



City of Perth

**Ordinary Council Meeting
Minutes**

**30 April 2019
6.00pm**

**Council Chamber
Level 9
Council House**

APPROVED FOR RELEASE

**MURRAY JORGENSEN
CHIEF EXECUTIVE OFFICER**



City of Perth

**Ordinary Council Meeting
Minutes**

**30 April 2019
6.00pm**

**Council Chamber
Level 9
Council House**

Present

Deputy Chair Commissioner Gaye McMath
Commissioner Andrew Hammond

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, 30 April 2019.

Presiding: Deputy Chair Commissioner, Gaye McMath

Commissioners in Attendance:

Commissioner Andrew Hammond

Officers in Attendance:

Mr Jorgensen	Chief Executive Officer
Mr Crosetta	Director Construction and Maintenance
Mr Farley	Acting Director Planning and Development
Mr High	Acting Director Economic Development and Activation
Mr Ridgwell	Acting Director Corporate Services
Ms Smith	Manager Development Approvals
Mr Corke	Acting Manager Governance
Mr Anastas	Personal Aide
Ms Rutigliano	Governance Officer

Observers:

Nineteen members of the public

Seven members of staff

One member of the media

1. Prayer / Acknowledgment of Country

The Chief Executive Officer read the prayer.

The Deputy Chair Commissioner read the Acknowledgement of Country.

2. Declaration of Opening

6.00pm The Deputy Chair Commissioner declared the meeting open.

3. Apologies

Chair Commissioner, Mr Eric Lumsden

Director Community and Commercial Services, Ms Moore

4. Question Time for the Public and Notification of Deputations

4.1 Question Time for the Public

Nil

4.2 Notification of Deputations

- 4.2.1 Deputation request received from Mr Giovanni Monaco of 1076 Hay Street, West Perth in relation to Item 13.1 - 581 - 583 (Lots 6 and 36) Murray Street, West Perth – Change of Use for Level 1 to a Dog Day Care Centre ('Unlisted Use') and Shop ('Retail (General)' use) including Minor Works and Signage (CM 116842/19).
- 4.2.2 Deputation request received from Mr Ryan Darby from RobertsDay in relation to Item 13.2 - 195 (Lot 52) Pier Street, Perth – Proposed 27 Level Mixed Use 'Public Works' Development Containing 184 Apartments, Cafe/Restaurant, a Community Shared Space and 183 Car Parking Bays – Bonus Plot Ratio (CM 116858/19).

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

Nil

6. Confirmation of Minutes

Moved Commissioner Hammond, seconded Commissioner McMath

That Council CONFIRM the minutes of the Ordinary Council Meeting held on 26 March 2019 and the Agenda Briefing Session held on 23 April 2019 as a true and correct record.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

7. Announcements by the Chair Commissioner

The Deputy Chair Commissioner welcomed three University students sitting in the public gallery and wished them luck with their assignments.

8. Disclosures of Members' Interests

Commissioner/Officer	Item No. and Title	Nature/Extent of Interest
Deputy Chair Commissioner McMath	Item 13.10 - Art Basel Cities - Perth	Nature: Impartiality Interest. Deputy Chair Commissioner McMath is a board member of the Chamber of Arts and Culture WA. Extent: Insignificant

Commissioner/Officer	Item No. and Title	Nature/Extent of Interest
Deputy Chair Commissioner McMath	Item 13.13 Budget Reallocation – The Avenue Road Safety Improvement	Nature: Impartiality Interest. Deputy Chair Commissioner McMath owns a property in Fairway, Crawley. Extent: Insignificant

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

The Chief Executive Officer advised in accordance with Section 5.23(2) of the *Local Government Act 1995*, should a Commissioner wish to discuss the content of the confidential attachments in relation to Item 13.4, and 13.10 it is recommended that Council resolve to close the meeting to the public prior to discussion of the Item.

Attachment No.	Item No. and Title	Reason
Confidential Attachment 13.4B	Item 13.4 - East End Revitalisation – 2018 Masterplan Update	s5.23(2)(c)
Confidential Attachment 13.10C	Item 13.10 - Art Basel Cities - Perth	s5.23(2)(e)

13. Reports

En Bloc Motion

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

- ADOPTS the Officer Recommendations for items 13.5, 13.6, 13.7, 13.8, 13.9, 13.12, 13.14, 14.15, 13.16 and 13.17; and***
- CONSIDERS items 13.1, 13.2, 13.3, 13.4, 13.10, 13.11, 13.13, 13.18 and 13.19 separately.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.1 581 - 583 (Lots 6 and 36) Murray Street, West Perth - Change of Use for Level 1 to a Dog Day Care Centre ('Unlisted Use') and Shop ('Retail (General)' Use) including Minor Works and Signage

FILE REFERENCE: 2018/5465
 REPORTING UNIT: Development Approvals
 RESPONSIBLE DIRECTORATE: Planning and Development
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 15 April 2019
 ATTACHMENT/S: Attachment 13.1A – Location Plan
 Attachment 13.1B – Development Plans
 Attachment 13.1C – Schedule of Submissions
 Attachment 13.1D – Applicant’s Additional Information
 3D MODEL PRESENTATION: N/A
 LANDOWNER: SKS Claremont Pty Ltd
 APPLICANT: M. Gorman
 ZONING: (MRS Zone) Urban
 (City Planning Scheme Precinct) West Perth (P10)
 (City Planning Scheme Use Area) Commercial
 APPROXIMATE COST: \$40,000

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 (e.g. 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**

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

Policy

CPS2 Policy no and name: 2.2 - Public Notification/Advertising
4.1 – City Development Design Guidelines
4.6 – Signs

Purpose and Background:

The purpose of this report is to set out the assessment and recommendations for a development application to conduct a 'dog day-care' business at 581-583 Murray Street, West Perth.

The subject site is located on the south-eastern corner of the Murray Street and Harvest Terrace intersection and has a total area of 1,955m². The site contains an existing two storey building, ancillary building and a grade car parking area. The main building was constructed in 1952 and was previously the Scouts Western Australia headquarters. More recently the City granted approval for the use and fit-out of the ground floor level for a gymnasium with the first-floor level remaining vacant since the departure of the Scouts from the premises.

The first-floor level is 720m² in area and comprises an open plan hall and large meeting rooms separated from each other by floor to wall partitions, a bathroom and kitchenette.

At its meeting held **26 March 2019**, Council resolved to:

“defer consideration of the report titled 581-583 (Lots 6 and 36) Murray Street, West Perth - Change of Use for Level 1 to a Dog Day Care Centre ('Unlisted Use') and Shop ('Retail (General)' use) including Minor Works and Signage to a later meeting.

Reason: So that information regarding the effectiveness of noise mitigation and inspection of similar land use in a high-density area can be obtained so Commissioners can get an indication of how noise is managed”

The applicant has now provided additional details of similar, centrally located dog day care centres within Australia (Attachment 13.1D) for Council's consideration.

Details:

Approval is sought to change the use of the first-floor of the building on the subject site from a Scouts hall ('Community and Cultural' use) to a dog day-care centre ('Unlisted Use') with an associated shop ('Retail – General' use), including minor works and signage.

The applicant advises:

- the proposed business will provide dog day-care services primarily for dogs of city workers during the day, specialising in smaller breeds under 11 kilos;

- the proposed hours of operation are Monday to Friday 6.30am to 6.30pm. On weekends, the premises will be used based on demand between the hours of 10.00am and 4.00pm for dog training classes, dog birthdays, dog related gatherings and other dog events;
- the proposed venue will accommodate up to 60 dogs at any one time, however it is anticipated that the average occupancy rate will be well below this maximum;
- dogs will be kept in separate zones according to temperament and will be continuously under observation;
- a dog grooming and pampering service will also be offered during business hours targeted at day-care attendees;
- up to six staff members will be on site depending on the numbers of dogs attending with staffing to be in accordance with the Pet Industry Association of Australia's guidelines which recommends a minimum of one staff member for every 12.5 dogs on premises;
- the premises will have a small retail area where boutique dog accessories and dog specific items will be sold, specifically to day-care attendees; and
- the business will operate a 'dog valet' service in the morning and evenings so that customers will not need to get out of their car to drop off their dog. It is expected that use of this service will be high, as seen with similar dog day-care businesses, who successfully provide this service.

The proposed minor works to the tenancy and building includes:

- division of the main hall space into separate themed zones separated by fencing;
- fitout of the lobby and retail space including furniture and display facilities; and
- refurbishment, painting and illumination of the exterior of the building and fence including the removal of obsolete air conditioning units and signs and the addition of new signage and graphics.

Compliance with Planning Scheme:

Land use

The subject site is located within the Commercial Use Area of the West Perth Precinct (P10) under City Planning Scheme No. 2 (CPS2). This area will provide for a limited range of business related commercial activities which will be supported in the area bounded by Hay, George, Havelock and Wellington Streets. Appropriate commercial uses are banks, restaurants, lunch bars, showrooms and other commercial uses which serve West Perth in particular.

The predominant 'dog day care centre' proposed use does not readily fall within any of the Land Use Categories contained within CPS2. As such, the proposal is required to be considered as an 'unlisted use' in the context of the current and future amenity of the locality, the Precinct Statement of Intent, and Clause 34 of CPS2. Specifically, Clause 34 of CPS2 outlines the process of determination of an application for an unlisted use as follows:

- “(1) The local government cannot grant development approval for a development which involves an unlisted use unless -*
- (a) the advertising procedure set out in clause 64 of the Deemed Provisions has been followed; and*
 - (b) it is satisfied, by an absolute majority, that the proposed development is consistent with the matters listed in clause 67 of the Deemed Provisions.”*

'Retail (General)' is a contemplated ('C') use within the Commercial use area of the West Perth Precinct (P10). Noting the proposed retail component only comprises a small area of the tenancy and is ancillary to the main use, it is considered that the proposed use is suitable in the context of the site and wider locality.

Whilst the application was originally seeking a range of secondary alternative uses within the first-floor level, a lack of detail and certainty was provided in relation to the uses and their compatibility with the predominant dog day-care use. The applicant has acknowledged this and is satisfied that the application be limited to the dog day-care and retail uses. Any additional uses will be the subject of a separate application to the City at which point their suitability can be determined.

With regards to the overall proposal, it is considered that the following matters outlined within clause 67 of the Deemed Provisions are appropriate noting the existing site conditions and context:

- “(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (g) any local planning policy for the Scheme area;*
- (n) the amenity of the locality including the following —*
 - (i) environmental impacts of the development;*
 - (ii) the character of the locality;*
 - (iii) social impacts of the development;*
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) any submissions received on the application.”*

Development requirements

The West Perth Precinct (P10) does not contain any specific criteria or requirements in relation to development of pet facilities or grooming salons. All development is required to be generally consistent with the Statement of Intent for the Precinct (as outlined in the previous section) in which it takes place. It is noted that an existing building is to be utilised with no new development proposed.

Stakeholder Engagement:

The application was advertised for comment in accordance with the CPS2 Notifications/Advertising Policy 2.2. The details of the public consultation are discussed in the following section.

Comments:

Consultation

In accordance with clause 34 of CPS2 and clause 64 of the Deemed Provisions, the proposal was advertised to the owners of the adjacent properties for a period of 14 days, closing on 25 January 2019. These included the owners of the properties directly adjacent at 579 Murray Street and 1070, 1072 and 1076 Hay Street and those in the near vicinity at 580-586, 600-608 and 611 Murray Street, 1 Coolgardie Street and 1100 Hay Street, Perth.

A total of 16 submissions were received during the advertising period, with 14 raising objections and two providing conditional support in relation to the proposal. Full details of the submissions are included at Attachment 13.1C. The main issues raised during the advertising period are quoted below:

Noise

'There are two residential apartment buildings across the road from the proposed development. The noise from multiple barking dogs would not be welcomed by anyone living in these in either complex';

'The cumulative noise impact of so many animals in close company, plus the volume of traffic delivering and collecting same, will create substantial acoustic 'shock' to residents located only 40m or so from the premises';

'There are no effective measures that the business could take which will be sufficient to suppress the noise impacts of keeping a large number of dogs in close proximity to the residential apartments that neighbour the building. It appears likely that a building of this era and construction could never be acoustically refurbished to suppress the noise coming from within its walls without a significant restructure of the building';

'The noise generated from the proposed usage will cause a loss of amenity; have a negative impact on our customers and be generally disruptive to our day to day operations';

'While not within the realm of a kennel, which would typically require a one-kilometre noise buffer, without proper noise controls in place, the quality of life for adjoining residents will be reduced due to potentially incessant barking and nuisance as dogs (and cars) come and go seven days per week. It is critical to understand the level of noise and resulting amenity impact for adjacent residences and what controls could be put in place to mitigate these effect [sic] before the development application is determined'; and

'We believe that up to 60 dogs cannot be kept quiet. I live approximately 5 kilometres from a Kennel [sic] area and you can hear those dogs all the time'.

Odour

'It is clear from the proposal that 'smells' and waste disposal are a major concern and for the same reasons that 'noise' will impact, we object to being a close neighbour of a 'smell generating enterprise'; and

'I appreciate the need to install the system so as to provide a clean, healthy and pleasant environment internally but that means the odours, unhealthy bacteria, etc. identified requiring removal is then being pumped directly to the surrounding area'.

Traffic

'The proposed access to and from 581-583 Murray Street may also have an undesirable effect upon traffic flow in the area. Having a number of vehicles both attempt to enter and exit 581-583 Murray Street during this time will further strain the capacity of the road system in the area to handle traffic flow';

'Harvest Terrace is a 'one-way' street and invariably illegal traffic will be generated along our laneway which provides the only vehicular access to our office. This prospect would require significant amelioration which would also reduce the amenity of the precinct';

'Is the council confident that appropriate traffic modelling has been undertaken to assess the increase to traffic congestion and affect to road safety at peak periods';

'I think the increase in traffic will only add to an already very difficult section of road to navigate in peak times';

'I foresee a serious issue of vehicles pulling up on to the pavements or blocking surrounding driveways or simply stopping in the middle of the road lane to drop off or pick up their dogs to avoid entering and exiting the carpark at peak times. Particularly if the dog valet service is not strictly confined to within the car park area'; and

'The site has constrained access, with just one crossover to Harvest Terrace which is a one-way street. Harvest Terrace is grid-locked every week day between 4:30-6pm as cars use it to access the north and south freeway on-ramps from Murray Street. This congestion would prevent timely access to the site for customers collecting their dogs during evening rush hour, meaning dogs might be on site for longer than the hours stated in the application'.

External Appearance/Signage

'Whilst accepting that businesses want to advertise their presence, a more restrained external decoration scheme would surely be much better-mannered for neighbours and passing traffic';

'The proposed appearance of pink painted street facing facade and dog cartoon characters is out of character with the business precinct';

'A pink building with striped pink fence is definitely an eye sore';

'I do not think the proposed design and colour of the centre is appropriate for this area'; and

'Although I welcome building improvements as detailed I would like clarification on the lighting to be externally installed. Will efforts be made to hood, angle or recess the lighting or by other means so that it does not shine up or outwards towards neighbouring buildings'.

Waste

'Is council confident the current layout and facilities are appropriate for the waste management requirements. I see this as an unanswered health and safety issue';

'It is concerning the quantity of waste which will be produced and the proposed method of disposal'; and

'A detailed waste management plan should accompany this development application to provide further detail, not put off to the building/health license stages'.

Appropriateness of tenancy location

'I don't want to see this change of use being used as a precedent to other changes in the future';

'What is effectively a major 'kennels' establishment will blight the neighbourhood and does not belong in a densely developed residential area';

'We should instead be introducing high-end services for residents of the neighbourhood to uplift the area, rather than transferring problems (pet care) from other suburbs to West Perth'; and

'What does the Dog Day Care propose should one or more dogs be aggressive or violent, should one or more dogs escape and will the Dog Day Care have sufficient insurance to cover potential injury, damage, cleaning and health issues'.

Impact on property values

'Our unit has gone through a drastic devaluation in recent years. The very last thing we need is a Dog Care Centre nearby to further lower values';

'Property devaluation in an already depressed real estate market'; and

'I'm definitely concerned that this business could decrease the value of my apartment if I was to rent it out or sell it because no one wants to live across the road from a doggy day-care'.

It is noted that any impact that the proposed change of use might have on the value of 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.

Land use and development requirements

As outlined previously, there is no specific guidance within CPS2 in relation to the appropriateness of the proposed land use. The use is considered to be compatible with the mixed-use nature of the precinct and will utilise a vacant tenancy within an existing building. It is considered that the proposal will also add to the diversity of commercial business activity within the area while providing a service to workers and residents in West Perth and the city. The appearance of the existing building will also be upgraded from its current condition and will provide an overall improvement to the streetscape. The revised proposed projecting and wall signs comply with the relevant objectives and provisions of the City's Signs Policy 4.6 in relation to scale, safety, content and design.

It is noted that surrounding landowners have raised concerns in relation to potential impacts associated with noise, odour and waste management as outlined previously. These matters are addressed as follows: -

Noise

The applicant submitted an Environmental Noise Assessment (ENA) prepared by a qualified acoustic consultant in support of the proposed use. The ENA concludes that based on the inclusion of various noise management requirements as outlined in the report, the proposed dog day-care centre will

comply with the assigned noise levels associated with the *Environmental Protection (Noise) Regulations 1997* when measured at nearby residential and commercial premises.

City officers have reviewed the ENA and are satisfied that the proposed use can be accommodated within the existing building while complying with the relevant noise legislation. It is recommended that any approval be conditioned to require the implementation of the identified mitigation measures on an ongoing basis by the operator, to the City's satisfaction.

The applicant has also advised that if, for any reason, a dog does not settle and continues to bark and disrupt other dogs, it will be provided with one-on-one time with a staff member to address the behaviour. Staff will have proven experience and knowledge of dog behaviour and psychological needs as well as training techniques. Owners will be contacted if the situation cannot be satisfactorily resolved.

Odour

The applicant submitted an Odour Management Plan which includes the following objectives and measures to mitigate against odours:

- provision of a mechanically assisted airflow at a minimum rate of 20 litres per second for each small dog to create a constant breeze;
- keeping all dogs inside at all times, and keeping windows closed;
- using suitable approved cleaning products and adhering to a strict regular cleaning schedule and;
- applying a comprehensive waste management plan.

The applicant also advises that the air-conditioning system will only operate during business hours and will be subject to a regular schedule of maintenance as is standard for commercial air conditioning installations.

City officers have reviewed the Odour Management Plan and are satisfied that the proposed mitigation measures will minimise any impacts related to odour or transmission of odours. It is recommended that any approval be conditioned to require the on-going implementation of the identified odour mitigation measures by the operator, to the City's satisfaction.

Traffic and parking impact

Under the provisions of the Department of Transport's Perth Parking Policy, the site can accommodate a maximum of 50 tenant car parking bays. It is noted that the current site has 30 car parking bays and the proposed change of use does not include any increase to the car parking within the site. The proposed valet service also means that customers will not be relying on the availability of on-site or on-street parking to drop-off or pick-up their dogs and this can be further addressed through conditions of any approval.

It is considered that any additional vehicular traffic generated by the change of use can be accommodated within the existing surrounding road network. It is also noted that the existing issues at the Harvest Terrace and Murray Street intersection are likely to be resolved when the City completes the two-way conversion of Murray Street within the local area.

External painting and signage

The applicant has submitted a revised signage and external modifications/painting scheme for the building and site in recognition of some of the concerns raised by adjoining landowners and City officers. The revised scheme has sufficiently addressed the issues raised as the signs are now more appropriately scaled and suited to the existing building, the colour scheme for the exterior of the building is more subtle and the result is considered to be an improvement on the original plans that were viewed by adjoining landowners during the advertising period.

Waste Management

The applicant has submitted a Waste Management Plan (WMP) in support of the application. The WMP confirms that the development will generally be consistent with the City's servicing requirements however, the following matters need to be further addressed:

- rubbish collection frequency and responsibility;
- bin room functionality and sewerage connection; and
- design and location of a bin presentation area.

It is recommended that a relevant condition requiring the resolution of the above matters to the City's satisfaction be included in a final WMP to be submitted to and approved by the City prior to the commencement of the new use.

Safety

The applicant advises that the business will have the necessary insurances in place and aggressive dogs will be removed from the premises and not re-admitted as they are a danger to staff and other dogs. In accordance with their duty of care, double gates and numerous other management measures will be employed to prevent any dogs from escaping from the building.

Any approval of the proposed use cannot be construed as precedent for any other business in the locality being automatically granted approval in the future. Every 'unlisted use' is assessed and determined on its merits under CPS2.

Conclusion

The proposed change of use is generally consistent with the relevant planning framework and considerations for the subject area. Whilst the proposed development was subject to objections raised by surrounding landowners, it is considered that the applicant has satisfactorily addressed the concerns through the submission of relevant management plans and additional details/information related to the operation of the business. However, it is recommended that any approval include conditions related to maximum accommodation numbers, hours of operation, noise, odour and waste management to ensure the ongoing preservation of the existing levels of local amenity. It is also recommended that a condition limiting any pick-up and drop-off of dogs occur only within the boundaries of the site to minimise any undue impacts on the surrounding streets.

It is therefore recommended that the application be approved subject to appropriate conditions as identified within this report in accordance with clause 34 of CPS2 and clause 67 of the Deemed Provisions.

Officer Recommendation

That Council, in accordance with the provisions of the City Planning Scheme No. 2, the Metropolitan Region Scheme and the Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed provisions for local planning schemes, APPROVES the application for the change of use of Level 1, 581-583 (Lots 6 and 36) Murray Street, West Perth from a Scout hall ('Community and Cultural' use) to a dog day-care centre ('Unlisted Use') and shop ('Retail (General)' use) including minor works and signage, as indicated on the Metropolitan Region Scheme Form One dated 13 December 2018 and as shown on the plans received on 17 December 2018 and 27 February 2019 subject to:

1. the noise mitigation measures specified in Section 6 – Noise Management of the Environmental Noise Assessment prepared by Eco Acoustics dated 1 March 2019 (Ref: 19010691-01b) being implemented in full prior to occupation of the premises, with all management measures being implemented by the operator on an ongoing basis to the satisfaction of the City;
2. the hours of operation of the tenancy being limited to 6:30am to 6:30pm Monday to Friday and 10am to 4pm Saturday and Sunday with no animals being kept on the premises overnight;
3. the dog behavioural management measures, as outlined in the application, being implemented by the operator at all times to the satisfaction of the City;
4. a maximum of 60 dogs being permitted on site at any one time with no dogs being permitted to be kept or cared for external to the building;
5. drop-off and pick-up of dogs by customers arriving by car, inclusive of the valet service, only being allowed from cars stopped or parked within the site and not from public streets;
6. a final Waste Management Plan, satisfying the City's waste servicing requirements, being submitted for approval by the City prior to the commencement of the dog day-care use, with the waste management measures outlined in the approved waste management plan being implemented by the operator/s on an ongoing basis to the satisfaction of the City;
7. the odour management measures outlined in the approved odour management plan being implemented by the operator/s on an ongoing basis to the satisfaction of the City;
8. any proposed air-conditioning condensers, external building plant, piping and ducting being located or screened so that they cannot be viewed from any location external to the site and to minimise any visual and noise impact on the adjacent developments, with details of the location and screening of such plant and services being submitted for approval by the City prior to installation;
9. final details of all lighting and signage being submitted for approval by the City prior to installation, with a low level of illumination being used for the illuminated signs and no part

of any external lighting or illuminated sign to contain flashing, pulsating or flickering lights;
and

10. any additional uses being subject to a separate application(s) for approval.

ALTERNATE MOTION

Moved Commissioner Hammond

That Council REFUSE the application for the change of use of Level 1, 581-583 (Lots 6 and 36) Murray Street, West Perth from a Scout hall ('Community and Cultural' use) to a dog day-care centre ('Unlisted Use') and shop ('Retail (General)' use) including minor works and signage.

Meeting Note: A member of the public gallery, Ms Joanne Huggins, 37 Buxton Street, Mount Hawthorn WA 6016, requested to make a deputation.

MOTION TO SUSPEND CITY OF PERTH STANDING ORDERS LOCAL LAW 2009

Moved Commissioner McMath

That Council SUSPEND City of Perth Standing Orders Local Law 2009 and allow a member of the public to speak.

POINT OF ORDER

In accordance with 8.3(3) of the *City of Perth Standing Orders Local Law 2009* Commissioner Hammond raised that he had already moved a motion.

WITHDRAWAL OF MOTION

Commissioner Hammond withdrew the motion 'that Council, REFUSE the application for the change of use of Level 1, 581-583 (Lots 6 and 36) Murray Street, West Perth from a Scout hall ('Community and Cultural' use) to a dog day-care centre ('Unlisted Use') and shop ('Retail (General)' use) including minor works and signage'.

Reason: To allow a member of the public to make a deputation.

MOTION TO SUSPEND CITY OF PERTH STANDING ORDERS LOCAL LAW 2009

Moved Commissioner Hammond, seconded Commissioner McMath

That Council SUSPEND the City of Perth Standing Orders Local Law 2009 Section 4.3.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Reason: To allow a member of the public to make a deputation.

DEPUTATION

A deputation was made by Ms Joanne Huggins in support of report titled 581 - 583 (Lots 6 and 36) Murray Street, West Perth - Change of Use for Level 1 to a Dog Day Care Centre ('Unlisted Use') and Shop ('Retail (General)' Use) including Minor Works and Signage.

MOTION TO RESUME CITY OF PERTH STANDING ORDERS LOCAL LAW 2019

Moved Commissioner McMath, seconded Commissioner Hammond

That Council RESUME the City of Perth Standing Orders Local 2009.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

ALTERNATE MOTION

Council resolved to adopt an alternate motion as follows:

Moved Commissioner Hammond, seconded Commissioner McMath

That Council REFUSE the application for the Change of Use of Level 1, 581-583 (Lots 6 and 36) Murray Street, West Perth from a Scout hall ('Community and Cultural' use) to a dog day-care centre ('Unlisted Use') and shop ('Retail (General)' use) including minor works and signage.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Reason: Due to concerns regarding the effective mitigation of noise and the negative impact it would have on the immediate locality.

6.45pm The Acting Director Corporate Services left the meeting.

6.49pm The Acting Director Corporate Services returned to the meeting.

6.59pm The Director Construction and Maintenance left the meeting

7.02pm The Director Construction and Maintenance returned to the meeting.

Item 13.2 195 (Lot 52) Pier Street, Perth – Proposed 27 Level Mixed Use ‘Public Works’ Development Containing 184 Apartments, a Cafe/Restaurant, a Community Shared Space and 183 Car Parking Bays – Bonus Plot Ratio

FILE REFERENCE: 2019/5060
 REPORTING UNIT: Development Approvals
 RESPONSIBLE DIRECTORATE: Planning and Development
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 15 April 2019
 ATTACHMENT/S: Attachment 13.2A – Location Plan
 Attachment 13.2B – Perspectives
 Attachment 13.2C – Development Plans
 3D MODEL PRESENTATION: N/A
 LANDOWNER: State Housing Commission (Housing Authority)
 APPLICANT: Roberts Day
 ZONING: (MRS Zone) Central City Area
 (City Planning Scheme Precinct) Stirling (P3)
 (City Planning Scheme Use Area) City Centre
 APPROXIMATE COST: \$50 million

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***Planning and Development Act 2005*

Planning and Development (Local Planning Scheme) Regulations 2015

Metropolitan Region Scheme

City Planning Scheme No. 2

State Planning Policy 7.3 - Residential Design Codes Volume 2 – Apartments

*Public Works Act 1902***Policy**

Policy no and name:

- 2.2 - Public Notification/Advertising
- 3.7 – Mixed Residential/Commercial Development
- 4.1 – City Development Design Guidelines
- 4.4 - Building Heights and Setbacks Policy
- 4.5 - Plot Ratio Policy
- 4.5.1 – Bonus Plot Ratio Policy
- 4.7 – Landscaping Requirements
- 4.9 – Residential Design
- 5.1 – Parking Policy
- 5.2 – Loading and Unloading Policy
- 5.3 - Bicycle Parking and End of Journey Facilities

Purpose and Background:

The purpose of this report is to provide an assessment of, and recommendations for, the proposed development of the northern portion of Lot 52 Pier Street, Perth.

Whilst the subject proposal will contain only a minor portion of ‘social housing’, as the Department of Communities (DoC) is the landowner and the developer, with Peet Limited providing a project management role, it is defined as ‘public works’ in accordance with section 2a of the *Public Works Act 1902*. The application is, therefore, exempt from requiring approval under the local planning scheme, City Planning Scheme No.2 (CPS2) and is required to be determined only under the provisions of the Metropolitan Region Scheme (MRS) by virtue of section 6 of the *Planning and Development Act 2005*.

