



City of **Perth**

Agenda

Agenda Briefing Session

12 November 2024

Notice of Meeting

To the Lord Mayor and Councillors

The next Agenda Briefing Session will be held on Tuesday, 12 November 2024 in the Council Chamber, Level 9, 27 St Georges Terrace, Perth commencing at 5:00pm.

Michelle Reynolds

Chief Executive Officer

7 November 2024

Information

This information is provided on matters which may affect members of the public. If you have any queries on procedural matters, please contact a member of the City's Governance team via governance@cityofperth.wa.gov.au.

Disclaimer

Members of the public should note that in any discussion during a meeting regarding any item, a statement or indication of approval by any council member, committee member or officer of the City is not intended to be, and should not be taken as, notice of approval from the City. No action should be taken on any item discussed at a meeting of a Committee prior to written advice on the Committee or Council's resolution being received.

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1. Declaration of Opening

2. Acknowledgement of Country/Prayer

3. Attendance

3.1 Apologies

3.2 Leave of Absence

3.3 Applications for Leave of Absence

This item will be dealt with at the Ordinary Council Meeting.

4. Announcements by the Lord Mayor

5. Disclosures of Interests

6. Public Participation

6.1 Public Questions

This item will be dealt with at the Ordinary Council Meeting.

6.2 Deputations

7. Confirmation of Minutes

This item will be dealt with at the Ordinary Council Meeting.

8. Questions by Members which due Notice has been Given

This item will be dealt with at the Ordinary Council Meeting.

9. Correspondence

This item will be dealt with at the Ordinary Council Meeting.

10. Petitions

This item will be dealt with at the Ordinary Council Meeting.

11. Planning and Economic Development Alliance Reports

11.1 Draft Building Heights and Setbacks Local Planning Policy

Responsible Officer	Julia Kingsbury – Acting General Manager Planning and Economic Development
Voting Requirements	Simple Majority
Attachments	<p>Attachment 11.1A – Draft Building Heights and Setbacks Local Planning Policy ↓</p> <p>Attachment 11.1B – Draft Maximum Lower Built Form Height Plan ↓</p> <p>Attachment 11.1C – Draft Maximum Building Height Plan ↓</p> <p>Attachment 11.1D – Draft Character and Heritage Areas Plan ↓</p> <p>Attachment 11.1E – Draft Built Form Setting Plan ↓</p> <p>Attachment 11.1F – Draft Built Form Typology Plan and Associated Figures ↓</p> <p>Attachment 11.1G – Draft Shadow Impact Areas Plan ↓</p>

Purpose

For Council to consider the preparation and advertising of the draft *Building Heights and Setbacks Local Planning Policy* (LPP) and associated plans.

Recommendation

That Council in accordance with clause 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Deemed Provisions), RESOLVES to prepare and advertise the draft *Building Heights and Setbacks Local Planning Policy* and associated plans as shown in **Attachments A, B, C, D, E, F, G** of this report.

Background

Current Scheme and Local Planning Policy

1. The City's Building Heights and Setbacks Policy currently provides overarching objectives, principles and standards relating to building heights and building setbacks.
2. Currently, street building heights and overall building heights are specified on the Street Building Height and Setback Plan and Maximum Building Height Plan of City Planning Scheme No. 2 (CPS2).
3. There are also specific height controls that apply to the areas of the city that require a more localised design response because of the character of the area. These areas include Parliament House precinct, City West, Mount Street, Terrace Road, Kings Street and Goderich Street.
4. The current planning policy will be replaced by the draft *Building Heights and Setbacks Local Planning Policy*.

Local Planning Strategy

5. The City's *Local Planning Strategy* (Strategy) sets out the strategic direction for the future planning and development of the city, to be implemented via the new local planning scheme and supporting local planning policies. The Strategy was adopted by Council on the 13 December 2022 and endorsed by the Western Australian Planning Commission (WAPC) on 30 May 2023.
6. The Strategy includes the following actions in relation to the built environment with the aim to create a well-planned, stimulating, attractive and functional built form environment that helps make Perth city a great place to be:
 - a. *In areas where the streetscape character and amenity is lacking, investigate land use, built form and design options to address this and incorporate increased greening.*
 - b. *Review the existing built form and design provisions to align with urban settings and landscape settings categories.*
 - c. *Review the existing built form provisions to:*
 - i. *Minimise wind impacts and apply appropriate standards*;*
 - ii. *Minimise overshadowing of pedestrian priority streets and key public spaces; and*
 - iii. *Minimise heat and light reflection.**

** These matters will be addressed in the City's General Design Local Planning Policy which will be presented to Council in the coming months.*

Draft Local Planning Scheme No. 3

7. All existing local planning policies are being replaced and consolidated into a set of new contemporary local planning policies. Key policies, including the draft *Building Heights and Setbacks LPP*, will be advertised concurrently with the draft LPS3.
8. Maximum base plot ratio and maximum bonus plot ratio plans form part of draft LPS3. Maximum base plot ratio and maximum bonus plot ratio have been informed by proposed built form parameters (i.e. building heights and setbacks) across the city and what plot ratio (base and bonus) is generally achievable within these.

State Government Framework

9. The State Government requires the Residential Design Codes (R-Codes) to be applied across the city to ensure a consistent approach to residential development throughout the State.

10. Local governments can prepare local planning policies for residential development that amend or replace certain development provisions of the R-Codes. Some variations to the development provisions only require local government approval, and some require the approval of the WAPC.

Discussion

Policy Structure

11. The draft Building Heights and Setbacks LPP provides objectives and provisions for building heights and setbacks, as well as sunlight access, for different areas in the city. (**Attachment A**)
12. Built form objectives and provisions for specific areas are not included in this city-wide policy, and instead addressed through separate policies for character and heritage areas. Built form for the Crawley-Nedlands neighbourhood will be addressed through the Improvement Scheme project that is being led by the State Government.
13. The draft LPP is associated with the following plans, which shall be read in conjunction with the LPP:
 - a. Draft Maximum Lower Built Form Height Plan (**Attachment B**)
 - b. Draft Maximum Building Height Plan (**Attachment C**)
 - c. Draft Character and Heritage Areas Plan (**Attachment D**)
 - d. Draft Built Form Setting Plan (**Attachment E**)
 - e. Draft Built Form Typology Plan and Associated Figures (**Attachment F**); and
 - f. Draft Shadow Impact Areas Plan (**Attachment G**)

Built Form Settings

14. The proposed built form parameters for different areas of the city have been drafted in view of the built form setting for each specific area.
15. The Local Planning Strategy distinguishes two forms of urban environment in the city, being 'Urban Setting' and 'Landscaped Setting'. The Strategy further includes the following action which has been addressed through the review of the built form settings in the city:

In areas where the streetscape character and amenity is lacking, investigate land use, built form and design options to address this and incorporate increased greening.
16. Following a review of the existing streetscape character and amenities of different neighbourhoods, it is proposed to:
 - a. Expand the landscaped setting areas to include the following:
 - West Perth Neighbourhood:
 - Lots directly to the south of Mayfair Street
 - Lots to the north of Railway Street
 - Lots bound by Parliament Place and Railway Street, between Mitchell Freeway and George Street to the west and Sutherland Street and Havelock Street to the east; and
 - Lots directly to the south of Wellington Street, between Havelock Street and Thomas Street

- East Perth Neighbourhood:
 - Residential lots directly to the north of Hay Street, between Plain Street and Forrest Avenue.
 - Claisebrook Neighbourhood:
 - Lots directly to the north of Wittenoom Street, between Plain Street and Bennett Street
 - Lot directly to the west of Wellington Square on Bennett Street; and
 - Lots directly to the east of Wellington Square on Hill Street.
- b. Introduce 'Landscaped Frontage Setting' for the lots directly fronting onto Adelaide Terrace. Landscaped frontage setting is proposed to require a street setback for the lower built form of buildings to allow for increased landscaping. There is no landscaping setback required to other lot boundaries.

The proposed built form provisions for Brown and Kensington Street Character Areas (presented to Council at its OCM on 17 September 2024) also align with the landscaped frontage setting.

17. The proposed changes aim to increase amenity, improve the streetscape and enhance urban greening in the respective areas to improve the liveability of the city.
18. **Attachment E** indicates the areas in Urban Setting, Landscaped Setting and Landscaped Frontage Setting across the city.

Building Heights

Maximum Lower Built Form Height

19. The current street building heights under CPS2 are generally 14m or 21m or set in a planning policy for specific areas.
20. The proposed lower built form heights (formerly referred to as street building height) on the Maximum Lower Built Form Height Plan have been determined with consideration to:
- The desired built form outcome for each street/area; and
 - The built form setting of each street.
21. In Urban Setting areas, the proposed maximum lower built form heights range between 12m to 37m, which can accommodate 3 to 10 storeys, respectively, and are proposed with consideration to:
- The role of the street
 - The relationship with the proposed built form; and
 - Protection of sunlight access to pedestrian priority areas.
22. In Landscaped Setting and Landscaped Frontage Setting areas, the maximum lower built form heights are 30m or 45m, which can accommodate 8 or 12 storeys, respectively, depending on the width of the streets. The maximum lower built form heights are higher than the Urban Setting areas, given the street setback alleviates the impact of the building bulk to the street.

Maximum Building Heights

23. The current maximum building heights under CPS2 generally range from 29m to no prescribed height limit. Areas with an identified character will have different maximum building heights to respond to this character.

24. Under the current CPS2, additional height above the street building heights in some areas are required to be contained within an angled height plane. This is to protect sunlight penetration or address specific built form character objectives.
25. The proposed building heights are generally reflective of the indicative heights depicted in the Local Planning Strategy.
26. In certain circumstances, other considerations and controls are applicable to the maximum building heights:
- Within the core area of Special Control Area No. 2 - Royal Perth Hospital Helicopter Flight Path Protection (SCA2), the maximum building heights are limited to the heights permitted in SCA2
 - Within Parliament House Precinct Policy (PHPP), the maximum building heights are limited to the heights permitted in the PHPP
 - Within the areas to the north of a street within a pedestrian priority area, additional heights above the lower built forms are to be contained within a 40° angled height plane from the specific reference points on the southern sides of that street

The purpose of the angled planes is to protect sunlight access to the footpath in pedestrian priority areas which is explained further below, under Sunlight Access heading.

