has also been submitted by the applicant to demonstrate how the public space may be developed. The public space concept plan is included as Attachment 13.9C.

Local Planning Context

Draft City Planning Strategy

The City prepared its draft City Planning Strategy (Strategy) in 2019. The Strategy has undergone preliminary community consultation, however has not been adopted by Council or endorsed by the Western Australian Planning Commission.

The Strategy identifies the subject site as being located in the West Perth Activity Centre – Retail Core, as shown in Attachment 13.9D. A summary of the key provisions of the Strategy relevant to West Perth and the West Perth Activity Centre has been provided in the following Table.

Table 2: Summary of draft City Planning Strategy (West Perth)

	Provision
Neighbourhood Vision	Leafy streetscapes and its close relationship with Kings Park have enabled West Perth to feel more like a village than the inner-city location that it is. Its streets are lined with beautifully restored heritage buildings, and its vibrant café-culture, which caters to its worker and residential community alike.
Hay Street Activity Centre	Support the neighbourhood centre to better meet the daily and weekly household needs of its residents and provide more diverse land uses that support an improved 24-hour economy.
West Perth Neighbourhood Actions	<p>Land Use: In preparing the new Scheme, consider development incentives to encourage the establishment of a supermarket in Hay Street West activity centre to support resident’s ability to ‘live local.’</p> <p>Land Use: Improve the economic viability and offering of the Hay St West activity centre to better meet the needs of the residents and workers, and consider the following in preparing the new Scheme:</p> <ul style="list-style-type: none"> - Planning mechanisms that better encourage active ground-floor land uses that contribute to a more vibrant and activated centre, including at night time; and - Reviewing the alignment of the existing Town Centre and Commercial Zone boundaries to reduce dilution of activity <p>Built Form: Exploring opportunities to establish a local plaza/urban space within the Hay Street West activity centre, which provides a meeting and gathering space to the community.</p>

City Planning Scheme No. 2

The subject site is located within the Town Centre Land Use Area, as shown in Attachment 13.9D.

Under CPS2, the subject site has a maximum plot ratio limit of 3:1 for residential and special residential use groups, and 2:1 for all other use groups. The subject site is eligible to apply for a

special residential bonus plot ratio (up to a maximum 20 percent) and/or heritage bonus plot ratio (up to a maximum 20 percent). However, the overall maximum bonus plot ratio cannot exceed 20 percent in total.

The subject site, along with the remainder of West Perth, is currently not eligible to apply for a public facilitate plot ratio bonus. However, the request to enable to the site be eligible aligns with the draft City Planning Strategy.

A street building height of 14 metres with a nil street setback applies to the subject site. Additional height above this needs to be contained within a 45-degree height plane measured from Hay Street.

It is noted that the permitted plot ratio and building height limits may not be achievable if the development is not considered to compatible with the heritage listed building. Similarly, the standard development requirements such as setback have the ability to be varied to achieve a better heritage outcome for the site.

West Perth Precinct Plan (P10)

The subject site is located within the West Perth Precinct Plan. The Statement of Intent for the West Perth Precinct includes the following guidance relevant to the subject site:

- This town centre will provide a range of shopping and related services for residents, visitors and the work force and will accommodate development which is generally of a larger scale and height than that within the office/residential area;
- Along Hay Street, Wellington Street - East of Havelock Street and in the commercial area, buildings should achieve a consistent edge to the street, continuing an urban character between the city centre and the landscaped garden setting of the residential/office area west of Havelock Street; and
- Buildings, places and objects having historical, architectural or other significance will be preserved and maintained. New development in the vicinity of heritage items will be sympathetically designed.

Perth Parking Policy 2014

The subject site is located within the Perth Parking Management Plan Area and is subject to the Perth Parking Policy 2014 (PPP). The PPP establishes the maximum number of commercial tenant car bays that can be located on a single lot. The PPP also restricts the sharing of commercial tenant bays across different lots.

Stakeholder Engagement

Engagement will occur following initiation of the scheme amendment in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*.

Comments:**Scheme Amendment Classification**

The *Planning and Development (Local Planning Schemes) Regulations 2015* include three categories for amending Local Planning Schemes - basic, standard and complex. The proposed amendment will have minimal impact on the CPS2 area outside of the proposed SCA and will not result in any significant environmental, social, economic or governance impacts. Given this, the amendment is considered to be a standard amendment.

Planning Assessment*Plot Ratio*

The proposed SCA will provide for the consolidated redevelopment of three individual lots, creating a larger and more regular shaped development site. This will facilitate better built form outcomes, as the bulk and scale of the development can be managed across the SCA. Without the SCA, the extent of development would be limited to each individual lot. This reduces the ability for building bulk to be tapered away from the Ross Memorial Church and Hay Street frontage.

The proposed SCA will also provide greater opportunities for large format commercial development, which is currently limited within the West Perth Activity Centre due to the smaller land holdings. The provision of a diverse retail offering is consistent with both the West Perth Precinct Plan and draft Strategy, which envisions a range of shopping and related services to meet the daily needs of residents.

The proposed SCA does not increase the base plot ratio currently available for development on the individual lots. However, it does provide more flexibility for plot ratio to be distributed differently across the lots. This allows the development to utilise its available plot ratio while also responding to the site characteristics and constraints. The provision of coordinated development across the SCA will facilitate both commercial and residential growth. This is consistent with the draft Strategy which seeks to support the viability of the West Perth Activity Centre with residential growth.

The SCA does not increase the level of bonus plot ratio that can be afforded to the site. Rather, the SCA introduces an additional category in which bonus plot ratio can be sought. The overall amount of bonus plot ratio remains capped at 20 percent, in accordance with CPS2.

Heritage

The SCA has included provisions to reinforce the existing requirements for the retention and conservation of the Ross Memorial Church, and for all future development to be designed with consideration to the cultural heritage significance of the church. These provisions have been included to ensure development does not impact negatively on the documented cultural heritage values associated with the church, as described in the statement of significance and the policies outlined in the Conservation Plan. This is consistent with the West Precinct Plan and the City's Heritage Policy, which envisions new developments being sympathetic to places of heritage significance.

Public Spaces and Pedestrian Facilities

An action of the draft strategy is to investigate planning mechanisms to encourage a public plaza within the West Perth Activity Centre. The Ross Memorial Church has a generous front setback to Hay Street, which includes a raised planting area with mature tree canopy. This area naturally acts as an informal place for community gathering. Through enabling the site to be eligible for a public facilities bonus, the expansion and transformation of this area into a high quality public space will be encouraged. This aligns with actions of the draft strategy. It also provides benefits to the Ross Memorial Church through increasing the curtilage surrounding the church.

Land Use

The draft strategy identifies the need to investigate planning mechanisms to encourage the development of a supermarket in the West Perth Activity Centre. The CPS2 currently does not include a bonus for supermarket development. However, this is being considered as part of the preparation of the new City Planning Scheme No. 3. Due to the size of the proposed SCA, there is an opportunity for a supermarket to be developed, should the landowner pursue this land use. In recognition of the draft Strategy, the SCA has included a provision encouraging the development of a supermarket.

Referrals and Stakeholder Engagement

Following initiation of a standard scheme amendment, the local government is required to refer the proposed scheme amendment to the Environmental Protection Authority (EPA) to determine whether it needs to be assessed. The EPA has 28 days to make this determination. Once advice is received from the EPA, the local government is required to advertise the proposed scheme amendment for public comment for a period of 42 days.

Advertising notices are required to be placed in the newspaper, at the Administration office and on the website of the local government. Advertising notices are required to be provided to the WAPC and any other public authority that is considered to be affected by the scheme amendment. The scheme amendment will also be advertised as directed by the WAPC and in any other way that the local government considers appropriate.