In this case, the application will be determined by the City of Perth Local Development Assessment Panel, with the WAPC acting as the responsible planning authority. Whilst CPS2 provisions are not directly related to the WAPC’s assessment of the proposal, the WAPC is required to have due regard to the development’s conformity with:

- the purpose and intent of the Local Planning Scheme;
- orderly and proper planning; and
- local amenity.

In this regard, Council is requested to consider and assess the proposed development consistent with a standard application in order to provide detailed and comprehensive comments to the WAPC consistent with any other development of this scale within the locality and addressing the proposal’s conformity with CPS2.

The subject site is located on the western side of Pier Street and has a total site area of 3,099m². The site contains a disused car parking area and is generally vacant. The site is split in two portions by a 3.64-metre-wide easement which includes a driveway to and from Pier Street providing access to the funeral parlour located directly west at 68 Stirling Street.

At its meeting held **25 October 2005**, Council considered an application for an eight-level residential ('social housing') development on the subject site containing 72 apartments and 35 car parking bays and resolved to advise the Western Australian Planning Commission (WAPC) of its support for the application subject to relevant conditions. The proposal constituted 'public works' and was exempt from determination by the local authority. The WAPC subsequently granted conditional approval for the development and the City issued a demolition licence for the demolition of all buildings and structures on the site however, the development did not proceed.

Details:

Approval is sought to construct a 27-level mixed-use development containing 184 apartments, a cafe/restaurant, a community shared space and 183 car parking bays at 195 (Lot 52) Pier Street, Perth. The owner has explained that they intend subdividing the site to create a 1,841m² lot for the proposed development on the northern portion of the subject site with the remaining southern portion retained as a separate vacant lot for future development. Therefore, the proposed development is to be assessed against the proposed 1,841m² lot rather than against the existing area and dimensions of Lot 52.

It is proposed that the DoC will retain 15% of the apartments for social housing and a further 15% for shared equity (or 'affordable') housing.

The proposed development will provide the following range of dwelling types:

- Six studio apartments (43m²) with balconies (10m²);
- Thirty-seven 1-bedroom and 1-bathroom apartments (47m² to 51m²) with balconies (11m² to 16m²);
- Seventeen 2-bedroom and 1-bathroom apartments (63m² to 64m²) with balconies (12m² to 13m²);
- One hundred and seven 2-bedroom and 2-bathroom apartments (71m² to 72m²) with balconies (12m² to 16m²); and
- Eighteen 3-bedroom and 2-bathroom apartments (90m² to 97m²) with balconies and decks (16m² to 137m²).

Details of the proposed development are as follows:

Ground Floor Level	<ul style="list-style-type: none"> • Three car share vehicle parking bays; • Two commercial tenant car parking bays; • Loading bay area; • Shared bicycle storage to accommodate 46 bicycles; • One universal access car parking bay; • Waste storage room; • Two universal access toilets with shower; • Secure residential lobby; • Lift and stair access; • Electrical substation;
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	<ul style="list-style-type: none"> • Cold water plant room; • Two fire tanks and pump room; • 153m² Café/Restaurant; • 185m² Community and Cultural / Office space; and • Vehicle entry ramp.
Mezzanine Level	<ul style="list-style-type: none"> • 28 resident car parking bays; • Three motorcycle parking bays; • Seven bicycle parking bays; • Eleven resident car bays; • 10 residential store rooms; and • Stair and lift access.
First to Fifth Floor Levels	<ul style="list-style-type: none"> • 30 resident car parking bays; • Four motorcycle parking bays; • Seven bicycle parking bays; • Stair and lift access; • Four one-bedroom and one-bathroom apartments; • One two-bedroom and one-bathroom apartment; • One studio apartment; and • 13 residential store rooms.
Sixth Floor Level	<ul style="list-style-type: none"> • Stair and lift access; • Six three-bedroom and two-bathroom apartments; and • Six store rooms.
Seventh to Twelfth Floor Levels	<ul style="list-style-type: none"> • Stair and lift access; • Five two-bedroom and two-bathroom apartments; • Two two-bedroom and one-bathroom apartments; • One one-bedroom and one-bathroom apartment; and • Eight residential store rooms.
Thirteenth to Twenty Third Floor Levels	<ul style="list-style-type: none"> • Stair and lift access; • Seven two-bedroom and two-bathroom apartments; • One one-bedroom and one-bathroom apartment; and • Four residential store rooms.
Twenty Forth and Twenty Fifth Floor Levels	<ul style="list-style-type: none"> • Stair and lift access; • Six three-bedroom and two-bathroom apartments; and • Six residential store rooms.
Roof Level	<ul style="list-style-type: none"> • Female and male change rooms; • Universal toilet and shower; • 60m² gym; • 35m² communal laundry; • 40m² lounge and cinema room; • 250m² outdoor communal space; and • 210m² plant equipment space.

The applicant advises the following with respect to the design, materials and palette section for the development:

- *“The design draws from its context in both form and spatial responses and creates a new built form typology which is timeless, beautiful and practical. We have focused on an honesty of building materials, space planning and servicing which is expressive, raw and elegant. The*

- external simplicity of design will follow through into the internal spaces with an expressively beauty and honesty which is not currently provided by developer driven built form.*
- *The form is a deeply articulated building and composed architectural response. Taking cues from the scale and massing of the newly developed area; This includes a tall podium level building opposite on Pier street at WORKZONE (effectively 6 storeys residential) and to the North at CAMPUS PERTH (8 storeys), which matches the podium proposed on this development and tall slender towers incrementally filling the built form context.*
 - *The tower is broken into key articulated forms which break away from the centre of the building to make best use of view corridors and access to light and ventilation. The apartments on the extremities of the building have introduced a simple planning flip which creates a deeply shadowed articulated building form, without resorting to 'bolt-on' applique which permeates modern building forms. This tower will have an honesty and integrity in its architectural form which will allow it to age in place, age gracefully in a controlled way and with a level of detail which respond to its precinct context.*
 - *The macro design forms of the TYPEFACE abstracted font will flow through into the micro detailing of the ground floor spaces. The texture will inform signage, glass patternation, place making and way finding. This will strengthen the integrity of the design response and connect visual connection from the pedestrian scale through to the internal spaces.*
 - *The honest and raw material selections mean the building is a solid and deeply revealed building form. Reflectivity and sunlight penetration are deeply controlled and integrated into the façade development”.*

Compliance with Planning Scheme:

While it is acknowledged that the provisions of CPS2 do not apply to the determination of public works, the purpose and intent of the Local Planning Scheme is still to be considered by the applicant. Therefore, an assessment of the proposal's compliance with CPS2 standards has been undertaken.

Land use

The subject site is located in the City Centre Use Area of the Stirling Precinct (P3) of CPS2. The Stirling Precinct will develop as an office, mixed commercial and residential area taking advantage of good access to public transport and close proximity to retail and entertainment areas.

'Residential' is a contemplated ('C') use within the Stirling Precinct however it is prohibited where it fronts the street at pedestrian level. It is noted that all of the apartments are accommodated within the first-floor level and above, with no apartments being located on the ground floor adjacent to the Pier Street frontage. 'Dining' and 'Office' are preferred ('P') uses whilst the 'Community and Cultural' use is contemplated ('C'). The proposed uses are considered to be consistent with the precinct statement of intent by providing a diversity of residential accommodation and the ground floor uses contributing to the local day and night time economy.

Development requirements

Development within the Precinct will have a nil street setback and be of a low scale along the street frontage with any additional building height being setback from all lot boundaries. The overall height

of buildings will decrease towards Newcastle Street to reflect the existing scale of development on the northern side of Newcastle Street. The proposal’s compliance with the CPS2 development requirements is summarised below:

Development Standard	Proposed	Permitted / Required
Maximum Plot Ratio:	<p>5.7:1 (10,488m²) inclusive of a plot ratio bonus of 42.5% (3,124m²) on the basis of:</p> <ul style="list-style-type: none"> - a 20% bonus for including residential development, - a 15% bonus for including special residential development and - a 7.5% bonus for including public facilities 	<p>Base Plot Ratio 4:1 (7,364m²)</p> <p>Maximum Bonus Plot Ratio of 50% consisting of a combination of any of the below:</p> <ul style="list-style-type: none"> - Special Residential Development (20% and 40% for high quality hotel maximum) - Residential Development (20% maximum) - Heritage Conservation/Public Facilities/Transfer Plot Ratio (20% maximum)
Maximum street (podium) building height:	21 metres	14 metres
Maximum Building Height:	85 metres	No prescribed limit
<p>Setbacks:</p> <p><u>Pier Street (East)</u></p> <p><u>Side (North)</u></p> <p>Lower building levels</p> <p>Upper building levels</p> <p><u>Side (South)</u></p> <p>Lower building levels</p>	<p>Nil to 1.7 metres (ground floor colonnade) up to 21 metres in height then 3.9 to 5 metres up to a maximum height of 85 metres</p> <p>Nil (podium boundary wall) and nil (apartment windows and balconies) up to 21 metres in height (exceeding the provision from 14 metres upwards)</p> <p>3 metres (balconies) to 4.6 metres (main building) up to a height of 85 metres (exceeding the provision from 65 metres upwards)</p>	<p>Nil up to height of 21 metres with a 5 metre setback up to a height of 65 metres and then a 10 metre setback for the remainder of the development</p> <p>Nil (no openings/balconies) 4 metres (with openings/balconies)</p> <p>4 metres up to 65m in height 8 metres over 65m in height</p>

Development Standard	Proposed	Permitted / Required
Upper building levels <u>Rear (West)</u> Lower building levels Upper building levels	Nil (no openings) to 7.3 metres (with openings) up to 21 metres in height (exceeding the provision from 14 metres upwards) 4.6 metres up to a height of 85 metres (exceeding the provision from 65 metres upwards) Nil (no openings) up to 21 metres in height (exceeding the provision from 14 metres upwards) 4.9 to 4.5 metres up to a height of 80 metres (exceeding the provision from 65 metres upwards)	Nil (no openings/balconies) 4 metres (with openings/balconies) 4 metres up to 65m in height 8 metres over 65m in height Nil (no openings/balconies) 4 metres (with openings/balconies) 4 metres up to 65m in height 8 metres over 65m in height
Vehicle Parking:		
Residential	178 bays	184 bays (minimum) 364 bays (maximum)
Commercial Tenant	3 bays (including one universal access bay)	46 bays (maximum)
Car Share Scheme	3 bays	N/A
Motorcycle	32 bays	N/A
Bicycle Parking:		
Residential	87 bays	61 bays (minimum) or can be located within residential stores (minimum dimension 2.2 metres and area of 5m ²)
Commercial (Dining/Office)	1 bay	1 bay

If the application was to be determined under CPS2, an increase in the maximum plot ratio may be permitted in accordance with Clause 28 of CPS2 and is discussed under the heading Bonus Plot Ratio.

Variations to the maximum street building height, setback and bicycle parking provisions of CPS2 can be granted by an absolute majority decision of the Council, in accordance with Clause 36 of the City Planning Scheme and provided the Council is satisfied that:

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

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

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

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

Stakeholder Engagement:

The application was advertised for comment in accordance with the CPS2 Notifications/Advertising Policy 2.2. The details of the public consultation are discussed in the following section.

Comments:

Consultation

As outlined above the provisions of CPS2 are not directly applicable to the proposal however in the interests of orderly and proper planning and noting the proposed development includes bonus plot ratio and variations to the requirements of CPS2, the proposal was advertised to the owners of the adjacent and surrounding properties for a period of 14 days, closing on 5 April 2019.

No submissions were received during the advertising period with respect to the proposed development.

Design Advisory Committee

The proposed development was considered by the City of Perth Design Advisory Committee (DAC) at its meeting held on 21 March 2019, where it was resolved that it:

- “1. supports the overall design concept and aesthetic quality of the development, noting that the layout of most apartments is successful and of good quality; the landscape provision within the development is acceptable, as are the environmental aspects of the development;*
- 2. considers that, as a Public Work, it is imperative that the development is consistent with public policy, namely State Planning Policy 7.3: Residential Design Codes Volume 2 – Apartments (Design WA), and has regard to the purpose and intent of City Planning Scheme No. 2. Notwithstanding 1. above, the Committee raises concerns in regard to:*
 - minimum ceiling heights (2.7 metres for habitable rooms);*
 - daylight access for habitable rooms, noting that lightwells should not form the primary source of daylight to any habitable room;*
 - the management of noise transfer within the development and between dwellings to maintain amenity;*
 - the minimum internal floor area for all dwellings;*
 - the overall bulk and scale of the development (plot ratio);*

- *the car parking being adequately screened from view from the street and from surrounding properties;*
 - *canopies and awnings over the footpath providing continuous shelter for pedestrians;*
3. *supports the awarding of 38% bonus plot ratio comprised of:*
 - 3.1 *20% bonus plot ratio for the provision of a Residential use subject to compliance with Residential Design Policy 4.9;*
 - 3.2 *up to 15% bonus plot ratio for the provision of a new Special Residential use for the proposed social housing to meet an identified community need in this area, but noting that this does not satisfy the City's Special Residential (Serviced and Short Term Accommodation) Policy 3.9; and*
 - 3.3 *3% bonus plot ratio for the provision of a community/co-working hub;*
 4. *does not support the awarding of any bonus plot ratio for the provision of:*
 - 4.1 *affordable housing as this is not considered to be a Special Residential use as these apartments are the same use and product as the other multiple dwellings (Residential use) within the development;*
 - 4.2 *pedestrian facilities – widened access easement and ground level colonnade;*
 - 4.3 *the temporary park;*
 - 4.4 *the provision of a car share scheme;*
 5. *accepts the justification for the proposed variation to the maximum street building height for the podium levels of the development but notes that consideration needs to be given to the separation of the podium levels, over a height of 14 metres, from buildings on adjacent sites to provide for visual and acoustic privacy, daylight access and outlook;*
 6. *notes that works proposed within the road reserve do not form part of any development approval and will be subject to separate negotiations with the City."*

The applicant subsequently met with City officers and submitted revised plans and details to address the above points (where relevant). The following sections detail the extent to which the revised plans respond to the matters raised by the DAC.

Bonus plot ratio

Bonus plot ratio will not be awarded "as of right". Bonus plot ratio is an award that must be earned and applicants will be required to demonstrate that the proposed bonus facility or use will deliver an identifiable strategic need or benefit and that the proposed development will be of an appropriate bulk and scale and a standard of architectural and design quality appropriate within the capital city of the state.

The site is eligible for a maximum 50% bonus plot ratio when assessed under the provisions of CPS2, which may be comprised of:

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

The application originally sought a total of 50% bonus plot ratio, comprised of:

- 20% bonus plot ratio for a new Residential use;
- 20% bonus plot ratio for a new Special Residential use; and
- 10% bonus plot ratio for the provision of public facilities.

However, following consideration by the DAC and discussions with City Officers, the proposal was amended and is now seeking 42.5% bonus plot ratio, comprised of:

- 20% bonus plot ratio for a new Residential use;
- 15% bonus plot ratio for a new Special Residential use; and
- 7.5% bonus plot ratio for the provision of public facilities.
-

This is based on the application complying with the requirements specified under clause 28 of the CPS2 and the City's Bonus Plot Ratio Policy 4.5.1 as follows.

Bonus plot ratio for residential use

Developments that incorporate a residential use may be awarded bonus plot ratio of up to 20% where it is located within the area indicated on the Residential Bonus Plot Ratio Plan contained within CPS2. Whilst there is no requirement for the residential use in a mixed-use development to form part of the base plot ratio of the building, the bonus plot ratio floor area must be used for the residential use. The residential use shall be designed in accordance with the provisions of Residential Design Policy 4.9. Where bonus plot ratio is granted for development which incorporates residential use, the residential use must be maintained in its entirety for a minimum period of ten years in accordance with clause 35 of CPS2.

The Residential use group under CPS2 is defined as "*premises providing for long-term or permanent residential accommodation including: aged persons dwelling, caretaker's dwelling, grouped dwelling, single house, multiple dwelling*". The proposed 184 apartments within the development fall under the definition of 'multiple dwellings' (separate, self-contained dwellings within a building containing two or more such dwellings) and, therefore qualify for consideration of bonus plot ratio.

If assessed against the CPS2 development standards, the application is seeking the full 20% bonus plot ratio for the provision of a 'Residential' use. The applicant has provided a detailed report indicating compliance with the City's Residential Design Policy 4.9, a summary of which is discussed below:-

Element 1 – Streetscape interface and dwelling mix

Streetscape interface

The building entry is clearly defined being centrally located on Pier Street with the awning providing a sense of arrival. Swipe cards will provide restricted access to ensure the privacy and security of residents.

Dwelling mix

The proposed development provides a mix of studio, one-bedroom, two-bedroom and three-bedroom apartments with minimum dwelling sizes are as follows:

- 43m² for the studio dwellings;
- 47m² for the one-bedroom podium level dwellings;
- 63m² for the two-bedroom dwellings; and
- 90m² for the three-bedroom penthouse dwellings.

The studio minimum dwelling sizes are above the area recommended under the City's Policy of 40m². However, the one-bedroom, two-bedroom and three-bedroom minimum dwelling sizes are below those recommended under the Policy being 50m² (one-bedroom apartments), 70m² (two-bedroom apartments) and 100m² (three-bedroom apartments). The applicant justifies the variations to the apartments sizes based on:

- the majority of dwellings (apart from some 2 bedroom/1 bathroom units) meet the minimum floor areas prescribed by State Planning Policy 7.3 - Residential Design Codes Volume 2 – Apartments (SPP7.3);
- the indicative floor layouts for the apartments include realistically sized furniture demonstrating that the apartments provide adequate space for circulation and space for additional furniture;
- the reduced area is offset by the provision of additional outdoor living space provided on balconies which include full height glazing doors, which allows these areas to be opened and utilised as part of the living component of the apartment; and
- the open style plan of apartments means the areas can accommodate standard fitout designs.

Element 2 – Privacy and security

Privacy

Each dwelling is provided with a private outdoor living area. The building has been designed to have alternating locations of balconies, which prevents balconies being stacked. The intention of this design is to mitigate noise between the balconies. On each floor balconies on either side of the buildings are separated by bedrooms to provide a visual and noise buffer between balconies. A condition is required to address final details of the design and functionality of the screening devices and acoustic treatment proposed for apartments abutting the central skylight area and between apartments located along the western and eastern facades of the tower element.

Surveillance

The proposed development has been designed with major openings and outdoor habitable spaces fronting surrounding streets. This will serve to ensure sufficient passive surveillance of the public realm. Building entrances are clearly defined and visible from the street and adjacent buildings.

Lighting

Appropriate lighting will be provided in accordance with Australian Standards and the principles of Crime Prevention Through Environmental Design (CPTED), with further details to be provided at the detailed design stage.

Element 3 – Noise

The preliminary acoustic report prepared in support of the proposal demonstrates that the proposed development can comply with the relevant acoustic standards and requirements. Noise mitigation strategies have been identified and full acoustic assessments will be undertaken at detailed design stage.

Element 4 – Open space

Private Open Space

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

- a minimum of 10m² in area with the majority exceeding the Policy's recommended minimum dimensions;
- directly accessible from a habitable room;
- open on two sides to provide adequate ventilation. The angle of the building maximises the number of apartments that have access to northern sunlight. Balconies which directly face south are larger in size to provide improved amenity to these dwellings; and
- covered by the floor of the storey above, to provide protection from the weather. Balconies in the tower are deep in size to provide awning shading to apartment living rooms.

Communal open space

A 250m² communal outdoor space is provided on the roof terrace, accessible via swipe access. The space has been designed to achieve different spaces or 'rooms' for residents through articulation of the setbacks and landscaping. These spaces provide for a range of activities such as BBQ dining, park lounge, alfresco dining, quiet lounge area, communal drying area and communal garden. This creates intimate spaces for residents to use and feel comfortable interacting with other guests.

Landscaping

Minimal 'in-ground' landscaping is proposed with landscaping predominantly being provided in planters which is appropriate to the development's inner urban context however an appropriate mix of soft and hard landscaping is provided within the various publicly accessible and resident communal spaces.

Element 5 – Efficient resource use and provision of daylight

Heating and cooling

Whilst the site is constrained to an east-west orientation given the location of southern access easement and frontage to Pier Street, dwellings within the podium have been located to face towards Pier Street to maximise interaction with the street and access to northern sunlight. The tower component contains a central corridor for ventilation. The wings of the building are arched

to maximise the number of apartments with balconies and living areas angled with access to northern sunlight.

Ventilation

The building has been designed with bathrooms and kitchens located close to the central corridor, with habitable spaces of living rooms, dining and balconies on the external façade of the buildings to allow windows to be opened and ventilate through the apartments. All habitable rooms with access to balconies have full height retractable doors to allow them to be opened. The design of the northern one-bedroom/one-bathroom apartments within the podium levels should be conditioned to be modified to provide all habitable rooms with access to natural ventilation and daylight in the event that the adjacent site is developed with a nil setback.

Stormwater

Opportunities for stormwater redistribution on site will be investigated at the detailed design stage.

Clothes Drying

Each unit is equipped with a clothes dryer, with an additional communal laundry area provided on the roof level. Communal clothes drying area is also provided on the roof terrace with access to northern sunlight and open to allow for breeze.

Borrowed Light and Light Wells

Direct natural light is provided to all apartments. Full width balconies are provided facing Pier Street to maximise the angled northern sunlight. Natural light is also provided to all common corridors for the residential component of the proposed development. Within the podium a central lightwell has been provided to allow any internal bedrooms to have access to light and ventilation to reduce the need to utilise mechanical ventilation.

Relationship to adjoining buildings

The built form of the proposal provides for appropriate building-to-building separation, allowing for natural light, ventilation and outlook between buildings, and maximising sunlight penetration into streets and public spaces as far as is practicable. Final details of the method and function of screening from and to the podium car parking levels should be conditioned to be provided prior to a permit being issued noting the City's requirement for all car parking and car headlights to be suitably screened from view from the street and surrounding properties.

Greywater use

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

Sustainable development

The proposed development promotes sustainable design principles through design strategies that maximise sunlight access to apartments and promotes natural ventilation.

Element 6 – Access and parking

A secure bicycle storage room is provided on the ground floor, this store room will be accessible to residents via swipe access. Secure vehicle access is provided from the access easement to the south of the building. Residential car bays are separated from non-residential bays, loading areas and shared cars, being located above the ground floor.

*Element 7 – Servicing***Stores**

Each dwelling is provided with a storeroom with minimum area of 3m² and minimum internal width of 1.2m. These dimensions are under the minimum 4m² and 1.5 internal width recommended by the Policy. The applicant justifies the variation based on:

- balcony space is not impacted by storage, with separate storerooms provided;
- the storerooms are integrated into the building providing weather protection and screened from view externally;
- all store areas are proposed to be regular in shape to provide most benefit to residents, including full in height to maximise storage volume; and
- as separate bicycle storage is provided for residents, it allows storerooms to be utilised for storage purposes only, effectively providing additional storage space.

The variation can be supported on the basis that the undersized stores only account for a small proportion of the stores (22 out of 184), with the majority achieving the minimum size and dimension requirements of the Policy. Where stores are located adjacent to a car bay it is preferable that the store and car bay are allocated to the same dwelling for ease of access and convenience. This arrangement can be addressed through a condition of any approval.

Mailboxes

All residential mailboxes are consolidated and located within the lobby accessed from Pier Street. The lobby will only provide swipe access to residents, will be lit at night for safety of residents and are protected from the weather elements.

Noting the above, the proposal considered to generally satisfy the Policy requirements to be awarded maximum bonus plot ratio of 20% for the provision of a residential use. As outlined previously, the City's DAC supported the awarding 20% bonus plot ratio for a new 'Residential' use subject to matters relating to dwelling sizes being addressed by the applicant. Whilst the dwelling sizes are still predominantly less than those recommended by the Policy their functionality and level amenity have been improved via the revised plans. As such it is considered that the proposed bonus plot ratio can be supported.

Bonus plot ratio for special residential use

In accordance with clause 28 of CPS2, the Council may permit a bonus plot ratio of:-

28(2)(c)(i) up to a maximum of 20% per lot where the development incorporates a new special residential use and the development is located within the area shown on the Special

Residential Bonus Plot Ratio Plan as being eligible for a maximum of 20% or 40% special residential bonus plot ratio

The bonus plot ratio policy elaborates further to explain that developments which incorporate a new 'Special Residential' use, the predominant purpose of which is to provide short term accommodation in the city, may be awarded bonus plot ratio. Special residential uses shall be designed in accordance with the provisions of the Special Residential (Serviced and Short Term Accommodation) Policy. A separate lobby will be required to be provided for the special residential use. Special residential guest rooms or apartments will also be required to be separated from other uses by being located on separate floors of the building.

Where bonus plot ratio is granted for development that incorporates a special residential use, the special residential use must be maintained in its entirety for a minimum period of ten years in accordance with clause 35 of CPS2.

The Special Residential use group under CPS2 is defined as "*premises providing short-term, temporary or specialised residential accommodation including: lodging house, hotel, serviced apartment*".

The applicant is seeking 20% bonus plot ratio for a special residential use on the basis that the development will contain 15% social housing and 15% affordable housing (Department of Communities Shared Home Ownership Scheme) with the remaining 70% being privately owned. The applicant has explained that:

"It is considered reasonable that social and affordable housing is taken to constitute 'specialised residential accommodation' as it clearly serves a different purpose and function to standard housing.

As CPS2 does not define 'specialised residential accommodation', it is arguable that when the term is viewed in the context of the various other terms that surround it in the definition (i.e. 'short-term', 'temporary', 'lodging house', 'hotel' and 'serviced apartment'), it would appear that it is intended to refer to something that is neither short-term not [sic] temporary accommodation, as it has clearly been identified as being something different.

Therefore, the proposed Social Housing for the property would constitute 'specialised residential accommodation' and therefore attract special residential use bonus plot ratio.

The City's Bonus Plot Ratio Policy includes the following objective for the provision of 'Special Residential' uses:

- "3. to encourage the provision of residential and special residential accommodation within the city to address an identified need which is not being met by the market and which will assist in creating a living and vibrant capital city;"*

The provision of social and affordable housing is considered to meet this objective of the policy as the development will provide housing opportunities for people on low-to-moderate incomes who would otherwise face barriers to owning or renting their own home in close proximity to the city and its associated services and facilities. The mix of owners and tenants will bring a diversity of residents into the Stirling Precinct, adding to the area's vibrancy and sense of community. These owners and tenants will also cater to the needs of key workers (e.g. nurses, police, firefighters, teachers) who work in the CBD (e.g. Royal Perth Hospital, police headquarters, Central TAFE) but cannot afford to

live in close proximity to their place of employment. This is particularly important for hospital and emergency services workers who work on alternating day-time/night-time shifts.”

As explained in the previous section dealing with the bonus plot ratio for a residential use, the proposed 184 apartments within the development all fall under the definition of ‘multiple dwellings’ under CPS2 and, therefore, come under the Residential use group rather than the Special Residential use group. The CPS2 does not define ‘social housing’ or ‘affordable housing’, however, neither of these are considered to be specialised residential accommodation as they do not perform a different purpose or function to the provision of standard residential housing (multiple dwellings). While 30% of the apartments will provide housing opportunities for people on low-to-moderate incomes, they will be used for long term or permanent residential accommodation.

As previously outlined the City’s DAC resolved to support up to 15% bonus plot ratio for the provision of a new Special Residential use for the proposed social housing to meet an identified community need in the area. The DAC further noted that the support was *despite the fact that the proposal did not satisfy the City’s Special Residential (Serviced and Short Term Accommodation) Policy 3.9.*

Whilst the City is supportive and encouraging of the provision of social and affordable housing to accommodate housing for key workers in the city and for the disadvantaged, in all instances it is required to fit within the available planning framework as any deviation may set an undesirable precedent. Furthermore, the Bonus Plot Ratio Policy determines that the DAC will be requested to provide advice on the architectural and design quality of all development applications seeking bonus plot ratio, but in the case of bonus plot ratio for a special residential development the extent of bonus plot ratio will not be assessed by the DAC. In this instance, the DAC may have gone beyond its proper role so far as incorrectly reinterpreting the definition of the Special Residential use group and assessing and recommending an amount of bonus plot ratio to award to this use.

Should the applicant’s and the DAC’s interpretation of the social and affordable housing being ‘*specialised residential accommodation*’ be accepted, in circumstances where a proposal appears to fall within the general terms of more than one use group, the State Administrative Tribunal (SAT) has adopted the “best fit” approach. If a use fits within a use group specified in the CPS2 (eg ‘multiple dwellings’ under the Residential use group), the SAT has found that “it is not permitted to strain to place the use in a different use class because an attribute of the use might also be referred to in the definition of that other use” (such as Special Residential). It is necessary to identify the “primary focus or emphasis” of each definition.