27. The areas that currently have no maximum height limits are:
- Northbridge Neighbourhood:
 - east of Beaufort Street excluding lots fronting Newcastle Street.
 - West Perth Neighbourhood:
 - between Sutherland Street and Havelock Street and the freeway, excluding land within the Parliament House Precinct.
 - Central Perth Neighbourhood:
 - between Milligan Street and the freeway
 - southside of St Georges Terrace between Barrack Street and the freeway, excluding land within the Parliament House Precinct
 - south of Hay Street between William Street and Milligan Street, excluding land with the King Street Heritage Area
 - northern side of Adelaide Terrace
 - north of Hay Street between Victoria Avenue and Pier Street
 - East Perth Neighbourhood:
 - north of Adelaide Terrace, excluding the area bounded by Hay, Goderich, Bennett and Hill Streets.
 - Claisebrook Neighbourhood:
 - between Wellington Street and Wittenoom Street, excluding those areas within LPS26 design guideline areas.

28. The areas that are changing from currently having maximum height limits to no prescribed height limit are:
- West Perth Neighbourhood:
 - North of Railway Street
 - Kings Park Road Character Area
 - Central Perth Neighbourhood:
 - southern side of Adelaide Terrace
 - northern side of St Georges Terrace, between Victoria Avenue and Barrack Street, excluding those lots affected by SCA2.
29. The overall form of development in areas with no prescribed height limit is determined through reference to:
- Plot ratio
 - Setback requirements; and
 - Objectives and provisions of the draft LPP including those related to sunlight access, which are explained further below under Sunlight Access heading.

Building Setbacks

Street Setbacks

30. The current policy has generally a nil street setback standard for the lower built form, representing an Urban Setting. The exception is West Perth, which is in a Landscaped Setting, where a 4m to 4.5m street setback is required.
31. Above the lower built form, the current policy provisions generally require development to provide a 5m street setback up to 65m in building height and a 10m street setback above 65m in building heights.
32. The draft LPP differentiates street setback requirements based on the built form settings:
- a. Buildings in Urban Setting:
 - *Lower built form*: nil street setback. The nil street setback will provide the opportunity for a continuous building edge to the street and maximising interaction between the private and public realm.
 - *Upper built form*: 5m street setback up to 60m in building height and 10m street setback above 60m in building height. The purpose of the additional street setback above 60m is to reduce the impact of the building bulk on the street.

The 60m building height can accommodate 16 storeys, noting that the Local Planning Strategy identified buildings over 16 storeys as 'high scale'. Accordingly, the proposed policy has been drafted so to make a relationship between the scale of buildings and the required street setbacks.
 - b. Buildings in Landscaped Setting and Landscaped Frontage Setting:
 - *Lower built form*: 4.5m primary street setback and 3m secondary street setback. These street setbacks will provide sufficient space within the street setback area for accommodating landscaping.

- *Upper built form*: 9.5m primary street setback and 8m secondary street setback. The purpose of the additional 5m setback above the lower built form is to reduce the impact of the building bulk on the street.

Side and Rear Setbacks

33. The current policy sets out the side and rear setbacks based on whether the land use is residential or non-residential, and building elevation conditions (i.e. elevations incorporating openings and/or balconies) of the developments.
34. Under the current policy, the side and rear setbacks for the lower built forms range between nil to 4m, and the side and rear setbacks for the upper built form range between 3m to 6m or 4m to 8m.
35. The draft LPP proposes the side and rear setback provisions in view of the different built form settings proposed across the city (refer to Table 3 in **Attachment A**).
36. The draft LPP further removes the reference to the land use of the development for side and rear setbacks provisions. This is to allow for future adaptability of the developments upon change of use from non-residential to residential uses, without requiring alteration and modifications to the buildings.
37. The draft LPP proposes to allow nil rear setback up to 12m of building height in Urban Setting and Landscaped Frontage Setting Areas. However, it is proposed to require a 4m rear setback requirement above 12m of building heights in those areas. This 4m rear setback aims to facilitate access to sunlight and ventilation from at least one aspect of the buildings where the lower built form is allowed to be greater than 12m (3 storeys).

Sunlight Access

38. The current policy includes the following principle in relation to sunlight access for building heights and street setbacks elements of the policy:
“Maximise sunlight penetration into streets, public spaces and buildings, and provide for moderate to high levels of sunlight penetration into key pedestrian areas and public spaces in the middle of the day (10am to 2pm) from August to April”.
39. The current objective requiring “moderate to high level” of sunlight penetration into key pedestrian areas and public spaces lacks certainty and is not measurable.
40. As part of the review of the current policy, the above principle has been reviewed and subsequently, modified sunlight access objectives and provisions have been proposed in the draft LPP.

Pedestrian Priority Areas

41. The sunlight access objective of the current policy has been modified to include a specific objective for east-west streets within the pedestrian priority areas which have been identified in the Strategy. The following modified objective allows for more certainty and measurable sunlight access to the pedestrian priority areas:
“To provide sunlight access to the footpath on the southern side of east-west streets in pedestrian priority areas, indicated on the Shadow Impact Area Plan, between 12pm to 2pm on 21st August.”
42. The change in hours of sunlight access for pedestrian priority areas considers the hours in which most activities occur within the pedestrian priority areas. Given most of the east-west streets in pedestrian priority areas are in the Central Perth neighbourhood or within the neighbourhood centres, the greatest level of activity occurs during lunch time hours, being generally 12pm - 2pm.

43. To consider a date for the objective, the angles of sun between winter solstice (21 June) and spring equinox (23 September) have been reviewed. In view of the existing built form and to avoid major impact on the development potential of the lots to the north of streets a guide date of 21 August is appropriate.
44. The proposed lower built form heights allow for compliance with the above modified sunlight objective.

Public Open Spaces

45. The sunlight access objective of the current policy has been modified, to include the following and to allow for more certainty and maximise access to sunlight for public open spaces:
- “To provide sunlight access to a minimum of 50% of the area of public open space, indicated on the Shadow Impact Area Plan, during the following:*
- *Public Open Spaces in Central Perth Neighbourhood excluding Langley Park:
21st August 12pm-2pm*
 - *Public Open Spaces in all other Neighbourhoods and Langley Park:
21st June 10am-2pm”*
46. **Attachment G** indicates the public open spaces. It further shows those open spaces which are likely to be shadowed by the developments to their northern aspects with a ‘sunlight access influence area’ around those open spaces.
47. These public open spaces include the following:
- Those reserved under the Metropolitan Region Scheme as Parks and Recreation and/or identified as a Capital City or Regional Park in the City’s Open Space Plan; and
 - Those proposed to be reserved under the draft LPS3 as Public Open Space and identified as a District or Neighbourhood Park in the City’s Open Space Plan.
48. To consider an appropriate date and time for the objective, the angles of sun between winter solstice (21 June) and spring equinox (23 September) in Perth and within the hours of the middle of the day (10am to 2pm) have been reviewed. The purpose of this review has been to protect sunlight for the public open spaces and subsequently, comfort for outdoors, as explained above.
49. Detailed shadow analysis of the existing built forms, CPS2 built form controls and proposed built form controls have been undertaken for the above dates accordingly.
50. Subsequently, it is considered that a minimum of 50% of the area of the public open spaces would need to be provided with access to sunlight within the cooler months so to provide comfort.
51. In view of the existing developments on the ground surrounding the target public open spaces and considering the proposed built form for those areas, the sunlight access objective for public open spaces has been specifically drafted for neighbourhoods:
- a. Public open spaces in Central Perth Neighbourhood (excluding Langley Park):
- These public open spaces are currently significantly shadowed for most of the target months, by the buildings surrounding those public open spaces.
 - The public open spaces in Central Perth are mostly used by the workers in the city and during the lunch hours, being 12pm-2pm.
 - Considering the above, public open spaces within Central Perth can have access to sunlight for 50% of their area on 21 August.

- b. Public open spaces in other neighbourhoods and Langley Park:
- These public open spaces are within the areas which are likely to attract more residents. Therefore, it is more important to protect sunlight access, and provide comfort, for these public open spaces.
 - Accordingly, sunlight protection during the middle of the day, being 10am-2pm, has been aimed for.
 - The review of shadow analysis indicates that 50% of the area of these public open spaces can remain free of shadow during the middle of the day and on 21 June.

52. To meet the proposed sunlight access objective for the public open spaces, developments on the lots which have been specified as no prescribed height limit areas will need to take measures and consider building bulk which achieves sunlight access to 50% of the southern open spaces within the target dates and hours.

Consultation

53. The draft LPP is required to be advertised for 21 days under the *Planning and Development (Local Planning Schemes) Regulations 2015* but given its relationship with the draft LPS3, the draft LPP will be advertised concurrently for 90 days. Commencement of advertising is dependent on the State Government granting approval to advertise the draft LPS3.

Decision Implications

54. If Council supports the recommendation, the draft LPP will be advertised with draft LPS3 and the suite of key supporting policies.
55. If Council does not support the recommendation, draft LPS3 will be advertised without one of the supporting local planning policies and the Strategy will not be implemented.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Liveable
Related Documents (Issue Specific Strategies and Plans):	<u>Local Planning Strategy</u> The draft Building Height and Setbacks LPP aligns with the Local Planning Strategy.

Legislation, Delegation of Authority and Policy	
Legislation:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (Schedule 2 clause 4)
Authority of Council/CEO:	Under the LPS Regulations, the local government must resolve to prepare a local planning policy, which if supported, must be advertised in accordance with the Regulations.
Policy:	Nil.

Financial Implications

56. An amount of \$59,500 has been set aside as part of the City's 2024/25 budget to advertise and undertake consultation on the new LPS3 and key supporting local planning policies.
57. This will enable community information sessions with information boards, hire of the City of Perth library auditorium, public notices, and advertisements in newspapers, as well as letters to all city ratepayers.

Further Information

Nil.

Building Heights and Setbacks Local Planning Policy

Draft November 2024



Draft Building Heights and Setbacks Local Planning Policy - November 2024

Version Control

Version #	Date	Action
1	Date of Adoption (00/00/0000)	Adopted
2	Date of Amendment (00/00/0000)	Amended
3	Date of Amendment (00/00/0000)	Amended

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DRAFT

Draft Building Heights and Setbacks Local Planning Policy - November 2024

1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as *Building Heights and Setbacks Local Planning Policy*.

2. Purpose and Application

2.1. Purpose

The purpose of this policy is to guide appropriate building heights and setbacks that apply to development within the city.

2.2. Application

This policy applies to all applications for development approval on land zoned on the Scheme Map across the city, with the exception of Crawley-Nedlands Neighbourhood (as shown at Figure 1).