In addition to the above requirements, it is anticipated that correspondence will be sent to landowners surrounding the subject site.

Conclusion

The proposed scheme amendment is generally consistent with the statutory planning framework provided by CPS2 and the strategic vision for the Hay Street Activity Centre under the West Perth Precinct Plan and draft City Planning Strategy. Given this, the proposed scheme amendment is considered suitable for initiation.

COUNCIL RESOLUTION

Moved Commissioner Kosova, seconded Commissioner McMath

That Council:

1. *Pursuant to section 75 of the Planning and Development Act 2005 (the Act), RESOLVES to initiate Amendment No. 42 to the City Planning Scheme No. 2, as detailed in Attachment 13.9A – Scheme Amendment Report;*
2. *RESOLVES that Amendment No. 42 to the City Planning Scheme No. 2 is a standard amendment under the provisions of the Planning and Development (Local Planning Scheme) Regulations 2015 for the following reasons:*
 - 2.1 *the amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and*
 - 2.2 *the amendment does not reflect in any significant environmental, social, economic or governance impacts on land in the scheme area.*
3. *RESOLVES to refer Amendment No. 42 to the City Planning Scheme No. 2 to the Environmental Protection Authority; and*
4. *RESOLVES to advertise Amendment No. 42 to the City Planning Scheme No.2 for public inspection in accordance with regulation 47 of the Regulations.*

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Item 13.10 Financial Statements and Financial Activity Statement for the Period Ended 31 October 2019

FILE REFERENCE: P1014149-25
 REPORTING OFFICER: Neil Jackson, Acting Senior Management Accountant
 REPORTING UNIT: Finance
 RESPONSIBLE ALLIANCE: Corporate Services
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 2 December 2019
 ATTACHMENT/S: Attachment 13.10A - Financial Statements and Financial Activity Statement for the period ended 31 October 2019

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation Section 6.4(1) and (2) of the *Local Government Act 1995*
 Regulation 34(1) of the *Local Government (Financial Management) Regulations*

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 - Performance

Policy

Policy No and Name: N/A

Comments:

The Financial Activity Statement commentary compares the actual results for the four months to 31 October 2019 with the budget approved by Council on **23 July 2019** and subsequent amendments on **24 September 2019** and **3 October 2019**.

COUNCIL RESOLUTION

Moved Commissioner Kosova, seconded Commissioner McMath

That Council RECEIVES the Financial Statements and the Financial Activity Statement for the period ended 31 October 2019 as detailed in Attachment 13.10A of this report.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Item 13.11 Payments from Municipal and Trust Funds – November 2019

FILE REFERENCE: P1036562-9
 REPORTING OFFICER: Reshma Janmeerbacus, Acting Manager Finance
 REPORTING UNIT: Finance
 RESPONSIBLE ALLIANCE: Corporate Services
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 2 December 2019

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation Section 6.4(1) and (2) of the *Local Government Act 1995*
 Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996*

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 – Performance

Policy
 Policy No and Name: N/A

Comments:

Payments for the month of November 2019 included the following significant items, but exclude payroll and payroll taxation payments to the Deputy Commissioner of Taxation:

- \$774,116.02 to the Sundry Creditor EFT (supplier 99991) for refund of work bonds and rates refunds for:
 - \$216,020.11 to Pindan Constructions Pty Ltd for 69 Adelaide Terrace, Perth;
 - \$128,083.15 to CA & Associates Pty Ltd for Rates refund;
 - \$71,820.49 to Hoskins Contracting Pty Ltd for 14-16 Victoria Avenue, Perth;
 - \$66,876.59 to Emco Building – 2 Park Road, Crawley;
 - \$48,831.50 to Premiere Events for Rates refund;
 - \$45,059.15 to Brookfield EQ 6 Landowner Pty Ltd for Rates Refund; and
 - Remainder for miscellaneous payment vouchers.

- \$632,619.73 for payment of 2019/20 Emergency Service Levy to DFES;
- \$533,901.85 to Data 3 being for \$474,535.61 for increasing server processing capacity remaining amount of \$59,366.24 for corporate cloud platform and network modules;
- \$444,243.56 to LGIS Liability being for \$279,258.79 for 50% of premium LGIS liability policy 2, \$146,486.46 for 50% of premium for LGIS property Policy remaining \$18,498.31 for Motor vehicle premium adjustment and property insurance adjustment; and
- \$366,594.07 to Ricoh Australia Pty Ltd being for \$260,572.77 for replacement multi-function device fleet and \$106,021.30 for replacement production printer.

COUNCIL RESOLUTION

Moved Commissioner Kosova, seconded Commissioner McMath

That in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended November 2019 to be RECEIVED and recorded in the Minutes of the Council, the summary of which is as follows:

FUND	PAID
Municipal Fund	\$14,708,823.30
Trust Fund	\$ 0
TOTAL:	<u>\$ 14,708,823.30</u>

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Item 13.12 Strategy Development Policy Adoption

FILE REFERENCE: P1028809-2
 REPORTING OFFICER: Sarah Best, Corporate Performance Analyst
 REPORTING UNIT: Strategy and Recovery
 RESPONSIBLE ALLIANCE: CEO Alliance
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 21 November 2019
 ATTACHMENT/S: Attachment 13.12A – Strategy Development Policy

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation 5.56(1) of the *Local Government Act 1995*

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

8(1)(b) - to represent the community and encourage community participation in decision-making

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

Strategic Priority - Performance

Policy

Policy No and Name: N/A

Purpose and Background:

The Strategy Development Policy provides guidance on the development and review of the Strategic Community Plan, Issue Specific Strategies and Legislative Plans as identified in the Integrated Strategic Planning Framework.

The Integrated Strategic Planning Framework provides local governments guidance to link operations to established community aspirations and priorities. In accordance with section 5.56(1) of the *Local Government Act 1995*, the City of Perth is required to implement a Strategic Community Plan and Corporate Business Plan, supported by issue specific strategies and informing resource plans.

The past process for the development, review and approval of strategies and plans has been inconsistent and unclear. To ensure an integrated approach to strategic planning and one that links community priorities to operations, a Strategy Development Policy has been drafted to provide a robust process for the development, review and approval of strategies and plans. The attached policy is now ready for Council consideration.

Details:

The Strategy Development Policy sets out to achieve the following objectives:

- Identify and explain the key elements that constitute the City's Integrated Strategic Planning Framework;
- To identify the enablers of the Strategic Community Plan (collection of strategies and plans);
- Prescribe the process by which each of the elements of the framework are formulated, reviewed, discussed and approved;
- Define the involvement and role of the community, staff and elected members in the process; and
- Identify the timing of the various activities within the framework.

To ensure achievement on these objectives, implementation of the policy will be guided by the following key principles:

- Local government planning is holistic in nature and developed in consultation with the community;
- The Strategic Community Plan underpins all planning and decision making within the City; and
- Issue specific strategies, plans required by legislation and service unit plans are all enablers of the Strategic Community Plan.

The Policy depicts the requirement for undertaking both a major and minor review of the Strategic Community Plan, Issue Specific Strategies and Legislative required plans. A summary of the timeline requirements for each of these document, is indicated in Table 1 of the Policy.

Justification for Council Adoption

Under the Integrated Strategic Planning component of the City of Perth's Corporate Recovery Implementation Plan, the City has committed to the delivery and implementation of strategies and plans that deliver strategic objectives. The Strategy Development Policy is a tool to assist the progression of this outcome.

The Policy provides direction and clarity for the development, implementation and ongoing review of the Strategic Community Plan, Issue Specific Strategies and/or Legislative Plans to ensure consistency and that the appropriate consultation is undertaken.