It is therefore, considered that the social and affordable dwellings should **not** be included within the Special Residential use group category, given the only differentiation between these and the other apartments in the development would be on the basis of residents’ income. This is also consistent with similar types of developments approved in the City with a social housing component that were classified as multiple dwellings (‘Residential’) in line with their function.

It is further noted that the social and affordable housing will be scattered throughout the development and that the design does not satisfy the requirements of the Special Residential (Serviced and Short Term Accommodation) Policy 3.9, making it contrary to the provisions of the Bonus Plot Ratio Policy.

On this basis, it is recommended that the WAPC be advised that the proposal cannot be supported in its current form due to the inclusion of 15% plot ratio floorspace over and above the amount which can be approved under clause 28 of CPS2 and the associated Bonus Plot Ratio Policy.

It is noted that should the application be approved by the WAPC incorporating the proposed plot ratio bonus of 42.5% the future subdivision of the lot as envisaged by the applicant/owner will not be able to be supported by the City noting that the approved plot ratio of the development on the northern lot would exceed the CPS2 plot ratio provisions.

Bonus Plot Ratio for Public Facilities

Developments which incorporate public facilities may be awarded bonus plot ratio of up to 20% where it is located within the area indicated on Public Facilities Bonus Plot Ratio Plan contained within CPS2. The facilities and/or amenities provided must result in the provision of a “public good” which will benefit the population of the city and the community as a whole, enhance enjoyment of the city, and contribute positively to the overall physical environment and ambience of the city. The nature of the facility must be such that it would be unlikely to be included as an integral part of a development in the event that bonus plot ratio was not on offer and that it is fulfilling an identified or demonstrated strategic need.

The applicant originally sought the awarding of 10% bonus plot ratio for the provision of the following public facilities:

- Pedestrian facilities – Laneway (existing easement widened) and widened footpath (Pier Street setback);
- Public space – Temporary park (during construction on part of the southern part of the development site);
- Specific facilities on private land:
 - Provision of a car share scheme; and
 - Provision of a community/co-working hub.

However, in response to advice from the City’s DAC, whereby only 3% bonus plot ratio was supported for the provision of a community/co-working hub, the applicant amended the plans, reducing the amount of plot ratio floor space and removing the landscaped public space. While the widened access easement and colonnade areas remain, no bonus is sought for these design elements. The car share scheme is also maintained however no bonus sought for its inclusion in the development and will primarily service residents of the development.

In place of the temporary landscaping proposed over the vacant portion of the site, the applicant has suggested minimal remediation, hydro-mulching and fencing works. It is considered that this portion of the site should be appropriately landscaped to prevent the spread of dust, the unauthorised use of the land for car parking and to improve the amenity of the locality and of the development. This would be the standard required of any city site that is awaiting redevelopment and can be made a condition of any approval.

Community/co-working hub

The Stirling Precinct is in transition and is set to become one of the highest density neighbourhoods in Perth. The population is expected to be highly diverse and transient, with students, residents, social and affordable housing users, and tourists all living within a dense urban environment.

Moving beyond simply providing housing, a 110m² community and co-working hub is proposed on the ground floor of the development, providing space for community groups and entrepreneurs to meet, organise events and collaborate.

The community hub will offer a range of event spaces, meeting rooms and hard/software that is fit for purpose, depending on user's specific needs. The co-working aspect of the space will be complimentary to the community function and respond to the needs of a transient, and multi-cultural population. The location is considered fit for purpose given the characteristics of the surrounding population, and benefits from potential co-location with internet service providers in the area (Next DC and Vocus Communications).

Early discussions have been undertaken with potential operators of the hub, including Town Teams, which will progress through further talks and result in the signing of a lease agreement."

Despite the DAC's advice that the provision of the community/co-working hub is suitable for the awarding of 3% bonus plot ratio, the applicant has requested that a bonus of 7.5% be considered for this facility. This is on the basis that the design matters raised by the DAC have been addressed in the revised plans and the awarding of 7.5% bonus plot ratio equates to only an additional 552m² of floor space or approximately 5m² of additional floor area per 1m² of community space provided, which is generally comparable to bonuses granted for similar facilities in previously approved mixed-use developments in the city. In addition, the applicant is continuing discussions with suitable tenants to lease and occupy the community space with a view to obtaining a letter of intent in the near future.

It is considered that the additional information and justification provided by the applicant warrants support for a 7.5% bonus plot ratio for the provision of the community/co-working hub public facility. This aspect should however be conditioned requiring confirmation of a management plan, ongoing annual reporting on the facility and conclusion of a tenancy contract with an acceptable operator.

In conclusion, while the proposal has been amended to reduce the plot ratio of the development, it continues to incorporate additional floor space, above an amount that any other development would be allowed under the CPS2. The private benefit to the development will not be offset by an appropriate public or community benefit, contrary to the provisions of CPS2 and the City's Bonus Plot Ratio Policy 4.5.1 and the orderly and proper planning of the locality. It is for this reason that the proposal should not be supported in its current form.

Building design, materials and finishes

Under CPS2, new development within the Stirling Precinct shall incorporate attractive facades, with open areas such as car parks and servicing areas located behind buildings. In addition, the development of verandas and awnings over footpaths is strongly encouraged to provide weather protection for pedestrians. In view of these requirements and as outlined previously, the overall

design of the proposal was generally supported by the DAC, subject to the submission of additional details to address matters relating to:

- minimum ceiling heights (2.7 metres for habitable rooms);
- daylight access for habitable rooms, noting that lightwells should not form the primary source of daylight to any habitable room;
- the management of noise transfer within the development and between dwellings to maintain amenity;
- the minimum internal floor area for all dwellings;
- the overall bulk and scale of the development (plot ratio);
- the car parking being adequately screened from view from the street and from surrounding properties;
- canopies and awnings over the footpath providing continuous shelter for pedestrians; and
- separation of the podium levels, over a height of 14 metres, from buildings on adjacent sites to provide for visual and acoustic privacy, daylight access and outlook.

The revised plans include minimum ceiling heights of 2.7 metres for all apartments which is consistent with the DAC's recommendation and provisions of SPP7.3.

With regards to daylight access and noise transfer, the applicant has modified the design of the central studio apartments within podium to gain secondary light from the lightwell which has also been amended to provide for improved access to light. In addition, windows abutting the lightwell have been screened from each other. Noise mitigation measures are proposed to be identified at the detailed design stage and implemented as part of future construction. Whilst the improvements to the design and functionality of the apartments adjoining the central light well are noted, it is recommended that any approval include the requirement for final details of screening and acoustic attenuation measures to ensure a suitable level of amenity is provided for the occupants of the dwellings.

The revised plans include amended dwelling sizes, with the majority meeting the minimums prescribed by SPP7.3 however it is noted that only the studio apartments meet the City's Policy minimum size recommendations. Given only 17 of the 184 apartments (less than 10%) do not achieve the sizes prescribed by SPP7.3 it is considered that the applicant has adequately addressed the relevant DAC recommendation.

As identified previously, the overall bulk and scale of the proposal has not been significantly altered from the plans reviewed by the DAC. Whilst the overall plot ratio has been reduced from 6:1 to 5.7:1, the overall height of the development has increased from 83 metres to 85 metres mainly due to the provision of increased ceiling heights. The podium height has however been reduced by a metre and the tower has been provided with increased setbacks, particularly from the western boundary where it has been increased by a metre from the original plans. The combination of these revisions is considered to have addressed the DAC's concerns in relation to the proposal's potential impact on adjoining development, however as identified previously, the overall bulk and scale of the development should be further reduced noting the non-compliance with the plot ratio provisions of CPS2.

The revised plans include an increase of 40% of screening of the podium car parking levels from the street and adjoining properties. Whilst this is an improvement, it is considered that additional details

of the screening proposed to demonstrate suitable levels of function and performance, particularly at night, are required and this can be addressed as a condition of any approval.

The applicant has confirmed that the canopies and awnings over the Pier Street will be connected and provide for continuous shelter for pedestrians. This was the original design intent however it was noted that the original plans did not reflect this and the revised plans have been amended accordingly in response to the DAC's concerns.

It is considered that the development is contemporary in design with a variety of materials, finishes and colours being used to accentuate features and minimise the impact of different elements of the building including its overall scale. The façades of the building have been sufficiently articulated with varied window and balcony typologies and recesses to reduce the overall bulk of the building. However, it is recommended any approval be conditioned to require the applicant to submit final details refining the remaining matters outlined above for the WAPC's approval, in consultation with the City, at the building permit stage.

Building height and setbacks

In accordance with CPS2, the site has no prescribed maximum building height, however, a maximum street building (podium) height of 14 metres along Pier Street is prescribed. The proposed development includes a street building height of 21 metres which is approximately a third higher than the prescribed 14 metre maximum. Whilst the variation is significant if considered in isolation, it is generally consistent with adjoining and surrounding development and provides for a consistent streetscape at this location. The additional height contains residential use which provide for activation and articulation above the recommended street building height. The proposed height is considered to be appropriate for the location and the variation can therefore be supported based on the design being consistent with the requirements of Clause 36 of CPS2.

With regards to the setback requirements of CPS2 and the associated Building Heights and Setbacks Policy (4.4), variations are proposed to all boundaries of the subject site.

The ground and mezzanine levels of the development include a 1.8 metre setback to the Pier Street frontage in lieu of the prescribed nil setback. The variation is considered to be acceptable in this case as it primarily relates to the 'widening' of the adjacent relatively narrow footpath and provision of a colonnade for the ground level tenancies and lobby entrance. The variation can therefore, be supported based on the design satisfying the requirements of Clause 36 of CPS2.

The tower element of the development has a front setback ranging from between 3.9 to five metres for the majority of the frontage and 9.3 metres for the central recess area. These setbacks are retained for the entirety of the front elevation of the tower component. This constitutes a variation to the five metre (below 65 metres in height) and 10 metre (above 65 metres in height) front setback requirements. The design of the façade which effectively splays the apartments on either side of the central recess area provides sufficient articulation and variation to offset the encroachments into the front setback area. It is also noted that whilst the setback provisions of the Policy do not include 'averages', the irregular shape of the frontage results in the tower achieving an average front setback of 5 metres below 65 metres in height.

It is also considered that any additional setting back of the levels above 65 metres would detract from the development's overall design and consistency without achieving any major reduction in

overshadowing of the adjacent street environment or adjoining properties. The variations can therefore be supported based on the design being consistent with the requirements of Clause 36 of CPS2.

The podium levels include apartment windows and balconies with nil setbacks along the northern boundary. Ordinarily it would be required that the internal configuration of the affected apartments be modified to future-proof their habitability. In this instance, the openings will be appropriately fire rated, the adjoining site has been recently redeveloped for student housing and the presence of a sewer easement along the common boundary is likely to prevent adjacent development from having a nil side setback abutting this wall (podium). Furthermore, the variation can be supported on the basis that there are no current issues related to overlooking given the 14-metre separation between the proposed development and the existing building to the north.

The tower is provided with a setback of three metres at its closest point to the northern boundary which is contrary to the minimum four metre (below 65 metres in height) and eight metre (above 65 metres in height) setbacks prescribed by the Policy. However, the majority of the tower is setback in excess of the four-metre minimum given the angled design of the northern elevation with only the central balcony elements encroaching into the required setback area (below 65 metres in height). The rear (western) and southern side setbacks of the tower are compliant below 65 metres in height with the levels above 65 metres in height not achieving the required 8 metre setback to the boundaries apart from the majority of the southern boundary.

Whilst the Policy refers to minimum setbacks to provide for adequate sky views and separation between buildings it is considered that the irregular shape of the tower levels reduces the perceived impact of bulk and scale on the adjoining properties. Any additional setting back of the tower above 65 metres in height is also not considered warranted in this case given the articulated design of the facades provides adequate separation between existing and future development and will maintain suitable access to natural light and ventilation. It is considered that the setback variations would not compromise the requirements of Clause 36 of CPS2 and can therefore be supported.

Car Parking and traffic management

The proposed development does not comply with the City's Parking Policy (5.1) as it provides only 178 on-site residential car parking bays in lieu of the minimum requirement of one bay per dwelling being 184 car parking bays. In support of the reduced residential car parking provision, the applicant advises that the subject site is:

- approximately 200 metres from the McIver train station and 800 metres from the Perth Railway Station;
- within comfortable walking distance to local amenities and services are in walkable distance of the subject site; and
- within an inner-city location where reduced availability of car parking is expected assists in alleviating traffic congestion.

In order to offset the minor shortfall, the applicant has provided 32 motorcycle/scooter parking bays in addition to bicycle bays which have been provided in excess of the minimum requirement of the City's Bicycle Parking and End of Journey Facilities Policy (5.3). Based on the above it is considered that the proposed shortfall can be supported in accordance with Section 7.1 of the Policy noting the close proximity to public transport links and amenities and the availability of on-street and public

car parks within close proximity to the site. It is also noted that it is intended to provide three car parking bays for car share purposes to service the development.

The Policy also states that visitor parking should be provided in residential development areas where it can be expected that existing on-street facilities will not adequately provide for visitors to the development. It is considered that the expected demand for visitor parking from the development can be adequately provided for by the presence of on-street bays adjacent to the site.

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

Waste

The applicant submitted a Waste Management Plan (WMP) in support of the application. The WMP confirms that the development can be serviced in accordance with the City's servicing requirements however, the size and operational functionality of the bin store area needs to be further addressed in preparation of the final WMP to be submitted at the building permit stage. This can be addressed through a condition of any approval.

Noise

The applicant submitted an Acoustic Report in support of the proposed development which provides a preliminary assessment in relation to proposed noise mitigation measures (noting the site's proximity to the railway line in particular) and potential for the development to comply with the associated noise regulations. Noting the location of the subject site within a mixed-use environment, appropriate acoustic attenuation is required to preserve the amenity of future occupiers of the residential dwellings.

While the City's officers are supportive of the standards and criteria identified by the preliminary report, it was noted that:

- during the detailed design phase, separate acoustic reports will be undertaken in order to comply with the criteria and will be submitted to City officers for review; and
- potential noise impacts from items of equipment such as mechanical plant requires further assessment and potential mitigation once the detailed equipment design is known/available.

It is therefore recommended that any approval include a condition requiring a final detailed acoustic report to be submitted addressing the above requirements. In addition, the relevant building permit plans are to be certified by an acoustic consultant to confirm that the proposed development contains the appropriate acoustic requirements to achieve compliance with the relevant noise legislation and that an appropriate level of internal residential amenity will be provided.

Wind

The applicant submitted a preliminary Wind Impact Statement in support of the proposed development which considered the form and exposure of the proposed development, nominated

criteria for various public areas according to their function and impact on likely wind conditions. The Statement concluded that based on the design of the development:

- the ground level footpaths would be expected to have wind levels within the walking comfort criterion;
- the wind conditions near the main entrance areas would be expected to be within the criterion for standing;
- the outdoor seating areas area will be expected to be within the sitting comfort criterion; and
- the outdoor amenity area on level 26 is expected to be within the recommended walking criterion.

The Statement also recommends a scaled wind tunnel study be undertaken at the detailed design stage to verify the predictions and determine the optimal wind controls, wherever necessary. It is recommended that this form part of a submission of a final Environmental Wind Assessment at the building permit stage and be included as a condition of any approval.

Conclusion

The proposed mixed-use development constitutes a public work by virtue of the Department of Communities being the developer. While this exempts the application from being determined under City Planning Scheme No. 2, it is still necessary for the applicant to have consideration for the purpose and intent of the Local Planning Scheme; orderly and proper planning; and the local amenity.

It is considered that the proposed development is consistent with the statement of intent for the Stirling Precinct Plan which encourages residential and visitor accommodation in the locality, taking advantage of good access to public transport and the close proximity to retail and entertainment areas.

The proposed built form is consistent with that envisaged under the City's Building Heights and Setbacks Policy (4.4) in terms of the podium and tower elements. The variations to the street building height, and side and rear setbacks are considered to be acceptable given they are consistent with the heights and setbacks of surrounding development and are balanced with greater setbacks and articulated facades.

The design concept has been well considered and is of high quality. In response to the initial concerns of the City's Design Advisory Committee, the applicant has provided revised plans and elevations to improve the functionality of the podium levels in particular. It is noted that additional specific design matters identified by the DAC and City Officers will require further resolution.

The proposal would also satisfy the maximum plot ratio requirements of CPS2 if Lot 52 was retained as the whole of the development site. However, if the site is to be subdivided, as intended by the applicant/owner, the development will exceed the maximum plot ratio permitted on the reduced 1,841m² lot by 42.5%. It is considered that the proposal might warrant a maximum of 27.5% bonus plot ratio on the basis of the residential use and provision of the community hub (a public facility). However, it is considered that the additional 15% sought for the provision of social housing does not reasonably fit within the definition of Special Residential use under CPS2 and cannot be considered for the awarding of bonus plot ratio under clause 28 of CPS2.

Based on the above, despite the quality of the design and the need for more social and affordable housing in the city, it is recommended that the WAPC be advised that due to the non-compliant plot

ratio, the proposal should not be approved in its current form as it would be contrary to the provisions of CPS2 and to the orderly and proper planning of this locality. Noting the City is not the responsible authority in this case, it is also recommended that the WAPC be advised of appropriate conditions should the application be approved.

Officer Recommendation

That Council ADVISES the Western Australian Planning Commission that:

1. it supports the overall design concept and the provision of a mix of social and private housing options within the development to meet demonstrated housing needs in the locality, however, recommends refusal for the application for the development of a 27-level mixed-use development containing 184 apartments, a cafe/restaurant, a community shared space and 183 car parking bays at 195 (Lot 52) Pier Street, Perth for the following reasons:
 - 1.1 noting the landowner's/applicant's stated intent to subdivide the subject site into two new lots to create a 1,841m² development site, the proposed development on the reduced lot area would be contrary to the orderly and proper planning of the locality as it will exceed the prescribed maximum plot ratio for the development site, which would result in additional floor space (bulk and scale) that benefits the development without providing sufficient community benefits or facilities as required under the bonus plot ratio provisions (clause 28) of City Planning Scheme No. 2 and the City's Bonus Plot Ratio Policy 4.5.1;
 - 1.2 the development does not comply with the provisions of clause 28 of City Planning Scheme No. 2 noting the proposed inclusion of 15% bonus plot ratio (1,105m² of plot ratio floor space) for the provision of social housing does not comply with the provisions of the City's Bonus Plot Ratio Policy 4.5.1.
2. should approval be recommended by the Western Australian Planning Commission for the proposed 27-level mixed-use development containing 184 apartments, a cafe/restaurant, a community shared space and 183 car parking bays at 195 (Lot 52) Pier Street, Perth, the Council recommends that, the approval be subject to:
 - 2.1 the development being constructed with high quality and durable materials and finishes and to a level of detailing that is consistent with the elevations and perspectives received on 10 April 2018, with particular attention to providing aesthetic treatments and finishes to the side and rear boundary walls of the podium levels, with the final details of the design and a sample board of the materials, colours and finishes being prepared in consultation with the City and submitted to and approved by the Western Australian Planning Commission prior to applying for a building permit;
 - 2.2 the podium car parking levels being designed to ensure all car parking is screened from view from the street and surrounding properties with the final details being prepared in consultation with the City and to the satisfaction of the Western Australian Planning Commission;
 - 2.3 any proposed air-conditioning condensers, external building plant, lift overruns, piping, ducting, water tanks, transformers, fire control rooms and boosters being located or

- screened to minimise any visual and noise impact on the adjacent developments and on the streetscape, including any such plant or services located within the vehicle entrances of the development, with details of the location and screening of such plant and services being prepared in consultation with the City and being submitted to and approved by the Western Australian Planning Commission, prior to applying for a building permit;
- 2.4 the openings to the apartments abutting the central skylight area being provided with adequate screening devices to ensure visual and acoustic privacy between the apartments with final details of the design and functionality of the screening being prepared in consultation with the City and to the satisfaction of the Western Australian Planning Commission;
 - 2.5 the submission of an implementation and management plan for the community co-working hub, providing details of operations and methodology for annual reporting to the City;
 - 2.6 the vacant southern portion of Lot 52 being landscaped or aesthetically screened to prevent the spread of dust and unauthorised car parking and to enhance the amenity of the locality until such time as when the portion is redeveloped, with details of the landscaping or screening being prepared in consultation with the City and to the satisfaction of the Western Australian Planning Commission, with the landscaping or screening being installed prior to the occupation of the development;
 - 2.7 final details of all landscaped areas including soil depths, irrigation and plant species, being prepared in consultation with the City, and being installed prior to occupation of development and thereafter maintained to a high standard to the satisfaction of the Western Australian Planning Commission;
 - 2.8 a final Waste Management Plan, satisfying the City's waste servicing requirements, being submitted to and approved by the Western Australian Planning Commission, prior to applying for a building permit, with the Plan being implemented by the owners and/or future strata managers of the development on an ongoing basis;
 - 2.9 the development being designed to achieve compliance at street level; at the building entrances and the outdoor amenity area on level 26 with the relevant pedestrian walking and standing wind comfort criteria and to determine the optimal wind controls wherever necessary, as demonstrated by the submission to the City and the Western Australian Planning Commission of a final environmental wind assessment, including the results of a scaled wind tunnel study, prior to applying for a building permit;
 - 2.10 the proposed development being designed and constructed in such a manner so that existing and possible future noise levels associated with:
 - a) inner city activities including commercial and entertainment uses and activities;
 - b) traffic and railway impacts;
 - c) noise between dwellings; and
 - d) noise generated from within the development including all mechanical services and plant infrastructure;that could potentially affect occupants of the development, can be successfully attenuated in accordance with the Environmental Protection (Noise) Regulations 1997,

City Planning Scheme No. 2 - Residential Design Policy and State Planning Policy 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning. Details of such noise attenuation measures shall be prepared by a qualified acoustic consultant and be submitted to for approval by the Western Australian Planning Commission, in consultation with the City, prior to applying for a building permit;

- 2.11 all development and works shown outside of the Lot boundaries, excluding awnings, not forming part of this approval and being the subject of separate applications for approval by the City;
- 2.12 on-site stormwater disposal/management being to the City's specifications with details being submitted to the Western Australian Planning Commission for approval prior to applying for a building permit;
- 2.13 the existing street trees located in the road verge on Pier Street being retained and protected from damage throughout any demolition and development works with tree protection zones being established and maintained during the demolition and construction periods in accordance with the Australian Standard S4970-2009 - Protection of Trees on Development Sites, to the satisfaction of the Western Australian Planning Commission;
- 2.14 the dimensions of all car parking bays, the vehicle entrances, aisle widths and circulation areas complying with the Australian Standard AS2890.1, with a certificate of compliance by an architect or engineer being submitted to the Western Australian Planning Commission, prior to applying for a building permit;
- 2.15 all on-site residential car bays being for the exclusive use of the residents of the development and their visitors to the satisfaction of the Western Australian Planning Commission;
- 2.16 store rooms located adjacent to a car parking bay being allocated to the same multiple dwelling as the car parking bay/s to the Western Australian Planning Commission's satisfaction;
- 2.17 all redundant crossovers being removed and the verge and footpaths being reinstated and all new crossovers being located and constructed in accordance with the City's specifications and at the expense of the developer/landowner;
- 2.18 any signage for the development being integrated with the design of the building with details of any signage that is not exempt from approval under the City's Planning Policy 4.6 – Signs being subject to a separate application for approval; and
- 2.19 a construction management plan for the proposal being prepared in accordance with the City's 'Construction and Demolition Management Pro-Forma' and being submitted to for approval by the Western Australian Planning Commission, in consultation with the City, prior to applying for a building permit, with attention to how it is proposed to manage:
 - a) the delivery of materials and equipment to the site;

- b) the storage of materials and equipment on the site;
- c) the parking arrangements for the contractors and subcontractors;
- d) maintaining access at all times to the adjacent easement access-way;
- e) the protection of street trees and any other City assets;
- f) any dewatering of the site; and
- g) other matters likely to impact on the surrounding residents and properties.

Advice Notes:

1. the City will not support any future subdivision of Lot 52 that would result in the development on the new lots exceeding the maximum plot ratio requirements for the lots, contrary to the provisions of City Planning Scheme No. 2;
2. the City does not support any removal or substantial pruning of existing street trees or modifications to the street and footpath infrastructure assets.

ALTERNATE MOTION

Moved Commissioner Hammond, seconded Commissioner McMath

Council resolved to adopt an alternate motion as follows:

That Council:

1. ***ADVISES the Western Australian Planning Commission that it recommends approval for the proposed 27-level mixed-use development containing 184 apartments, a cafe/restaurant, a community shared space and 183 car parking bays at 195 (Lot 52) Pier Street, Perth, subject to:***
 - 1.1 ***the development being constructed with high quality and durable materials and finishes and to a level of detailing that is consistent with the elevations and perspectives received on 10 April 2018, with particular attention to providing aesthetic treatments and finishes to the side and rear boundary walls of the podium levels, with the final details of the design and a sample board of the materials, colours and finishes being prepared in consultation with the City and submitted to and approved by the Western Australian Planning Commission prior to applying for a building permit;***
 - 1.2 ***the podium car parking levels being designed to ensure all car parking is screened from view from the street and surrounding properties with the final details being prepared in consultation with the City and to the satisfaction of the Western Australian Planning Commission;***
 - 1.3 ***any proposed air-conditioning condensers, external building plant, lift overruns, piping, ducting, water tanks, transformers, fire control rooms and boosters being located or screened to minimise any visual and noise impact on the adjacent developments and on the streetscape, including any such plant or***

services located within the vehicle entrances of the development, with details of the location and screening of such plant and services being prepared in consultation with the City and being submitted to and approved by the Western Australian Planning Commission, prior to applying for a building permit;

- 1.4 the openings to the apartments abutting the central skylight area being provided with adequate screening devices to ensure visual and acoustic privacy between the apartments with final details of the design and functionality of the screening being prepared in consultation with the City and to the satisfaction of the Western Australian Planning Commission;*
- 1.5 the submission of an implementation and management plan for the community co-working hub, providing details of operations and methodology for annual reporting to the City;*
- 1.6 the vacant southern portion of Lot 52 being landscaped or aesthetically screened to prevent the spread of dust and unauthorised car parking and to enhance the amenity of the locality until such time as when the portion is redeveloped, with details of the landscaping or screening being prepared in consultation with the City and to the satisfaction of the Western Australian Planning Commission, with the landscaping or screening being installed prior to the occupation of the development;*
- 1.7 final details of all landscaped areas including soil depths, irrigation and plant species, being prepared in consultation with the City, and being installed prior to occupation of development and thereafter maintained to a high standard to the satisfaction of the Western Australian Planning Commission;*
- 1.8 a final Waste Management Plan, satisfying the City's waste servicing requirements, being submitted to and approved by the Western Australian Planning Commission, prior to applying for a building permit, with the Plan being implemented by the owners and/or future strata managers of the development on an ongoing basis;*
- 1.9 the development being designed to achieve compliance at street level; at the building entrances and the outdoor amenity area on level 26 with the relevant pedestrian walking and standing wind comfort criteria and to determine the optimal wind controls wherever necessary, as demonstrated by the submission to the City and the Western Australian Planning Commission of a final environmental wind assessment, including the results of a scaled wind tunnel study, prior to applying for a building permit;*
- 1.10 the proposed development being designed and constructed in such a manner so that existing and possible future noise levels associated with:*

- a) *inner city activities including commercial and entertainment uses and activities;*
 - b) *traffic and railway impacts;*
 - c) *noise between dwellings; and*
 - d) *noise generated from within the development including all mechanical services and plant infrastructure;*
that could potentially affect occupants of the development, can be successfully attenuated in accordance with the Environmental Protection (Noise) Regulations 1997, City Planning Scheme No. 2 - Residential Design Policy and State Planning Policy 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning. Details of such noise attenuation measures shall be prepared by a qualified acoustic consultant and be submitted to for approval by the Western Australian Planning Commission, in consultation with the City, prior to applying for a building permit;
- 1.11** *all development and works shown outside of the Lot boundaries, excluding awnings, not forming part of this approval and being the subject of separate applications for approval by the City;*
- 1.12** *on-site stormwater disposal/management being to the City's specifications with details being submitted to the Western Australian Planning Commission for approval prior to applying for a building permit;*
- 1.13** *the existing street trees located in the road verge on Pier Street being retained and protected from damage throughout any demolition and development works with tree protection zones being established and maintained during the demolition and construction periods in accordance with the Australian Standard S4970-2009 - Protection of Trees on Development Sites, to the satisfaction of the Western Australian Planning Commission;*
- 1.14** *the dimensions of all car parking bays, the vehicle entrances, aisle widths and circulation areas complying with the Australian Standard AS2890.1, with a certificate of compliance by an architect or engineer being submitted to the Western Australian Planning Commission, prior to applying for a building permit;*
- 1.15** *all on-site residential car bays being for the exclusive use of the residents of the development and their visitors to the satisfaction of the Western Australian Planning Commission;*
- 1.16** *store rooms located adjacent to a car parking bay being allocated to the same multiple dwelling as the car parking bay/s to the Western Australian Planning Commission's satisfaction;*

- 1.17 all redundant crossovers being removed and the verge and footpaths being reinstated and all new crossovers being located and constructed in accordance with the City's specifications and at the expense of the developer/landowner;**
- 1.18 any signage for the development being integrated with the design of the building with details of any signage that is not exempt from approval under the City's Planning Policy 4.6 – Signs being subject to a separate application for approval; and**
- 1.19 a construction management plan for the proposal being prepared in accordance with the City's 'Construction and Demolition Management Pro-Forma' and being submitted to for approval by the Western Australian Planning Commission, in consultation with the City, prior to applying for a building permit, with attention to how it is proposed to manage:**
- a) the delivery of materials and equipment to the site;**
 - b) the storage of materials and equipment on the site;**
 - c) the parking arrangements for the contractors and subcontractors;**
 - d) maintaining access at all times to the adjacent easement access-way;**
 - e) the protection of street trees and any other City assets;**
 - f) any dewatering of the site; and**
 - g) other matters likely to impact on the surrounding residents and properties.**
- 1.20 the vacant southern portion of Lot 52 being landscaped or made available as a community space/garden to prevent the spread of dust and unauthorised car parking and to enhance the amenity of the locality until such time as when the portion is redeveloped, with details of the landscaping or community space/garden being prepared in consultation with the City and to the satisfaction of the Western Australian Planning Commission, with the landscaping or the community space/garden being installed prior to the occupation of the development;**
- 2. REQUESTS a review of the policy informing clause 28 of the City of Perth Planning Scheme in order to establish the suitability, justification and planning merit of providing a 20 % plot ratio bonus for social housing land uses provided that they are effectively integrated within mixed use developments comprising of residential and / or special residential land uses.**

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Reason: The officers report is extensive, well written and appropriate and recommends compliance with the Town Planning Scheme and in particular the policies that inform Clause 28 relating to plot ratio bonuses. The Officers therefore had little option but to recommend refusal of the application.