Figure 1: City of Perth Neighbourhood Areas Map

2.3. Relationship to other Planning Documents

This policy should be read in conjunction with the City of Perth *Local Planning Scheme No. 3 (LPS3)* and other relevant local planning policies including:

- General Design Local Planning Policy

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- Heritage Local Planning Policy
- Residential Design (Variation of R-Codes) Local Planning Policy
- Character Areas Local Planning Policies
- Heritage Areas Local Planning Policies
- Hay Street Pedestrian Walkways and Road Reserve Widening Policy

Where this policy is inconsistent with LPS3, the provisions of LPS3 prevail to the extent of any inconsistency.

Where this policy is inconsistent with other relevant local planning policies, the provisions of this policy prevail to the extent of any inconsistency, with the exception of the following policies which prevail:

- Heritage Areas Local Planning Policies
- Character Areas Local Planning Policies

Where this policy is inconsistent with the provisions of the Special Control Area No. 2- Royal Perth Hospital Helicopter Flight Path Protection (SCA2), the provisions of SCA2 prevail.

Where this policy is inconsistent with the provisions of the Parliament House Precinct Policy (PHPP), the provisions of PHPP prevail.

2.3.1. Relationship to the Residential Design Codes

For residential development within the Scheme area, this policy should be read in conjunction with the *Residential Design Codes Volumes 1 and 2* (R-Codes Volume 1 and R-Codes Volume 2) and *Residential Design (Variation of R-Codes) Local Planning Policy*.

This policy amends, replaces or augments the Deemed-to-Comply provisions and Acceptable Outcomes of the R-Codes Volume 1 and 2 as detailed in Tables 1 and 2. This policy also contains additional objectives that augment the Design Principles and Element Objectives of the R-Codes Volumes 1 and 2.

Table 1. Relationship to the R-Codes – Volume 1

Design Element	Deemed-to-Comply Provision Modification	Applicable Provision
3.2 Building height	Replace C3.2.1	4.1.1.2(a), 4.1.2.2(a), 4.1.2.2(b) 4.3.2(b), 4.3.2(c), 4.4.1(a)
3.3 Building setbacks	Replace C3.3.1 C3.3.2 C3.3.3 C3.3.4 C3.3.5 C3.3.6	4.2.1.1.2(a), 4.2.1.2.2 (a) 4.2.1.1.2(a), 4.2.1.2.2 (a) 4.2.1.1.2(a), 4.2.1.2.2 (a) 4.2.1.1.2(a), 4.2.1.2.2 (a) 4.2.1.1.2(a), 4.2.1.2.2 (a) 4.2.1.1.2(a), 4.2.1.2.2 (a)
3.4 Lot boundary setbacks	Replace C3.4.1 C3.4.2	4.2.2.2(a), 4.4.3(b), 4.4.3 (c) 4.2.2.2(a), 4.4.3(b), 4.4.3 (c)

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	C3.4.3	4.2.2.2(a), 4.4.3(b), 4.4.3 (c)
	C3.4.4	4.2.2.2(a), 4.4.3(b), 4.4.3 (c)
	C3.4.5	4.2.2.2(a), 4.4.3(b), 4.4.3 (c)
	C3.4.6	4.2.2.2(a), 4.4.3(b), 4.4.3 (c)
	C3.4.7	4.2.2.2(a), 4.4.3(b), 4.4.3 (c)

Table 2. Relationship to the R-Codes – Volume 2

Design Element	Acceptable Outcome Modification	Applicable Provisions
2.2 Building height	Replace A2.2.1	4.1.1.2(a), 4.1.2.2(a), 4.1.2.2(b) 4.3.2(b), 4.3.2(c), 4.4.1(a)
2.3 Street setbacks	Replace A2.3.1	4.2.1.1.2(a), 4.2.1.2.2 (a)
2.4 Side and rear setbacks	Replace A2.4.1 A2.4.2	4.2.2.2(a), 4.4.3(b), 4.4.3 (c) 4.2.2.2(a), 4.4.3(b), 4.4.3 (c)
2.7 Building separation	Replace A2.7.1	4.2.2.2(a), 4.2.2.2(b)

3. Objectives

To ensure that the heights and setbacks of buildings contribute to the creation of a city which:

- (a) has a high level of amenity within buildings;
- (b) has functional and attractive pedestrian areas and public spaces;
- (c) has an attractive skyline and outlook from the public realm;
- (d) conserves, respects and enhances heritage-protected places;
- (e) allows sunlight access to pedestrian areas and public open spaces; and
- (f) enhances opportunities for urban greening.

4. Provisions

4.1. Building Height

4.1.1. Maximum Lower Built Form Heights

4.1.1.1. Objectives

General

- (a) To enable lower built form height to reflect the desired built form outcome for different areas in the city.
- (b) To ensure that lower built form height respects and enhances the heritage-protected places within the street.

Urban Setting

- (c) To provide a low to medium scale lower built form which relates to the role of the street.

Landscaped Setting and Landscaped Frontage

- (d) To provide a low-medium to medium scale lower built form.

4.1.1.2. Provisions

- (a) Maximum lower built form heights shall be in accordance with the Maximum Lower Built Form Height Plan.

4.1.2. Maximum Building Heights

4.1.2.1. Objectives

- (a) To enable maximum building heights to reflect the desired built form outcome for different areas in the city.
- (b) To ensure that maximum building heights respect and enhance the heritage-protected places within the street.

4.1.2.2. Provisions

- (a) Maximum building heights shall be in accordance with the Maximum Building Height Plan.

Note: Where no maximum building height is specified for a lot on the Maximum Building Height Plan, the overall built form shall be determined through reference to the objectives of this policy and other built form controls such as maximum lower built form height and setbacks and plot ratio of the lot.

Note: Where no maximum building height is specified for a lot on the Maximum Building Height Plan, the maximum height of a building may be affected by the Airspace Protection Surfaces of Perth Airport.

- (b) Structures located above the roof and in excess of the heights specified on the Maximum Building Height Plan may be considered in the following circumstances, where the objectives of this policy are met:
 - i. The use of the structure is ancillary to the predominant use of the building;
 - ii. The structure is unenclosed, unless it is used for screening and protecting of plant and equipment or stairways;
 - iii. Total height of the structure is not greater than 3m; and

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- iv. Such structure meets the objectives and provisions of the *General Design Local Planning Policy*.

4.2. Building Setbacks

4.2.1. Street Setbacks

4.2.1.1. Lower Built Form

4.2.1.1.1. Objectives

General

- (a) To ensure the street setback of the lower built form respects and enhances the heritage-protected places within the street.
- (b) To have regard to the street setback of the other buildings within the street.

Urban Setting

- (c) To provide generally nil street setback for the lower built form.
- (d) To provide a continuous building edge to the street to maximise opportunities for interaction between the private and public realm.

Landscaped Setting and Landscaped Frontage

- (e) To provide a consistent building line along the street.
- (f) To provide sufficient space within the street setback area to accommodate high quality landscaping.

4.2.1.1.2. Provisions

- (a) The street setback of the lower built form shall be in accordance with Table 3 which shall be read in conjunction with Built Form Setting Plan and Built Form Typology Plan and associated figures.

4.2.1.2. Upper Built Form

4.2.1.2.1. Objectives

- (a) To ensure that the street setback of the upper built form respects and enhances the heritage-protected places within the street.
- (b) To ensure the upper built form is setback from the street to reduce the impact of building bulk and wind onto the street.

4.2.1.2.2. Provisions

- (a) The street setback of the upper built form shall be in accordance with Table 3 which shall be read in conjunction with Built Form Setting Plan and Built Form Typology Plan and associated figures.

4.2.2. Side and Rear setbacks

4.2.2.1. Objectives

General

- (a) To provide separation of buildings to protect access to natural light, ventilation and visual privacy for the development and buildings on adjoining lot.

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- (b) To ensure the side and rear setbacks of buildings respect and enhance the heritage-protected places.

Landscaped Setting

- (c) To provide sufficient setback areas to accommodate high quality landscaping between buildings.

4.2.2.2. Provisions

General

- (a) Setbacks of developments from the side and rear lot boundaries shall be in accordance with Table 3 which shall be read in conjunction with the Built Form Setting Plan and Built Form Typology Plan and associated figures.
- (b) Notwithstanding the setbacks of less than 4m on Table 3, where a proposed wall on a side and/or rear elevation of a building contains openings exceeding 1m² in area and/or balconies, the setback of that wall to the respective side and/or rear boundary shall be no less than 4m.
- (c) Where two or more buildings are proposed on a single development site, they shall be set back from each other as though there were a lot boundary between them.

Table 3. Lot Boundary Setbacks

Urban Setting		
	Lower Built Form	Upper Built Form
Primary Street Setback (Primary and Secondary)	Nil	Streets subject to an angled height plane built form: As defined by the angled height planes Other streets: 5m: up to 60m in building height 10m: above 60m in building height
Side Setback	Nil	4m: up to 60m in building height 8m: above 60m in building height
Rear Setback	Nil: up to 12m in building height 4m: above 12m in building height	4m: up to 60m in building height 8m: above 60m in building height

Landscaped Setting		
	Lower Built Form	Upper Built Form
Primary Street Setback	4.5m	9.5m
Secondary Street Setback	3m	8m
Side and Rear Setback	4m	8m

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Landscaped Frontage Setting		
	Lower Built Form	Upper Built Form
Primary Street Setback	4.5m	9.5m
Secondary Street Setback	3m	8m
Side and Rear Setback	Nil: up to 12m in building height 4m: above 12m in building height	4m: up to 60m in building height 8m: above 60m in building height

4.3. Sunlight Access

4.3.1. Objectives

- (a) To maximise sunlight access into footpath, public spaces and buildings.
 - (b) To provide sunlight access to a minimum of 50% of the area of public open space, indicated on the Shadow Impact Area Plan¹, during the following:
 - Public Open Spaces in Central Perth Neighbourhood excluding Langley Park:
21st August 12pm-2pm
 - Public Open Spaces in all other Neighbourhoods and Langley Park:
21st June 10am-2pm
- ¹ Those public open spaces have been indicated on the Shadow Impact Area Plan with a 'sunlight access influence area.'
- (c) To provide sunlight access to the footpath on the southern side of east-west streets in pedestrian priority areas, indicated on the Shadow Impact Area Plan, between 12pm to 2pm on 21st August.