Financial Implications:

There are no financial implications related to this report.

Comments:

A key component of the Integrated Strategic Planning Framework is to develop informing strategies that support the delivery of services, assets and projects required by the community. The City of Perth has identified several Issue Specific Strategies that are required to ensure the City responds to priority issues or opportunities which also support the objectives of the Strategic Community Plan.

The adoption of the Strategy Development Policy is a step towards providing clear direction on how City strategies and plans are developed and adopted, guided by a consistent process to assist in the maturing of the planning process, to enable closer alignment between the community and council.

COUNCIL RESOLUTION

Moved Commissioner Kosova, seconded Commissioner McMath

That Council ADOPTS the Strategy Development Policy as detailed in Attachment 13.12A.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Item 13.13 Chief Executive Officer (CEO) Recruitment Process

FILE REFERENCE: P1032898
 REPORTING OFFICER: Bill Parker, General Manager Corporate Services
 REPORTING UNIT: Corporate Services
 RESPONSIBLE ALLIANCE: Corporate Services
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 2 December 2019
 ATTACHMENT/S: Attachment 13.13A - Chief Executive Officer Contract

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation

Local Government Act 1995

Section 5.36(2)(a) and (b) provides that a local government is not to employ a person to fill the position of CEO unless Council believes that the person is suitably qualified for the position and is satisfied with the provisions of the proposed employment contract.

Section 5.36(4) outlines the advertising requirements if the position of CEO of a local government becomes vacant.

Section 5.39 contains provisions for the contracts of CEOs.

Section 5.40 requires that all employees are to be selected in accordance with the principles of merit and equity.

Government (Administration) Regulations 1996

18A, 18B, 18C, 18E, 18F and 19A outlines the process to be applied and key requirements in appointing a CEO.

Salaries and Allowances Act 1975

Section 7A outlines that the Salaries and Allowances Tribunal determines the amount of remuneration provided to local government CEOs.

City of Perth Act 2016

Objects of the City of Perth

8(1)(a) - to provide for the good government of persons in the City of Perth, including residents, ratepayers and visitors

Integrated Planning and Reporting Framework Implications

Strategic Community Plan

Strategic Priority - Performance

Policy

Policy No and Name: Nil

Purpose and Background:

At its meeting held on **26 November 2019**, Council appointed Lester Blades to assist with the recruitment and appointment of a new Chief Executive Officer (CEO).

Since this appointment, the Commissioners met with Lester Blades to establish a draft process. In accordance with the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996*, this item seeks Council to approve a process to recruit a new CEO and endorse the provisions of the proposed employment contract.

Details:

Recruiting and appointing a CEO is one of the most significant tasks elected members may undertake during their term of office. Choosing the right person is critical to the success of the Council and the local government.

There are three sections of the *Local Government Act 1995* that have direct application to the appointment of a CEO. Additionally, the *Local Government (Administration) Regulations 1996* also deals with advertising, contracts, and the selection and appointment process.

To assist local governments to correctly appoint a CEO, the Department of Local Government, Sport and Cultural Industries developed Local Government Operational Guideline Number 10 - Appointing a CEO.

More recently, the Department has also developed draft standards and guidelines for local government CEO recruitment and selection, performance review and termination. The standards and guidelines are currently with the industry for consultation.

In preparing this report, careful consideration has been given to both the existing operational guideline and the draft standards.

In considering this item, two main elements need to be addressed by Council. These include;

- The process to be applied; and
- The provisions of the proposed employment contract

Process for Recruitment and Selection

One of the initial requirements in recruiting a new CEO is for Council to approve a process to be used for selection and appointment.

In addition to being required by the Regulations, adopting a process ensures transparency, clarity and a shared understanding. Once adopted, the process should be followed unless found to be flawed, in which case a decision should be made to amend the process as soon as possible.

Detailed below is the proposed recruitment process and timeframe. Essentially the timeframe has been developed so that an appointment decision can be made in March 2020.

Table 1 - Recruitment Process and Timeline

Description	Start	End
Council approves a process to be used for the selection and appointment of the CEO	17/12/2019	17/12/2019
Finalisation of job description	17/12/2019	20/12/2019
Finalisation of salary and conditions	20/12/2019	24/12/2019
Advertising	31/01/2020	17/02/2020
Selection	18/02/2020	19/02/2020
Preliminary interviews	20/02/2020	26/02/2020
Shortlist report	26/02/2020	3/03/2020
Interviews	9/03/2020	13/03/2020
Due diligence	13/03/2020	16/03/2020
Psychometric testing	16/03/2020	16/03/2020
Recommendation to Council	24/03/2020	24/03/2020
Offer of employment and negotiation	24/03/2020	24/03/2020
Finalisation of process	1/04/2020	1/04/2020

The proposed descriptors and dates are indicative and may be subject to minor variation. Significant variations to this process once approved may require reconsideration by Council.

Proposed Employment Contract

The *Local Government Act 1995* states that a person is not to be employed in the position of CEO unless the council —

- (a) believes that the person is suitably qualified for the position; and
- (b) is satisfied with the provisions of the proposed employment contract.

Although this decision typically occurs at the end of the process, it was noted that there are currently many different contracts in place across the sector, containing very different provisions for

entitlements and obligations. To alleviate any potential conflict, uncertainty or confusion, it is proposed that a preferred contract is circulated to prospective applicants.

It is proposed that Council endorse the Model CEO Employment Contract developed by Local Government Professionals WA and the Western Australian Local Government Association.

The CEO Joint Model Contract accords with current legislation and all pertinent decisions of the Salaries and Allowances Tribunal. Importantly, it addresses all the major issues such as:

- Termination Payments;
- Dispute Resolution Processes;
- Probationary Periods;
- Performance Criteria and Review; and
- Components of the Remuneration Package

Financial Implications:

Section 7A of the *Salaries and Allowances Act 1975* outlines that the Tribunal determines the amount of remuneration provided to Chief Executive Officers of local governments.

The most recent determination in relation to Local Government CEOs was issued on 9 April 2019, with effect from 1 July 2019. The City of Perth is currently classified as a Band 1 local government with a total rewards package between \$250,375 to \$379,532 per annum.

In addition to the total rewards package, the cost to appoint an independent human resources consultant and advertise the recruitment process is estimated at \$50,000.

Provisions for the costs associated with the total rewards package and recruitment process are contained within the 2019/20 budget.

Comments:

As outlined in s5.40 of the *Local Government Act 1995* the principles of merit and equity will be applied by undertaking a thorough assessment of the candidates' skills, knowledge and abilities against the work-related requirements of the role. The process will be open, competitive and free from bias, unlawful discrimination, nepotism or patronage.

The appointment of a new Chief Executive Officer will mark a significant milestone in the City of Perth's corporate recovery process.