It is well within the rights of the Council however to support developments that fall outside of the City's guiding policy framework provided that there is good reason to do so and the ultimate development achieves satisfactory planning outcomes and adds value to the social, economic and environmental fabric of the City.

The shortage of social housing in Perth is well known and documented. The Anglicare Rental Affordability Snapshot 2019 report released a couple of days ago highlighted the following:

"As government has abandoned social housing, more of these people have been languishing on waiting lists, forced to compete for rentals in the private market. That has been pushing rent prices up, as we at Anglicare Australia have seen from a decade of Snapshots. Some have been pushed onto couches, into sheds, or to crisis accommodation. Others are sleeping rough.

The solution is simple, but has proven to be stubbornly difficult – government must reclaim responsibility for housing. The most important first step is to tackle the social housing shortfall.

Rental stress, insecurity, and homelessness does not have to be the way of the future. We can and we must invest in affordable rentals for everyone – especially people who need them the most – and ensure that everyone has a place to call home. "

I don't necessarily agree with the statement from Anglicare that the government has abandoned social housing, I think that's a bit unfair but the fact remains that Australia and Western Australia has a significant problem in meeting social and affordable housing needs.

This City is currently experiencing many challenges with homelessness and rough sleeping. Whilst social housing is definitely not a "quick fix" for this difficult and pressing issue it sits at both ends of the homelessness continuum. A lack of social (and affordable) housing in the first instant is clearly identified as one of the causal factors of homelessness. At the other end of the continuum when the victims of homelessness have received the necessary support and care so as to be ready and able to take up tenancy in social housing it is critically important that capacity exists.

It is accepted that all tiers of Government deal with significant challenges in allocating resources to ever increasing competing priorities. Investment in social housing like many other worthwhile and necessary community services has been affected by these competing priorities.

Plot ratio bonuses have proven to be a very effective public policy lever in stimulating and enabling private sector investment in land uses that are deemed to be congruent with the strategic planning objectives of the City.

This development clearly demonstrates that with appropriate incentives, social housing can be delivered by the private sector in an integrated, sensible and dignified manner.

It follows that the reduced capacity of governments to provide the capital for such projects means that appropriate incentives to the private sector to deliver them is an obvious and low cost solution.

Having a plot ratio bonus for social housing, provided that it is effectively integrated within larger mixed use developments is therefore seen as a sensible and appropriate public policy approach.

Item 13.3 Heritage Grant for a Conservation Management Plan – Bon Marche Arcade, 78 - 84 Barrack Street, Perth

FILE REFERENCE: P1023383-3
 REPORTING UNIT: Arts, Culture and Heritage
 RESPONSIBLE DIRECTORATE: Economic Development and Activation
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 14 March 2019
 ATTACHMENT/S: Attachment 13.3A - Officers Grant Assessment Report 78 - 84 Barrack Street Perth
 Attachment 13.3B - Photographs of Subject Site 78 - 84 Barrack Street Perth

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 Section 8 of the *City of Perth Act 2016*

Integrated Planning and Reporting Framework implications **Strategic Community Plan**
 Goal 6 - A city that celebrates its diverse cultural identity

Policy
 Policy No and Name: 18.13 - Sponsorship and Grants

Purpose and Background:

The City of Perth has received an application for a Heritage Grant of \$20,000 (excluding GST) from the owners of 78-84 Barrack Street Perth (Bon Marche Arcade) to prepare a Conservation and Management Plan. Photographs of the site are shown in Attachment 13.3B. Bon Marche Arcade is heritage listed in the City Planning Scheme and the State Heritage Register.

The request is in response to the City of Perth Policy 18.13 Sponsorship and Grants and the Heritage Grant Program Guidelines which support the full funding of the preparation of a Conservation Management Plan to a maximum of \$20,000 (excluding GST).

Details:

The Conservation Management Plan will be prepared in accordance with the State Heritage Office guidelines as described in the Australian ICOMOS Burra Charter and as required by the City's heritage grant conditions.

The Conservation Management Plan involves research and preparation of the history, physical evidence, preparation of a Statement of Significance and areas/levels of significance of the Place.

Conservation and interpretation policies based on the Statement of Significance will be developed, and a schedule of works identified to conserve the Place will also be prepared. This schedule of works can assist future planning for the site.

The Conservation Management Plan is needed to inform and assist the Owners in making key decisions about the conservation of the Place. The document will guide the owners, the City of Perth and the State Heritage Office for decisions about the building now and into the future.

The Conservation Management Plan will also greatly assist the City of Perth in developing and telling the stories of not only the building and who built it, the architects, who owned it and operated out of the building, but also the connections of this building and those people into the broader history of Perth. These stories add to our unique identity and sense of place and provide the cultural context for the city. The City retains non-exclusive copyright of the Conservation Management Plan so it can publish and make it available via the City's History Centre.

Financial Implications:

On **9 October 2007**, Council resolved to commit to Heritage Grants of up to \$400,000 per annum. The tables below reflect the Commitment and Budgeted allocations.

Grants Commitment

BUDGET ITEM:	Heritage Grants
COUNCIL APPROVED 2018/19 COMMITMENT:	\$400,000
AMOUNT COMMITTED TO DATE:	\$0
PROPOSED COMMITMENT:	\$20,000
BALANCE REMAINING:	\$380,000
ANNUAL MAINTENANCE:	\$NA
ESTIMATED WHOLE LIFE COST:	\$NA

Grants Budget

ACCOUNT NO:	PJ 1435-51220-0000-7901
2018/2019 BUDGET ITEM:	Heritage Grants
BUDGETED AMOUNT:	\$250,000
AMOUNT SPENT TO DATE:	\$0
PROPOSED COST:	\$20,000
BALANCE REMAINING:	\$230,000
ANNUAL MAINTENANCE:	\$0
ESTIMATED WHOLE LIFE COST:	\$0

All figures quoted in this report are exclusive of GST.

Payment claims for approved heritage grants can be made following completion of the works or documentation and acquittal to the City's satisfaction. If approved, it is likely this grant payment will be made in this financial year 2018/19.

Comments:

The report by the Heritage Grant Assessment Panel (Attachment 13.3A – Officers' Grant Assessment Report 78-84 Barrack Street) recognises the positive benefits of the Conservation Management Plan and the value of preparing such a document for the owner, the City and State Heritage Office.

The Assessment Panel acknowledged that the documentation supplied by the applicant justifying the Conservation Management Plan did focus on potential development outcomes rather than focussing on understanding the cultural heritage significance of the place. However, given the Conservation Management Plan will also be used by the City and the State Heritage Office to guide appropriate conservation works in the future, the panel saw the positive outcomes of funding the preparation of a Conservation Management Plan, if undertaken in accordance with the grant conditions and industry standards.

The panel noted that all Conservation Management Plan's subject to the City of Perth Heritage grants are prepared under State Heritage Office guidelines (to a standard set under the Burra Charter), with specified outcomes that are well documented. The quality checks and compliance with Conservation Management Plan industry standards will be undertaken by the Officers to ensure the final document supports conservation outcomes.

A grant of \$20,000 (excluding GST) was requested by the applicant for the preparation of a Conservation Management Plan. This is consistent with the 100% funding criteria outlined in the Heritage Grant Policy specifically for Conservation Management Plan's and the amount requested is consistent with the preparation of Conservation Management Plan's for buildings of this size and complexity.

Officer Recommendation

That Council APPROVES a Heritage Grant of \$20,000 (excluding GST) to Canci Property Group Pty Ltd for the preparation of a Conservation Management Plan for Bon Marche Arcade, at 78 - 84 Barrack Street Perth.

MOTION TO DEFER

Moved Commissioner McMath, seconded Commissioner Hammond

Council agreed to defer the item as follows:

That Council DEFER consideration of the report titled Heritage Grant for a Conservation Management Plan – Bon Marche Arcade, 78 - 84 Barrack Street, Perth subject to review of the policy guiding this application.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Reason: To enable a review of the basis for which the heritage grants be given, be reviewed by the Administration and brought back to Council.

Item 13.4 East End Revitalisation – 2018 Masterplan Update

FILE REFERENCE: P1033804
 REPORTING UNIT: Construction
 RESPONSIBLE DIRECTORATE: Construction and Maintenance
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 12 April 2019
 ATTACHMENT/S: Attachment 13.4A – East End Revitalisation Program - Proposed Staging Plan
 Confidential Attachment 13.4B – East End Revitalisation Program: Detailed Cost Estimate
 Attachment 13.4C – East End Revitalisation Program - ‘Have Your say 2018’ summary and City responses
 Attachment 13.4D – Irwin Street Plaza Artists Impressions
 Attachment 13.4E – Irwin Street Plaza Planting Scheme
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 Council/Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation N/A

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
 Goal 1 – A city for people
 Goal 2 – An exceptionally well designed, functional and accessible city
 Goal 3 – A city connected to its natural beauty
 Goal 7 – An open and engaged city

Policy

Policy no and name: N/A

Purpose and Background:

At its meeting held on **29 May 2018**, Council endorsed the following:

APPROVES the East End Revitalisation Program: 2018 Masterplan, including Hay Street Pedestrian Priority Zone, as detailed in this report and Attachments A, B and C;

NOTES that the Plan addresses the following:

- adjustments to kerbside uses and footpath modifications in response to major developments in the area;
- improved permeability and legibility of the city with the reintroduction of two-way traffic in Hay and Irwin Streets;
- Pedestrian Priority Zone (PPZ) on Hay Street between and including the Pier and Irwin Street intersections;

NOTES the enhancements proposed in this program will be staged over approximately 5 years;

NOTES that a more detailed cost estimate of the various street enhancements, including a staging plan, will be presented to a future Council meeting;

NOTES the inclusion of \$1,200,000 in the draft 2018/2019 capital works budget, for detailed design fees and initial construction, with the first stages of construction to commence by early 2019; and

DEVELOPS and DELIVERS a community engagement strategy for the design and implementation phase of the project including information sessions or workshops to be conducted and feedback sought and considered prior to the commencement of detailed design documentation.

This report provides an update on the progress of the East End Revitalisation Program: 2018 Masterplan, including project staging, estimated costs and community consultation.

Details:**Detailed design**

Since receiving Council approval in May 2018, the detailed civil and electrical design for the project has significantly progressed. In response to the outcomes of the community consultation processes undertaken for numerous projects within the East End from 2014, the streetscape design includes the following items:

- Hay Street Pedestrian Priority Zone (PPZ)
- Irwin Street Plaza
- Two-way streets
- Wider footpaths
- Streetlighting and CCTV upgrades
- Wi-Fi and events power infrastructure
- Additional street trees
- More outdoor dining opportunities
- New street furniture

The detailed civil and electrical design for the PPZ is nearing completion, and detailed design is also progressing for the Hay Street and Irwin Street sections of the Masterplan area.

Staging

As a standalone project, the project is proposed to be staged over three financial years until 2022; commencing at the eastern end of the Masterplan area and working back towards the west. A detailed breakdown of the proposed staging for each financial year is included in Attachment 13.4A.

The construction works for the entire Masterplan area is proposed to be tendered as one multi-stage construction contract, with the six stages of the project being documented as separable portions within the overall contract. This will allow flexibility to schedule the staging of the works in response to the City's needs and within any budget constraints, as well as providing economies of scale by awarding a large-scale contract rather than several smaller piece-meal contracts.

The works include several items with a long lead-time that will need to be pre-procured by the City well ahead of construction (for example multi-function poles and luminaires: 3-4 months, granite kerbing: 6 months, mature trees: 18 months). This will often mean procuring materials in the financial year prior to construction.

The proposed staging is outlined below:

STAGE 1 - Hay Street (Irwin Street to Victoria Avenue) – Streetscape Upgrade and Two-Way Conversion

This part of the works must be awarded as a multi-stage construction contract with Irwin Street (Hay Street to St George's Terrace) and the Hay Street PPZ, as these three stages of the works need to be carefully staged and managed to ensure continuity of construction; avoid temporary/redundant works at the Hay Street and Irwin Street intersection; and minimise confusion for road users that may result from the changes in traffic conditions.

STAGE 2 - Irwin Street (Hay Street to St George's Terrace) – Streetscape Upgrade and Two-Way Conversion

This stage of the works must be awarded as a single construction contract with Hay Street (Irwin Street to Victoria Avenue) and the Hay Street PPZ, for the reasons outlined above. The conversion of Irwin Street to two-way traffic conditions must be carefully coordinated with the removal of the existing median island and traffic signals at the Hay Street & Irwin Street intersection (which will be completed as part of the PPZ construction).

STAGE 3 - Hay Street (Pier Street to Irwin Street) – Pedestrian Priority Zone

The PPZ is a key feature of the Masterplan area, which has been developed in close collaboration with Main Roads Western Australia (MRWA) to facilitate removal of the traffic signals at the Pier Street and Irwin Street intersections. The PPZ will reconfigure the alignment of Hay Street to reduce vehicle speeds and reinforce that pedestrians have priority over vehicles in this space by widening footpaths, introducing horizontal deflection, and the use of concrete paving in the roadway. The speed limit in the PPZ will be reduced to 20km/hr.

The PPZ will also see the creation of the Irwin Street Plaza, a large public plaza space featuring catenary lighting, raised planters with integrated seating, and public artwork. An artist's impression of the Irwin Street Plaza space is included as Attachment 13.4D.

Stage 3 should be awarded as a single construction contract with Stages 1 and 2, for the reasons outlined above.

STAGE 4 - Pier Street (Hay Street to St George's Terrace) – Streetscape Upgrade

This stage could be awarded as a separate contract to the Hay Street and Irwin Street works if necessary, but a single contract for the whole masterplan area would improve flexibility of staging and economies of scale.

STAGE 5 - Pier Street (Murray Street to Wellington Street) – Streetscape Upgrade

Similarly, to Stage 4 above, construction of this stage could be awarded as a standalone contract if necessary, but is not recommended for the reasons noted above.

STAGE 6 - Pier Street (Hay Street to Murray Street) – Streetscape Upgrade

Like Stages 4 and 5 above, construction of this stage could be awarded as a standalone contract if necessary but is not recommended for the reasons noted above.

Updated detailed cost estimate

An updated construction cost estimate has been provided by RLB Quantity Surveyors, based on the 50% design drawings for the project. The cost estimate has been broken down into the stages outlined above.

A summary of the total estimated project cost, including design, procurement, construction, consultant fees and contingencies is included as Confidential Attachment 13.4B.

Stakeholder Engagement

The East End Revitalisation 2018 Masterplan was approved by Council in May 2018. The detailed design has incorporated feedback from three phases of community consultation held in 2014, 2017 and 2018.

Community Consultation

2014 – Hay Street Two-way – Phase 1

The community was initially engaged in July 2014 as part of the adopted 2014 Hay Street Masterplan. This indicated a high level of support, with the understanding that the proposal would improve the environment, permeability and accessibility over time.

2017 – East End Revitalisation Program – Phase 2

A second phase of community engagement occurred in December 2017 which informed the East End Revitalisation Program: 2018 Masterplan. This consultation again showed support for the streetscape enhancements within the East End with the community acknowledging the significant potential of the area whilst highlighting that it is currently out dated and in need of improvements.

2018 – East End Revitalisation Program – Phase 3

Following the East End Revitalisation Program: 2018 Masterplan being endorsed in May 2018 the City developed a Stakeholder Engagement Plan to allow feedback to be sought and considered prior to the commencement of detailed design. This plan also sets out the community engagement strategy for the implementation phase of the project. The City recognises the importance of ongoing marketing, media and monitoring to ensure that all users are aware and understand how the changes will affect them, this being particularly important within the Hay Street Pedestrian Priority Zone.

Consultation occurred in August 2018 via a range of activities, including:

- Community Information Sessions at the City of Perth Library and on-site at the Hay Street Pedestrian Priority Zone
- Online survey (via engage.perth.wa.gov.au)
- Social media advertising, including LinkedIn, Twitter and YouTube
- Footpath decal advertising
- Mailout to all ratepayers and tenants within the masterplan area
- Email to all key stakeholders
- Program advertising postcards

62 members of the community attended the City's Community information sessions, with 31 formally responding to the online survey. The survey results clearly identified a need and wish by the community for the East End Revitalisation to proceed, and a high level of support for a key feature of the program, the Hay Street Pedestrian Priority Zone. See Attachment 13.4C – East End Revitalisation Program "Have your say 2018" summary and City responses for a full breakdown of community feedback.

To date over 2000 members of the community have visited the programs Engage Perth website and approximately 600 people have viewed the Hay Street Pedestrian Priority Flythrough on YouTube.

Moving forward, the City's Stakeholder Engagement Plan identifies the following ongoing tactics to be used to during the program planning and implementation phase:

- Engage Perth Project Updates
- Mailouts to ratepayers and tenants within the masterplan area with updates regarding timing
- Ongoing social media and marketing campaign
- Construction hoarding imagery, including imagery, commentary, key dates and timing
- Project Signboards, including imagery, commentary, key dates and timing
- Opening day event
- Banners and Signage advertising the change in conditions

Key stakeholder consultation

Key stakeholder consultation has occurred and is ongoing, including but not limited to:

- Kings Park Botanic Gardens and Parks Authority
- City of Perth East End Art Working Group
- City of Perth Access and Inclusion Advisory Group
- Historic Heart
- Main Roads Western Australia

Kings Park

A significant feature of the East End Revitalisation Program: 2018 Masterplan was the inclusion of a public plaza space at the intersection of Hay and Irwin Streets, which includes large areas of planting.

During the detailed design phase the City recognised the opportunity to support the Wildflower Way initiative by promoting the use of native planting within the plaza. To achieve this the City has worked with Kings Park to develop a native planting palette that responds to the unique site characteristics (See Attachment 13.4E – Irwin Street Plaza Planting Scheme)

City of Perth East End Art Working Group

In 2018 the City formed the East End Art Working Group to act as an advisory body for the detailed design and procurement phases of public art projects to be commissioned as part of the East End Revitalisation Program. This group consists of City officers and external art industry representatives. The rich history and heritage value of the area is a primary consideration for the group, who are providing recommendations to guide the commissioning of public art and other creative initiatives. These recommendations can be utilised by the City and external groups, such as Historic Heart, to support a cohesive and informed response for all art within the East End.

City of Perth Access and Inclusion Advisory Group

The City is committed to ensuring the city is welcoming and inclusive for all people and is committed to raising awareness, and making life in the city as safe, comfortable and accessible as possible for people with and without a disability.

Pedestrian Priority Zones can potentially have significant legibility problems for several user groups, including children, the elderly and visually impaired. In light of this, the City has been working closely with the City's Access and Inclusion Advisory Group throughout the detailed design phase to ensure the pedestrian priority area will be accessible for all users.

Historic Heart

Established in 2016, Historic Heart of Perth Inc (Historic Heart) are a not-for-profit association whose vision is to reinvigorate and revitalise the Perth's East End. Stage One of their arts and landscape initiative was completed in February 2018.

In September 2018 the City committed \$300,000 as part of a matched funding agreement for Stage Two of works, which includes additional planter boxes, large scale mural works and laneway lighting upgrades. The City has been liaising with Historic Heart and the City's East End Art Working Group as part of the implementation planning for the East End Revitalisation Program, to ensure a cohesive approach towards all programs within the East End.

Main Roads Western Australia

The Hay Street Pedestrian Priority Zone has been designed in consultation and collaboration with Main Roads Western Australia (MRWA). MRWA approved the pedestrian priority zone and the removal of the associated traffic signals in December 2018. The City is continuing to engage with MRWA to develop and deliver the educational marketing, media and signage strategy for the pedestrian priority zone to ensure all users are aware and fully understand how the change in road hierarchy will affect them.

Financial Implications:

Not applicable for this financial year. Refer to Attachment 13.4A – East End Revitalisation Program: Proposed Staging and Confidential Attachment 13.4B – Detailed Cost Estimate for future financial implications.

Comments:

The East End Revitalisation Program – Masterplan 2018 has now been developed into detailed design, incorporating key strategic considerations, community consultation and ongoing key stakeholder consultation. Construction works are proposed to be staged over the next 3 years.

Following the confirmation of the financial year 2019/2020 Capital Works Budget, the first stage of works will be Hay Street (Irwin Street to Victoria Avenue) and Irwin Street (Hay Street to St George's Terrace).

There are several capital works projects planned in the City's East End, which are at similar stages of design development. Tendering these projects together as a single large-scale construction contract will allow the City to maximise economies of scale and be more flexible and responsive in planning and executing construction works in response to budget availability.

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

- 1. RECEIVES the detailed cost estimate and staging plans of the various streetscape enhancements, proposed for the East End Revitalisation Program as detailed in this report and Attachment 13.4A and Confidential Attachment 13.4B; and*
- 2. NOTES the Stakeholder Engagement Strategy for the design and implementation phase of the East End Revitalisation Program, as detailed in Attachment 13.4C.*

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.5 Arts Grants Round 1 – 2019/20

FILE REFERENCE: P1037135#02
 REPORTING UNIT: Business Support and Sponsorship
 RESPONSIBLE DIRECTORATE: Economic Development and Activation
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 25 March 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 Council/Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation Section 8 of the *City of Perth Act 2016*

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
 Goal 1 - A city for people
 Goal 6 - A city that celebrates its diverse cultural identity

Policy
 Policy no and name: 18.13 – Sponsorship and Grants

Purpose and Background:

The City of Perth will hold three funding rounds for Arts Grants in the 2019/20 financial year:

- Round 1 (for projects taking place between 1 July 2019 and 29 February 2020);
- Round 2 (for projects taking place between 1 November 2019 and 30 June 2020); and
- Round 2 (for projects taking place between 1 March 2020 and 31 October 2020).

There are two categories within the Arts Grants program:

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

Details:

The City received 21 applications in Round One of Arts Grants 2019/20.

Two applications were withdrawn from the Arts Grants program for consideration under more appropriate funding programs at the City of Perth. A third application was ineligible as it did not occur within the specified dates of the round.

The remaining 18 applications were considered by the assessment panel:

Under \$15,000

The following 13 applications were considered by the assessment panel for the Under \$15,000 category.

RANK	APPLICANT	PROJECT	REQUESTED AMOUNT	ASSESSMENT SCORE	RECOMMENDED AMOUNT	ARTFORM
1	Western Australian Academy of Performing Arts	Really Big Democracy: WAAPA	\$12,680	85.56%	\$7,000	Theatre
2	Propel Youth Arts WA	Mosaic 2019	\$15,000	84.60%	\$8,000	Photography
3	Nulsen Disability Services / As We Are	2019 As We Are Art Award and Exhibition	\$15,000	84.56%	\$8,000	Visual Arts
4	Centre for Stories Limited	Stories En Route	\$6,679	82.04%	\$6,000	Literature
5	Dr Mace Francis	Beautiful Mundane Spaces	\$10,000	81.56%	\$7,500	Music
6	Miss Noemie Huttner-Koros	Revolt. She Said. Revolt Again.	\$7,200	69.56%	\$4,000	Theatre
7	WA Poets Inc	Perth Poetry Festival 2019	\$10,915	67.04%	\$5,500	Poetry
8	TONE LIST INC.	KLEX Festival Exchange: Kok Siew-Wai & Yong Yandsen Residency	\$7,000	65.08%	\$3,500	Music

9	Music Book Stories Inc.	Chamber Music Concerts at Trinity College	\$6,350	64.08%	Decline	Music
10	Ms Olivia Tartaglia	Bureau of Meteoranxiety	\$4,500	59.56%	Decline	Exhibition
11	Chicho Gelato	CHOW	\$1,047	59.54%	Decline	Visual Arts
12	Fellowship of Australian Writers WA	The Tripod -3 new short plays	\$9,000	55.60%	Decline	Theatre
13	Ms Emma Humphreys	Dinner at Murder Mansion	\$8,059	52.56%	Decline	Theatre
TOTAL			\$113,430 Requested		\$49,500 Recommended	

\$15,001 - \$40,000

The following five applications were considered by the assessment panel for the \$15,001 - \$40,000 category.

RANK	APPLICANT	PROJECT	REQUESTED AMOUNT	ASSESSMENT SCORE	RECOMMENDED AMOUNT	ARTFORM
1	Co3 Australia	Co3 Dance in Our City of Perth Project	\$37,000	79.34%	\$18,000	Dance
2	Performing Lines WA	歸屬 GUI SHU (Belong)	\$20,092	74.71%	\$20,092	Performance
3	Revelation Perth International Film Festival	90 Second Perth	\$26,500	64.71%	Decline	Film & Photography
4	Australian Baroque LTD	Australian Baroque Launch	\$40,000	50.40%	Decline	Music
5	Rhythm Productions	The Home Brand Jam	\$25,000	50.06%	Decline	Dance
TOTAL			\$148,592 Requested		\$38,092 Recommended	

The 18 applications assessed requested support totalling \$262,022 with an available budget of \$88,000 for Round One. Of the applications assessed, 10 are recommended for approval and eight for decline. This is a total support of \$87,592 for the grant round.

All applications scoring above 65% in assessment are recommended for support. All applications under this threshold are recommended for decline.

The applications were assessed by a four-person assessment panel consisting of members from the City of Perth administration. A detailed officer assessment of all applications is included in Attachment 13.5A. The applications were assessed using the schema of measurable outcomes for cultural engagement, developed by the Cultural Development Network.

Financial Implications:

ACCOUNT NO:	PJ 13958006000007901
BUDGET ITEM:	Arts Grants
BUDGETED AMOUNT:	*\$265,000
AMOUNT SPENT TO DATE:	\$0
PROPOSED COST:	\$87,592
BALANCE REMAINING:	\$177,408
ANNUAL MAINTENANCE:	\$N/A
ESTIMATED WHOLE LIFE COST:	\$N/A

All figures quoted in this report are exclusive of GST.

*Draft budget amount for FY19/20.

Comments:

The high quality of applications received in this round made the assessment process highly competitive. An assessment score of 65% was determined the minimum required for a recommendation of funding support.

Applications supported were able to demonstrate strong alignment with the Arts Grant assessment criteria. The Assessment Panel believes the projects recommended for support will provide opportunities for artists and community members to engage in meaningful experiences that reflect the unique cultural identity of Perth.

The panel is confident applications receiving part-funding will be able to successfully deliver their projects in full or with revised plans whilst still meeting the stated objectives of the project.