4.3.2. Provisions

- (a) A shadow diagram shall be provided with the application for development approval to demonstrate that the objectives of this policy are met.
- (b) Where development is proposed to the north of a public open space, that is currently shadowed for more than 50% of its area during the target times and dates of the respective objective, the proposed development shall demonstrate that reasonable steps have been taken to mitigate any further overshadowing onto the space.
- (c) Where development is proposed to the north of an east-west street in the pedestrian priority area, a width of the southern footpath (as prescribed in Table 4) shall remain free of shadows between 12pm to 2pm on 21st August.

Table 4. Minimum footpath width required to remain free of shadow between 12pm to 2pm on 21st August

Neighbourhood	Street	Minimum footpath width to remain free of shadow ²
Central Perth	Hay Street Mall	1.5m
	Murray Street Mall	5.5m
	Hay Street	1.5m
	Murray Street	3.5m
West Perth	Hay Street	4m
East Perth	Hay Street	4m
Northbridge	James Street	4m
	Francis Street	4m
Claisebrook	Royal Street	3.5m

² The minimum width shall be measured from the boundary of the lot on the southern side of the east-west street.

- (d) Overshadowing of a development onto any public open space or east-west street in pedestrian priority areas shall be measured based on the cumulative shadow of the existing developments and developments which have substantially commenced at the time of assessment of the application for development approval.

Note: Where a development overshadows Langley Park, overshadowing onto each of the 3 lots being part of Langley Park shall be measured separately.

4.4. Variations

The local government may consider variations to the provisions in this policy where it is satisfied that:

- (a) the proposed development meets the objectives of this policy; and
- (b) the variation enhances design outcome and has regard to the objectives and provisions of the *General Design Local Planning Policy*.

4.4.1. Maximum Lower Built Form Height

- (a) Variations to the maximum lower built form height may be considered where:
 - at street corners, lower built form may benefit from special design emphasis;
 - different maximum lower built form heights are applicable to each of the frontages of a corner lot.
- (b) Such variations shall have regard to the functionality of the building and impact on the streetscape at each frontage.

4.4.2. Street Setback

4.4.2.1. Lower Built Form

- (a) Where a development in landscaped setting or landscaped frontage setting areas adjoins an urban setting area, variations to the secondary street setback provisions of the lower built forms may warrant reducing the lower built form height on secondary street.

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4.4.3. Side and Rear Setbacks

- (a) Variations to lower built form side or rear setbacks provisions shall not result in unusable and inaccessible spaces.
- (b) Where a lot adjoins a laneway, variations to side or rear setback provisions along that boundary may be considered where it can be demonstrated that sufficient building separation is achieved.
- (c) For narrow lots, variation of the upper built form side setback requirements may be considered where:
 - i. appropriate visual privacy and outlook is achieved; and
 - ii. provision of the required setbacks would unreasonably impact on the functionality of the building.

5. Definitions

Landscaped frontage Setting: means the built form setting where the lower built form of building is setback from the street boundary to accommodate high quality landscaping but nil setbacks are allowed to the side and rear boundaries.

Landscaped Setting: means the built form setting where the lower built form of building is setback from the street and other lot boundaries to accommodate high quality landscaping.

Laneway: means a narrow (generally 6 metres wide or less) road, right of way or right of carriageway, in either public or private ownership, which is generally open to the sky and provides access to the side or rear of lots principally for servicing adjoining properties.

Lower built form: means the portion of a building that immediately abuts the street in urban setting areas or abuts the 4.5m street setback in landscaped setting and landscaped frontage areas.

Narrow lot: means a lot which is less than 17 metres in width.

Primary street: means the sole or principal public road that provides access to the main building entry.

Secondary street: in the case of a site that has access from more than one public road, means a road that is not the primary street.

Setback: means the horizontal distance- measured at right angles (90 degrees)- between a wall or building element to an adjacent lot boundary at any point.

Upper built form: means those levels of a building that are above the lower built form.

Urban Setting: means the built form setting where the lower built form of building is generally built to the street and lot boundaries.

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6. Appendices

- Maximum Lower Built Form Height Plan
- Maximum Building Height Plan
- Character and Heritage Areas Plan
- Built Form Setting Plan
- Built Form Typology Plan and Associated Figures
- Shadow Impact Areas Plan

DRAFT

Legend

Maximum Lower Built Form Height

- 12m
- 16m
- 23m
- 30m
- 37m
- 40m
- 45m

- Character and Heritage Areas
Local Planning Policies
- Parliament House Precinct
Policy MRS Clause 32 Area
- Height-Controlled Areas of
Parliament House Precinct
Policy MRS Clause 32 Area
- Development WA
- Special Control Area 2 - Core Area
- Special Control Area 2 - Frame Area

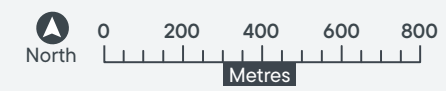


Whilst Kings Park is situated within the City of Perth District Boundary, its ongoing management is the responsibility of the Botanic Gardens and Park Authority.



Building Heights and Setbacks Local Planning Policy Draft Maximum Lower Built Form Height Plan

Whilst all care has been taken to accurately portray the original map, spatial data can be subject to modification over time. Please contact the City of Perth if you have any questions about the publication or suspect any omissions or errors in this electronic map. Produced by the City of Perth. Base information supplied by the Western Australian Land Information Authority, SLIP (Shared Location Information Platform).



Plot Date: 14 October 2024

24-49/10/2024

11.2 Proposed Designation of West End Heritage Area and draft West End Heritage Area Local Planning Policy

Responsible Officer	Julia Kingsbury – Acting General Manager Planning and Economic Development
Voting Requirements	Simple Majority
Attachments	Attachment 11.2A – West End Heritage Area Location Plan ↓ Attachment 11.2B – West End Heritage Area Local Planning Policy ↓ Attachment 11.2C – Built Form Concept Images - West End Heritage Area ↓

Purpose

For Council to consider resolving to:

- give notice of the proposed designation of the West End heritage area; and
- prepare and advertise the draft *West End Heritage Area Local Planning Policy* (LPP).

Recommendation

That Council:

1. In accordance with clause 9 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* RESOLVES to give to each owner of land affected, notice of the proposed designation of the West End Heritage Area and the proposed *West End Heritage Area Local Planning Policy*.
 2. In accordance with clause 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Deemed Provisions) RESOLVES to prepare and advertise the draft *West End Heritage Area Local Planning Policy* as shown in **Attachment B** to this report.
-

Background

Current Heritage Protection

1. The current King Street Heritage Area Design Guidelines extend along King Street from Hay Street to Wellington Street. The new heritage area boundary also includes Queen Street, Murray Street to Wolf Lane and Wolf Lane.
2. Within the existing and proposed heritage area there are 38 places which have individual heritage protection by being listed on the City's Heritage List created under its local planning scheme and/or the State Register of Heritage Places.

Local Planning Strategy

3. The City's *Local Planning Strategy* (Strategy) outlines the strategic direction for the future planning and development of the city including the new local planning scheme and supporting local planning policies. The Strategy was adopted by Council on the 13 December 2022 and endorsed by the Western Australian Planning Commission (WAPC) on 30 May 2023.
4. The Strategy identified several heritage areas within the city, including the West End Heritage Area. These areas have unique built and streetscape elements that create a special sense of place.
5. The Strategy includes an action to progress the listing and planning policy provisions for the West End Heritage Area to ensure that its cultural heritage significance is adequately conserved.

Draft Local Planning Scheme No. 3

6. On 30 April 2024, the Council resolved to seek approval from the WAPC to advertise draft *Local Planning Scheme No. 3* (LPS3). Draft LPS3 will replace all existing local planning schemes within the city.
7. Under the draft LPS3, the West End Heritage Area is zoned Capital City – Retail and Mixed Use and has a maximum base plot ratio of 6:1. No bonus plot ratio is available.
8. All existing local planning policies are being replaced and consolidated into a set of new contemporary local planning policies. Key policies, including the draft West End Heritage Area LPP, will be advertised concurrently with the draft LPS3.
9. The draft West End Heritage Area LPP will replace the current *King Street Heritage Area Design Guidelines*.

State Government Planning Framework

10. The *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) states that if, in the opinion of the local government, special planning control is needed to conserve and enhance the cultural heritage significance and character of an area, it may, by resolution, designate that area as a heritage area.
11. The Regulations state that if the local government designates an area as a heritage area, it must adopt a local planning policy for the area that sets out the following:
 - a. a map showing the boundaries of the heritage area
 - b. a statement about the heritage significance of the area; and
 - c. a record of places of heritage significance in the heritage area.
12. The State Government has prepared *Guidelines for Heritage Areas* to assist in the identification of heritage areas and the preparation of local planning policies for these. These have been referenced in the preparation of the draft West End Heritage Area LPP.

13. The State Government requires the Residential Design Codes (R-Codes) to be applied across the city to ensure a consistent approach to residential development throughout the State. Heritage areas require some amendment or replacement of certain development provisions of the R-Codes. Some variations to the development provisions only require local government approval, and some require the approval of the WAPC.

Discussion

14. The West End Heritage Area is in the Central Perth neighbourhood along King and Queen streets between Wellington Street and Hay Street. A location plan is provided at **Attachment A**.
15. The Statement of Significance outlines that the West End Heritage Area has cultural heritage significance for the following reasons:
 - *The West End Heritage Area is valued for its unique character that results from its attractive streetscapes, its intimate laneways and pedestrian friendly scale, which along with the retention and adaptive re-use of its historic building fabric give the area a memorable ambience and sense of history.*
 - *The West End Heritage Area is valued for its generally intact streetscapes with historic buildings of similar form, scale and materials that are broadly unified stylistically, derived from the classically influenced Federation and Inter-War era architectural detailing. The King Street component is a highly intact historic streetscape providing a rare experience in Perth.*
 - *The West End Heritage Area is valued for its high concentration of former warehouse and associated commercial buildings dating from the 1890s through to the 1930s that together represent the history of development of the warehouse district at the west end of Perth during a significant period of the city's growth.*
 - *The West End Heritage Area demonstrates the importance of heritage places within the city and the evolving commitment to their protection, with King Street being the first streetscape in the city to be designated as a heritage area and transitioned during the 1980s to become the focal point of Western Australia's fashion industry.*
16. The draft West End Heritage Area LPP (provided at **Attachment B**) seeks to ensure that these important character elements are protected.
17. The objectives of the policy are to:
 - (a) *retain and conserve the cultural heritage significance of the West End Heritage Area.*
 - (b) *encourage the use and sensitive adaptation of contributory buildings.*
 - (c) *ensure that development in the West End Heritage Area does not adversely affect its cultural heritage significance.*

Contributory and Non-Contributory Buildings

18. The draft LPP identifies buildings which contribute, and those which do not contribute to the cultural heritage significance of the West End Heritage Area.
19. Contributory buildings are required to be retained and conserved. The draft LPP provides guidance on the retention, conservation, adaptation and alteration of contributory buildings, including front facades, step up entries and original shopfronts that are a particular feature of this heritage area.
20. Non-contributory buildings may be demolished, provided they do not have individual cultural heritage significance.