COUNCIL RESOLUTION

Moved Commissioner McMath, seconded Commissioner Kosova

That Council:

- 1. APPROVES the process to be applied for the selection and appointment of a new Chief Executive Officer as outlined in Table 1 of this report; and*
- 2. ENDORSES the provisions of the proposed employment contract as outlined in Attachment 13.13A.*

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Item 13.14 Annual Report and Audited Financial Statements for the Year Ended 30 June 2019

FILE REFERENCE:	P1014149-26
REPORTING OFFICER:	Sarah Gosling, Senior Financial Accountant
REPORTING UNIT:	Finance
RESPONSIBLE ALLIANCE:	Corporate Services
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	2 December 2019
ATTACHMENT/S:	Attachment 13.14A – Annual Report and Financial Statements for the Year Ended 30 June 2019 Attachment 13.14B – OAG Closing Report Attachment 13.14C – Management Letter Attachment – 13.14D – Management Representation Letter

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Committee to note.*

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

Section 6.4 of the *Local Government Act 1995*
 Regulation 36 of the *Local Government (Financial Management) Regulations 1996*
 Regulations 9 and 10 of the *Local Government (Audit) Regulations 1996*
 Principle 6 of the State Records Principles and Standards 2002

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

8(1)(a) - to provide for the good government of persons in the City of Perth, including residents, ratepayers and visitors

Integrated Planning and Reporting Framework Implications

Strategic Community Plan
 Economic

Policy

Policy No and Name: N/A

Purpose and Background:

The report presents to Council the Annual Report and Financial Statements of the City of Perth for the year ended 30 June 2019 (Attachment 13.14A). The findings of the OAG are contained within the closing report (Attachment 13.14B) and the management points raised for review by the external auditors are presented in the management letter (Attachment 13.14C) together with responses from the City's Management. The Management Representation Letter (Attachment 13.14D) sets out Management's responsibility with regard the Financial Statements.

Details:

The Financial Statements for the year ended 30 June 2019 have been audited and were presented to the Audit and Risk Committee on 19 November 2019.

The Financial Statements (Attachment 13.14A) address all statutory financial requirements imposed on the City and comply with the Australian Accounting Standards.

The Financial Statements form part of the Annual Report which is submitted for Council approval on 17 December.

Result

The net result surplus of \$7,730,891. This compares with a budget of \$3,178,758.

Revenue

Rates collected are \$2.3m above the original budget due to higher than forecast interim rates; and

- Fees and charges are \$0.9m above the original budget due to higher parking fee revenue than forecast.

Expenditure

- Employee costs were in line with budget for the year;
- Materials and contracts were below budget by \$4.6m being a combination of lower maintenance costs as well as the impact of lower spending on capital projects than forecast; and
- Depreciation and amortisation was below budget by \$1.2m also reflecting lower capital expenditure than budgeted.

Significant Items

- The replacement of walkways in the Forrest Place/Murray Street area (Padbury Walkways) resulted in a loss on disposal of \$3.3m.

Balance Sheet

- Current assets increased by \$19m due to an increase in net cashflow;
- Non-current assets have decreased by \$15.9m due to asset depreciation and disposals;
- Trade creditors rose by \$2.8m due to the change in accounting for footpath bonds which are now held as a liability and not held in trust;
- Non-current loans fell by \$6.9m as principal repayments were made and no new loans drawn down;
- Accumulated Surplus increased by \$11.2m due mainly to net surplus; and
- Net Cash Flow was a positive \$6.2m, operating activities generated \$52.7m, capital expenditure on assets was \$26.1m net of disposal proceeds and \$7.4m loan principal was repaid.

Audit Issues

No significant items were raised in the audit management letter and management is responding to all items raised.

Financial Implications:

This report and the Financial Statements demonstrate the sound financial position of the City at 30 June 2019.

Comments:

The City complied with the local government regulations by submitting draft Financial Statements to the auditors by 30 September 2019 and its Annual Report and Financial Statements to Council before 31 December 2019. The City received an unqualified audit opinion from the Office of the Auditor General for the Financial Statements for the year ended 30 June 2019.

COUNCIL RESOLUTION

Moved Commissioner Kosova, seconded Commissioner McMath

That Council APPROVES the Annual Report and Audited Financial Statements for the Year Ended 30 June 2019 as outlined in Attachment 13.14A.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Item 13.15 Unbudgeted Expenditure – Dual Use Bridge – Trafalgar Bridge Replace Timber Decking

FILE REFERENCE: P1037120
 REPORTING OFFICER: Sharmistha Saha, Asset Planning Engineer
 REPORTING UNIT: Infrastructure and Assets
 RESPONSIBLE ALLIANCE: Infrastructure and Operations
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 28 November 2019
 ATTACHMENT/S: Nil

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
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- Quasi-Judicial *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.*
- Information *For the Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation Section 6.8 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

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

Policy
 Policy No and Name: CP9.6 – Budget Variations

Purpose and Background:

The purpose of the report is to obtain approval for additional funds to undertake the replacement of the Trafalgar Bridge timber decking. The original budget for Trafalgar Bridge, East Perth timber deck replacement was based on the estimated cost provided by the consultant engaged by the City to develop the tender specification and associated documents for the replacement of the existing timber decking on Trafalgar Bridge. Savings have been made in the 2019/20 Capital Footpath Replacement Project 'Adelaide Terrace - South - Plain Street to Bennett Street' by revising the original scope of works from full replacement of footpath and kerb infrastructure to partial replacement and lift and relay. These unexpended funds can now be utilised to provide the additional funds required to undertake the replacement of the bridge decking.

Details:

Decking on the structure over Claisebrook Cove known as Trafalgar Bridge has been identified as reaching end of life. In 2018 the City engaged specialist consultant McDowall Affleck Pty Ltd to develop a tender specification and associated documents together with a cost estimate for the works to be undertaken. The company is also to provide consultancy services to the City during the construction phase of the project. The high-level cost estimate provided, based upon best available information in 2018, was \$210,000 and consequently this figure was used by the City to establish the project's capital budget \$226,901 including consultancy for the 2019/20 financial year.

The City advertised an open tender for the construction phase of the project on 16 October 2019 and closing on 14 November 2019. This resulted in the City receiving three submissions. The evaluation panel has completed the evaluation process and the preferred tenderer has been identified. The tendered price for required steel works, associated material costs and 'preliminaries' were significantly higher than the estimate provided by the consultant. Allowing for 10% contingency, the expected cost of construction will be \$339,748. To cover the cost of construction and consultancy additional capital budget of \$135,446 is required.

The City undertook community consultation in order to ascertain the community's view on whether the construction works should be undertaken over either one or two stages. A poll was therefore opened to the public through the Engage Perth website resulting in 98% of respondents wanting the project to be completed in one stage. Based on this public response it is prudent not to undertake the works over two financial years.