Moved Commissioner Hammond, seconded Commissioner McMath

That Council, subject to approval of the 2019/20 budget:

- 1. APPROVES Arts Grants totalling \$87,592 (excluding GST) to the following applicants:**
 - 1.1 Western Australian Academy of Performing Arts for Really Big Democracy (\$7,000)**
 - 1.2 Propel Youth Arts WA for Mosaic 2019 (\$8,000)**
 - 1.3 Nulsen Disability Services/As We Are for 2019 As We Are Art Award and Exhibition (\$8,000)**
 - 1.4 Centre for Stories Ltd for Stories En Route (\$6,000)**
 - 1.5 Dr Mace Francis for Beautiful Mundane Spaces (\$7,500)**
 - 1.6 Co3 Australia for Co3 Dance in Our City Perth Project (\$18,000)**
 - 1.7 Performing Lines WA for GUI SHU (Belong) (\$20,092)**
 - 1.8 Noemie Huttner-Koros for Revolt. She Said. Revolt Again (\$4,000)**
 - 1.9 WA Poets Inc for Perth Poetry Festival 2019 (\$5,500)**
 - 1.10 Tone List Inc for KLEX Festival Exchange (\$3,500)**

2. **DECLINES Arts Grants to the following applicants:**
 - 2.1 ***Revelation Perth International Film Festival for 90 Second Perth***
 - 2.2 ***Music Book Stories for Chamber Music Concerts***
 - 2.3 ***Olivia Tartaglia for Bureau of Meteoranxiety***
 - 2.4 ***Chicho Gelato for CHOW***
 - 2.5 ***Fellowship of Australian Writers WA for The Tripod – 3 new short plays***
 - 2.6 ***Emma Humphreys for Dinner at Murder Mansion***
 - 2.7 ***Australian Baroque LTD for Australian Baroque Launch***
 - 2.8 ***Rhythm Productions for The Home Brand Jam***
3. **NOTES the provisional list of sponsorship benefits contained within the Detailed Officer Assessments in Attachment 13.5A;**
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 agreements, according to the Council approved funding amount; and**
5. **NOTES that a detailed acquittal report, including all supporting material, will be submitted to the City of Perth three months following the completion of each supported project.**

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.6 Business Event Sponsorship - Town Teams Conference 2019

FILE REFERENCE: P1036602#02
 REPORTING UNIT: Business Support and Sponsorship
 RESPONSIBLE DIRECTORATE: Economic Development and Activation
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 8 April 2019
 ATTACHMENT/S: Attachment 13.6A – Town Team Movement Summary

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 Section 8 of the *City of Perth Act 2016*

Integrated Planning and Reporting Framework implications **Strategic Community Plan**
 Goal 1 - A city for people

Policy
 Policy no and name: 18.13 – Sponsorship and Grants

Purpose and Background:

Applicant details

ABN	80 623 191 882
Entity Name	Town Team Movement Ltd
Entity Type	Australian Public Company
ABN Status	Active
ATO Endorsed Charity Type	Not endorsed

Goods & Services (GST)	Yes
Endorsed as DGR	No
Tax Concessions	No tax concessions
Main Business Location Postcode	6016 WA
ACNC Registration	No

Town Team Movement Ltd

Based in Western Australia, Town Team Movement (TTM) is a not-for-profit organisation established with the aim to help create a network of town teams around Australia and New Zealand.

The key activities of the TTM are to:

- Inspire active citizenship, civic leadership and community empowerment;
- Build connected, resilient communities and better places;
- Establish new Town Teams;
- Work with and assist local governments with placemaking, community development and creating a positive, 'can do' culture; and
- Support and mentor existing Town Teams by:
 - helping them to organise, engage and empower their communities;
 - sharing knowledge, resources and best practices;
 - hosting networking and learning events;
 - assisting them to be financially sustainable;
 - promoting events and activities of Town Teams; and
 - providing advice, support and mentorship.

The organisation has a small number of paid staff which is supplemented by a group of volunteers called 'the Guardians' and volunteer Directors who oversee the strategic direction and corporate governance of TTM.

A summary of the TTM is included in Attachment 13.6A.

Details:

Sponsorship Category	Business Event Sponsorship
Applicant	Town Team Movement Ltd
Project Title	Town Team Conference 2019
Project Start Date	13/09/2019
Project End Date	13/09/2019
Venue	TBC (Perth Concert Hall or East Perth Girls School)
Estimated attendance	500 attendees
Ticket Cost	\$400 Full Price; \$50 Concession
Total Project Cost	\$190,000
Total Amount Requested	\$30,000 (16% of total project cost)
Recommendation	Approval
Recommended amount	\$25,000 (13% of total project cost)
Assessment Score	39 out of 60

Project descriptionTown Teams

The TTM defines Town Teams as positive and proactive organisations that include businesses, landowners and residents working collaboratively with their local government to improve a place or area, often a town centre or 'main street'.

TTM notes that *"Town Teams are catalysts for change in their local area. The Town Team model breaks down the barriers that often divide businesses, residents and local governments, and helps everyone to better understand the challenges and the opportunities to improve places"*.

Town Teams are focused on building relationships and practical actions by:

- Providing a vision and leadership for their place;
- Being non-political in approach and independent from government;
- Supportive of high-quality, environmentally sustainable development that provides for current and future residents, businesses and communities;
- "Getting stuck in and having a go" rather than waiting for "someone else" to do "something"; and
- Run by the community for the community.

TTM notes the Town Team model is considered an innovative and best-practice approach to community-led placemaking, and Western Australia is growing in reputation both nationally and internationally as a leader in this space. TTM anticipate significant interest in the event as other places look to develop the Town Team model in their area.

The City of Perth is home to three recognised Town Teams (Historic Heart of Perth, Northbridge Common and West Perth Local) in addition to aligned groups including Activate Perth and the East Perth Community and Safety Group.

2018 Town Team conference

In 2018 the Town Team Movement held their inaugural national conference in the West End Arts Precinct, which sold out. The event attracted 350 attendees from 31 local governments, State Government agencies, developers and urban design professionals, along with community leaders.

The theme of the conference was *'(Re)connecting communities through place leadership and activation'* and was positioned as a "conference with a difference: more like a festival of inspiration, ideas and interaction" and an "activated lunch" in a local park with food trucks and entertainment.

2019 Town Team conference

The theme of the 2019 conference is *'The Story of Place: Discovering your place's character and identity'*. The conference will cover how to develop and celebrate the character and vision for a place, and highlight Noongar cultural connection to place.

Scheduled for 13 September 2019, the conference will be held within the City of Perth (current venues under consideration include the Perth Concert Hall and the Old Perth Girls School).

The conference will run over two days, with the first day including a morning plenary session and afternoon breakout sessions ("*Choose Your Own Adventure Program*"). The following day TTM will host an event for Town Team members as a forum to acknowledge and celebrate their achievements and contribution to their local community.

The program has not yet been finalised however potential speakers being considered include Ethan Kent from Project for Public Spaces United States, Chuck Marohn from Strong Towns United States, Mary Portas from the United Kingdom and Mike Fisher from the Christchurch City Council, New Zealand.

The aims of the conference are to:

- highlight the importance of understanding places and their individual characters and identities;
- discuss the competitive advantages of authentic places;
- showcase the work of Town Teams improving places and communities;
- network with thought leaders and change-makers; and
- brand Perth as a global innovator in the next evolution of place and place leadership.

Organisers are anticipating 500 attendees, from sectors including local and state government, property development, placemaking, urban planning and design, community development, not-for-profit and economic development. It is anticipated that 10% of delegates will travel from interstate and international locations. Perth-based suppliers and hotels will be prioritised to maximise economic benefit to local businesses.

The conference will be delivered by Upbeat Events, a West Australian event company who have successfully delivered other community events including the 2018 Town Team conference, Leederville Carnival, Subiaco Street Party, Vic Park Summer Street Party and Mount Hawthorn Streets and Lanes Festival.

Previous five years City of Perth support and acquittals

The City of Perth has not previously supported this applicant.

Sponsorship benefits

Organisers will provide the following benefits for the requested sponsorship:

- The City of Perth will be recognised as the Presenting Partner of the conference (*Town Team Conference 2019: presented by the City of Perth*);
- City of Perth nominated representative to open the Conference;
- Opportunity for City representatives to participate, speak or present at the program/event;
- Acknowledgement by MC in opening and closing speeches;
- Logo recognition / acknowledgement on all Conference collateral, program promotional material, website, e-newsletters, social media posts, media releases and final conference report sent to all attendees;
- Opportunity to display City of Perth signage at the event, including a banner signage on main stage;
- Priority 'activation space' at the conference for any projects or activities the City may wish to showcase to attendees;

- Promotional video produced and distributed by TTM to feature City of Perth and showcase why the City is getting behind the event;
- Complimentary advertisement in Conference program; and
- Access to event attendees feedback analysis.

Business event sponsorship | assessment score card

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

Assessment criteria	Score /5
Economic impact and attendance	
To what extent will the event attract a significant number of attendees?	4.13
To what extent does the event demonstrate the potential to generate significant direct economic benefit to the city economy and local businesses?	2.63
For an event with travelling delegates, is the majority of accommodation within the boundaries of the City of Perth?	3.88
To what extent does the event attract tourism and visitors to the city and promote Perth as a destination?	2.88
To what extent does the event encourage delegates and their partners to explore Perth, through inclusion of a social program or free time for travelling delegates?	2.88
Subtotal 16.4 out of 25	
Sector and business development	
To what extent does the event provide opportunities to enhance and promote Perth’s reputation in a key industry sector?	3.13
To what extent does the event offer opportunities for business networking, education, information exchange and links to WA industry sectors, especially in a sector prioritised by the City of Perth?	3.75
To what extent does the event enhance business or community development and assist in building long-term relationships by providing Perth business and community leaders with the opportunity to meet visiting industry leaders?	3.38
Subtotal 10.26 out of 15	
Event profile and organisational capacity	
To what extent does the event position Perth as a Capital City and lift the status, awareness or profile of Perth?	3.00
To what extent does the event demonstrate the participation of high calibre speakers and participants?	3.50
To what extent has the applicant provided evidence of a robust business plan including other funding sources to ensure sustainability of the event?	2.75
Please rate the level of benefits and recognition provided to the City	3.50
Subtotal 12.75 out of 20	
TOTAL ASSESSMENT SCORE 39.38 out of 60 (67%)	

Financial Implications:

ACCOUNT NO:	PJ 1395-80130-0000-7901
BUDGET ITEM:	Business Event Sponsorship
BUDGETED AMOUNT:	\$75,000 *
AMOUNT SPENT TO DATE:	\$0
PROPOSED COST:	\$25,000
BALANCE REMAINING:	\$50,000
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.

*2019/20 proposed budget.

Comments:

Sponsorship of the event will allow the City of Perth to demonstrate its commitment to innovation, building stronger connections with the community, creating better places and leading a 'City of Neighbourhoods' approach.

The event is closely aligned to the City's strategic priorities as outlined in the draft City Planning Strategy, as the City transitions towards neighbourhood-based place-planning and service delivery. Sponsorship of the event would be a good opportunity for the City to demonstrate its prioritisation of enhanced planning for places within Perth city and demonstrate leadership in this space as the capital city. This approach to urban planning is quickly gaining momentum and this is evident in events over the past few years including the Perth City Summit.

The themes of the conference will help shape the discussion on key challenges and opportunities facing our community, especially in building more connected, vibrant and engaged communities. The ethos behind Town Teams is increasingly important to the City as our residential population grows. Outcomes may be applicable to a large number of internal units and inform new ways to work positively with our community stakeholders.

Sponsorship of the event will allow the City the opportunity to collaborate on featured content and showcase City initiatives and placemaking work to the 500 delegates in attendance. Suggested programming includes a presentation on the draft 'City of Neighbourhoods' City Planning Strategy and a showcase of the work of local groups including Activate Perth and Historic Heart, amongst others.

The Conference and related events will provide business networking and help connect industry sectors including government, property development, urban planning and design and economic development. The conference will provide an opportunity to showcase precincts within the City to visiting delegates.

Regional, overseas and interstate delegates will bring direct economic benefit to City businesses. It is anticipated that the conference will be attended by 30 delegates from regional WA, 30 interstate and 15 international attendees for an estimated 160 hotel room nights.

Moved Commissioner Hammond, seconded Commissioner McMath

That Council, subject to approval of the 2019/20 budget:

1. ***APPROVES a Business Event Sponsorship of \$25,000 (excluding GST) to Town Team Movement Ltd for the Town Team Conference 2019;***
2. ***NOTES the provisional list of sponsorship benefits contained within this report;***
3. ***AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the applicant the final list of sponsorship benefits according to the Council approved funding amount; and***
4. ***NOTES that a detailed acquittal report, including all supporting material, will be submitted to the City of Perth three months following the conclusion of the project.***

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.7 Business Event Sponsorship – Ear Science Institute of Australia, Science on the Swan 2019

FILE REFERENCE: P1036602#02
 REPORTING UNIT: Business Support and Sponsorship
 RESPONSIBLE DIRECTORATE: Economic Development and Activation
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 20 March 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 Council/Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation Section 8 of the *City of Perth Act 2016*

Integrated Planning and Reporting Framework implications **Strategic Community Plan**
 Goal 5 - A prosperous city

Policy

Policy no and name: 18.13 – Sponsorship and Grants

Purpose and Background:

Applicant details

Entity Name	Ear Science Institute Australia Incorporated
ABN	48804903003
Entity Type	Other incorporated entity
ABN Status	Active
ATO Endorsed Charity Type	Health promotion charity

Ear Science Institute Australia is a not-for-profit organisation working in the field of ear and hearing health. The Institute delivers research, ear science, clinics, education and community services. For the purposes of this application, they are acting as the auspice organisation for the WA Health Translation Network (WAHTN).

The WAHTN is a state-wide network that supports and advocates the translation of health and medical research into policy, practice and training. It has 20 partner organisations, including all five Western Australian universities, six medical research institutes, the Department of Health, WA public hospitals and two large private healthcare providers, in addition to eight associate member organisations.

Science on the Swan will be co-chaired by representatives from the WAHTN, Perron Institute for Neurological and Translational Science, Lions Eye Institute, and Ear Science Institute Australia. The conference will be delivered by event management company Arinex.

Details:

Sponsorship Category	Business Event Sponsorship
Applicant	Ear Science Institute Australia Incorporated
Project Title	Science on the Swan 2019
Project Start Date	05/06/2019
Project End Date	07/06/2019
Venue	The Westin Perth, 480 Hay St, Perth WA 6000
Estimated attendance	250
Ticket Cost	\$539
Total Project Cost	\$228,000
Total Amount Requested	\$15,000 (6.57% of total project cost)
Recommendation	Approve
Recommended amount	\$12,500 (5.48% of total project cost)
Assessment Score	46.33 out of 60 (77.22%)

Project description

Science on the Swan (SOTS) is an annual health and medical science conference showcasing innovative work and research by WA institutions. The program will feature plenary sessions, talks, interactive sessions and networking opportunities. A Welcome Reception and Conference Dinner will both held at the Westin Perth.

Science on the Swan will take a whole of life approach to its programming in 2019. The conference's theme "Neuroscience and The Senses – Healthy Ageing across the Life Course" will address topics including pain, vision, hearing, ageing, cognitive decline, cancer research and local innovations in the area of senses. These topics will be addressed in the scope of laboratory research to patient bedside use.

Outcomes

The conference will profile the advancements and achievement of the Perth health and medical science sector, of which many organisations are located within the City of Perth boundaries. The

sessions will facilitate information exchange and provide networking opportunities for health science industry professionals. The conference will attract attendance from research institutes, healthcare service providers, universities, hospitals, government and industry partners.

The conference provides attendees with a detailed overview of what high-profile research and innovations are taking place within Perth from the lead researcher or an expert in field. Informed members of the medical life sciences sector will enable continued innovation and research within Perth.

It is hoped the conference will encourage collaboration opportunities between local medical institutions and universities. Collaboration within the sector will increase opportunity for WA researchers to access the Commonwealth Government's one-billion-dollar Medical Research Future Fund and attract other investment.

Speakers

The conference will include local, national and international speakers.

The keynote speaker is popular British presenter Dr Michael Mosley. It is anticipated the attendance of Dr Mosley will attract more delegates to the conference than previous years. Professor Barry Marshall, a Western Australian Nobel Laureate, will deliver an introduction to Dr Mosley.

Other international key speakers include Professor Lorna Harries, A/Professor in Molecular Genetics from the University of Exeter College and Professor Zi-Bing Jin, co-director of The Stem Cell Research Institute and National Centre for International Research in Regenerative Medicine and Neurogenetics at Wenzhou Medical University.

In addition to presenting at the conference, organisers have arranged for speakers to engage with organisations outside of the structured program, furthering the skills and knowledge transfer from visiting experts into real-life practice. An example of this is Professor Chris Levi, Executive Director of the Sydney Partnership for Health, Education, Research and Enterprise, and a leading stroke research expert. Professor Levi will visit Royal Perth Hospital to meet with cardiac and stroke staff and present a lecture.

Economic Impact

2019 is the fifth year of Science on the Swan and marks the return of the event to the City of Perth after three years hosted in the City of Fremantle. The new location was chosen to recognise the growth of the conference and to celebrate the level of activity within the City of Perth for the medical life sciences industry.

The return of the conference to the City will provide direct economic benefits to City businesses. 250 people will attend the conference, hosted at The Westin, including ten inter-state and six international visitors. Internal estimates put this economic spend at \$31,158.

The attendance of these high-profile international speakers will be used as part of the Think Perth investment attraction campaign through video testimony and advocacy created by the City of Perth to promote the City's role in supporting the sector and attracting increased investment and employment in Perth.

Media

Science on the Swan will generate extensive paid and non-paid media coverage that will raise awareness beyond the conference attendees. A health and medical lift-out covering the conference will be published in print and online by The West Australian. Articles will also appear in the Department of Health's Health Happenings magazine and the Australian Medical Association of WA's Medicus, the leading medical publication in WA.

Previous five years City of Perth support and acquittals

The City has not supported this applicant or event in the past five years.

Sponsorship Benefits

The applicant will provide the following benefits for the requested sponsorship: -

Plenary Speaker Sponsorship

- Naming rights to one plenary speaker;
- The City can provide a freestanding banner which will be positioned on or near the main stage in the plenary room for the sponsored session;
- Prominent logo acknowledgement on Opening and Closing Slides during the sponsored session; and
- Verbal acknowledgement as Gold Plenary Sponsor at the sponsored session

Branding and Visibility

- Logo acknowledgement on Conference holding slides (excluding the Featured Plenary Session);
- One promoted post featuring the City of Perth's organisation logo or advertisement, hyperlinked to organisation website in the Conference App for 30-minutes daily on all Conference days;
- 120-word organisation profile in the sponsors' section of the Conference App;
- Acknowledgement as Gold Sponsor on the official sponsor Conference marketing emails;
- Logo placement on Conference website, with a hyperlink to the City of Perth's organisation website; and
- Use of Conference logo until 31 December 2019

Promotional Material

- One promotional brochure or novelty item to be inserted in the satchel or via Seat Drop in the sponsored session

Delegate Marketing

- Electronic delegate list supplied post Conference (in accordance with privacy laws)

Assessment Score Card

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

Assessment Criteria	Score /5
Economic impact and attendance	
To what extent will the event attract a significant number of attendees?	3.00
To what extent does the event demonstrate the potential to generate significant direct economic benefit to the city economy and local businesses?	3.33
For an event with travelling delegates, is the majority of accommodation within the boundaries of the City of Perth?	4.50
To what extent does the event attract tourism and visitors to the city and promote Perth as a destination?	3.17
To what extent does the event encourage delegates and their partners to explore Perth, through inclusion of a social program or free time for travelling delegates?	3.33
Subtotal 17.33 out of 25	
Sector and business development	
To what extent does the event provide opportunities to enhance and promote Perth's reputation in a key industry sector?	4.50
To what extent does the event offer opportunities for business networking, education, information exchange and links to WA industry sectors, especially in a sector prioritised by the City of Perth?	4.33
To what extent does the event enhance business or community development and assist in building long-term relationships by providing Perth business and community leaders with the opportunity to meet visiting industry leaders?	4.17
Subtotal 13.00 out of 15	
Event profile and organisational capacity	
To what extent does the event position Perth as a Capital City and lift the status, awareness or profile of Perth?	4.00
To what extent does the event demonstrate the participation of high calibre speakers and participants?	4.33
To what extent has the applicant provided evidence of a robust business plan including other funding sources to ensure sustainability of the event?	3.83
Please rate the level of benefits and recognition provided to the City	3.83
Subtotal 16.00 out of 20	
TOTAL ASSESSMENT SCORE 46.33 out of 60 (77.22%)	

Financial implications:

ACCOUNT NO:	PJ 13958067000007901
BUDGET ITEM:	Medical Health and Life Sciences
BUDGETED AMOUNT:	\$55,000
AMOUNT SPENT TO DATE:	\$20,500
PROPOSED COST:	\$12,500
BALANCE REMAINING:	22,000
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.

Comments:

Science on the Swan is an essential event in the medical and life science sector, profiling and promoting innovative advancements and research being undertaken in Perth and Western Australia. The conference is strongly aligned to the City's economic development objectives and Think Perth investment attraction campaign. It provides an ideal environment for networking and collaboration between local, national and international stakeholders.

The conference highlights the important topic of aging within the WA landscape. The Committee for Perth's Bigger & Better Beyond the Boom project addressed issues surrounding infrastructure and the strain that an aging population would have on Perth. The conference will provide detail as to what these changes can look like and how these can be transformed into potential opportunities and actionable outcomes.

The speakers, particularly the popular Dr Michael Mosely, are high-profile and industry thought leaders. The City's Economic Development Unit will work with conference organisers to leverage these speakers to promote Perth on an international stage as part of the Think Perth campaign.

The attraction of the event back to the City of Perth after three years is a great outcome and will further strengthen the City's narrative as a leader in medical and life science sector. The conference's profiling of our successful medical and life science sector, further supported by the attendance of national and international figures, will contribute directly to the Think Perth aim of encouraging investment into Perth. The integration of the Think Perth campaign into this event combined with the concurrent 'BIO 2019 Think Perth' delegation to Philadelphia, Pennsylvania will actively showcase the high level of activity in Perth to an engaged and relevant international audience through social media postings and website updates

The assessment panel has recommended a sponsorship of \$12,500 to remove the cost of tickets originally offered as benefit. These will be purchased by the City of Perth.

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

1. ***APPROVES a Business Event Sponsorship of \$12,500 (excluding GST) to the Ear Science Institute Australia Incorporated for Science on the Swan 2019;***
2. ***NOTES the provisional list of sponsorship benefits contained within this report;***
3. ***AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the applicant the final list of sponsorship benefits according to the Council approved funding amount; and***
4. ***NOTES that a detailed acquittal report, including all supporting material, will be submitted to the City of Perth three months following the conclusion of the project.***

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.8 Strategic Event Sponsorship – NAIDOC Perth Inc

FILE REFERENCE: P1037136#07
 REPORTING UNIT: Business Support and Sponsorship
 RESPONSIBLE DIRECTORATE: Economic Development and Activation
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 2 April 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 Council/Committee to note.*

Legislation / Strategic Plan / Policy:

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

Integrated Planning and Reporting Framework implications **Strategic Community Plan**
 Goal 6 - A city that celebrates its diverse cultural identity

Policy
 Policy no and name: 18.13 – Sponsorship and Grants

Purpose and Background:

Applicant Details

Entity Name	NAIDOC Perth Inc
ABN	78371978171
Entity Type	Other incorporated entity
ABN Status	Active

ATO Endorsed Charity Type	Not endorsed
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NAIDOC stands for National Aboriginal and Torres Strait Islander Day Observance Committee. In 2006, community members in Perth formed a NAIDOC Committee to promote and assist in the coordination of the 50th anniversary of NAIDOC in Perth. In January 2018, NAIDOC Perth registered as an incorporated association.

NAIDOC Perth aspires to assist in the promotion, coordination and organisation of NAIDOC Week activities in the Perth metropolitan area. NAIDOC Perth's goals and purposes are focused on the preservation and celebration of Aboriginal and Torres Strait Islander cultures and the education of non-Aboriginal and Torres Strait Islander people about the history and contemporary aspects of Aboriginal and Torres Strait Islander people.

Details:

Sponsorship Category	Strategic Event Sponsorship
Applicant	NAIDOC Perth Inc
Project Title	NAIDOC Week Perth Opening Ceremony
Project Start Date	07/07/2019, 12pm
Project End Date	07/07/2019, 4pm
Venue	Supreme Court Gardens, corner of Barrack Street, Riverside Drive and Governors Avenue, Perth.
Estimated attendance	4,000
Ticket Cost	Free for public to attend. Cost for stallholders: Corporate and Government - \$300 Aboriginal organisations - \$200 Community - \$100
Total Project Cost	\$97,732
Total Amount Requested	\$20,000 (20.46%)
Recommendation	Approve
Recommended amount	\$20,000
Assessment Score	36.84 out of 35 (105.25%) *Includes bonus scoring

Project Description

The NAIDOC Week Perth Opening Ceremony is the official opening of National NAIDOC Week in Perth which is celebrated from 7 July to 14 July 2019. NAIDOC Week is held across Australia each July to celebrate the history, cultures and achievements of Aboriginal and Torres Strait Islander peoples. The Opening Ceremony is an opportunity for all Aboriginal and Torres Strait Islander peoples in Perth to come together to celebrate the beginning of NAIDOC Week, and to share their culture with the wider community of Perth through music, dance and song. 2019 will be the 12th annual event held in Perth.

The NAIDOC Week Perth Opening Ceremony will be held at Supreme Court Gardens on Sunday, 7 July from 12.00pm to 4.00pm. The event will mark the formal opening of NAIDOC Week in Perth. In 2019 the NAIDOC Week theme is 'Voice, Treaty, Truth – Lets work together for a shared future'.

The NAIDOC Week Opening Ceremony will begin with a traditional Welcome to Country from Whadjuk Nyoongar Elders who will speak in Nyoongar language to welcome everyone to the land; and a Smoking Ceremony to bring the good spirits to the land and chase away the bad spirits. There will be traditional performances sharing songs, dancing and singing.

The Community stalls area will feature Indigenous arts, crafts and paintings, clothes and fashion, bush medicines; and community service programs relevant to Indigenous health and diet, education, law and justice, family support, housing, sport and culture. There will be a focus on Indigenous young people with the NAIDOC young people's model and fashion presentation.

In keeping with the National NAIDOC theme, sand art will depict specific Nyoongar cultural elements important to land and water as relevant to the ongoing preservation and renewal of their cultures, peoples and land.

Organisers advise that in addition to the main marquee at the event, the event will include an Elder’s marquee, community stalls, Aboriginal and Torres Strait Islander artists and businesses, children’s activities and crafts, face painting, balloon making and a petting zoo.

There will be a range of musical performers throughout the day including different music styles and a headline act.

A free sausage sizzle and tea and coffee will be provided to the wider community and organisers will also be seeking other food vendors to be on site.

The event will be for Aboriginal and Torres Strait Islander peoples in Perth, and through their media campaign there will be an emphasis on encouraging non-Indigenous people to attend the event to share in Aboriginal cultures through ceremonies, language music, song, dance, arts and crafts.

Previous five years City of Perth Support and Acquittals

Year	Amount	Project
2014	\$20,000	NAIDOC Week Opening Ceremony
2015	\$20,000	NAIDOC Week Opening Ceremony
2016	\$15,000	NAIDOC Week Opening Ceremony
2017	\$20,000	NAIDOC Week Opening Ceremony
2018	\$15,000	NAIDOC Week Opening Ceremony
TOTAL	\$90,000	

City Officers can confirm that all previous funding has been satisfactorily acquitted.

Sponsorship Benefits

- Logo recognition on all event promotional material and event website;
- City of Perth profile on event website;
- Opportunity to display City of Perth signage at the event;
- Access to the event for the City of Perth Digital team to produce content at our own cost;
- Acknowledged as a Silver Sponsor;
- Verbal recognition at the event;
- Opportunity for a nominated City of Perth representative to speak at the event;

- Written acknowledgement of the City of Perth in event press releases and social media;
- Logo on event poster;
- Logo on the 2019 NAIDOC Perth website and link to the City of Perth website;
- Logo in the NAIDOC Perth Annual Report;
- Logo recognition in the 2019 West Australian NAIDOC Week lift out;
- 2 x VIP Backstage passes to meet performers; and
- Opportunity for the City of Perth to take up the offer of a complimentary stall for an activation at the event.