Building Heights and Setbacks

Current

21. The King Street Heritage Area Design Guidelines require additional floors to existing buildings to be contained within a view line from the street to a maximum height of 15m. Nil setbacks to the street and side boundaries are permitted.
22. For the remainder of the heritage area, CPS2 currently allows a maximum lower built form height of 14m (3 - 4 storeys). Additional height above the lower built form is required to be contained within a 45° angle height plane measured from the street to the south. Nil setbacks apply to the lower built form from the street as well as side and rear lot boundaries.

Proposed

23. The Strategy identifies the West End Heritage Area as a high scale, mixed use area within the capital city retail area with an indicative building height of greater than 16 storeys. It is also identified as an Urban Setting area. Hay Street and Murray Street are designated as pedestrian priority areas where comfortable microclimates are sought.
24. The indicative building heights in the Strategy, identified for the West End Heritage Area, have been broadly applied to the surrounding area. The Strategy states that the indicative building heights have been identified as a guide only and will be further investigated in the context of neighbourhood and character areas through the planning scheme review.
25. The draft LPP proposes a maximum lower built form height of two to three storeys (11.7m), with reference to the adjoining contributory building parapet heights. Nil street and side setbacks are also proposed to retain the existing urban edge to the heritage area.
26. The maximum building heights within this Heritage Area are higher for the lots with non-contributory buildings and lower for lots with contributory buildings.
27. For lots along King Street, the maximum building height is 4 storeys (15.3m). For lots east of King Street, along Murray Street, the maximum building height is 6 storeys (29.7m) for contributory buildings and 12 storeys (44.1m) for non-contributory buildings. Contributory buildings in Queen Street have a maximum height of 6 storeys (22.5m) and non-contributory buildings a maximum of 8 storeys (29.7m) or 12 storeys (44.1m). Images of the proposed built form are provided in **Attachment C**.
28. Upper built form is required to be set back from the street and side lot boundaries to showcase contributory buildings, reduce the impact of building bulk on the street and provide for internal amenity (i.e. access to natural light, ventilation, and privacy).
29. Some lots within the heritage area will not be able to achieve the maximum base plot ratio under draft LPS3 as they are too small or narrow to be able to achieve it. Draft LPS3 proposes to retain the current provisions which allow for landowners of heritage places or places within heritage areas to transfer maximum base plot ratio, which is unable to be used, without adversely affecting its cultural heritage significance, to other sites/landowners within the city for financial exchange.

Building Design

30. The draft LPP seeks to ensure that any new development respects and maintains the prominence of contributory buildings within the street. It provides detailed guidance with respect to the public realm interface, articulation and detailing, awnings, shopfronts, walls, roof forms, materials and finishes, vehicular access and parking, and subdivision and amalgamation.

Car Parking

31. The R-Codes Volume 2 require that car parking areas are not located within the street setback area, are not visually prominent from the street and are designed, landscaped, or screened to mitigate visual impacts. The draft LPP requires that car parking areas are not visible from the street or public realm. Where they are located at or above ground, they are to be sleeved with pedestrian entries to the building, or habitable or lettable floorspace such as offices or shops. This is to prevent blank facades to the street. Screening is not considered sufficient as the parking areas will still be visible and present an inactive land use to the street.
32. This modification to the R-Codes will require the approval of the WAPC.

Consultation

33. The *Planning and Development (Local Planning Schemes) Regulations 2015* state that before designating an area as a heritage area, the local government is required to:
 - a. give each owner affected by the proposed designation notification of the proposed designation and the proposed draft LPP; and
 - b. advertise the proposed designation, with a sign erected in a prominent location within the area.
34. The proposed designation and draft LPP is required to be advertised for 21 days under the Regulations, but given its relationship with the draft LPS3, the draft LPP will be advertised concurrently for 90 days. Commencement of advertising is dependent on the WAPC providing consent to advertise the draft LPS3.

Decision Implications

35. If Council supports the recommendations, the proposed designation and draft LPP will be advertised with draft LPS3 and the suite of key supporting policies.
36. If Council does not support the recommendations, draft LPS3 will be advertised without one of the supporting local planning policies and the Strategy will not be implemented.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Liveable
Related Documents (Issue Specific Strategies and Plans):	<u>Local Planning Strategy</u> The proposed designation of the West End Heritage Area and draft West End Heritage Area LPP aligns with the Local Planning Strategy.

Legislation, Delegation of Authority and Policy	
Legislation:	Planning and Development (Local Planning Schemes) Regulations 2015 (Schedule 2 clauses 4 and 9).
Authority of Council/CEO:	Under the Regulations, the local government must resolve to designate a heritage area but prior to doing so, must provide notification to affected landowners and advertise the intention. The local government must also resolve to prepare a local planning policy, which if supported, must be advertised.
Policy:	Nil.

Financial Implications

37. An amount of \$59,500 will be requested as part of the City's 2024/25 budget to advertise and undertake consultation on the new LPS3 and key supporting local planning policies.
38. This will enable community information sessions with information boards, hire of the City of Perth library auditorium, public notices, and advertisements in newspapers, as well as letters to all city ratepayers.

Further Information

Nil.

12. Community Development Alliance Reports

12.1 Riverfront Market Trial 2024/2025

Responsible Officer	Rebecca Taylor – Acting General Manager Community Development
Voting Requirements	Absolute Majority
Attachments	Nil.

Purpose

To present the Riverfront Market Trial 2024/2025 for Council approval.

Recommendation

That Council:

1. APPROVES a 6-week Riverfront Market Trial market which takes place:
 - a. Weekly on a Sunday morning;
 - b. From 16 March to 20 April 2025;
 - c. At Barrack Square; and
 - d. With a 'Fit & Fresh Market' or 'Brunch Club' theme.
 2. APPROVES \$130,000 reallocation from the New & Innovative Events/Activations budget to the Riverfront Market Trial.
-

Background

1. An opportunity to explore activating Perth's riverfront precinct with regular, ongoing, low-cost markets has been identified in the City's 2024/25 – 2027-28 Corporate Business Plan.
2. The City currently delivers seasonal markets in Forrest Place in the form of Twilight Food Markets, which have a long successful history spanning over 13 years. The markets' management structure, cost implications and outcomes have all evolved over time.
3. The Riverfront Market Feasibility Assessment was completed in September 2024 and was presented to Elected Members for feedback via a Current Issue Briefing Note prior to the 12 November Agenda Briefing Session.

Discussion

4. The objective of the Riverfront Markets Feasibility Assessment was to explore the viability of a riverfront market before trialling a season. This involved environmental and location analysis, stakeholder engagement, and industry/market advice.
5. Two options are presented in the report:
 - a. Option One is a Sunday morning market with a 'Fit and Fresh' or 'Brunch Club' theme that aims to capture the morning fitness community and providing a relaxing health and wellness-focused market that transitions into retail shopping in the city. The style of market would target Sunday fitness enthusiasts, health-conscious families, local CBD and riverfront residents, fitness clubs and tourists.
 - b. Option Two is a Tuesday evening market with a 'Taco Tuesday Fiesta' theme that aims to capitalise on the existing cultural association of "Taco Tuesday" and the affordability appeal of "Cheap Tuesdays" and would be branded as a family dinner night, date night, or no-cook night to encourage mid-week travel to the city.
6. Engagement with key stakeholders indicated a strong desire from businesses and residents for a weekly Sunday morning market. 100% of businesses and 93.3% of residents who responded to the survey supported regular markets in the riverfront precinct.
7. Based on the findings, the Feasibility Report provides recommendations the City to conduct a trial riverfront market with the following parameters:
 - a. 6-week trial from 16 March to 20 April 2025;
 - b. Held on a weekly basis;
 - c. Held on Sunday's, 7am to 12pm;
 - d. Contain a minimum 20 vendors; and
 - e. Total cost of \$133,330.90.
8. The trial riverfront market will have a 'Fit & Fresh Market' or 'Brunch Club' theme for a unique selling point to offer a point of difference from other markets within the City of Perth and neighbouring suburbs.

Consultation

9. External consultation has been undertaken with a wide variety of stakeholders including nearby businesses, residents, government agencies, and a market industry specialist.

Decision Implications

10. If Council supports the recommendation, a 6-week trial of the Riverfront Markets will proceed from 16 March to 20 April 2025.
11. If Council does not support the recommendation, a Riverfront Market Trial will not proceed in FY 24/25, however may be considered as part of the 2025/2026 budget.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Liveable
Related Documents (Issue Specific Strategies and Plans):	<p><u>Corporate Business Plan</u></p> <p>L1 - A safe, active, vibrant and connected community.</p> <p>P2 - Job rich, with economic sector development and thriving small businesses.</p> <p><u>2025 Events Strategy</u></p> <p>Vision: <i>Perth is our capital city and the events heart of WA.</i></p>

Legislation, Delegation of Authority and Policy	
Legislation:	<p>Section 8 (1) of the <i>City of Perth Act 2016</i>.</p> <p>(e) to promote awareness of the facilities and events provided or facilitated by the City of Perth and encourage the community to make use of or participate in them.</p>
Authority of Council/CEO:	As a Corporate Business Plan deliverable, budget implications and to proceed with the project this feasibility report must be considered by Council.
Policy:	Nil.

Financial Implications

12. There is no budget allocated in the 2024/25 financial year for a Riverfront Market Trial. It is proposed that the \$130,000 budget required for the 6-week trial is allocated from available funds within the New and Innovative Events/Activations budget which remain unexpended for the 2024/25 financial year.

13. The financial implications are as follows:

Account Number	1064-100-50-10911-72	Operating
Account Description	New & Innovative Events/Activations	
Current Budget	\$130,000 (remaining in New & Innovative Events/Activations budget line)	
Amendment to Budget	\$130,000 (re-allocated to market trial)	
Revised Budget	\$0 (remaining for in 2024/25 in the New & Innovative Events/Activations budget line)	
Budget Impact	Nil (Re-allocation of funding within approved 2024/25 budget).	