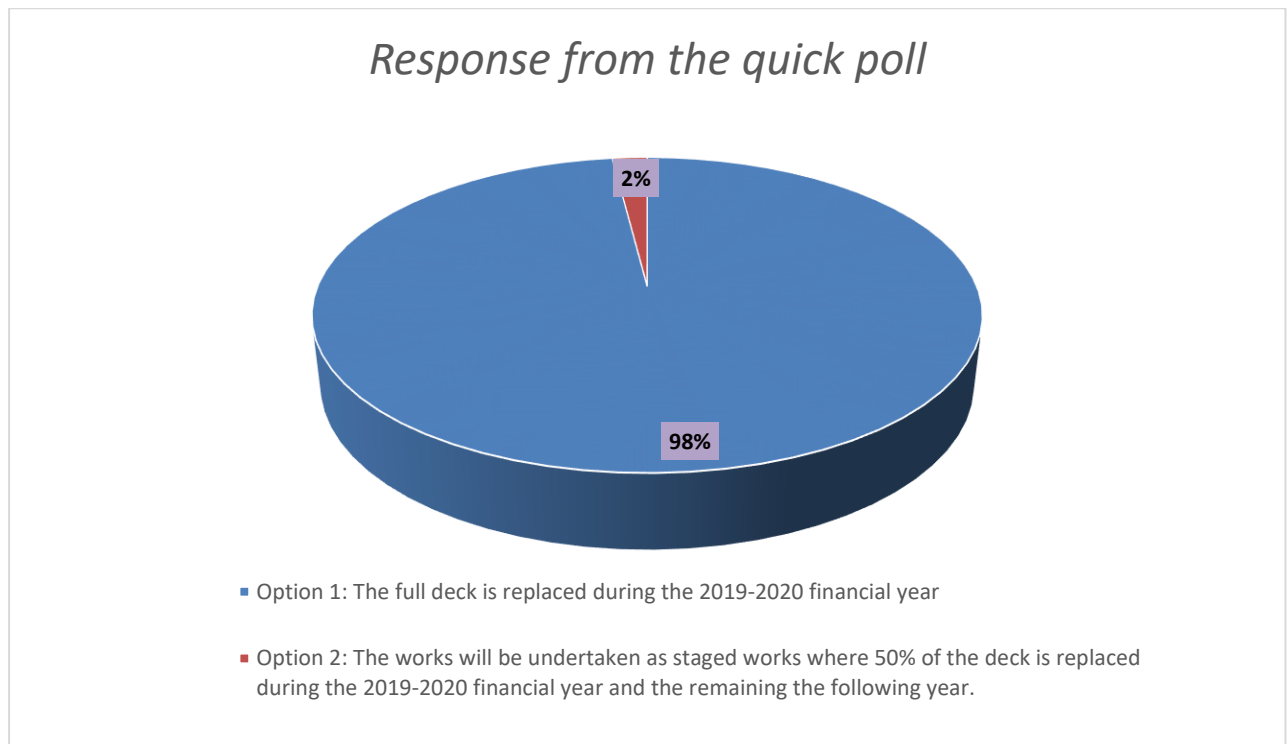
Trafalgar Bridge - Rejuvenation Project

The Trafalgar bridge was constructed in 1994 by East Perth Redevelopment Authority (EPRA) and was eventually handed over to the City in 1997. The existing timber decking is reaching the end of its useful life and is in need of renewal where it is evident a number of the timber decking planks are splitting, and some are in various stages of decay. To maintain the aesthetics, all the existing decking on Trafalgar Bridge will be replaced with timber planks and involve the installation of new bolting system, dismantling and disposal of the existing decking.

A quick poll was opened to the public through the "Engage Perth" that proposed two options below for the replacement of the bridge decking.

- Option 1 - The full deck is replaced during the 2019-2020 financial year. During the construction phase the bridge will be closed to the public for approximately four to five weeks; and
- Option 2 - The works will be undertaken as staged works where 50% of the deck is replaced during the 2019-2020 financial year and the remaining the following year. The bridge will be closed for approximately 3 to 4 weeks for each stage.

The poll concluded with 98% of respondents wanting the project to be completed in one stage.



Financial Implications:

Funding of \$135,446 is required for completing the construction phase of Trafalgar Bridge Replace Timber Decking.

ACCOUNT NO:	PJ 14427
BUDGET ITEM:	Dual Use Bridge – Trafalgar Bridge Replace Timber Decking
BUDGETED AMOUNT:	\$226,901
AMOUNT SPENT TO DATE:	\$6,369
PROPOSED COST:	\$355,978
BALANCE REMAINING:	\$135,446
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	N/A

Budget Item where additional funds are to come from:

ACCOUNT NO:	PJ 14197
BUDGET ITEM:	Footpath - Adelaide Terrace - South - Plain St to Bennett St
BUDGETED AMOUNT:	\$468,020
AMOUNT SPENT TO DATE:	\$127,273
PROPOSED COST:	\$58,805
BALANCE REMAINING:	\$271,942
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.

Comments:

The number of commuters on the Trafalgar bridge increases substantially during events at Optus Stadium. The Australian Football League (AFL) matches commence 22 March 2020 and it is therefore recommended to complete the bridge deck replacement work prior to this date.

Through vigilant financial and project management, savings have been identified that can now be redistributed to undertake works that would otherwise not be completed during this financial year would therefore require the City to undertake a second tendering process in 2020/21. The redistribution of funds allows the City to complete these works and provide stakeholders with a high level of service and accountability.

The tender will be considered under delegated authority subject to appropriate budget.

COUNCIL RESOLUTION

Moved Commissioner Kosova, seconded Commissioner McMath

That Council APPROVES expenditure of \$135,446 for the capital project 'PJ 14427 Dual Use Bridge – Trafalgar Bridge Replace Timber Decking'.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Item 13.16 WA Better Bins Program

FILE REFERENCE: P1038777
 REPORTING OFFICER: Clare Courtauld, Waste Management Officer
 REPORTING UNIT: Waste and Cleansing
 RESPONSIBLE ALLIANCE: Infrastructure and Operations
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 21 November 2019
 ATTACHMENT/S: Attachment 13.16A – Better Bins Program Funding Agreement

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Council/Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation *City of Perth Act 2016*

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 – Planet

Policy
 Policy No and Name: 8.0 – Environment Policy

Purpose and Background:

This report sets out to inform Council of the Better Bins Program Funding Agreement between the State of Western Australia, represented by the Waste Authority, and City of Perth.

The Better Bins Program is a scheme funded from the Western Australian State Government's Waste Avoidance and Resource Recovery Account (WARR Account), which under section 80(1)(a) of the *Waste Avoidance and Resource Recovery Act 2007 (WA)* may be used to fund programs relating to the management, reduction, reuse, recycling, monitoring or measurement of waste.

The funding will enable the City to provide best practice kerbside collection systems consistent with the Better Bins Kerbside Collection Guidelines. The Program encourages the use of a three-bin system (general waste, co-mingled recycling and organic waste) to support greater source separation and higher resource recovery.

The City's application for Better Bins funding has been approved subject to the following conditions:

1. The City of Perth provides written commitment to rolling out a three-bin food only and/or Food Organics Garden Organics (FOGO) kerbside collection system by no later than 31 December 2021; and
2. A Council resolution endorsing requirement (1) is provided by 31 December 2019.

The City anticipates it will be able to meet all requirements detailed in the agreement, however Council endorsement of the Program is required to meet the above conditions.

Details:

The Better Bins Program gives effect to the policy positions expressed by the WA Waste Authority, including the Waste Avoidance and Resource Recovery Strategy 2030, which requires all local governments in the Perth and Peel region to adopt a three bin FOGO system by 2025.

Better Bins supports local governments to provide systems that:

- encourage source separation (primarily through the provision of a 'third' green/organic waste bin);
- provide more recycling capacity as a proportion of total disposal capacity;
- use Australian Standard bin colours to support greater uniformity and better acceptance, awareness and engagement.

The Program is a unique opportunity for the City of Perth to receive support to transition to best practice kerbside infrastructure and service provision, in line with established industry benchmarks and standards. The Program will:

- support the City to increase recycling rates;
- support the achievement of the State's recycling targets within the Waste Avoidance and Resource Recovery Strategy 2030;
- help to better engage the City's community on preferred waste and recycling behaviours; and
- limit the City's exposure to increasing landfill costs.

With support from the CEO, the City applied for funding under the Better Bins Program on 27 June 2019.

On 11 October 2019, the Programs Manager (Waste Avoidance and Resource Recovery, Department of Water and Environmental Regulation) provided the Better Bins funding agreement to the total value of \$211,590.00. This is based on service provisions detailed in section 6(a) of the attached agreement.

Financial Implications:

ACCOUNT NO:	7268	7213
BUDGET ITEM:	Bin exchanges and delivery	Purchase of bins and stickers
BUDGETED AMOUNT:	\$20,765	\$188,917
AMOUNT SPENT TO DATE:	\$0	\$0
PROPOSED COST:	\$20,765	\$188,917
BALANCE REMAINING:	\$0	
ANNUAL MAINTENANCE:	\$0	
ESTIMATED WHOLE LIFE COST:	\$20,765	\$188,917

All figures quoted in this report are exclusive of GST.