Strategic Events Sponsorship

Assessment Score Card

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

Essential Assessment Criteria	Score /5
Cultural outcomes	
To what extent does the event celebrate the diversity of Perth as a capital city?	4.17
Social outcomes	
To what extent does the event strengthen social cohesion and provide opportunities to connect?	4.50
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?	3.83
Economic outcomes	
Does the event stimulate the local economy and provide opportunities for engagement with local business?	4.00
Organisational competency	
Does the applicant have a demonstrated capacity to manage all aspects of the event?	3.67
Does the event demonstrate financial viability through evidence of support from other government agencies, business or community organisations?	3.67
Benefits	
Does the event offer adequate benefits/ recognition for the City?	4.00
Sub total 27.84 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?	4.67
To what extent does the proposal create a sense of community in the city or one of its precincts?	4.33
To what extent does the event activate the riverfront or underutilised locations with vibrant activity?	-
Additional score total 9 out of 10	
TOTAL ASSESSMENT SCORE 36.84 out of 35 (105.25%)	

* *The assessment formula for Strategic Event Sponsorship awards bonus points for applicants who can demonstrate strong alignment with the Goals of the City's Strategic Community Plan. Due to the nature of the bonus points, it is possible to receive over 100% for high scoring applicants.*

Financial Implications:

ACCOUNT NO:	PJ 1395-80430-0000-7901
BUDGET ITEM:	Event Annual Sponsorship
BUDGETED AMOUNT:	*\$705,000
AMOUNT SPENT TO DATE:	\$0
PROPOSED COST:	\$20,000
BALANCE REMAINING:	\$685,000
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE LIFE COST:	\$20,000

All figures quoted in this report are exclusive of GST.

*Subject to adoption of 2019/20 budget.

Comments:

The assessment panel noted that the NAIDOC Week Perth Opening Ceremony is an important event celebrating Aboriginal culture in the City of Perth. This event signals the Western Australian start of NAIDOC Week, a national celebration of Aboriginal history, stories and culture.

The panel were all supportive of increasing the recommended funding for this event to \$20,000 as it is a long running event now in its 12th year. The event strongly aligns with the City's Reconciliation Action Plan (RAP), specifically 4.6 *"Through the City's Sponsorship programs, continue to support and fund NAIDOC week events, and investigate opportunities to build on the level of funding available for organisations celebrating NAIDOC Week in 2018"*. It is an important statement for the City to demonstrate to the community that it wishes to move to a place of reconciliation and values and supports Aboriginal history and culture.

The panel noted that it is a privilege that the WA NAIDOC Committee chose this event to take place on Whadjuk Nyoongar country, the land on which the City of Perth now sits. The City's support for this event via a Strategic Event Sponsorship will be a sign of our continuous journey toward reconciliation with Aboriginal and Torres Strait Islander people, particularly the Whadjuk Nyoongar people. The event will be a celebration of the continuous culture of Aboriginal peoples, will highlight Perth's cultural diversity and will encourage Aboriginal and non-Aboriginal persons to come together and celebrate Aboriginal culture, history and stories through a variety of creative and cultural performances and activities.

NAIDOC Week is activating a public space with free and accessible programming and bringing people into the city, during the winter period which will increase social and economic benefits for the city.

Moved Commissioner Hammond, seconded Commissioner McMath

That Council, subject to approval of the 2019/20 budget:

1. ***APPROVES a Strategic Event Sponsorship of \$20,000 (excluding GST) to NAIDOC Perth Inc. for NAIDOC Week Perth Opening Ceremony;***
2. ***NOTES the provisional list of sponsorship benefits contained within this report;***
3. ***AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the applicant the final list of sponsorship benefits according to the Council approved funding amount; and***
4. ***NOTES that a detailed acquittal report, including all supporting material, will be submitted to the City of Perth three months following the conclusion of the project.***

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.9 Welcome Reception for 2019 Asia-Pac Super Splash

FILE REFERENCE: P1020994
 REPORTING UNIT: Economic Development
 RESPONSIBLE DIRECTORATE: Economic Development and Activation
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 21 March 2019
 ATTACHMENT/S: Attachment 13.9A - Asia-Pac Super Splash Information Booklet

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 N/A

Integrated Planning and Reporting Framework implications **Strategic Community Plan**
 Goal 5 - A prosperous city

Policy
 Policy no and name: 10.12 – Provision of Hospitality

Purpose and background:

The City has received a request from Swimming WA to host a welcome reception for the athletes taking part in the inaugural 2019 Asia-Pac Super Splash.

Details:

The 2019 Asia-Pac Super Splash, as outlined in Attachment 13.9A, is a two-day swimming competition in Perth, Western Australia, across Saturday, 14 December and Sunday, 15 December 2019.

The competition was previously known as the Indian Ocean All Stars and included participation from the Indian Ocean region. The event has now grown in focus to include participants from Perth's neighbours to the north, with a sizeable portion of competitors coming from countries such as Malaysia, China and Japan in addition to competitors from across Australia.

The event is open to swimmers aged nine years and above, and is designed specifically to be a participation event and not targeted towards elite athletes.

The Asia-Pac Super Splash will be held at the HBF Stadium sporting complex; the only Australian venue to previously host two FINA World Swimming Championships. The event will also be livestreamed on social media.

In addition to the competition on Saturday, 14 December and Sunday, 15 December 2019, visiting teams also have the option to take part in a 'camp/clinic add-on package' at Ern Halliday Recreational Camp from Monday, 16 December 2019 until Wednesday, 18 December 2019. This camp will provide swimmers and coaches with education workshops covering topics including; athlete performance, nutrition, injury prevention and goal setting, as well as team building, social activities, and water skill sessions with leading West Australian high-performance coaches.

The proposed event details are:

Date:	Friday, 13 December 2019
Time:	5.30pm – 7.30pm
Location:	Grassed area outside Council House
Attendees:	Approximately 300
Catering:	Outdoor barbeque – no alcohol

Financial implications:

Costs for the proposed welcome reception have been estimated at approximately \$10,000. Subject to the approval of the 2019/20 budget, these funds will be sourced from the Economic Development budget.

Comments:

Sporting competitions, in addition to providing the city with an opportunity to promote our expertise, facilities and natural amenity, are also valuable as tourism events. Although there will be approximately 300 athletes, given the age of the participants, it is likely that the number of visitors for the event will be higher as family members will also accompany the athletes to Perth. These visitors will generate income for businesses and attractions in the City of Perth and across the greater metropolitan region, as well as promoting Perth back into their home markets via social media, word of mouth, etc.

Additionally, it is hoped that as student athletes, that these competitors may also look to Perth as a potential education destination. Approximately every five international students that choose to study in Perth creates one job, and each international student attracts 1.49 visiting friends and relatives from overseas and interstate.

The event is consistent with the City's International Engagement Strategy, which prioritises engagement within our region and recognises the role that sports diplomacy can play in international engagement.

In January 2019, the State Government launched the \$500,000 Asian Sport Strategy to leverage global interest in sports to boost local jobs, generate increased international tourism and attendance at WA events, and strengthen existing trade ties. Swimming WA were the first recipient of funding from this program. The City's support of the 2019 Asia-Pac Super Splash is consistent with these strategies.

Moved Commissioner Hammond, seconded Commissioner McMath

That Council, subject to approval of the 2019/20 budget, APPROVES hosting a Welcome Reception for participants of the 2019 Asia-Pac Super Splash on Friday, 13 December 2019.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.10 Art Basel Cities - Perth

FILE REFERENCE: P1037499
 REPORTING UNIT: Arts, Culture and Heritage
 RESPONSIBLE DIRECTORATE: Economic Development and Activation
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 3 April 2019
 ATTACHMENT/S: Attachment 13.10A – Letter of Support - DLGSCI
 Attachment 13.10B – Letter of Support - CACWA
 Confidential Attachment 13.10C – Art Basel Cities – Buenos Aires Economic Impact Assessment
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 Council/Committee to note.*

Legislation / Strategic Plan / Policy:

Legislation Section 8 of the *City of Perth Act 2016*

Integrated Planning and Reporting Framework implications **Strategic Community Plan**
 Goal 5 - A prosperous city
 Goal 6 - A city that celebrates its diverse cultural identity

Policy
 Policy no and name: 18.1 – Arts and Culture

Purpose and Background:

The City of Perth has been successful in confirming an in-principle expression of interest to participate in the Art Basel Cities Program; an off-shoot of the high-profile Art Basel Art Fair, that leverages the profile and expertise of Art Basel for the benefit of burgeoning cultural hotspots. This highly sought-after program is by invitation only and exclusively for cities with emerging art scenes. The aim is to “bring the artworld to the city and the city to the artworld,” with the objective of broader economic and cultural development for the city and the global sector.

Specific program outcomes are tailored to each city, negotiated through a consultative exchange with the local art scene and the city authority. Examples include, international recognition; cultural tourism; economic return; art eco-system growth; private and public funding for the arts; international business opportunities, etc.

The program consists of a multi-year workflow, as outlined in the table below. Importantly, the program does not automatically progress through each stage, rather, each stage is negotiated and agreed based on the outcomes of the preceding stage. The stages are:

Stage	Description	Period	Total Cost
1. Audit	An in-depth consultation and analysis of Perth’s art sector; strengths, opportunities, unique cultural proposition, and recommendations to achieve growth and global recognition	3 – 4 months	\$550,000
3. Spotlight	A dynamic activation program in a festival-like format, connecting Perth’s art scene to the global artworld through an intensive international networking and communication campaign	18 months	TBD*
4. Network	Impact report with further strategic recommendations to leverage Art Basel’s networks and brand recognition	Yearly membership	TBD

*The full cost of the spotlight is determined by the City, based on its own contributions, fundraising by the City and Art Basel, and partnership arrangements.

The purpose of this report is to seek approval for the City of Perth to engage Art Basel to deliver stage one: Audit, in partnership with the State Government, Department of Local Government, Sport and Cultural Industries, and the private sector.

The cost of the Audit is USD\$400,000 (approximately AUD\$550,000). Art Basel have indicated that, as a fall-back option, should fundraising come up short, they can deliver a reduced scope for USD\$275,000 (approximately AUD\$390,000). Therefore, in order to progress the project, the City would need to commit \$150,000, confirm the State's contribution of \$150,000, and raise a minimum of \$90,000 up to \$250,000 from philanthropic and corporate donations, through the support of the Perth Public Art Foundation. (See Financial Implications below for more information).

Background

In March 2016, the Director Art Gallery of Western Australia (AGWA), contacted the City of Perth enquiring as to whether the City would be interested in partnering to participate in the Art Basel Cities Program.

After much exploration and discussion with AGWA, in February 2018, City officers were able to make contact with the Art Basel Cities team and determine the full scope of the program, including clarifying the requirement for the City to lead the partnership with Art Basel.

In April 2018, a City officer attended meetings with the Art Basel Cities team at Art Basel Hong Kong and confirmed the opportunity of an in-principle expression of interest for Perth to become an Art Basel City.

Since that time, the State Government has confirmed in-principle support of \$150,000 towards the audit phase (see Attachment 13.10A). This funding is subject to a formal application process, as well as a matching contribution of \$150,000 from the City. It is also subject to the confirmation of additional sources of funding. Note that the Chamber of Arts and Culture have also indicated support for the initiative (see Attachment 13.10B).

On 28 and 29 March 2019, the City's Manager Arts, Culture and Heritage attended Art Basel Hong Kong to progress discussions with the Art Basel Cities team and conduct research into the impact of this important event, as an indicator of the calibre of Art Basel programming in general.

Details:

About Art Basel

Art Basel is a leading international commercial art fair that was founded in 1970 by three Basel gallerists. Since then, it has expanded to include shows in Miami and Hong Kong. Art Basel is now the world's premier commercial cultural institution, operating under parent company MCH Group.

Art Basel Hong Kong is one of the most significant annual commercial art fairs in the Asia-Pacific region. Since its inception in 2014 it has transformed Hong Kong into an international cultural hub. Art Basel's network of collectors are top tier, adventurous and willing to invest; sales at Art Basel Hong Kong 2019 were plentiful, with many artworks sold in the \$500,000 – \$2.5 million range.

Sole supplier

The Art Basel Program is a bespoke partnership program that is world-class and one-of-a-kind. The main benefit of participating in the program is to leverage Art Basel's unique expertise and brand

recognition. They are in a class of their own in global commercial art services. They have established themselves as the world's largest and most successful commercial art fair internationally.

No other similar program exists in the world; while there are many other companies that provide audit services, these are discreet services that would not meet the objectives of tapping into a global arts network and global benchmarking, nor would the outcomes of these services be able to be fed into the partnership program that is on offer from Art Basel. On the other end of the scale, there are other international commercial art fairs (another example in the region is Art Stage Singapore) however, none provide any services for furthering individual city's cultural and economic development. While there are other opportunities for the City to network internationally for the purposes of cultural and economic development, such as the World Cities Culture Forum, none have consultancy services for targeted cultural planning and development of a city's creative industry.

Art Basel Cities opportunity

Perth's proximity to Asia poses unique opportunities in the space of arts and cultural development and tourism, building on objectives outlined in the Draft Cultural Development Plan and Strategic Community Vision, specifically, under Goal 5: A prosperous City, and Goal 6: A City that celebrates its diverse cultural identity. The art sector in Hong Kong, and within it, Art Basel Hong Kong, is an international locale that is open to a multitude of international art markets and is actively looking for the next market. This is a significant opportunity for Perth.

The Art Basel Cities Program was established in 2016 and is based on three strategic pillars: Enabling, Activating and Amplifying. Art Basel Cities *Enables* cities by acting as a strategic advisor, supporting cities to strengthen and develop their art sectors. It *Activates* cities by acting as cultural producers, showcasing and celebrating the city's visual art offering. And it *Amplifies* by leveraging Art Basel's expertise, extensive network and communication channels to promote the city internationally.

The program has been successfully run in Buenos Aires, which was the first city to participate. Details of the program can be found in the impact report at Confidential Attachment 13.10C. The total Spotlight phase investment from all funding sources is confidential, but available upon request.

The impact of the program in Buenos Aires was significant. According to the Ernst and Young Report (Confidential Attachment 13.10C) the total economic impact of the program was USD\$21.5million. This was comprised of direct economic impact in tourism, employment, corporate sponsorship, and artworks sold, as well as indirect impact in social media, advertising value equivalent, and PR.

Visitor numbers were 68% above the established KPI, with highlights including 'Hopscotch (Rayuela)', curated by Cecilia Alemani, which led more than 28,000 visitors to discover unique and hidden parts of the city and engage with ephemeral artworks. Buenos Aires signature events were attended by around 4,000 guests, and the Opening Party had the participation of more than 200 local artists. In addition, almost 1,500 visitors participated in the Talks Program.

A delegation of 110 international gallerists, collectors, curators, and museum and institutional buyers attended over a full week. Furthermore, over 120 additional international guests from the Art Basel network visited.

The value of press coverage generated from 1 January 2018 – 8 October 2018 for the Art Basel Cities Buenos Aires campaign has been calculated as follows:

- The total Advertising Value Equivalent (AVE) of the press coverage generated has been calculated at over \$18 million USD.
- The PR value of the press coverage has been calculated at over \$47 million USD.
- The Wall Street Journal, is the print publication with the largest readership of 3.8 million giving the article an AVE of \$11,375 USD and a PR value of \$28,437 USD.
- Forbes Online, is the online publication with the largest readership, with approximately 49.9 million readers, giving the article an AVE \$960,000 USD and a PR value at \$2.3million USD.

Informing City of Perth Policy

The City of Perth Policy 18.1, Arts and Culture recognises the important contribution that arts and culture make to the social, economic, and environmental wellbeing and sustainability of the city. The Art Basel Cities program has the potential to deliver on the following key endeavours of the City under this policy:

- Promote local creativity, innovation and excellence by supporting high quality local arts product;
- Demonstrate leadership and support our creative community by developing partnership initiatives;
- Promote widespread public awareness of the arts and cultural life of the City and the diverse experiences it offers;
- Preserve, protect and promote the unique social and cultural heritage of the City; and
- Encourage international and national exchanges for arts, cultural and educational purposes.

Stakeholder Engagement

Due to the need to partner with key arts and cultural stakeholders on this project, initial stakeholder engagement has been undertaken with the Art Gallery of Western Australia; Department of Local Government, Sport & Cultural Industries; and with the Chamber of Arts & Culture WA, the latter evidenced by the attached letters of support.

Financial Implications:

ACCOUNT NO:	N/A*
BUDGET ITEM:	Art Basel
BUDGETED AMOUNT:	\$0
AMOUNT SPENT TO DATE:	\$0
PROPOSED COST:	\$150,000
BALANCE REMAINING:	\$-150,000
ANNUAL MAINTENANCE:	\$N/A
ESTIMATED WHOLE LIFE COST:	\$N/A

All figures quoted in this report are exclusive of GST.
*Once approved a new Account Number will be created.

Funds for this initiative can be found through reprioritisation of operational budget for EDA projects in the 2018/19 financial year. Specifically, the following projects, which have alignment in terms of outcomes, are proposed to be deprioritised to allow Stage One Art Basel Cities to happen instead,

acknowledging the substantial benefits of investing the Art Basel Cities Program: Tourism, Activation, and Research.

The following table outlines the full project budget and expenditure. Note that the project, and the City’s contribution, is subject to confirmation of DLGSCI contribution and a minimum of \$90,000 in Private Donations.

ART BASEL PROPOSED PROJECT CASHFLOW				
Estimated Date	May-19	May-19	Jul-19	
			Private Donations (Via PPAF)	
Income:	City of Perth \$150,000	DLGSCI \$150,000	\$250,000	Total \$550,000
Expenditure:	Jun-19	Oct-19	Nov-19	
	Deposit	Payment 1	Final Payment	Total
Art Basel Payments	\$150,000	\$150,000	\$250,000	\$550,000

Comments:

This is an ambitious project that has strong alignment with the objects of the *City of Perth Act 2016*. Partnership is a fundamental principle of the project. It has the potential to have a lasting impact on the sustainability of the cultural industries in Perth, particularly of the visual arts sector, which has been identified as needing support, due to declining numbers of commercial galleries in Perth and other changing funding and market trends. The flow-on economic, cultural and social benefits are significant, as demonstrated by Art Basel Miami, Art Basel Hong Kong, and Art Basel Cities – Buenos Aires.

The merits of the project are further expounded in the attached letters of support for the initiative.

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

- 1. APPROVES proceeding with Stage One of the Art Basel Cities – Perth Program, at a total cost to the City of Perth of \$150,000;***
- 2. NOTES that the project expenditure is subject to:***
 - 2.1 Confirmation and formalisation of the State Government’s matched-funding contribution of \$150,000;***
 - 2.2 Confirmation of at least \$90,000 and up to \$250,000 in philanthropic support and corporate partnership for the project.***
- 3. NOTES that philanthropic and corporate support for the project will be auspiced through a fundraising partnership with the Perth Public Art Foundation;***

4. ***NOTES that MCH Swiss Exhibition (Basel) Ltd. is the sole supplier of the Art Basel Cities Program and according to the information available, no similar service or program exists; and***
5. ***AUTHORISES the Chief Executive Officer (or an appointed delegate) to execute all relevant agreements according to the Council approved funding amount.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.11 Heritage Grant – Connor Quinlan Estate encompassing 618 and 612 - 616 Hay Street, 69 - 75, 77 - 85, 87 - 93 and 95 - 99 Barrack Street, Perth

FILE REFERENCE:	P1023383-3
REPORTING UNIT:	Arts, Culture and Heritage
RESPONSIBLE DIRECTORATE:	Economic Development and Activation
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	24 April 2019
ATTACHMENT/S:	Attachment 13.11A – Location of Connor Quinlan Estate Buildings Attachment 13.11B – Photographs of Buildings in Connor Quinlan Estate Attachment 13.11C – Extract from Development Approval 5375/18 Attachment 13.11D – Scope of works for each building and Summary of Assessment Panel

Council Role:

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

Legislation / Strategic Plan / Policy:

Legislation	Section 8 of the <i>City of Perth Act 2016</i>
Integrated Planning and Reporting Framework Implications	Strategic Community Plan Goal 6 - A city that celebrates its diverse cultural identity
Policy	
Policy No and Name:	18.13 - Sponsorship and Grants

Purpose and Background:

The City of Perth received 6 separate Heritage Grant applications from the owners of the Connor Quinlan Estate which encompass 618 and 612-616 Hay Street, 69-75, 77-85, 87-93 and 95-99 Barrack Street Perth. (Refer Map Attachment 13.11A for location of the Connor Quinlan Estate Buildings).

The Heritage Grants are for conservation works to the façade of the buildings calculated to total project cost of \$1,081,574.80 (ex GST) with the applicant requesting \$434,756 from the City of Perth. (Refer Attachment 13.11B for Photographs of Buildings in Connor Quinlan Estate).

The Connor Quinlan Estate is located within the Barrack Street Heritage Area. Nos.618 and 612-616 Hay Street are included individually on the City's Heritage List under the City Planning Scheme and Nos. 612-616 are included on the State Heritage Register.

This Heritage Grant request is in response to the City of Perth Policy 18.13 Sponsorship and Grants and the Heritage Grant Program Guidelines. The owners meet the eligibility criteria in the Heritage Grant Program Guidelines and the proposed physical works address the essential criteria for each building, which can be supported with up to 50% funding of the conservation works to heritage listed buildings, capped at a maximum of \$90,000 per building.

It is noted that the owners included in their grant applications a request for money to upgrade signage across several of the buildings within the Connor Quinlan Estate. As the signage is new and not an interpretation of original signage it is deemed out scope of the Policy and these works are not recommended to be supported. These costs have been removed from the total grant request and is reflected in the Officer's Recommendation of \$366,157 total grant funding.

The works will contribute to the conservation of the buildings and more broadly to the ongoing positive impacts of the Barrack Street Improvement Model. The City's grant programs and business incentives, namely the Heritage, Small Business and Business Improvement grant programs have been leveraged during the Improvement Model activity (2014-2017) to assist in stimulating and encouraging local business and land owners to address the numerous dilapidation and compliance issues identified at the inception of the project in 2014 and assist with business attraction and retention. The City continues to discuss options for upper floor activation for Barrack Street properties.

Details:

In the late nineteenth century, D. Connor (who had extensive capital resources) and T.F. Quinlan (who had commercial expertise) joined forces to make them among the most successful investors in Perth. Their family business, known as Connor Quinlan, became one of the largest landowners in central Perth in this period. The heritage buildings which are the subject of this grant application, are part of property acquired by Connor and Quinlan in the late nineteenth century still under ownership of their descendants.

The owners of the Connor Quinlan Estate, through their property manager, are planning to restore the 6 facades of the buildings that make up the estate fronting Barrack Street between Hay and Murray on the West side of the road.

The proposed façade works to these 6 buildings will have a significant positive impact on the Barrack Street streetscape which has been undergoing a transformation since the first grant was allocated by the City of Perth in 2006.

The proposed conservation works are comparable for each building within this package of grant applicants. The proposal is to either repaint the building based on original paint scapes or repoint if the building was originally brick, repair awnings including replacing the pressed metal, re-glazing, repair damaged masonry and reinstate missing architectural detailing. A breakdown of the scope of works for each building are shown in Attachment 13.11D.

The applicant had requested funding to upgrade signage on a number of buildings, however as the signs are not original they are out of scope for a Heritage Grant. This has been documented against each application as shown in Attachment 13.11D for each building.

The City of Perth approved a Development Application for these works for the buildings (DA 2018/5375 and 2019/51689). Attachment 13.11C provides a visual summary of works approved by the City of Perth.

Financial Implications:

On the 9 October 2007, Council resolved (644/07) to commit to Heritage Grants of up to \$400,000 per annum. The tables below reflect the Commitment and Budgeted allocations.

GRANTS COMMITMENT 2018/19

BUDGET ITEM:	Heritage Grants
COUNCIL APPROVED 2018/19 COMMITMENT:	\$400,000
AMOUNT COMMITTED TO DATE:	\$20,000*
PROPOSED COMMITMENT:	\$366,157
BALANCE REMAINING:	\$13,843
ANNUAL MAINTENANCE:	\$NA
ESTIMATED WHOLE LIFE COST:	\$NA

* Currently subject to Council Decision for funding a Conservation Management Plan for 78-84 Barrack Street (Bon Marche Arcade), to be paid in 2018/19.

GRANTS BUDGET 2019/20

ACCOUNT NO:	PJ 1435-51220-0000-7901
BUDGET ITEM:	Heritage Grants
PROPOSED	
BUDGET AMOUNT 2019/20 :	\$566,000
AMOUNT SPENT TO DATE:	\$0
PROPOSED COST:	\$366,157
BALANCE REMAINING:	\$199,843
ANNUAL MAINTENANCE:	\$NA
ESTIMATED WHOLE LIFE COST:	\$NA

All figures quoted in this report are exclusive of GST.

Payment claims for approved heritage grants can be made following completion of the works or documentation and acquittal to the City's satisfaction. If approved, this grant payment will be made in the financial year 2019/20.

Comments:

Heritage Listing and Planning Controls

On **21 July 2009**, Council resolved that Barrack Street be declared a conservation area, as it was considered that the area demonstrated a level of cultural heritage significance that warrants the development of a local planning policy.

The Council is advised that a draft local planning policy for the Barrack Street Heritage Area has been drafted by officers and will be submitted to Council for approval in coordination with the upcoming City Planning Scheme No.3.

As such, contributory properties within the Barrack Street Heritage Area, which are not included on the City's Heritage List, are not currently offered sufficient heritage protection under the Scheme. In this circumstance, officers refer to the guiding principles of State Planning Policy 3.5 Historic Heritage Conservation, the Deemed Provisions and City of Perth Heritage Policy 4.10. Four of the six subject properties are not currently on the Heritage List, although are included in the Heritage Area. As per condition 2(b), officers recommend that this grant approval is subject to commencing the Listing process.

Officers advised the managing agent of the intent to include a recommendation relating to the Heritage Listing of the four properties and subsequently met with the owner's representative to discuss what this process means for owners. There was no objection raised to including this recommendation relating to Heritage Listing in this report.

Cultural Heritage Significance

Barrack Street Heritage Area is of cultural heritage significance for the following reasons:

- a. Barrack Street provided the link between the river port and the residential areas that developed to the north of the city in the mid nineteenth century, and as such represents the development of Perth from the earliest period of settlement of the Swan River Colony to the present;
- b. Barrack Street contains a visually cohesive collection of commercial buildings in the formal architectural styles commonly employed in the late nineteenth and early twentieth century, including the Victorian Mannerist, Federation Free Classical, Federation Free, Federation Anglo-Dutch and the Inter-War Stripped Classical styles;
- c. Barrack Street is a moderately intact streetscape of commercial buildings, developed between the 1890s and the early inter-war period, representing the development of commerce and trade in the city in the period immediately following the gold boom;
- d. Barrack Street has a varied history of use ranging from professional chambers at the southern end near St George's Terrace, to former pawnbrokers, grocery stores, restaurants, jazz clubs, cinemas and hotels further to the north; and
- e. Barrack Streets' developers and business operators have included people from a diverse range of nationalities and walks of life, and as such is a particularly good example of an area that demonstrates the opportunities for investment and commercial success taken up by

enterprising individuals and groups who settled in Western Australia from the nineteenth to the early twentieth century.

Proposed Works

The proposal to upgrade the facades of the buildings within the Connor Quinlan Estate will enhance the cultural heritage significance the Barrack Street Heritage Area by removing painted surfaces that were originally exposed brick, reinstating lost architectural detail and reinterpreting original paint colours.

The proposed upgrade to the Connor Quinlan Estate is also consistent with:

1. The City of Perth's focus on reactivating upper floor spaces in this area through the Heritage Adaptive Reuse Grants that was adopted by Council in 2018.;
2. The State Government Architects Office Draft Master Plan for the Cultural Centre which identified Barrack Street as a major pedestrian link to Elizabeth Quay; and
3. The draft City Planning Strategy which identified Barrack Street as an important link between the Cultural Centre and Elizabeth Quay.

The Assessment Panel recognised the positive and significant heritage and streetscape outcomes resulting from the proposed works (Attachment 13.11D) particularly in an area currently undergoing a substantial amount of redevelopment and change of use. They also noted that the proposed works improve the potential for tenancing the upper floor spaces of the buildings.

Given the extent of funding requested from the City of Perth, the Assessment Panel saw the opportunity to request the property owner to relocate all air-conditioning units to comply with the City Planning Scheme No 2 Planning Policy Manual Section 4.1 City Development Design Guidelines Clause 5.5.2 (g).

As the relocation of intrusive services away from the public environment forms part of the Heritage Grant Criteria, the funding amounts requested by the owners for screening and repositioning of the air-conditions on the awning have remained in the application. It is recommended this allocation be directed to the costs of relocating the units away from the public environment which are likely to be higher. It is recommended that the additional cost of relocating the air-conditioners should be borne by the owners.