Further Information

Nil.

13. Infrastructure and Operations Alliance Reports

13.1 CP 2.12 Asset Management - Policy Review

Responsible Officer	Allan Mason – General Manager Infrastructure and Operations
Voting Requirements	Simple Majority
Attachments	Attachment 13.1A – CP 2.12 Asset Management - Compare ↓

Purpose

The purpose of this report is to seek Council approval to adopt revised Council Policy (CP) 2.12 Asset Management.

Recommendation

That Council

1. ADOPTS the revised CP 2.12 Asset Management (Attachment A)
2. APPROVES minor typographical amendments, where the materiality of the policies is not affected, and placing the policies in future new templates may be made to improve the presentation and/or make corrections.

Background

1. CP 2.12 *Asset Management* was adopted by Council at the Special Council Meeting held 6 July 2021 and designated for 3 yearly review.
2. CP 2.12 sets out the City’s approach the management of current, proposed and future assets owned or controlled by the City. It supports the City vision and objectives set out in the Strategic Community Plan and the Corporate Business Plan.

Discussion

3. CP 2.12 has undergone a full review which included benchmarking asset management approaches from local governments across the Perth Metropolitan Region. The current review process has therefore identified that the policy remains generally fit for purpose. Minor amendments and additions are proposed and shown as tracked changes in Attachment 0.0A.
4. A key change in the updated policy is the City’s acceptance of contributed assets being better incorporated. This is of particular importance to the City with the planned contributions of State government assets including Elizabeth Quay, Perth City Link, Causeway pedestrian and Cyclist Bridges and Waterbank developments.

Consultation

Nil.

Decision Implications

5. If the revised CP 2.12 (Attachment 0.0A) is not supported, the current policy will remain in place. While the Policy intent remains unchanged.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	A Well-Governed City
Related Documents (Issue Specific Strategies and Plans):	Strategic Community Plan 2022-2032 <i>Directly aligns with G1.2 - The Council is a responsible steward of the City of Perth’s commitments to the community, finances and assets.</i>

Legislation, Delegation of Authority and Policy	
Legislation:	Section 2.7(2)(b) of the Local Government Act 1995 relates to the development of policies by Local Governments.
Authority of Council/CEO:	In accordance with Section 2.7(2)(b) Council is to determine the local government’s policies.
Policy:	It is recommended this revised policy supersede CP 2.12 Asset Management

Financial Implications

Nil.

Further Information

Nil.

14. Commercial Services Alliance Reports

14.1 Review of Council Policy 2.7 - Property Performance, Investment and Disposal

Responsible Officer	Steve Holden – General Manager Commercial Services
Voting Requirements	Simple Majority
Attachments	Attachment 14.1A – Council Policy 2.7 - Property Performance, Investment and Disposal ↓

Purpose

To present the review of Council Policy 2.7 Property Performance, Investment and Disposal.

Recommendation

That Council:

1. ADOPTS the amended Council Policy 2.7 Property Performance, Investment and Disposal at **Attachment A**.
 2. APPROVES minor typographical amendments, where the materiality of the policies is not affected, and placing the policies in future new templates may be made to improve the presentation and/or make corrections.
-

Background

1. At its Ordinary Council Meeting held 27 April 2021, Council adopted Council Policy 2.7 Property Performance, Investment and Disposal (CP2.7).
2. CP2.7 was drafted in response to a Council resolution of 15 December 2020 and was developed to specifically guide the assessment of the performance of property in the City's Property Portfolio and the decision making in relation to the investment and disposal of property.
3. Having been comprehensively reviewed in November 2022, the Policy is due a two-yearly review in November 2024.

Discussion

4. The City's Property Portfolio includes the real property owned and/or controlled by the City.
5. Property owned by the City includes freehold land and buildings. Property controlled by the City includes all Crown land vested in and under care, control, and management of the City for a particular public purpose (for example reserves, utility reserves and carparks), as well as any property leased by the City.
6. The following table summarises proposed key changes to the existing policy:

Existing policy	Amended policy	Reason
Policy Statement		
Definitions Includes a list of specific key terms that have been defined.	Definitions 'Hurdle Rate' has been removed.	The definition is not used anywhere else in the policy.
Performance Sets out how and when each property will be assessed.	Performance Not all properties are assessed against each criterion.	To adopt a more pragmatic approach which better reflects the needs of the Portfolio.
Property Disposal (Lease or Licence) Sets out the parameters by which various categories of property can be disposed.	Property Disposal (Lease or Licence) Aggregate term updated to a maximum of 10 years. Updated to remove reference to National Rental Affordability Scheme (NRAS)	To accurately reflect the existing Register of delegations and Authorisations. The NRAS scheme will conclude in 2026. No City properties are currently impacted the NRAS scheme.

<p>Disposal of Property (sale) Sets out the sale criteria for the existing four classifications.</p>	<p>Disposal of Property (Sale) Reference to Future Development Potential removed.</p>	<p>Whilst the property may not have any Future Development Potential for the City, the property may have future development potential for a private developer.</p>
<p>Request for Revocation of Management Order Sets out the revocation criteria for existing Management Orders.</p>	<p>Request for Revocation of Management Order Reference to Future Development Potential removed.</p>	<p>To be consistent with changes to Disposal of Property (sale) criteria.</p>

7. The three-year review of the property classifications will be presented to Council during 2025.

Consultation

Nil

Decision Implications

9. If Council supports the changes to the policy, it will provide an updated framework to support the management and development of the City's property portfolio.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Prosperous
Related Documents (Issue Specific Strategies and Plans):	Strategic Community Plan 2022-2032

Legislation, Delegation of Authority and Policy	
Legislation:	<i>Local Government Act 1995</i>
Authority of Council/CEO:	Section 2.7(2)(b) of the Local Government Act 1995 states that Council is to determine the City's policies.
Policy:	CP2.7 Property Performance, Investment and Disposal.

Financial Implications

Nil.

Further Information

Nil.

14.2 Review of Council Policy 3.4 - Allocation and Management of the Boat Pens in Claisebrook Cove

Responsible Officer	Steve Holden – General Manager Commercial Services
Voting Requirements	Simple Majority
Attachments	Attachment 14.2A – Council Policy 3.4 - Allocation and Management of the Boat Pens in Claisebrook Cove ↓

Purpose

To present the review of Council Policy 3.4 Allocation and Management of the Boat Pens in Claisebrook Cove.

Recommendation

That Council:

1. ADOPTS the amended Council Policy 3.4 Allocation and Management of the Boat Pens in Claisebrook Cove at **Attachment A**.
 2. APPROVES minor typographical amendments, where the materiality of the policies is not affected, and placing the policies in future new templates may be made to improve the presentation and/or make corrections.
-

Background

1. At its Ordinary Council Meeting held 27 July 2021, Council adopted Council Policy 3.4 Allocation and Management of the Boat Pens in Claisebrook Cove.
2. Having been comprehensively reviewed in July 2021, the Policy was due for review in July 2023, however in acknowledging the ongoing development of the Claisebrook Cove Public Realm Rectification Plan, which was adopted by Council at the Ordinary Council Meeting of October 2024, the review has been deferred until now.

Discussion

3. The management of the Claisebrook Cove precinct was transferred to the City from the East Perth Redevelopment Authority (EPRA) in June 2001. This transfer included the operation of the boat pens.
4. The City currently manages the boat pens at Claisebrook Cove by applying:
 - a. *Local Government Property Local Law 2005* (Part 7 applies to bridges and jetties which are local government property).
 - b. Council Policy 3.4 Allocation and Management of the Boat Pens in Claisebrook Cove.
5. The key objective of the policy is to provide effective management of the allocation of boat pens at Claisebrook Cove. Within Claisebrook Cove, there are 19 boat pens on the northern side and five pens in front of the Royal Bar.
6. Under the Policy, the five pens in front of the Royal Bar are allocated for recreational usage and generally for periods not exceeding two hours. The 19 boat pens on the northern side are allocated for longer term usage, through a licence agreement for a period not exceeding three years.
7. The policy still reflects a useable practice in determining the community's access to the boat pens in Claisebrook Cove and prioritisation of this access for private boat users. The only changes proposed to the policy is very minor wording.
8. Once the jetties and boat pens have been upgraded, the policy should be reviewed in consideration of the completed project.

Consultation

9. Given that no material changes are proposed, it was determined that external stakeholder engagement was not required.

Decision Implications

10. If Council does not adopt the officer's recommendation, the existing policy will remain in place.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Prosperous
Related Documents (Issue Specific Strategies and Plans):	Strategic Community Plan 2022-2032

Legislation, Delegation of Authority and Policy	
Legislation:	<i>Local Government Act 1995.</i>
Authority of Council/CEO:	Section 2.7(2)(b) of the Local Government Act 1995 states that Council is to determine the City's policies.
Policy:	CP2.7 Allocation and Management of the Boat Pens in Claisebrook Cove

Financial Implications

Nil.

Further Information

11. Nil.

15. Corporate Services Reports

15.1 Monthly Financial Statements - September 2024

Responsible Officer	Michael Kent – Chief Financial Officer
Voting Requirements	Simple Majority
Attachments	<p>Attachment 15.1A – Statement of Financial Activity P3 ↓</p> <p>Attachment 15.1B – Notes on Significant Variances P3 ↓</p> <p>Attachment 15.1C – Supplementary Notes to SFA P3 ↓</p> <p>Attachment 15.1D – Monthly Financial Statistics P3 ↓</p> <p>Attachment 15.1E – Statement of Financial Position P3 ↓</p> <p>Attachment 15.1F – Alliance Operating Variances P3 ↓</p> <p>Attachment 15.1G – Capital Variances P3 ↓</p> <p>Attachment 15.1H – Investment Report P3 ↓</p> <p>Attachment 15.1I – Rates Monthly Report P3. ↓</p>

Purpose

This suite of reports provides Council with timely, meaningful financial insights regarding the City’s operating activities, financial performance, and financial position.