Comments:

Further details of the funding agreement are listed within Attachment 13.16A.

COUNCIL RESOLUTION

Moved Commissioner Kosova, seconded Commissioner McMath

That Council ENDORSES the City's involvement in the Better Bins Program.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

MOTION TO CLOSE THE MEETING TO THE PUBLIC

Moved Commissioner Kosova, seconded Commissioner McMath

That Council RESOLVES to close the meeting to the public to consider Confidential Attachments to Item 13.17 in accordance with section 5.23(2) of the Local Government Act 1995.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

6.31pm The meeting was closed to the public.

Item 13.17 Electricity Supply Agreement for the City of Perth

FILE REFERENCE: P1026156
 REPORTING OFFICER: Phill Raso, Sustainability Officer - CitySwitch
 REPORTING UNIT: Infrastructure and Assets
 RESPONSIBLE ALLIANCE: Infrastructure and Operations Alliance
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 27 November 2019
 ATTACHMENT/S: Confidential Attachment 13.17A - Comparison of Electricity Supply Agreement Offers
 Confidential Attachment 13.17B – YEOMAN Recommendation Report
Confidential Attachments are distributed to Commissioners under separate cover

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation Part 4 of the *Local Government (Functions and General) Regulations 1996 – Provision of Goods and Services*

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 - Planet

Policy

Policy No and Name: 9.7 - Purchasing

Purpose and Background:

The purpose of this report is to obtain Council approval to accept an offer for a new Electricity Supply Agreement (ESA) from Alinta to supply the City of Perth with electricity for 45 contestable electricity accounts for a three-year term beginning 1 January 2020 and concluding 31 December 2022 at a cost of approximately \$1.57 million (ex GST) per year.

Signing of a new ESA with Alinta will reduce the City's annual expenditure on electricity by \$1.1 million per year - a reduction of 60% on current spending. This represents responsible governance of the organisation and responsible management of rate-payer funds.

Details:

In the 2018/19 financial year, the City had 144 electricity accounts, managed across eight business units, with an annual spend of \$2.82 million.

In the WA electricity market, all electricity accounts with an annual consumption over 50,000 kWh are considered contestable, meaning that an array of energy retailers can bid to supply these accounts at negotiated rates. Accounts with an annual consumption of less than 50,000 kilowatt hours (kWh), must be supplied by Synergy at standard, non-negotiable tariffs. Given that consumption can increase or decrease for accounts around the 50,000-kWh threshold, it can be up to the discretion of the energy retailer as to which accounts are considered contestable.

Of the City's 144 electricity accounts, 26 exceed 50,000 kWh per year. The City has been able to negotiate to have 45 accounts listed as being contestable and therefore accessible to more competitive rates. Contestable accounts comprise the bulk of the City's electricity expenditure with the cost of these accounts being \$2.67 million per annum out of the \$2.82 million total.

On 1 June 2018, the City's previous ESA with Synergy expired. Since then, Synergy has continued to supply the City with electricity at non-competitive rates outside of a formal agreement.

In September of this year, Quotations for a new ESA were requested from suppliers to obtain competitive rates for the provision of the City's electricity.

Procurement Process (WALGA)

The procurement process was undertaken through the WALGA preferred supplier panel.

The City also engaged Yeoman Pty Ltd as an electricity consultant to assist with the procurement of a new ESA. Yeoman assisted in the drafting of the quotation, advised the City on options to obtain the contract for the City, and checked the validity of offers.

Suppliers were asked to consider the following in their quotations:

Two and three-year contract options

In consultation with the suppliers, the consultant and City of Perth staff, it was recognised that offers for contracts shorter in term than two years are generally less competitive. The three-year contract option provides the City with better economies of scale and time to explore alternative energy procurement arrangements that are emerging in the market. The preferred quotations received included the 3-year contract options.

Contestable sites

Only contestable sites were included in the request for quotation. Non-contestable sites must remain with Synergy. The City identified the highest possible number of contestable accounts (45 sites) as listed within the existing Synergy agreement. Contestable sites have more competitive rates than non-contestable sites and so it was in the City's interest to have as many contestable sites as possible. Responses received detailed the 45 sites listed.

Renewable Energy

The request for quotation included an option to include "25% green power", currently the option to purchase green power comes at a premium, however officers wanted to have this price included to have this option considered.

In the offers received, the additional cost of 25% green power was considerable (refer to Attachment 13.17A). Given there is no pay-back period for investment in green power, this report, recommends that the City only buy black power enabling the funds saved to potentially be placed in a reserve fund, enabling investment in energy efficiency and renewable energy projects, reducing the City's carbon footprint.

In consultation with the consultant and various City departments – some of these initiatives could include:

- Auditing for energy efficiency and conservation;
- LED lighting retrofits in all City of Perth buildings, facilities (including car-park facilities and public realm lighting);
- The installation of metering and "real time" monitoring infrastructure;
- The move to lower emissions drive trains and motors in building and car park infrastructure; and
- Rooftop solar installations.

Bundled contract structures

Only bundled offers were requested as it was identified that there would be significant administration savings.

Account management

The City requested details on the type of account management, a dedicated account manager and quarterly reports on each account, which should provide the City with as much information as possible regarding the electricity consumption of each account. Until the City investigates the

feasibility of metering, monitoring and access to real time electricity consumption across its assets, the information from the suppliers would assist the City to manage its electricity use.

Quotations received:

WA’s three largest electricity retailers provided quotations and sample agreements for the ESA.

As recommended by the electricity consultant, two offers emerged as suitable for shortlisting and further consideration by the City, these included offers from Synergy and Alinta. Perth Energy chose not to make an offer for a three-year term.

Value for Money:

While the pricing received by the shortlisted responses had negligible differences, the offer from Alinta detailed a dedicated account manager and quarterly reporting on electricity usage for all accounts.

This will better allow the City of Perth to understand it’s energy consumption and detail a strategic approach for sustainable practices moving forward.

Financial Implications:

ACCOUNT NO:	Various
BUDGET ITEM:	Various
BUDGETED AMOUNT:	\$2,668,756 pa (Contestable sites)
AMOUNT SPENT TO DATE:	\$1,014,795.87
PROPOSED COST:	\$1,572,823.18 pa \$786,411.59 (cost of agreement (Jan-July 2020))
BALANCE REMAINING:	\$867,548.54 (saving Jan-July 2020)
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	\$4,718,469.54

All figures quoted in this report are exclusive of GST.

Comments:

A new ESA will reduce the cost of electricity procurement by \$1.1 million per year or nearly 60%. With direction from the City’s sustainability officers and continued investment from the City, further savings in both cost and greenhouse gas emissions are well within the City’s scope as it explores energy efficiency, onsite renewable energy, and market-based energy options over the next three years.

The recommendation to enter into a three-year ESA with Alinta provides the City with enough time, financial savings and recorded data to strategically plan its energy management processes, capabilities and infrastructure moving forward into the future.

6.41pm The Manager Governance departed the meeting and returned at 6.44pm.

Officer Recommendation

That Council ACCEPTS the Electricity Supply Agreement by Alinta for its contestable electricity accounts for a three-year term commencing 1 January 2020 and concluding 31 December 2022.

COUNCIL RESOLUTION

MOVED WITH AMENDMENT

Moved Commissioner Kosova, seconded Commissioner McMath

That Council amend the Officer Recommendation as follows:

That Council ACCEPTS the Electricity Supply Agreement by Alinta Energy for its contestable electricity accounts for a three-year term commencing 1 January 2020 and concluding 31 December 2022 subject to the use of 25% green energy being addressed to the satisfaction of the Chief Executive Officer.