It is recommended that the total grant package be conditional on the owners of the Connor Quinlan Estate agreeing to comply with the City Development Design Guidelines associated with all air-conditioners on buildings subject to the heritage grant applications.

It is recommended these costs for bird proofing all buildings be borne by the owner as the Assessment Panel raised some concern regarding the effectiveness of bird proofing. The final officer recommendations have adjusted amounts relating to bird proofing, which varied across the six subject buildings.

Table 1 summaries the owners' commitment to the restoration of buildings, the total requested Heritage Grant from the City of Perth, and recommended exclusions by the City of Perth including the works for bird proofing, and signage.

Building	Owner Expenditure	Requested (50% funding, capped \$90,000)	Exclude Signage	Exclude Bird-proofing	Recommended CoP Heritage grant*
618 Hay Street Quinlan Moana	\$ 91,058.00	\$45,529	\$8,500	\$5,000	\$32,029
612-616 Hay Street Quinlan Swan	\$368,683.30	\$90,000	\$28,000	\$15,000	\$90,000 *
69 – 75 Barrack Street, – Quinlan South	\$199,163.10	\$90,000	\$14,000	\$6,000	\$90,000 *
77 – 85 Barrack Street, - O'Connor Central Building	\$109,904.20	\$54,952	\$11,600	\$5,000	\$38,352
87 – 93 Barrack Street, – Quinlan North Building	\$184,215.20	\$90,000	\$12,000	\$6,000	\$72,000
95 - 99 Barrack Street, – Perth Arcade Building	\$ 128,551.00	\$64,275.50	\$ 17,500.00	\$3,000	\$43,775
Total	\$1,081,574.80	\$434,757	\$91,600	\$40,000	\$366,157

Table 1: Summary and recommendations

*Note the owners expenditure is above the 50% CoP funding capped at \$90,000, even when the exclusions take place.

The total of the grants becomes \$366,157.

Note that the Owners of the Connor Quinlan Estate had earlier received approval at the Ordinary Council Meeting held **21 July 2015**, for a grant of \$61,250 for minor façade upgrades for the same buildings. These works did not progress within the two-year time frame stipulated in the guidelines, and the grant has therefore expired. This previous grant is now void and is superseded by this application.

Officer Recommendation

That Council:

1. **APPROVES** Heritage grants totalling \$366,157 comprising of the following allocations for the Connor Quinlan Estate detailed below:
 - 1.1 \$32,029 (excluding GST) for Conservation Works to 618 Hay Street, Quinlan Moana Building.
 - 1.2 \$90,000 (excluding GST) for Conservation Works to 612 – 616 Hay Street, Quinlan Swan Building.
 - 1.3 \$90,000 (excluding GST) for Conservation Works to 69 - 75 Barrack Street, Quinlan South Building.
 - 1.4 \$38,352 (excluding GST) for Conservation Works to 77 - 85 Barrack Street, Quinlan Swan Building.
 - 1.5 \$72,000 (excluding GST) for Conservation Works to 87 - 93 Barrack Street, Quinlan North Building.

- 1.6 \$43,775 (excluding GST) for Conservation Works to 95 - 99 Barrack Street, Perth Arcade Building;
2. APPROVES conditions associated with Recommendation Points 1.1 – 1.6 detailed above:
 - 2.1 That all the air-conditioning unit(s) located on the above properties being relocated to meet the requirements set out in the City Planning Scheme No 2 Planning Policy Manual Section 4.1 City Development Design Guidelines Clause 5.5.2 (g); and
 - 2.2 That in accordance with Part 3 Clause 8 of the Planning and Development (Local Planning Scheme) Regulations 2015, the City progress the individual heritage listing of 69 - 75, 77 - 85, 87 - 93 and 95 - 99 Barrack Street Perth, currently within the declared Barrack Street Heritage Area.

MOVED WITH AMENDMENT

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

1. ***APPROVES Heritage grants totalling \$366,157 comprising of the following allocations for the Connor Quinlan Estate detailed below:***
 - 1.1 ***\$32,029 (excluding GST) for Conservation Works to 618 Hay Street, Quinlan Moana Building.***
 - 1.2 ***\$90,000 (excluding GST) for Conservation Works to 612 – 616 Hay Street, Quinlan Swan Building.***
 - 1.3 ***\$90,000 (excluding GST) for Conservation Works to 69 - 75 Barrack Street, Quinlan South Building.***
 - 1.4 ***\$38,352 (excluding GST) for Conservation Works to 77 - 85 Barrack Street, Quinlan Swan Building.***
 - 1.5 ***\$72,000 (exclude-ng GST) for Conservation Works to 87 - 93 Barrack Street, Quinlan North Building.***
 - 1.6 ***\$43,775 (excluding GST) for Conservation Works to 95 - 99 Barrack Street, Perth Arcade Building;***
2. ***APPROVES conditions associated with Recommendation Points 1.1 – 1.6 detailed above:***
 - 2.1 ***That all the air-conditioning unit(s) located on the above properties being relocated to meet the requirements set out in the City Planning Scheme No 2 Planning Policy Manual Section 4.1 City Development Design Guidelines Clause 5.5.2 (g); and***
 - 2.2 ***That in accordance with Part 3 Clause 8 of the Planning and Development (Local Planning Scheme) Regulations 2015, the City progress the individual heritage listing of 69 - 75, 77 - 85, 87 - 93 and 95 - 99 Barrack Street Perth, currently within the declared Barrack Street Heritage Area; and***
3. ***There be no further funding provided under this policy until such time as the policy has been reviewed and given reconsideration by Council.***

PRIMARY MOTION AS AMENDED**That Council:**

1. ***APPROVES*** Heritage grants totalling \$366,157 comprising of the following allocations for the Connor Quinlan Estate detailed below:
 - 1.1 ***\$32,029 (excluding GST) for Conservation Works to 618 Hay Street, Quinlan Moana Building.***
 - 1.2 ***\$90,000 (excluding GST) for Conservation Works to 612 – 616 Hay Street, Quinlan Swan Building.***
 - 1.3 ***\$90,000 (excluding GST) for Conservation Works to 69 - 75 Barrack Street, Quinlan South Building.***
 - 1.4 ***\$38,352 (excluding GST) for Conservation Works to 77 - 85 Barrack Street, Quinlan Swan Building.***
 - 1.5 ***\$72,000 (excluding GST) for Conservation Works to 87 - 93 Barrack Street, Quinlan North Building.***
 - 1.6 ***\$43,775 (excluding GST) for Conservation Works to 95 - 99 Barrack Street, Perth Arcade Building;***

2. ***APPROVES*** conditions associated with Recommendation Points 1.1 – 1.6 detailed above:
 - 2.1 ***That all the air-conditioning unit(s) located on the above properties being relocated to meet the requirements set out in the City Planning Scheme No 2 Planning Policy Manual Section 4.1 City Development Design Guidelines Clause 5.5.2 (g); and***
 - 2.2 ***That in accordance with Part 3 Clause 8 of the Planning and Development (Local Planning Scheme) Regulations 2015, the City progress the individual heritage listing of 69 - 75, 77 - 85, 87 - 93 and 95 - 99 Barrack Street Perth, currently within the declared Barrack Street Heritage Area; and***

3. ***There be no further funding provided under this policy until such time as the policy has been reviewed and given reconsideration by Council.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Reason: The investment of ratepayer funds into privately owned properties requires review.

Item 13.12 Draft Heritage Strategy

FILE REFERENCE: P1036633
 REPORTING UNIT: Arts, Culture and Heritage
 RESPONSIBLE DIRECTORATE: Economic Development and Activation
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 4 April 2019
 ATTACHMENT/S: Attachment 13.12A – Draft Heritage Strategy
 Attachment 13.12B – Heritage Strategy
 Background and Issues Paper

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 N/A

Integrated Planning and Reporting Framework implications **Strategic Community Plan**
 Goal 6 - A city that celebrates its diverse cultural identity

Policy
 Policy no and name: N/A

Purpose and Background:

Approval is sought to advertise the Draft Heritage Strategy for public comment prior to finalising and adopting this document (Attachment 13.12A – Draft Heritage Strategy).

The preparation of a Draft Heritage Strategy is an opportunity for the City of Perth to demonstrate its respect and celebration of history, culture and heritage. The Strategy will help to communicate what the City is doing to conserve Perth's unique heritage and to provide a platform for community, business and Government to participate and shape the cultural heritage management efforts of the City.

The public comment period is recommended for a minimum period of 42 days and will include opportunity for general community comment, as well as seeking specific feedback from heritage stakeholder groups and experts.

As this is the first heritage strategy for the City of Perth, a Background and Issues Paper has also been prepared to provide more information and context for the strategy and its preparation (Attachment 13.12B – Background and Issues Paper). This will assist to keep the Draft Heritage Strategy relatively short and high level in accordance with the brief. The Background and Issues Paper will be made available to the public during the consultation period as a reference document only and will not be subject to consultation.

There are no legal requirements for local governments to prepare a heritage strategy, however the Western Australia Local Government Association (WALGA) provides a general guideline for local government when preparing heritage strategies. The City's Draft Heritage Strategy follows this guideline.

Resolution of Council to prepare a Heritage Strategy

At its meeting held on **26 June 2018**, Council resolved the following in relation to the preparation of a heritage strategy:

1. APPROVES an extension of the Funding Agreement between the City of Perth and Heritage Perth Incorporated for a period of six months, noting that the existing Funding Agreement (Confidential Attachment 13.4A) expires on 30 June 2018, with the following conditions:

1.1 Heritage Perth Inc. will collaborate with City of Perth officers to complete a detailed evaluation of Heritage Perth's activities over the three years of the current funding agreement;

1.2 Heritage Perth Inc. will collaborate with City of Perth officers to complete a Heritage Strategy as per Council's resolution of 29 May 2018

Previously, on **29 May 2018**, Council resolved the following in relation to a heritage strategy:

3. ESTABLISHES a City of Perth Heritage Advisory Committee with the terms of reference to: "Oversee the development, implementation and ongoing performance of a City of Perth Heritage Strategy and to advise Council on major heritage issues";

4. CONDUCTS a workshop for all major City of Perth heritage stakeholder groups with the purpose of making recommendations back to Council on a functional and effective committee representation model and the key strategic focus areas that the heritage strategy should embrace; and

5. ENDORSES the development of a City of a Perth Heritage Strategy over the next 12 months.

Heritage Perth Inc. Board members have worked with the City in the preparation of the Draft Heritage Strategy, including three workshops with representation from the National Trust, Museums and Galleries Association WA, private sector and government. The City provided a copy of the document to the Chair of Heritage Perth Inc. on 26 March 2019, allowing consideration of the draft document for their April board meeting. Feedback received from the Board will be incorporated as part of the consultation period.

Following the resolution of Council on **29 May 2018**, the City has prepared and advertised its Cultural Development Plan 2018-2024, which addresses a wide range of arts, cultural and heritage matters. A report recommending an advisory governance and representation model across the arts, cultural and heritage sectors is subject to a future report to Council. This advisory governance structure will be a proposed Cultural Advisory Panel and will include heritage experts.

An integrated approach, whereby external heritage advice is part of a wider cultural advisory governance structure, is a preferred method rather than the traditional Heritage Advisory Committee. The Officer Recommendation of this report reflects this proposed approach.

Without duplicating or adding administrative burden, technical heritage expertise required for complex planning matters can be addressed through the existing Design Advisory Committee. Recommendations relating to this is contained in the Draft Heritage Strategy.

Legislative context

Heritage Strategies are not a legal requirement of Local Governments in Western Australia.

At the state level, heritage legislation is undergoing significant reform:

1. The *Heritage Act 2018* was passed in Parliament in September 2018 and replaces the former *Heritage of Western Australia Act 1990*. The new *Heritage Act 2018* primarily relates to the protection and management of built heritage that is identified under the State Heritage Register. Perth, as the capital city, has a high number of places on the Register. The City of Perth itself owns and manages several buildings and parks that are subject to this legislation (including but not limited to Council House, Perth Concert Hall, Queens Gardens, Perth Town Hall, Stirling Gardens, Langley Park).

With specific reference to the legal obligations of the City, the *Heritage Act 2018* also sets out the requirements for all local governments in Western Australia to prepare and maintain a Local Heritage Survey (referred to in previous legislation as Municipal Heritage Inventories).

Significant work will be required by the City to work with the community to update its Local Heritage Survey in the next 1-2 years in accordance with new guidelines set out by the State. The anticipated effects of this new legislation are reflected in the Draft Heritage Strategy. Regulations and Guidelines for Local Heritage Surveys are being developed by the Department of Planning, Lands and Heritage (DPLH) and close for public comment on 3 May 2019.

2. The *Aboriginal Heritage Act 1972* is also being modernised to make it more culturally appropriate and equitable for Aboriginal people and more efficient for industry. Significant Aboriginal heritage sites and places of cultural importance are located within the City of Perth

and are subject to the Act and require respect and recognition from the City. The Aboriginal Heritage Act Review Consultation Phase Two Discussion Paper was released in March 2019 and closes for comment on 31 May 2019.

Strategic Context

Significant strategic and organisational change has occurred since the City began to provide dedicated heritage services and incentives more than twenty years ago.

The Draft Heritage Strategy has considered and prioritised existing goals identified in strategy documents such as the City's Strategic Community Plan. It will also be developed and updated to reflect the final Cultural Development Plan (currently draft) and the final City Planning Strategy (currently draft).

Consideration has also been given to best practice in cultural heritage management and local government grant administration, procurement, incentives and cross-cultural awareness.

Heritage is an important contributor to other strategic efforts of the City in Aboriginal reconciliation, safety and lighting, tree canopy and parks management, cultural collections, tourism support and neighbourhood activation.

In short, the legislative and strategic context for heritage management in Western Australia is undergoing significant change and provides an opportunity for the City to improve and update its heritage management, to ensure community can participate in and actively shape heritage decision making and benefit from conservation efforts led by the City. Adopting and maintaining a Heritage Strategy 2019-2034 is an important way to achieve these changes.

Details:

Given the strategic and legislative context described above, the Draft Heritage Strategy has been limited to a medium-term outlook of five years, allowing for an update to reflect organisational, strategic and legislative updates that are likely to occur in the short term. It has also been prepared within the 12 months required by Council.

The Strategy's underpinning principles are based on national best practice and industry standards set out by the Australia ICOMOS Charter for Places of Cultural Significance (The Burra Charter). This is a common approach for all heritage strategies prepared by local governments nationally.

The Draft Heritage Strategy is underpinned by four key areas of work, identified under the headings of:

- Understanding
- Protecting
- Supporting
- Communicating.

Similar versions of these core areas of heritage work are found in most local government heritage strategies and provide a consistency across local government and the heritage industry.

Scope

The City of Perth is home to an incredibly rich and complex web of history, culture and heritage. The scope of the heritage strategy embraces an acknowledgement of all types and forms of heritage, which may be tangible or intangible.

Consultation to date has indicated a strong support to ensure the Draft Heritage Strategy is embracing of all types of heritage, whether of a natural or cultural heritage, place based, spiritual or intangible.

The Draft Heritage Strategy is acknowledged as a starting point from which future iterations may develop the ambition and capacity of the City to lead in the heritage management space. However, for the short to medium term, the Draft Heritage Strategy is focussed on responding to current challenges and opportunities, including an acknowledgement that ongoing work will be required as part of the upcoming City Planning Scheme Review, new heritage legislation, Innovate Reconciliation Action Plan, Cultural Development Plan and updating the Local Heritage Survey.

Implementation

Following a period of public comment and consultation, a detailed implementation plan will be prepared. The Draft Heritage Strategy has been prepared with particular regard for priorities, capacity, financial limitations, current approved business cases, and opportunities to leverage or partner with other organisations to achieve a diverse range of conservation outcomes.

Stakeholder Engagement

In preparing the Draft Heritage Strategy, three workshops were held with the Heritage Perth Inc. in accordance with the Council Resolution of June 2018. Members of the Heritage Perth Inc. board include representatives from the National Trust, Museums & Galleries Association WA, the private sector and Government.

Existing Reconciliation Action Plan (RAP) commitments that specifically support the awareness and protection of Aboriginal cultural heritage have been included in the Draft Heritage Strategy. The City's 'Innovate RAP' for the next two years is currently being developed. Once Elders have approved the Innovate RAP, relevant heritage related activities for the next two years will be added to the Heritage Strategy.

Targeted consultation during the public comment period will include, but is not limited to:

- Heritage not for profit organisations, peak bodies and universities;
- South West Aboriginal Land and Sea Council;
- Neighbourhood groups within the City of Perth;
- Heritage property owners;
- Tourism organisations and small heritage-related small businesses;
- Key private sector heritage service providers and specialist trades;
- WALGA and key local governments; and
- State Government agencies (including Department of Planning Lands and Heritage, Department of Local Government, Sport and Cultural Industries and Department of Biodiversity, Conservation and Attractions).

Financial implications:

ACCOUNT NO:	1435-82070
BUDGET ITEM:	Heritage Plan
BUDGETED AMOUNT:	\$8,000
AMOUNT SPENT TO DATE:	\$2,000
PROPOSED COST:	\$8,000
BALANCE REMAINING:	\$6,000
ANNUAL MAINTENANCE:	Nil
ESTIMATED WHOLE LIFE COST:	Nil

All figures quoted in this report are exclusive of GST.

This work was not planned as part of the current 2018/19 budget and as such has been prepared using internal Officer resources and limited costs associated with graphic design, printing and advertising for the consultation period, which in total is not expected to exceed \$8,000. This cost has been absorbed as part of the operation budget of the Arts, Culture and Heritage business unit.

Comments:

Only a handful of local governments in Western Australia have adopted heritage strategies. Whilst most capital cities and key regional cities in Australia have a key guiding cultural plan that may include heritage initiatives, only City of Melbourne has a dedicated heritage strategy.

Heritage management occurs within a statutory planning and a cultural development setting. The Draft Heritage Strategy 2019-2024 has regard for both environments and the expectations of community to inform, comment and access information and processes relating to the identification and conservation of tangible and intangible heritage.

Moved Commissioner Hammond, seconded Commissioner McMath

That Council APPROVES the advertising of the Draft Heritage Strategy for public comment for a minimum of 42 days.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.13 Budget Reallocation - The Avenue Road Safety Improvement

FILE REFERENCE: P1022728
 REPORTING UNIT: Transport
 RESPONSIBLE DIRECTORATE: Planning and Development
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 15 April 2019
 ATTACHMENT/S: Attachment 13.13A - Concept Designs
 Pavement Marking Plans

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 N/A

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
 Goal 1 - A city for people
 Goal 2 - An exceptionally well designed, functional and accessible city
 Goal 8 - A city that delivers for its community

Policy
 Policy no and name: 9.6 Budget Variation Policy

Purpose and Background:

The City has undertaken extensive planning of The Avenue Road Safety Improvement project including public consultation, resulting in a request for the City to investigate embayed parking along The Avenue’s northern edge. While the City supported embayed parking, the community expressed a strong preference for providing the bays only if the City was confident that they would not impact existing street trees, and with a limited loss of parking availability.

An investigation undertaken by an external arborist has concluded that embaying the parking is likely to result in tree damage and a substantial loss of parking. This option has now been dismissed in the short term, to be reviewed as street trees reach end of life.

Since concluding the arborist review, the City has undertaken the necessary detailed design of the proposed works. An updated cost estimate has been provided by an external Quantity Surveyor, with an estimated project cost of \$337,000.

Details:

The construction cost estimate for works completion is approximately \$337,000. \$217,000 is currently available in account “PJ12276 – Roads (Crawley Nedlands) Various”, leaving a shortfall of \$120,000 to deliver the proposed works.

As account “PJ14109 – Bus Shelter Replacement Program” currently has \$120,000 that will not be utilised this financial year, it is proposed to transfer those funds to “PJ12276 – Roads (Crawley Nedlands) Various”, to make up the shortfall to deliver the proposed works.

Should funding be approved, construction is anticipated to start mid-May 2019.

Stakeholder Engagement

The City undertook public consultation as outlined below:

- The Avenue Residents Workshop Tuesday, 13 March 2018;
- Community Drop-In Session Wednesday, 14 March 2018; and
- Online opportunity via Engage Perth 15 March 2018 - 13 April 2018.

Three options were considered for improvement, including raised tables at the roundabout to slow traffic, with variation in the midblock section. Options considered were:

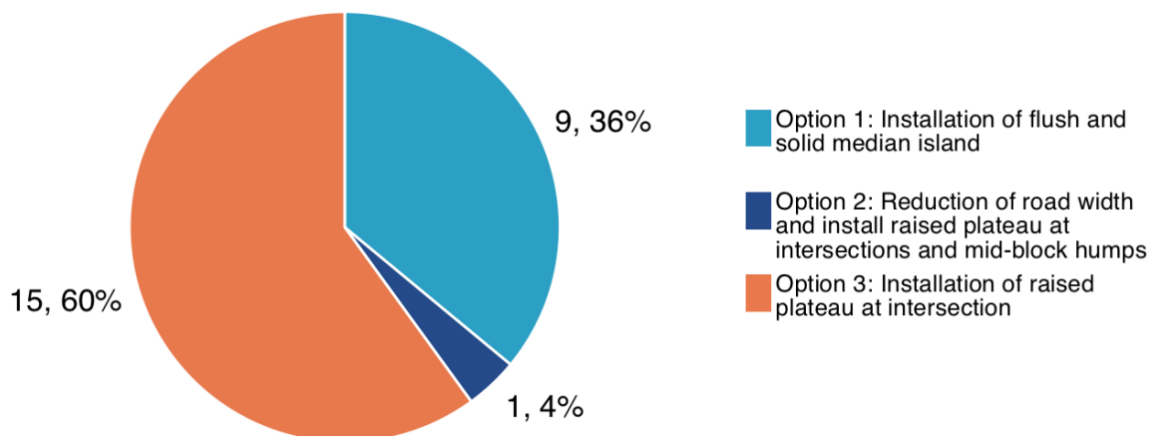
- Option 1 - Narrow road and provide median island;
- Option 2 - Provide 3 speed cushions along the sections; and
- Option 3 - Provide a raised table at the intersections of The Avenue and Fairway.

Engagement activities for road safety improvement options received the following feedback:

	Option 1	Option 2	Option 3	Total
Total Count	4	3	39	48

The following figure shows the feedback captured via the online consultation.

Quick Poll 1 - The Avenue: Which is your preferred option?



The consultation process revealed that residents preferred embayed parking in Option 3 to the current on-street arrangement, however considered the value of a tree-lined street as a priority over embayment.

Financial Implications:

ACCOUNT NO:	PJ14109
BUDGET ITEM:	Bus Shelter Replacement Program
BUDGETED AMOUNT:	\$150,000
AMOUNT SPENT TO DATE:	\$30,000
PROPOSED COST:	\$120,000
BALANCE REMAINING:	\$0
ANNUAL MAINTENANCE:	\$0
ESTIMATED WHOLE LIFE COST:	\$30,000

ACCOUNT NO:	PJ12276
BUDGET ITEM:	Roads (Crawley Nedlands) Various
BUDGETED AMOUNT:	\$260,977.85
AMOUNT SPENT TO DATE:	\$44,162.26
PROPOSED COST:	\$336,815.59
BALANCE REMAINING:	\$216,815.59
ANNUAL MAINTENANCE:	\$0
ESTIMATED WHOLE LIFE COST:	\$380,977.85

All figures quoted in this report are exclusive of GST.

Comments:

The work is scheduled for completion by May/June 2019.

Moved Commissioner Hammond, seconded Commissioner McMath

That Council APPROVE BY AN ABSOLUTE MAJORITY the reallocation of \$120,000 from PJ14109 Bus Shelter Replacement Program to PJ12276 - Roads (Crawley Nedlands) Various.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.14 Supreme Court Gardens – Drainage Investigations and Improvements

FILE REFERENCE: P1035572
 REPORTING UNIT: Parks
 RESPONSIBLE DIRECTORATE: Construction and Maintenance
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 9 April 2019
 ATTACHMENT/S: Attachment 13.14A - Supreme Court Gardens Groundwater Investigation (Urbaqua)

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 (e.g. 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 Part 4 of the Local Government (Functions and General) Regulations 1996

Integrated Planning and Reporting Framework implications **Strategic Community Plan**
 Goal 2 - An exceptionally well designed, functional and accessible city

Policy
 Policy no and name: 15.2 - Protection and Enhancement of Public Open Space

Purpose and Background:

At the Ordinary Council Meeting held **26 February 2019**, Commissioners considered Item 13.4 *Strategic Event Sponsorship – WA Day 2019*, which included the alternate motion that Council: *REQUESTS a report to be prepared for future Commissioner consideration detailing the necessary infrastructure and works that would be required to maximise the capacity of the Supreme Court Gardens in accommodating major events.*

The purpose of this report is to inform Commissioners of the work in progress, and works required to enable Supreme Court Gardens to be fully utilised as an event space to the public year-round.

Supreme Court Gardens is listed on the State Heritage Register (place number 01947) and development of the site is highly constrained. The site underwent a major upgrade in 2016 which included the construction of new footpaths, lighting, subsoil drainage, and the provision of sewer and water connection points for use during events. Parks (PKS) resumed control of the park in mid-2016 when it was reactivated as an events space. The site has not achieved its full potential as an events space due to persistent stormwater ponding issues during winter and summer rain events.

The City is currently finalising the appointment of a consultant to commence work on a Strategic Events Review to make a number of recommendations to optimise the delivery of events in City of Perth. The report is due to be finalised by August 2019.

Continuing drainage issues in 2018 prompted PKS Unit to engage the City's drainage engineers to investigate the causes and to make recommendations to resolve the issue. Groundwater monitoring was undertaken between August and December 2018, which found that shallow (at-surface) groundwater and ineffective subsoil drainage is a problem. Further groundwater monitoring between April and October 2019 is required to inform the design solution. Other contributing factors include low-permeability topsoil which reduces infiltration rates, trapped low points which allow surface runoff to pond on the footpath, and reduced efficiency of stormwater drainage infrastructure due to river outlets being submerged for extended periods.

Details:

Designing and implementing a permanent, robust solution to the persistent waterlogging issues will be a complex process requiring input and collaboration from multiple units across the City. The main design constraints include heritage structures (both above and below ground), significant trees (many of which are also heritage-listed), existing underground services, and limited separation between river levels and natural ground levels which in turn limits the opportunity to install subsoil drainage to manage groundwater.

Strategic Events Review

Opportunities for event activation is best considered on a City-wide basis. The proposed Strategic Events Review will provide recommendations including consideration of the following:

- Identify key criteria that may form the basis of City of Perth's Major Event Strategy and how it will make its investment decisions into the future, e.g. positioning, budget, resourcing, types of events, infrastructure, priorities and scheduling across Perth's calendar of events;

- Identify the suitability of existing managed and major sponsored events in the annual calendar and provide recommendations to consider their ongoing potential future viability (discontinue, reduce-scale, change in format/time of year/venue, growth opportunities, etc);
- Recommend suitable events that could replace or augment any recommended events to be discontinued and/or an explanation as to why this is recommended;
- Provide recommendations that may enhance the affordability, attractiveness and overall usability of event infrastructure and key event sites or influence future development within the city to incorporate required event infrastructure. Include consideration to converting a space to a permanent hardstand for events to limit impact on parks and frequency/type of events for identified locations;
- Identify collaboration opportunities with key external stakeholders (including surrounding local governments) and how the City should incorporate these stakeholders in the Major Events Strategy;
- Provide recommendations on an appropriate charging model, considering current fees and charges, any limitations/gaps to this and other capital city fee structures;
- Recommend tools, technologies, software, templates and systems to be created and implemented if required; and
- Any recommendations around an event selection, event toolkits/site packaging and approval framework for events including city-organised, sponsored and third party.

Drainage investigation and design

A desktop study was undertaken in early 2018 to review the historic reports and investigations undertaken at the site, to identify the potential causes of the ponding (CM 46019/18). This study reviewed tide data for Barrack St Jetty from Department of Transport; the limited groundwater monitoring data available from Department of Water and Environmental Regulation; previous geotechnical site investigations, archaeological and heritage assessments, arboricultural assessments and design drawings for Supreme Court Gardens; and a previous groundwater inundation study for Langley Park nearby.

This desktop study identified that the possible causes of the persistent inundation were a combination of the following factors:

- shallow groundwater
- ineffective subsoil drainage due to submerged outlets
- a layer of organic, silty topsoil reducing permeability
- poor construction methodology causing ponding or erosion of the footpaths
- obstructions to drainage infrastructure (e.g. downstream pipe inverts being above upstream infrastructure, or disconnected sections of drainage)
- vehicles accessing the site at locations that have not been appropriately designed or constructed to accommodate heavy vehicle loads.