Recommendation

That Council RECEIVES the following financial reports for the period ended 30 September 2024:

- a. Statement of Financial Activity (SFA) - **Attachment 15.1A.**
- b. Notes on Significant Variances - **Attachment 15.1B.**
- c. Supplementary Notes to the Statement of Financial Activity - **Attachment 15.1C.**
- d. Monthly Financial Statistics - **Attachment 15.1D.**
- e. Statement of Financial Position - **Attachment 15.1E.**
- f. Alliance Operating Variances - **Attachment 15.1F**
- g. Capital Variances - **Attachment 15.1G**
- h. Investment Report - **Attachment 15.1H.**
- i. Rates Monthly Debtors Report - **Attachment 15.1I.**

Background

1. Presentation of a monthly financial report to Council is both a statutory obligation and good financial management practice that:
 - a. Demonstrates the City's commitment to managing its operations in a financially responsible and sustainable manner.
 - b. Provides timely identification of variances from budget expectations for revenues and expenditures and identification of emerging opportunities or changes in economic conditions.
 - c. Ensures proper accountability to the community for the use of financial resources.
2. Preparation of a monthly Statement of Financial Activity (SFA) is the minimal statutory requirement of the *Local Government Act 1995* and regulation 34 of the *Local Government (Financial Management) Regulations 1996*. It is also a responsible financial management practice to allow Council to effectively execute their financial management responsibilities.
3. Financial information that is required to be reported directly to Council monthly includes:
 - a. Operational financial performance against budget expectations.
 - b. Explanations for identified variances from expectations.
 - c. Financial position of the City at each given month end.
4. This statutory financial information is supported by additional supplementary information including investments performance and reports on rates and general debtors.

Understanding the Financials

5. When reading the financial information provided in this report, 'variances' (deviations from budget expectations) are classified as being either:
 - a. Favourable variance.
 - b. Unfavourable variance.
 - c. Timing variance.
6. A timing variance relates to a budgeted revenue or expense that has not occurred at the time it was expected, but which is still expected to occur within the budget year. That is, the financial transaction will still occur - but just in a different month. There should be no impact on the projected budget surplus by year end.
7. A realised favourable or unfavourable variance is different to a timing variance. It represents a genuine difference between the actual and budgeted revenue or expenditure item.
8. A realised favourable year to date variance on a revenue item is a positive outcome for the City as it increases the projected budget surplus. An unfavourable variance on a revenue item has the opposite effect, resulting a decrease to the projected budget surplus.
9. A realised favourable variance on an expenditure item may have either of two causes - one being a saving because the outcome was achieved for a lesser cost, which has the effect of increasing the projected budget surplus. The other cause may be that the proposed expenditure may not have been undertaken and is not expected to be incurred in that financial year. Whilst this may seem positive from the financial position perspective, it may not be a positive outcome for the community if the service or project is not delivered.

10. A realised unfavourable year to date variance on an expenditure item, (over-expenditure) results in a decrease to the projected budget surplus.
11. The Schedule of Significant Variances (**Attachment 15.1B**) provides commentary on whether the nature of the variance is savings related, timing related or otherwise.
12. If a realised favourable or unfavourable variance is material in value (of significant size), it will be amended through a formal budget review process.

Discussion

13. It is a statutory requirement to present a set of Monthly Management Accounts within two months of the end of the month to which they refer.
14. The SFA by Nature & Type - **Attachment 15.1A** presents a whole of organisation perspective on the attainment of revenue and expenditure targets overall - classified by nature and type.
15. The headline data from the SFA is shown in Table 1 below.

Table 1:

Item Details	Annual Budget	YTD Budget	YTD Actual 24/25	Variance	F/ U
Operating Revenue	\$ 121.69 M	\$ 38.74 M	\$ 39.79 M	\$ 1.05 M	F
Rates Revenue	\$ 107.29 M	\$ 107.36 M	\$ 107.29 M	\$ 78 K	U
Cash Operating Exp	\$ 188.67 M	\$ 43.71 M	\$ 39.27 M	\$ 4.44 M	F
Non-Operating Revenue	\$ 4.86 M	\$ 427 M	\$ 427 K	\$ 0 K	F
Capital - Infrastructure	\$ 31.88 M	\$ 2.07 M	\$ 2.93 M	\$ 853 K	U
Property, Plant & Equip	\$ 30.06 M	\$ 2.72 M	\$ 2.64 M	\$ 82 K	F
Capital Contributions	\$ 17.75 M	\$ 0.00 M	\$ 0.00 M	\$ 0.00 M	-

16. Material operating revenue and expenditure variances from **Attachment 15.1A** are detailed (with explanatory comments) in the Notes on Significant Variances (**Attachment 15.1B**).
17. Each line item listed in the SFA by Nature & Type **Attachment 15.1A** can be cross referenced (using the Note reference) back to the relevant note.
18. Examining the SFA (**Attachment 15.1A**) in more detail; the aggregation of operating revenues and operating expenses reflects a year-to-date Net Cash Position from Operations of \$107.81M compared to a year-to-date budgeted surplus of \$102.39M. This is a favourable variance of \$5.41M at the end of the month.
19. Investing activities reflect a result of (\$5.13M) compared to a year-to-date budget of (\$4.37M). This is an unfavourable variance of (\$765K).
20. Construction of infrastructure to month end is \$853K ahead of budget expectations due to an accelerated start to the capital program.
21. Acquisition of non-infrastructure to month end is \$82K under budget expectation.

22. Adjusting for opening funds (Net Current Position), generates the Budget Deficiency before Rates. This then indicates the Amount Required to be Raised from Rates. The difference between the Rates amount, and the Deficiency before Rates, is the Closing Position.
23. The SFA for the period to 30 September shows that a rate yield of \$107.29M has been levied compared to the budget of \$107.36M - noting that heritage rates concessions will reduce that amount in future.
24. The disclosed SFA Closing Position of \$125.56M compares unfavourably to the projected year to date budget closing position of \$128.22M - due to the revised (higher) opening position not being incorporated until the November accounts are completed.
25. Key financial statistics at each month end are presented graphically in **Attachment 15.1D** as an alternative representation of the data.
26. The Net Current Position Note (**Attachment 15.1C**) at month end reflects an indicative adjusted Net Current Position value of \$123.38M compared the year to date value of \$127.98M and a year-end budget projection of \$5.88M.
27. Headline data from this month's Net Current Position report is shown in Table 2 below.

Table 2:

Item Details	June 24 Actual	June 25 Annual Budget	Sept 24 Actual
Current Assets	\$ 243.86 M	\$ 194.89 M	\$ 354.01 M
Current Liabilities	(\$ 44.96 M)	(\$ 42.93 M)	(\$ 52.41 M)
Unadjusted Net Assets	\$ 198.90 M	\$ 161.24 M	\$ 301.60 M
Less Restricted Items & Adjustments	(\$ 175.36 M)	(\$ 155.66 M)	(\$ 176.04 M)
Adjusted Net Current Position	\$ 23.54 M	\$ 5.58 M	\$ 125.56 M

28. The Net Current Position at year end is impacted by the factors noted at paragraph 24 above.
29. A Statement of Financial Position as at month end (showing 2023/24 Actual balances, the Revised 2024/25 Budget and the 2024/25 Year to Date Actual balances) is presented as **Attachment 15.1E**.
30. In line with recent local government financial management reporting changes, **Attachments 15.1A to Attachment 15.1C** form the portion of monthly management accounts that is a statutory obligation.
31. The remaining **attachments 15.1D through to 15.1I** are supplementary information provided to give Council additional transparency of the City's financial management performance.
32. **Attachment 15.1H** - Investment Report for September 2025 presents detail of the City's cash investment portfolio in terms of performance, percentage exposure of total portfolio by credit risk, counterparty exposure and maturity profile.
33. The report indicates the City has adequate cash flow to meet its financial obligations as and when they will fall due; and it has achieved compliance with the various Investment Policy limits.
34. **Attachment 15.1I** - Rates Debtors provides a monthly update and analysis of rates collections by differential property rating category and overall. The 2024/25 rates notices were issued on 26 July with a due date for the first instalment of 4 September.

Consultation

35. Nil.

Decision Implications

36. Council's acknowledgement of receiving the Statement of Financial Activity and supporting documents will meet its statutory obligation in respect of overseeing the City's financial resources.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	A Well-Governed City
Related Documents (Issue Specific Strategies and Plans):	Nil.

Legislation, Delegation of Authority and Policy	
Legislation:	<p>Section 6.4(1) and (2) of the Local Government Act 1995 Regulation 34(1) of the Local Government (Financial Management) Regulations 1996</p> <p>This section of the Act and the related regulation prescribe the requirement to prepare and present to Council a Monthly Financial Report including a Statement of Financial Activity (SFA). That Statement of Financial Activity (SFA) should contain:</p> <ul style="list-style-type: none"> • Annual Budget estimates, and approved revisions to these for comparison purposes. • Actual amounts of income and expenditure to the end of the month of the SFA. • Material variances between the comparable amounts and commentary on reasons for these variances. <p>The Monthly Financial Report should also contain:</p> <ul style="list-style-type: none"> • A Statement of Financial Position at the end of the month. • An explanation of the composition of the Net Current Position at the end of the month to which the SFA relates. <p>Any other information which the local government deems relevant.</p>
Authority of Council/CEO:	The above legislation prescribes that this report be presented to Council on a monthly basis.
Policy:	CP 2.1 Management of Investments.

Financial Implications

37. There are no direct financial implications of receiving this report as it reflects a historical accounting of financial transactions. When material variances are noted, appropriate remedial action will be initiated by the administration in a timely and prudent manner.

Further Information

38. Nil.

15.2 Schedule of Accounts Paid - September 2024

Responsible Officer	Michael Kent – Chief Financial Officer
Voting Requirements	Simple Majority
Attachments	Attachment 15.2A – Schedule of Accounts Paid - September 2024 ↓

Purpose

For Council to note details of payments made under delegated authority for the month of September 2024.

Recommendation

That Council:

- RECEIVES the Schedule of Accounts Paid for the period ended 30 September 2024 as attached as **Appendix 15.2A**.
- RECORDS in the Ordinary Council Meeting minutes the summary of accounts paid being:

Total Accounts Paid	
Municipal Fund	\$40,065,318.34
Trust Fund	0
Total - All Funds	\$40,065,318.34

Background

1. In accordance with Regulation 13(2) and 13(3) of the *Local Government (Financial Management) Regulations 1996*, where this power has been delegated, a list of payments for each month is to be compiled and presented to the Council. The Chief Executive Officer is delegated this authority under Delegation 2.14.
2. This authority has then been subdelegated by the Chief Executive Officer.
3. The listing of payments with full disclosure of all required information, is presented as an attachment to this report.
4. The listing of payments was made available to the Elected Members via the Council Hub, ahead of the agenda distribution, to provide additional time for review.
5. This summary report then facilitates the acknowledgement of the listing having been received.