PRIMARY MOTION AS AMENDED

That Council ACCEPTS the Electricity Supply Agreement by Alinta Energy for its contestable electricity accounts for a three-year term commencing 1 January 2020 and concluding 31 December 2022 subject to the use of 25% green energy being addressed to the satisfaction of the Chief Executive Officer.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Reason: The City of Perth needs to show leadership in the use of green energy.

Meeting Note: Council encouraged the Administration to actively pursue the following initiatives mentioned in the report:

- Auditing for energy efficiency and conservation;
- LED lighting retrofits in all City of Perth buildings, facilities (including car-park facilities and public realm lighting);
- The installation of metering and “real time” monitoring infrastructure;

- The move to lower emissions drivetrains and motors in building and car park infrastructure; and
- Rooftop solar installations.

MOTION TO REOPEN THE MEETING TO THE PUBLIC.

Moved Commissioner Kosova, seconded Commissioner McMath

That Council REOPEN the meeting to members of the public.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

6.58pm The meeting was re-opened to the public and staff.

The Chair Commissioner advised the public gallery of the resolution made on Item 13.17.

Item 13.18 Tender 003-19/20 – Wellington Square Enhancement

FILE REFERENCE: P1038321
 REPORTING OFFICER: Bing Lim, A/Manager Construction
 REPORTING UNIT: Construction
 RESPONSIBLE ALLIANCE: Infrastructure and Operations Alliance
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 27 November 2019
 ATTACHMENT/S: Confidential Attachment 13.18A – Tender Assessment Matrix
 Confidential Attachment 13.18B – Qualitative Criteria against Price
 Attachment 13.18C – Wellington Square Masterplan
Confidential Attachments are distributed to Commissioners under separate cover

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation Part 4 of the *Local Government (Functions and General) Regulations 1996 – Provision of Goods and Services*

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 - Place

Policy

Policy No and Name: 9.7 - Purchasing

Purpose and Background:

At its meeting held on **25 September 2018**, Council approved the Final Wellington Square Masterplan; noted that the enhancement will be staged over 6 years commencing in 2019; and noted that the detailed design and cost estimate of various enhancement packages will be presented to Council in line with the staging plan.

The procurement of goods and services for this project was divided into packages of work to mitigate and manage procurement risks which may negatively impact the project. The main contract package includes landscape, civil, lighting and electrical works. Long lead items like the automated public toilet and trees were identified to be principal supply items. Playground and artwork installation were packaged separately as they are specialist areas requiring their own standards and processes.

This report now seeks Council approval for the award of the main contractor to deliver the landscape, civil and electrical portions of the work under AS2124 – 1992 General Conditions of Contract.

Details:

An expression of interest process was undertaken to identify and shortlist contractors most capable of undertaking the main contract. Five contractors were invited to tender on the approved main contract scope and additional items. Four submissions were received on 24 October 2019.

Compliance Assessment Summary

A compliance assessment was completed on all tenderers and all submissions were deemed conforming tenders.

Qualitative Assessment against Selection Criteria

The submissions were assessed against the following criteria:

- Construction Execution Management Plan;
- Project Experience;
- Experience and Qualifications of Key Personnel including nominated sub-contractors; and
- Program of works (accelerated and staged multi-year).

Georgiou Group provided a very good response demonstrating understanding of the project requirements and the City's expectations through the methodology detailed. Georgiou also demonstrated relevant project experience with qualified and experienced personnel in undertaking projects of this nature. Georgiou submitted two programs of work (accelerated and staged multi-year) that considered impact to the cricket club, other stakeholders, timing constraints and coordination with other contractors. Georgiou proposed an accelerated 12-month program.

Densford Civil provided a convincing response despite some minor uncertainties. There was good demonstration of plant pathogen management and comprehensive information on Aboriginal importance. Densford has demonstrated experience in completing large scale projects. The two submitted program of works allowed for small sections of the park to be closed at a time. Densford proposed an accelerated 11-month program.

Advanteering provided a detailed and methodical understanding of the project's requirements. They have demonstrated capability in delivering projects that are very similar in nature to Wellington Square, particularly in the development of the Lathlain Redevelopment project. Advanteering did not provide a program for a staged multi-year delivery. Advanteering proposed an accelerated 12-month program.

CivCon provided a marginal response with some minor omissions that did not convince the evaluation panel that requirements could be met. For example, methodology provided did not demonstrate understanding of tree protection or site hygiene requirements. CivCon have not demonstrated previous experience in park upgrades. The two programs of work provided did not demonstrate how the North-West corner of the park will be completed in time for Sorry Day 2020 (which is a key milestone for the project). CivCon proposed an accelerated 9-month program.

The qualitative selection criteria evaluation matrix scores can be found in Attachment 13.18A. Georgiou, Densford and Advanteering were assessed as medium risk, while CivCon was assessed as high risk.

Value for Money

The price difference between accelerated programs and staged multi-year programs is significant. The accelerated program presents as better value for money for the City. The price difference between the lowest and highest tenderer is \$2,366,064.66. The lowest-priced tenderer had the lowest qualitative score and in terms of risk to the City and effective delivery, is not recommended. When qualitative criteria and risk is weighed against price (see Attachment 13.18B), it is clear that the best value for money option is Densford.

Financial Capability

A detailed financial assessment was completed on Densford Civil Pty Ltd on 25 November 2019 and it was assessed that Densford has a strong financial capacity to undertake this contract.

Stakeholder Engagement

There has been internal consultation and the recommendation has been developed in collaboration with directly impacted internal key stakeholders. The project steering group supported the recommendation of an accelerated program as it represented a time saving of 20 months and a cost saving of \$805,375.11 for this portion of works. The steering group also supported additional scope change items like the water element stepping stones, retaining walls with gabion wall end/corten panel/skateable edges, graphics to the basketball court surface and perimeter lighting. It was requested that the full upgrade of Wittenoom Street (particularly in the asphaltting of the road) is removed.

Financial Implications:

ACCOUNT NO:	PJ11967
BUDGET ITEM:	Wellington Square Enhancement
BUDGETED AMOUNT FY19/20:	\$5,916,345
AMOUNT SPENT TO DATE FY19/20:	\$609,627
PROPOSED COST, THIS CONTRACT FY19/20:	\$5,306,718
BALANCED REMAINING FY19/20:	\$0
PROPOSED COST, THIS CONTRACT FY20/21:	\$4,207,739.93
PROPOSED TOTAL COST:	\$9,514,457.93
ANNUAL MAINTENANCE:	\$361,845
ESTIMATED WHOLE LIFE COST:	To be submitted once playground design is complete

All figures quoted in this report are exclusive of GST.

Comments:

The accelerated program offer provided by Densford demonstrates the best value for money for the landscape, civil and electrical portion of the works for the Wellington Square Enhancement project, taking into consideration qualitative assessment and tender price. The proposal is within the project budget and is considered medium risk in meeting the City’s project expectation.

COUNCIL RESOLUTION

Moved Commissioner Hammond, seconded Commissioner Kosova

That Council ACCEPTS the most suitable tender, being the accelerated program submitted by Densford Civil Pty Ltd for Wellington Square Enhancement (Tender 003-19/20) at a lump sum price of \$9,514,457.93 (excluding GST).