The biggest unknown at the time was groundwater conditions. Actual groundwater levels at the site had not been measured previously, and it was not known whether there was a perched water table, what influence tidal river levels had on groundwater levels, or if groundwater levels were more directly influenced by localised rainfall.

To better understand the local groundwater conditions, five monitoring bores were installed across the site and were monitored over a period of four months in late 2018. The monitoring data and associated report from Urbaqua is included as Attachment 13.14A.

Urbaqua's report found the following:

- Prolonged periods of winter rainfall, combined with ineffective subsoil drainage, is considered to be the main cause of the high groundwater and extended ponding.
- Groundwater levels generally did not respond to small, low-intensity rainfall events.
- No relationship was found between tidal data and groundwater level fluctuations, indicating that groundwater levels do not vary directly with water levels in the Swan River.
- The tidal data did, however, show that subsoil drainage outlets are regularly inundated by river levels; including for an extended period in November 2018 which correlated with an increase in groundwater levels.
- The efficiency of the subsoil drainage is being restricted by regular inundation of the outlets, and exacerbated by periods of extended inundation, which contributes to persistent high groundwater levels.
- No perched water table was identified at the site.

Next steps

The following actions are required to define site constraints and provide sufficient supporting information to inform a permanent design solution:

- Complete the Strategic Events Review;
- Continuation of groundwater monitoring in the existing bores between April and October/November 2019 to further define minimum and maximum groundwater levels across the Supreme Court Gardens site. The 2018 monitoring period found that groundwater levels varied quite significantly from north-to-south across the site, and more detailed data will be valuable to inform a robust design solution;
- Undertake a survey of the existing stormwater drainage infrastructure to confirm invert levels and sizes of the existing drainage pits and pipes, to fill gaps in the available as-constructed data; and
- Regular site inspections between April and October to document the extent and nature of the drainage issues across the site (e.g. short-term ponding immediately following rainfall; extended ponding following rainfall; long-term ponding throughout winter/spring) and identify any secondary drainage issues that may be unrelated to the shallow groundwater.

The design solution will need to address the following, to ensure the Supreme Court Gardens can be successfully utilised as an event space:

- Upgrades to the subsoil drainage, which will require an innovative solution to manage the small freeboard between river levels and ground level;
- Possible modifications to existing outfall drains;
- Regrading of key areas of the park if necessary, to ensure groundwater inundation does not occur;
- Removal of the shallow layer of organic, low-permeability material, particularly in low-lying areas;
- Repair Soilbond footpaths throughout to remove trapped low points in the path; and

- Structural improvements to vehicular access ways.

It is considered that the drainage issues identified on Supreme Court Gardens and the resulting analysis and investigation work will form a crucial component of the final recommendations provided by the Consultant for Supreme Court Gardens, which will also consider the provision of heavy vehicle access, hostile vehicle mitigation, layout of the area, provision or relocation of key services such as power or water, staging locations and any other potential issue identified for consideration.

Financial Implications:

The financial year 2019/20 draft budget identified \$100,000 to cater for further investigations.

ACCOUNT NO:	PS073
BUDGET ITEM:	TBC
BUDGETED AMOUNT:	\$100,000
AMOUNT SPENT TO DATE:	\$0
PROPOSED COST:	\$100,000
BALANCE REMAINING:	\$0
ANNUAL MAINTENANCE:	\$N/A
ESTIMATED WHOLE LIFE COST:	\$N/A

All figures quoted in this report are exclusive of GST.

Comments:

The strategic outcomes of the 2016 Supreme Court Gardens upgrade project have not yet been fully realised, as the functionality of the site as an event space and public open space is currently being affected by the extended inundation during winter and spring.

The recent investigations have identified the main cause of the inundation, and the monitoring and investigation works proposed in this report will allow a permanent design solution to be developed.

Moved Commissioner Hammond, seconded Commissioner McMath

That Council ENDORSE the budget allocation of \$100,000 in financial year 2019/20 to:

- 1. CONTINUE groundwater monitoring in the existing bores between April and October/November 2019;***
- 2. UNDERTAKE a survey of the existing stormwater drainage infrastructure; and***
- 3. ALLOW for regular site inspections between April and October to document the extent and nature of the drainage issues across the site.***

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.15 Payments from Municipal and Trust Funds – February 2019

FILE REFERENCE: P1035536
 REPORTING UNIT: Finance
 RESPONSIBLE DIRECTORATE: Corporate Services
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 7 March 2019
 ATTACHMENT/S: A detailed list of payments made under delegated authority for the month ended 28 February 2019 can be accessed by the Commissioners via the Council Hub. Members of the public can access the list of payments on request.

Council role:

- 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 Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
 Goal 7 - An open and engaged city

Policy
 Policy No and Name: N/A

Comments:

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

- \$329,540.44 to Coates Hire Services for equipment hire for the 2019 Skyworks event; and
- \$321,541.14 to Ace Security and Events Services for the Christmas and 2019 Skyworks events.

Moved Commissioner Hammond, 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 28 February 2019 be RECEIVED and recorded in the Minutes of the Council, the summary of which is as follows:

<i>FUND</i>	<i>PAID</i>
<i>Municipal Fund</i>	<i>\$ 13,807,367,17</i>
<i>Trust Fund</i>	<i>\$ 53,701,10</i>
<i>TOTAL:</i>	<i>\$ 13,861,068.27</i>

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.16 Payments from Municipal and Trust Funds – March 2019

FILE REFERENCE: P1035536
 REPORTING UNIT: Finance
 RESPONSIBLE DIRECTORATE: Corporate Services
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 5 April 2019
 ATTACHMENT/S: A detailed list of payments made under delegated authority for the month ended 31 March 2019 can be accessed by the Commissioners via the Council Hub. Members of the public can access the list of payments on request.

Council Role:

- 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 Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
 Goal 7 - An open and engaged city

Policy

Policy no and name: N/A

Comments:

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

- \$7,344,205.72 to The Department of Fire and Emergency Services for the emergency services levy third quarter contribution for 2018/19; and
- \$1,379,014.54 to The Western Australian Treasury Corporation for loan payments of \$541,200.68 for the Elder Street Carpark, \$560,574.81 for the Perth Convention and Exhibition Centre Carpark, \$32,774.82 for the Goderich Street Carpark and \$244,464.23 for the Perth City Library and Public Plaza.

Moved Commissioner Hammond, 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 31 March 2019 be RECEIVED and recorded in the Minutes of the Council, the summary of which is as follows:

<i>FUND</i>	<i>PAID</i>
<i>Municipal Fund</i>	<i>\$ 21,748,639,80</i>
<i>Trust Fund</i>	<i>\$ 119,966.23</i>
<i>TOTAL:</i>	<i>\$ 21,868,606.03</i>

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.17 Financial statements and financial activity statement for the period ended 28 February 2019

FILE REFERENCE: P1014149-25
 REPORTING UNIT: Finance
 RESPONSIBLE DIRECTORATE: Corporate Services
 REPORT AUTHOR DISCLOSURE OF INTEREST: Nil
 DATE: 1 April 2019
 ATTACHMENT/S: Attachment 13.17A – Financial Statements and Financial Activity Statement for the period ended 28 February 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 Council/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*

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
 Goal 8 - A city that delivers for its community

Policy

Policy no and name: N/A

Details:

The Financial Activity Statement is presented together with a commentary on variances from the revised budget.

Comments:

The Financial Activity Statement commentary compares the actual results for the 8 months to 28 February 2019 with the original budget approved by Council on 3 July 2018, and amended on 28 August 2018, 27 November 2018 and 26 February 2019.

Moved Commissioner Hammond, seconded Commissioner McMath

That Council RECEIVES the Financial Statements and the Financial Activity Statement for the period ended 28 February 2019 as detailed in Attachment 13.17A of this report.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.18 Adoption – City of Perth Outdoor Dining Local Law 2019

FILE REFERENCE:	P1015923-2
REPORTING UNIT:	Governance
RESPONSIBLE DIRECTORATE:	Corporate Services
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	7 March 2019
ATTACHMENT/S:	Attachment 13.18A - Public Submission Attachment 13.18B - Proposed City of Perth Outdoor Dining Local Law 2019

Council role:

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

Legislation / Strategic Plan / Policy:

Legislation Sections 3.12, 3.13 and 3.16 of the *Local Government Act 1995*

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
Goal 8 - A city that delivers for its community

Policy
Policy No and Name: Outdoor Dining Policy

Purpose and Background:

At its meeting held on **18 December 2018**, Council resolved by an Absolute Majority to repeal the *City of Perth Alfresco Dining Local Law 2009* and, in accordance with Section 3.12(3) of the *Local Government Act 1995*, initiate the local law-making process for a new local law.

Council approved the giving of state-wide public notice of its intention to make the proposed City of Perth Outdoor Dining Local Law 2019.

Details:

A state-wide public notice seeking public submissions on the proposed local law was published in The West Australian on Monday, 24 December 2018, and was displayed on the City's notice boards and the City of Perth website. A copy of the public notice and the proposed local law were also provided to the Minister for Local Government.

In accordance with section 3.12(4) of the *Local Government Act 1995*, after the last day for submissions, Council is required to consider any submissions received in response to the public notice. One public submission was received during the public notice period between 24 December 2018 and 12 February 2019 and is attached as Attachment 13.18A. Consideration of the submission is detailed in the below table.

Public submission consideration

A detailed submission was received from Alex Hotel. It considered the local law in detail and made reasoned comments from the perspective of the businesses using, or intending to use, the outdoor dining permit system. The submission has been considered in detail.

Clause	Submission	Officer Response
2.3(2)	In relation to Fees listed in Application for a Permit. Fees should not be material as they would discourage venues from activating outdoor spaces.	<p>The City of Perth recognises that reduced fees may encourage activation and at its Special Council Meeting of 15 January 2019 determined to cease requiring any annual or application fees for any application or renewed permit from 1 February 2019.</p> <p>The local law recognises that fees may not be required by stating "if any" after the fee requirement and allowing for payment arrangements.</p> <p>It is proposed that this clause is retained, as should an application fee ever be required by Council, the appropriate time for payment would be at application. This is consistent with other local laws.</p>
2.4	Suggest better guidelines. It appears there is a lot of discretion on behalf of the authorised person.	<p>The guidelines for relevant considerations are detailed outside of the local law in policies and guidelines adopted by Council. Officers are required to act in accordance with the guidelines and policies of Council.</p> <p>It is noted that decisions on applications are subject to a right of objection under the local law to provide for procedural fairness.</p>

Clause	Submission	Officer Response
		<p>No amendment is proposed as the policies and guidelines are intended to guide the discretion of authorised officers.</p>
<p>2.5</p>	<p>There is no mention of how the process of any related Development Applications (DA) are incorporated for those instances where applicable. Would fees not be payable until the DA is approved? Would local govt need to sign a relevant DA prior to submitting for a permit?</p>	<p>A development application is a separate process covered under separate legislation and is not required for many outdoor dining permits. It is noted that the submitting business resides in the Metropolitan Redevelopment Authority (MRA) area, where MRA approval is also normally required.</p> <p>Outside of the MRA area, development approval is only required where permanent structures are proposed. Where applicants are only proposing outdoor dining furniture in accordance with the local law and guidelines, no development approval is required.</p> <p>Where permanent structures are proposed to be installed, applicants may wish to instead consider entering into a lease agreement with the City rather than applying an outdoor dining permit, to provide for exclusive use.</p> <p>Guidance can be obtained from the City in relation to more complex applications.</p> <p>As discussed above, Council has determined to cease requiring any annual or application fees for any application or renewed outdoor dining permit from 1 February 2019.</p>
<p>2.5(1)</p>	<p>Expected timing of the approval process should be incorporated. It recently took our premises over three months to receive an approval for a relevant development application that applies to our existing alfresco area.</p>	<p>At its Special Council Meeting of 15 January 2019, Council endorsed the recommendation that the endorsed guidelines provide a clear estimate of the anticipated waiting times for Outdoor Dining Permit Applications. In addition, Council endorsed the concept of web based self-accreditation for outdoor dining applications and the administration is currently undertaking investigations on this matter. This mechanism is intended to reduce permit application processing times.</p> <p>It is considered that expected timeframes are best informed within guidelines or on the City's website as it may change over time. As a local law requires a significant time to review and expected timeframes may become outdated.</p>

Clause	Submission	Officer Response
		<p>The City is committed to reducing red tape and reducing timeframes for permits.</p> <p>The application for development approval is a separate process under its own legislation. In MRA areas the estimated time is three months, noting this also includes referral to the City for comment.</p> <p>Outside of the MRA area, applicants should allow up to 60 days.</p>
<p>2.5(2)(c) 2.14(1)(a) 2.14(1)(d)</p>	<ul style="list-style-type: none"> • Would recommend mention regarding grade/severity of offence; opportunity or history of having remedied. • Would suggest proprietor must be given the opportunity to remedy any non-compliance in the first instance. • Would suggest proprietor must be given the opportunity to remedy any breach by a customer. 	<p>These comments are in relation to reasons a permit may be cancelled. It is noted that the permit holder has the right of objection to a cancellation.</p> <p>There is no requirement that the local government cancel a permit in the first instance and it has the discretion to take other reasonable measures such as education, direction to rectify, or issuing infringements prior to or alternatively to cancelling a permit.</p> <p>The non-compliance being a first instance is a relevant consideration and it is noted in the guidelines that enforcement action will consider the nature of the breach.</p> <p>It is preferred by the City that guidelines, policies and processes give guidance to officers and the local government in exercising this discretion as this can better allow for all circumstances to be considered and appropriate exceptions to be made. Officers are required to act in accordance with quasi-judicial principles and our Code of Conduct when making such decisions to ensure procedural fairness.</p> <p>Some breaches may be of a nature that immediate action is required and the opportunity for immediate cancellation should be preserved for these instances.</p>

Clause	Submission	Officer Response
2.14(2)	<p>Would suggest a permit cannot be cancelled, only suspended for the period of time the utility is requiring access to perform work.</p>	<p>The City agrees that suspension is the preferred alternative. However, there may be utilities using areas for an undefined, extensive term that runs beyond the length of the permit. Cancellation may be more appropriate in these circumstances.</p> <p>It is noted that the permit holder has the right of objection to both a suspension or a cancellation.</p>
2.14(3)	<p>Recommend amending word 'must' to 'may' on grounds that there should be valid reasoning behind withdrawal of consent. There should be some discretion in relation to neighbours. The City should only suspend a permit where access is required.</p>	<p>This comment is in relation to the requirement to cancel a permit that extends beyond the permit holder's frontage into the neighbour's frontage. The current requirement provides that the City must cancel if the permit holder doesn't apply for an amended permit (which no longer extends beyond into the neighbour's frontage).</p> <p>The City wishes to give balance between the operation of an outdoor area and the needs of the neighbouring businesses and that outdoor dining area is extending into. It does not wish to adjudicate the reasons a neighbouring business or property owner may not wish for the operation of the area to continue to extend into the frontage of their area as there are a variety of reasons – including wishing to use that frontage for its own purposes. On that basis, the City prefers to retain the clause as it is.</p> <p>Should the permit holder wish for additional security regarding the extended area they could consider entering into a private agreement with the adjoining parties.</p>
2.14(3)(c)	<p>In 2.14 (3)(c) – 10 day timeframe (to apply for an amended permit) is considered too short. The submission suggests replacing 10 days with "as soon as practicable" as there should be a time limit.</p>	<p>Noting that the requirement is not to have an approved amended permit, but to have applied for an amended permit, which should have little change from the current one other than reduced area, it is noted that there may be a few instances where 10 days is insufficient.</p> <p>Fourteen days, unless extended by the local government or an authorised officer, is proposed as an amendment to the local law.</p>

Summary

The City appreciates the above comments and has adopted an amendment in relation to the timeframes for applying for an amended permit. Comments in relation to providing an opportunity to rectify a breach were not adopted as this is on the basis that the City wishes to retain its discretion to cancel or suspend permits in appropriate circumstances. The City does consider the nature and severity of a breach in determining appropriate enforcement and this is noted in our guidelines.

Comments in relation to development approvals have been considered carefully and current estimated timeframes have been advised. Development approval is considered to be an additional process, only required in specific circumstances, rather than a necessary requirement for all outdoor dining permit approval. The City is happy to provide further guidance to applicants in these instances.

While the officer recommendation is to retain the majority of clauses, and believes this is justified for the reasons detailed the comments are of value and further consideration should be given to them when reviewing the guidelines and internal procedures.

Department comment consideration

The Department of Local Government, Sport and Cultural Industries (Department) on behalf of the Minister for Local Government, provided comments on the advertised local law on Tuesday, 12 February 2019. The majority of the Department's comments relate to minor adjustments to the drafting to ensure alignment with current legislative practices and standards. The Department's comments, together with the officer responses, are detailed in the below table.

Clause	Department Comments	Officer Response
N/A	Replace "Arrangement" with "Contents".	Agreed and amended in the proposed local law.
Clause 1.3 – Purpose and intent	<p>Clause 1.3 sets out the purpose and intent of the local law. This clause has no direct legislative effect and can be removed if the City wishes.</p> <p>While the <i>Local Government Act 1995</i> requires the purpose and effect to be included in the public notices relating to a proposed local law, there is no requirement to include purpose or effect clauses in the local law itself.</p>	<p>Noted, however, it is considered that the inclusion of the purpose and intent of the local law provides clarity for users of the local law and this is a standard practice adopted by the City of Perth.</p> <p>Additionally, in accordance with the <i>Interpretation Act 1984</i>, the expressed purpose and object are relevant for the interpretation of the local law.</p> <p>It is preferred to retain the clause.</p>
Clause 1.4 - Repeal	<p>Amend:</p> <p>The <i>City of Perth Alfresco Dining Local Law 2009</i>, published in the Government Gazette on 16 June 2009, is repealed.</p> <p>To:</p>	<p>Prior legal advice suggested the deletion of "as" in the standard drafting of repeal clauses assists in ensuring any subsequent amendments to an existing local law would also be repealed in line with section 16 of the <i>Interpretation Act 1984</i>.</p>

Clause	Department Comments	Officer Response
	The <i>City of Perth Alfresco Dining Local Law 2009</i> as published in the <i>Government Gazette</i> on 16 June 2009 is repealed.	As the existing local law has not been amended since its adoption the amendment has been made in this instance.
Clause 1.7 – Terms used	It is suggested that public liability insurance policy be defined in the local law.	Definition added: public liability insurance policy means an insurance policy held with an insurance company that insures against sums for which the policy holder may become legally liable by way of compensation for claims of personal injury or property damage that a third party suffers as a result of the operation or activities of the policy holder’s business.
Clause 1.7 – Terms used	It is suggested that permit period is deleted from clause 1.7 as it is not used elsewhere in the local law.	Agreed and amended in the proposed local law.
Clause 1.7 – Terms used	It is suggested that the following definition for Schedule be inserted: Schedule means the Schedule to this local law;	Agreed and amended in the proposed local law.
Clause 1.7 – Terms used	In the definition of outdoor dining area in paragraph (a) delete “or” after the semicolon.	Agreed and amended in the proposed local law.
Clause 2.4 – Refund of permit fees	<p>Clause 2.4(6) provides that permit fees may be refunded if a permit is cancelled “through no fault of the permit holder”.</p> <p>The City may wish to clarify what qualifies as “fault”. For example, it could specify that a refund may occur if the cancellation didn’t involve an offence under the local law and/or didn’t relate to the actions of the permit holder.</p> <p>Alternatively, the City may wish to reword subclause (6) to simply state that permit fees may be refunded at the City’s discretion.</p>	<p>Amended to the Department’s alternative proposal.</p> <p>The alternative proposed “permit fees may be refunded at the City’s discretion” would widen the circumstances to where the City may provide a refund following cancellation.</p> <p>However, this is not inappropriate. The City has determined to remove fees for outdoor dining area permits and it is therefore anticipated that broadening the refund clause will have limited future effect.</p> <p>Additionally, there may be circumstances where the City determines it is appropriate to refund fees due to circumstances partially in the permit holder’s control.</p>

Clause	Department Comments	Officer Response
Clause 2.5(2)(c)(iii)	Insert a semicolon after "Act".	Noted and amended in the proposed local law.
Clause 2.13	The City's local law states that notice must be issued to an applicant when a permit is issued, rejected, amended or cancelled. It is suggested that a similar provision be added into clause 2.13 in relation to decisions on permit transfers.	Agreed and amended in the proposed local law.
Clause 3.1	Clause 3.1 provides that a right of review exists whenever a permit is issued, varied, suspended or cancelled. However, the clause does not clearly indicate if decisions involving permit transfers are also reviewable. It is suggested that clause 3.1(1)(b) be amended by adding ", transfer" after "cancel".	While "vary" a permit arguably includes a transfer, it is agreed the addition of "transfer" will make the position under the local law clearer. Amended in the proposed local law.
Schedule	In item 4, column 2 change "2.14(6)" to "2.14(7)".	Agreed and amended in the proposed local law.
Schedule	Schedule formatting: It is suggested that Schedule titles should be bold, centralised and not in block print. The heading should then be followed by a bracketed reference to the relevant clause in the local law.	Agreed and amended in the proposed local law.

The following other officer changes were also made:

Other officer changes

Clause	Change	Reason
1.7	Add "if any" after associated fees.	So that it is without doubt that fee do not need to be paid where they are not required.
2.6(h)	Amended "public risk insurance" to "a public liability insurance policy"	To align with clause 2.11.

Council may now resolve by an absolute majority to make the local law, or to make a local law that is not significantly different from the originally advertised local law. The above amendments are not considered to be significantly different to the originally advertised local law.

Following adoption, in accordance with sections 3.12(5) and 3.12(6) of the *Local Government Act 1995*, subsequent to Council adoption, the City of Perth is required to:

- Publish the local law in the WA Government Gazette;
- Provide a copy of the gazettal to the Minister for Local Government (and any other relevant Minister); and

- Publish a local public notice advising of the local law, its purpose and effect, the day on which it becomes effective and advising it may be inspected via the local government's offices.

Stakeholder engagement:

No stakeholder engagement was undertaken in relation to this report. Previous stakeholder engagement occurred in relation to the policies and guidelines associated with this local law and statutory public notice was undertaken as detailed above.

Financial implications:

Costs of approximately \$2,000 will be incurred for the Public Notice and Gazettal of the local law. These costs will be met through existing operating budgets.

All figures quoted in this report are exclusive of GST.

Comments:

The amendments proposed by the Department, and officers that were incorporated in the proposed City of Perth Outdoor Dining Local Law 2019 relate primarily to drafting standards. They do not constitute significant changes to the originally advertised local law.

The amendment made in relation to timing prior to cancellation of a permit following the submission of Alex Hotel is not considered a significant change.

It is therefore recommended that Council resolve to make the City of Perth Outdoor Dining Local Law 2019 as detailed in Attachment 13.18A and gives local public notice of the local law.

In accordance with Section 3.14(1) of the *Local Government Act 1995*, the local law will come into effect 14 ordinary days after it is published in the WA Government Gazette.

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

- 1. In accordance with section 3.12(4) of the Local Government Act 1995:***
 - 1.1. NOTES that one submission, attached as Attachment 13.18A, was received during the public submission period in response to the proposed City of Perth Outdoor Dining Local Law 2019; and***
 - 1.2. CONSIDERS that submission and the amendments made to the local law as detailed within this report;***
- 2. NOTES the comments received from the Department of Local Government, Sports and Cultural Industries in response to the public notice period and amendments made to the local law as detailed within this report;***

3. *in accordance with Section 3.12(4) of the Local Government Act 1995, BY AN ABSOLUTE MAJORITY, MAKES the City of Perth Outdoor Dining Local Law 2019 as detailed in Attachment 13.18B; and*
4. *in accordance with Section 3.12(6) of the Local Government Act 1995, GIVES local public notice of the City of Perth Outdoor Dining Local Law 2019.*

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.19 Adoption - Information Governance Policy

FILE REFERENCE:	P1027189
REPORTING UNIT:	Data and Information
RESPONSIBLE DIRECTORATE:	Corporate Services
REPORT AUTHOR DISCLOSURE OF INTEREST:	Nil
DATE:	8 March 2019
ATTACHMENT/S:	Attachment 13.19A – Information Governance Policy Attachment 13.19B – Information Governance Framework

Council Role:

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

Legislation / Strategic Plan / Policy:

Legislation	<i>Local Government Act 1995 State Records Act 2000 Privacy Act 1988 Freedom of Information Act 1992</i>
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Integrated Planning and Reporting Framework implications	Strategic Community Plan Goal 7 - An open and engaged city
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Policy**Purpose and Background:**

The Information Governance Policy underpins an integrated approach to decision making, authority and accountability over the City's information.

The approach, in the form of an Information Governance Framework (IGF) and a high-level Roadmap, together with the Policy were approved with amendments by ELT at the meeting held on 6 March 2019. This followed ELT's approval in February 2019 of the Information Governance Program Business Case and Budget Justification as a fully funded and resourced program of work starting July 2019 and provisionally running across three (3) financial years to 30 June 2022.

Background to the Information Governance Program

A key driver of the Information Governance Program has been the identification in the Corporate Business Plan 2017 – 2021 of the need for:

'... Effective and efficient systems and processes to support performance and growth.' (Goal 8 KRA)

The goal explicitly calls out the need for:

- A single source of reliable data;
- Review of internal processes and systems;
- Development of robust decision-making processes;

This goal is in response to Records Management being identified as a “high” risk in the Corporate Risk Management Framework, as articulated below:

Risk ID 94 – Records Management

- *Failure to appropriately manage the City's records physical and digital, in line with the City's Record Keeping Plan and relevant legislative requirements, resulting in:*
 - *Non-compliance with legislation;*
 - *Impacts on City's reputation;*
 - *Implications on overall service delivery and meeting organisational objectives;*
 - *Financial and budget implications from inefficient services;*
 - *Compromised security of corporate data;*
 - *Potential Legal Implications (Freedom of Information);*
 - *Compromised Staff safety (Manual Handling and Mail handling);*
 - *Potential catastrophic loss of vital records and information; and*
 - *Potential cost of records storage and infrastructure.*

The Information Governance Policy and Framework directly mitigate the above risk if successfully implemented and embedded across the City's operations, and the following outputs are ready for implementation:

Council Policy (For ADOPTION – Attachment 13.19A)

The foundation - a short, strategic document that provides direction and guidance to elected members and staff creating, capturing and managing information to satisfy legal, stakeholder and operational requirements, and assign responsibilities.

Framework (For NOTING – Attachment 13.19B)

The scaffolding describing how the policy will work on a day to day basis i.e. the people, processes and tools that we use;

Roadmap

The delivery plan - describes the short, medium and long-term activities needed to deliver on the City's vision for modern enterprise information management practices at the City.

Details:**Information Governance Policy Overview**

The Policy sets out to achieve the following Objectives:

- To establish an information governance environment with clear accountabilities for the management, and maintenance, of quality information and related processes;
- To improve access to and use of information with the aim of improving efficiency;
- To improve the quality of information and ensure consistency in the processes managing information, enabling opportunities for leveraging of information across the City's business units;
- To continually improve information management capabilities; and
- Ensure an open, transparent government principle is achievable with good oversight and minimal risk.

To achieve these objectives, the Policy will ensure that people, processes and systems of information will adhere to the following Key Principles:

- Information is a core strategic asset;
- Information and associated processes are owned;
- Information is accessible;
- Information is consistent; and
- The City is compliant.

Justification for Council Adoption

The Information Governance Policy follows the *State Record Keeping Act 2000*, to which both Elected Members and Administration are bound. It supports the decision-making processes of Local Government and is aligned to the City's Open Government ethos and vision. Upon Council adoption, the Information Governance Policy becomes public and transparent and demonstrates the City's commitment to open government.

The Information Governance Policy also has impact on the community, including the public facing data and information available through the Website, Think Perth microsite, Smart Cities Data Hub, and any direct exchange of information to external stakeholders. This policy supports the future of responsible external stakeholder collaboration and sharing of information.

Financial implications:

There are no direct financial implications associated with this report.

Officer Recommendation

That Council:

- 1. ADOPT the Information Governance Policy as a Council Policy; and
- 2. NOTE the Information Governance Framework as approved by the Executive Leadership Team.

MOTION TO DEFER

Moved Commissioner Hammond, seconded Commissioner McMath

Council agreed to defer the item as follows:

That Council DEFER consideration of the report titled Adoption - Information Governance Policy to allow engagement with Commissioners on the development of a policy relating to the management and oversight of Council policies.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Reason: To allow engagement with Commissioners on the development of a policy relating to the management and oversight of Council policies.

14. Motions of which Previous Notice has been given

Nil

15. Urgent Business

Nil

16. Closure

7.13pm The Deputy Chair Commissioner declared the meeting closed.