Discussion

6. The Schedule of Accounts Paid (**Attachment 15.2A**) contains the following payments made under Delegated Authority 2.14 - Payments from the Municipal & Trust Fund:

Schedule of Accounts Paid – September 2024		
Municipal Fund		
EFT & Cheque Payments	Direct Creditor Payments	35,978,869.00
Sub Total - EFT & Cheques		35,978,869.00
Direct Debits	Bank Charges and Merchant Fees	41,509.64
Sub Total - Direct Debits		41,509.64
Payroll	06/09/2024	1,934,559.80
	20/09/2024	2,092,596.27
Sub Total - Payroll		4,027,156.07
Corporate Cards		17,783.63
Sub Total - Cards		17,783.63
Total per Attachment 15.2A		40,065,318.34
Total Payments from Municipal Fund		40,065,318.34
Investments in Term Deposits		25,000,000.00
Trust Fund		
Trust EFT & Cheques		0
Total - Trust Funds		0

Consultation

Nil.

Decision Implications

7. Council’s acknowledgement of receiving the Schedule of Accounts Paid will meet its statutory obligation under Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	Prosperous
Related Documents (Issue Specific Strategies and Plans):	Annual Budget

Legislation, Delegation of Authority and Policy	
Legislation:	<p>Section 6.10 of the <i>Local Government Act 1995</i>. Regulation 13(1) of the <i>Local Government (Financial Management) Regulations 1996</i>.</p> <p>This section of the Act and the related regulation prescribes the requirement to prepare a list of all payments made for each month and to present them to Council. The Schedule of Accounts Paid (the ‘list’) should contain, for each payment:</p> <ul style="list-style-type: none"> • Payee Name. • Amount of the Payment. • Date of the Payment. • Sufficient information to identify the transaction.
Authority of Council/CEO:	In accordance with Regulation 13(2) and 13(3) of the <i>Local Government (Financial Management) Regulations 1996</i> , where this power has been delegated, a list of payments for each month is to be compiled and presented to the Council.
Policy:	Nil.

Financial Implications

8. There are no direct financial implications of receiving this report as it reflects a historical accounting of financial transactions that were provided for in the adopted budget (as amended).

Further Information

Nil.

16. Chief Executive Officer Reports

16.1 Appointing a Councillor to Perform the Functions of the Lord Mayor

Responsible Officer	Michelle Reynolds – Chief Executive Officer
Voting Requirements	Simple Majority
Attachments	Nil.

Purpose

To appoint a Councillor to perform the functions of the Lord Mayor in the event that the Lord Mayor and Deputy Lord Mayor are unavailable.

Recommendation

That Council APPOINT Councillor Catherine Lezer to perform the functions of the Lord Mayor if both the Lord Mayor and the Deputy Lord Mayor are unavailable, unable, or unwilling to perform the functions of the Lord Mayors role:

- a. For the period from the 1 January 2025:
 - i. until the successful election of a new Lord Mayor, if the Office of the Lord Mayor becomes vacant following the State Election 2025; or
 - ii. until the 1 April 2025 if the Office of the Lord Mayor does not become vacant following the State Election 2025.
-

Background

1. Lord Mayor Basil Zempilas is a candidate in the upcoming State election to be held in March 2025. If the Lord Mayor is successfully elected to State Government, there may be an extended period that the Office of the Lord Mayor is vacant.
2. To provide a continuous level of service to the community and to ensure the availability of the Lord Mayor (or authorised delegate) to undertake those functions which can only be undertaken by the Lord Mayor (or authorised delegate) it is prudent for the City to make provisions to allow for a seamless transition in the eventuality that Lord Mayor Basil Zempilas is elected to State Government.
3. The role of the Lord Mayor is set out in Section 2.8 of the *Local Government Act 1995* (the Act).
4. Sections 10 and 11 of the *City of Perth Act 2016* (the COP Act) also sets out the special role of the City of Perth Lord Mayor.
5. Section 5.34 of the Act automatically allows the Deputy Lord Mayor to fulfill the functions of the Lord Mayors role. However, section 5.35(1) allows Council to appoint a Councillor to perform the functions of the Lord Mayors role in the absence of both the Lord Mayor and the Deputy Lord Mayor.

Discussion

6. As the second placed candidate in the most recent Deputy Lord Mayor election, it is considered appropriate to recommend that Cr Catherine Lezer fill this position, which is consistent with the intention of the most recent amendments to electoral provisions of the Act to appoint a runner up.

Consultation

7. The City has consulted with Councillor Catherine Lezer on her willingness to fill this position. Councillor Catherine Lezer has agreed.

Decision Implications

8. If the Officer's Recommendation is carried, Councillor Catherine Lezer will have the ability to perform the functions of the Lord Mayor if the Lord Mayor and the Deputy Lord Mayor are unable to fulfill the functions of the role of Lord Mayor for the period outlined in the recommendation.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	A Well-Governed City
Related Documents (Issue Specific Strategies and Plans):	Nil.

Legislation, Delegation of Authority and Policy	
Legislation:	<i>Local Government Act 1995</i> <i>City of Perth Act 2016</i>
Authority of Council/CEO:	Council must appoint a Councillor to perform the functions of the Lord Mayor in the circumstances outlined above.
Policy:	Nil.

Financial Implications

Nil.

Further Information

Nil.

16.2 2025 Council and Committee Meeting Dates

Responsible Officer	Michelle Reynolds – Chief Executive Officer
Voting Requirements	Simple Majority
Attachments	Attachment 16.2A – 2025 Meeting Date Calendar ↓

Purpose

To consider the proposed dates for Ordinary Council, Special Council and Committee meetings to be held between 1 January 2025 and 31 December 2025.

Recommendation

That Council APPROVE the 2025 dates, as depicted in **Attachment A**, for the following meetings:

- a. Ordinary Council Meetings;
 - b. Special Council Meetings;
 - c. Audit and Risk Committee Meetings; and
 - d. Chief Executive Officer Performance Review Committee Meetings.
-

Background

1. Section 5.3 of the *Local Government Act 1995* (the Act) specifies that every Council must hold Ordinary Council Meetings not more than three months apart.
2. Section 5.4 of the Act states that Ordinary Council Meetings are to be held if so decided by Council.
3. In addition, Regulation 12 of the *Local Government (Administration) Regulations 1996* (the Regulations) requires the CEO to publish on the City's website the dates, times and places where ordinary meetings are to be held.
4. Clause 2.3 of the City of Perth *Standing Orders Local Law 2009* states that an Ordinary Committee Meeting will be held if decided by the Council or Committee.

Discussion

5. The attached calendar (**Attachment A**) contains the dates of 2025 meetings required to be set by Council in accordance with the Act, and also contains meeting dates as set by the CEO.

Ordinary Council Meetings

6. City of Perth Ordinary Council Meetings are customarily held on the last Tuesday of each month, except for January where no meeting is held.
7. The Ordinary Council Meetings held in November and December are proposed to be held earlier than usual due to the Christmas period.
8. Ordinary Council meetings are proposed to be held in the Council Chambers at Council House, commencing at 5:00pm consistent with the 2024 meeting schedule and to maximise public participation outside of business hours.

Agenda Briefing Sessions

9. Agenda Briefing Sessions are customarily held the week before Ordinary Council Meetings to give Elected Members an opportunity to ask questions on the agenda items to be presented. This also gives members of the public an opportunity to present deputations relating to items on the agenda.
10. The April Agenda Briefing Session is to be held one week earlier due to the impact of surrounding public holidays.
11. The City has two Committees of Council; the Audit and Risk Committee and the Chief Executive Officer Performance Review Committee.
12. These Committee meetings are not open to the public.
13. As the City has no Committees with delegated authority to make decisions, a recommendation to set meeting dates would require ratification by Council. It is therefore proposed that 2025 Committee Meeting dates are also considered at this meeting.

Audit and Risk Committee

14. When considering the ARC Committee meeting dates, regard has been given to the due dates for the statutory Compliance Audit Return (CAR) and the yearly Audited Financials.

Chief Executive Officer Performance Review Committee

15. The CEOPR Committee Meeting dates ensure that the CEO Key Performance Indicators (KPI) quarterly updates are provided to Council, on recommendation from the Committee, in a timely manner. These dates also consider the CBP quarterly updates to Council, which directly impact the CEO KPI quarterly updates.

Elected Member Engagement Sessions

16. Traditionally, Elected Member Engagement Sessions (EMES) have been held on the first Tuesday of the month and additional meetings are scheduled as required. These meetings are not open to the public.
17. With the exception of those Tuesday's following a public holiday, and the November EMES, these meetings will continue to be held on the first Tuesday of the month.

Budget Workshops

18. Interactive Budget Workshops give Elected Members an opportunity to engage with the City and further understand the budget process.

Special Council Meeting

19. In addition to the above, the City of Perth Corporate Business Plan (CBP), Long Term Financial Plan (LTFP) and 2025/26 Budget have historically been approved at a Special Council Meeting given the complexity and importance of this process. With this in mind, a Special Council Meeting is proposed for Tuesday, 15 July 2025 for the purpose of adopting the 2025/26 Budget.

Consultation

20. Elected members were consulted for feedback on proposed dates and times.
21. The dates, times and location of meetings, which are open to the public, will be published on the City's website following Council's consideration.

Decision Implications

22. If Council approves the schedule of meeting dates as recommended, compliance with Regulation 12 of the Regulations is achieved.

Strategic, Legislative and Policy Implications

Strategy	
Strategic Pillar (Objective)	A Well-Governed City
Related Documents (Issue Specific Strategies and Plans):	Nil.

Legislation, Delegation of Authority and Policy	
Legislation:	<i>Local Government Act 1995</i> Section 5.3 Section 5.4 <i>Local Government (Administration) Regulations 1996</i> Regulation 12 <i>City of Perth Standing Orders Local Law 2009</i> Clause 2.3
Authority of Council/CEO:	Council are required to adopt the dates for formal Council and Committee meetings. The dates for ABS, EMES and Budget Workshops are decided by the CEO.
Policy:	Nil.

Financial Implications

Nil.

Further Information

Nil.

17. Committee Reports

Nil.

18. Motions of which Previous Notice has been Given

This item will be dealt with at the Ordinary Council Meeting.

19. Matters for which the meeting may be closed

Nil.

20. Urgent Business

This item will be dealt with at the Ordinary Council Meeting.

21. Closure