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

Item 13.19 Tender 014-19/20 – Bollard Replacement in Hay and Murray Street Malls – Design and Installation

FILE REFERENCE: P1038648
 REPORTING OFFICER: Doug Bonsu, Senior Electrical Engineer
 REPORTING UNIT: Infrastructure and Assets
 RESPONSIBLE ALLIANCE: Infrastructure and Operations Alliance
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 7 November 2019
 ATTACHMENT/S: Confidential Attachment 13.19A – Tender Evaluation Matrix
 Confidential Attachment 13.19B – Functional Requirements
Confidential Attachments are distributed to Commissioners under separate cover

Council Role:

- Advocacy *When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative *Includes adopting local laws, town planning schemes and policies*
- Quasi-Judicial *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.*
- Information *For the Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation Part 4 of the Local Government (Functions and General) Regulations 1996 – Provision of Goods and Services

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 - Place

Policy

Policy No and Name: Purchasing

Purpose and Background:

The City has existing security bollards in Hay and Murray Street Malls comprising retractable bollards and fixed bollards. The current retractable bollards were installed in the late 1990's and are now reaching the end of their practicable serviceable life due to reliability, access and parts availability issues.

With the improvements in bollard technology since the original project, the City of Perth (City) has resolved to upgrade and replace the existing bollards to provide the current appropriate level of security to the City's visitors, businesses and residents in these high pedestrian traffic areas, and to deter access of unauthorised vehicles.

The City appointed WSP Australia Pty Ltd in March 2019 to identify and document the design criteria required to meet the relevant bollard safety requirement. A "Design and Construct" tender package was developed along with the required functional specification and compliance criteria to assist the City with selecting the most suitable contractor to complete the bollard replacement works.

The replacement works comprise of the full design, manufacture, supply, delivery, construct, testing and commissioning of retractable bollards that best fits the City aspiration to create a safe and activated capital city.

Details:

On Wednesday, 25 September 2019, tenders were publicly invited for the design and installation of new retractable bollards at Hay and Murray Street Malls. At the close of tenders on Tuesday 29 October 2018, two tenders were received from BOS Civil and MG Group WA. Tenders were to include for two options:

- Retractable Bollard Including Optional Fixed Bollards Replacement; and
- Retractable Bollard Excluding Optional Fixed Bollards Replacement.

Total Lump Sum Amounts for Scope including Optional Fixed Bollards Replacement

BOS Civil Pty Ltd	\$ 1,346,940.08
MG Group WA	\$ 1,659,023.00

Lump sum offers excludes GST

Total Lump Sum Amounts for Scope excluding Optional Fixed Bollards Replacement

BOS Civil	\$ 1,138,757.74
MG Group WA	\$ 1,218,381.00

Lump sum offers excludes GST

The basis of the tender was to design, manufacture, supply, construct, test and commission retractable bollards that best fits the City's aspiration to create a safe and activated capital city.

Contract Arrangements

The works will be delivered under a lump sum contract under AS 4300-1995 General Conditions of Contract for design and construct.

Communications

A communication plan will be developed, and this will be implemented in conjunction with the Contractor's construction management plan following Council approval of the works.

Compliance Assessment

A Compliance Assessment was completed and both submissions were assessed as conforming tenders with minor adjustment following clarification.

Qualitative Assessment against Selection Criteria

The submissions received were assessed against the following criteria:

- Program of Work;
- Previous Experience and Personnel;
- Scope and Methodology;
- Safety, Quality and Environmental Management; and
- Maintenance and Local Support.

Tender Assessment Matrix is included as Confidential Attachment 13.19A. Summary of the evaluation against the qualitative selection criteria is provided below.

Program of Work

BOS Civil submitted a comprehensive program demonstrating good quality submission despite some minor shortcomings. Completion of works is anticipated in May 2020. The proposed program was evaluated as low risk in meeting the City's requirement.

MG Group's program is of adequate quality despite some minor uncertainties. Completion of works is anticipated in July 2020. However, public holidays did not appear to have been included in their program. Their program was evaluated as medium risk submission.

Previous Experience and Personnel

MG Group provided very good supporting project details to demonstrate relevant experience working on civil and bollard installation projects. BOS Civil provided good civil project experience documentation however limited project information was provided for bollard installation works when compared with MG Group.

Scope and Methodology

Both submissions provided a solid understanding of the project requirements and the City's expectations through the methodology detail. Each tenderer had different construction approaches in ensuring access to the mall was always maintained and disruption to the public and nearby business would be kept to a minimum.

Safety, Quality and Environmental Management

MG Group and BOS Civil submitted detailed outlines of their safety, quality and environmental management plans to be implemented. MG Group however submitted certificates of ISO 9001:2015 Quality Management System accreditation and was evaluated as a good quality submission. BOS Civil did not have ISO 9001:2015 accreditation and was evaluated as an adequate quality submission.

Maintenance and Local Support

BOS Civil submitted a comprehensive good quality submission highlighting maintenance operational costs and adequate local support that would meet the City's expectation.

MG Group provided limited details on the operational costs simply stating, with an effective maintenance plan and ensuring that the guidelines are followed, the expected product life expectancy is 10 years and more. Their response time is within 4 hours provided notification is within the mornings.

At the completion of the qualitative assessment, tenderers were ranked as per the below:

1. BOS Civil; and
2. MG Group WA.

Both were evaluated as medium risk in meeting the City's expectations.

Combined Qualitative and Price Assessment**Functional Requirements**

Functional requirement is included as Confidential Attachment 13.19B.

Value for Money

The fixed bollards were installed in 2012. They have not yet reached their end of life and still meet the City's functional expectation. Based on the received submissions it does not represent value for money to replace the fixed bollards at this stage. Hence, value for money was only considered for bollard replacement works excluding fixed bollards.

Both tender submissions have been evaluated as medium risk.

From a fundamental safety perspective, the vehicle penetration distance for the solution proposed by MG Group was less than half the distance that the BOS Civil design achieved. This achieves the City’s aspiration to create a safe and activated capital city.

The bollards also remain operational after impact, which will minimise disruption to the operation of the Malls. BOS Civil did not provide sufficient supporting information to convince the City that their proposed bollards would continue to operate following impact. If the bollards are not operational after impact, access to the Malls at this location would be impeded until the bollards can be repaired or replaced.

MG Group’s proposal demonstrates significant performance advantages over that proposed by BOS Civil. The qualitative scores were very close, and the tender price provided by MG Group was only 7% higher than BOS Civil’s tender price. The proposal from MG Group therefore demonstrates the best value for money to the City.

Stakeholder Engagement

Internal consultation has been completed and the recommendation was developed in collaboration with directly impacted internal key stakeholders.

Business owners within 100m radius of the works will be informed of the works 2 months prior to construction and monthly following commencement of works.

Financial Implications:

ACCOUNT NO:	PJ12178
BUDGET ITEM:	Bollard Replacement in Hay and Murray St Malls
BUDGETED AMOUNT:	\$1,438,311.00
AMOUNT SPENT TO DATE:	\$11,221.98
COMMITMENTS:	\$13,620.00
PROPOSED COST:	\$1,218,381.00
FORECAST AMOUNT:	\$195,088.02
BALANCE REMAINING:	\$0.00
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.

Comments:

The offer provided by MG Group demonstrates the best value for money for the retractable bollard replacement works at Hay and Murray Street Malls, taking into consideration qualitative assessment, tender price, functional requirements and particularly safety objectives. The tender price is 15% below the project budget.

COUNCIL RESOLUTION

Moved Commissioner Kosova, seconded Commissioner McMath

That Council ACCEPTS the most suitable tender, being that submitted by Menchetti Consolidated Pty Ltd (T/As MG Group WA) for Bollard Replacement in Hay and Murray Street Malls – Design and Installation (Tender 014 – 19/20) at a lump sum price of \$1,218,381.00 (excluding GST).

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond, McMath and Kosova

Against: Nil

14. Motions of which Previous Notice has been given

Nil

15. Urgent Business

Nil

16. Closure

7.02pm The Chair Commissioner declared the meeting closed.