CITY *of* PERTH

COUNCIL MINUTES

18 DECEMBER 2007

PRESIDING MEMBER'S SIGNATURE

DATE:----------

INDEX

Item	Description	Page
756/07	PRAYER	1
757/07	DECLARATION OF OPENING	1
758/07	APOLOGIES	1
759/07	QUESTION TIME FOR THE PUBLIC	1
760/07	MEMBERS ON LEAVE OF ABSENCE AND APPLICATIONS FOR LEAVE OF ABSENCE	1
761/07	CONFIRMATION OF MINUTES	2
762/07	ANNOUNCEMENTS BY THE LORD MAYOR WITHOUT DISCUSSION	3
763/07	DISCLOSURE OF MEMBERS' INTERESTS	3
764/07	QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN WITHOUT DISCUSSION	3
765/07	CORRESPONDENCE	3
766/07	PETITIONS	3
DESIGN ADVISORY COMMITTEE REPORTS		
767/07	DESIGN ADVISORY COMMITTEE RECOMMENDATION - 1171 - 1175 (LOTS 23 AND 24) HAY STREET, WEST PERTH	4
768/07	DESIGN ADVISORY COMMITTEE RECOMMENDATION - 32 - 34 (LOTS 1 AND 2) ST GEORGES TERRACE, PERTH	7
769/07	DESIGN ADVISORY COMMITTEE RECOMMENDATION - 111 (LOTS 125 - 128 AND 25) ST GEORGES TERRACE, PERTH	9
770/07	DESIGN ADVISORY COMMITTEE RECOMMENDATIONS - 259 - 263 (LOT 5) ADELAIDE TERRACE, PERTH	11
771/07	DESIGN ADVISORY COMMITTEE RECOMMENDATION - 957 - 959 (LOTS 1 AND 2) WELLINGTON STREET, WEST PERTH	14

Item	Description	Page
772/07	DESIGN ADVISORY COMMITTEE RECOMMENDATION - 1000 (LOTS 2 AND 3) WELLINGTON STREET, WEST PERTH	16
773/07	DESIGN ADVISORY COMMITTEE RECOMMENDATIONS - 78 - 80 (LOTS 1 AND 2) BENNETT STREET, EAST PERTH	18
PLANNING COMMITTEE REPORTS		
774/07	1171 - 1175 (LOTS 23 AND 24) HAY STREET, WEST PERTH - REVISED APPLICATION FOR AN EIGHT LEVEL MIXED-USE DEVELOPMENT CONTAINING OFFICES, A GROUND FLOOR COMMERCIAL TENANCY, SEVEN MULTIPLE DWELLINGS AND 28 CAR PARKING BAYS	22
775/07	32 - 34 (LOTS 1 AND 2) ST GEORGES TERRACE, PERTH - PROPOSED TEN - STOREY OFFICE ADDITION AND REFURBISHMENT OF EXISTING 17-LEVEL OFFICE BUILDING	35
776/07	111 (LOTS 125 - 128 AND 25) ST GEORGES TERRACE, PERTH - PROPOSED ALTERATIONS TO GROUND LEVEL LOBBY AND TENANCIES AND BUILDING FORECOURT - MINOR BONUS PLOT RATIO	48
777/07	259 - 263 (LOT 5) ADELAIDE TERRACE, PERTH - PROPOSED FIVE-STOREY COMMERCIAL DEVELOPMENT AND ASSOCIATED CAR PARKING BAYS - REQUEST FOR BONUS PLOT RATIO	62
778/07	957 - 959 (LOTS 1 AND 2) WELLINGTON STREET, WEST PERTH -PROPOSED SIX LEVEL, MIXED-USE DEVELOPMENT CONSISTING OF TWO OFFICE TENANCIES AND 12 MULTIPLE DWELLINGS, WITH ASSOCIATED CAR PARKING	71
779/07	1000 (LOTS 2 AND 3) WELLINGTON STREET, WEST PERTH - PROPOSED 9 LEVEL RESIDENTIAL DEVELOPMENT COMPRISING 15 MULTIPLE DWELLINGS AND 15 CAR PARKING BAYS	83
780/07	78 - 80 (LOTS 1 AND 2) BENNETT STREET, EAST PERTH - PROPOSED SIX-STOREY MIXED-USE DEVELOPMENT COMPRISING 18 MULTIPLE DWELLINGS, A CAFÉ, A RETAIL TENANCY AND 22 CAR PARKING BAYS	93

Item	Description	Page
781/07	BUS BRIDGE FROM JAMES STREET OVER ROE STREET AND THE RAILWAY RESERVE TO 830 (LOT 301) WELLINGTON STREET, PERTH - PROPOSED BUS BRIDGE LINKING JAMES STREET TO THE WELLINGTON STREET BUS STATION	107
782/07	2008 SUMMADAYZE MUSIC FESTIVAL ON THE ESPLANADE AND SUPREME COURT GARDENS - OBJECTION TO CONDITION OF APPROVAL	113
783/07	KING STREET TRIAL CLOSURE (BETWEEN HAY AND MURRAY STREETS)	116
784/07	PERTH LIGHT RAIL STUDY	120
785/07	PERTH'S CREATIVE INDUSTRIES - AN ANALYSIS	127
786/07	88A (LOTS 1-15) ROYAL STREET, EAST PERTH - AMENDMENT TO ALFRESCO DINING AREA FOR THE 88 ROYAL CAFE	132
MARKETING, SPONSORSHIP AND INTERNATIONAL RELATIONS COMMITTEE REPORTS		
787/07	CORPORATE SPONSORSHIP - TOURISM COUNCIL OF WA 2008	135
788/07	CULTURAL SPONSORSHIP 2007/08 - UNION INTERNATIONALE DE LA MARIONETTE CONGRESS AND WORLD PUPPETRY FESTIVAL 2008	142
FINANCE AND BUDGET COMMITTEE REPORTS		
789/07	PAYMENTS TO CREDITORS - NOVEMBER 2007	154
790/07	FINANCIAL STATEMENTS AND FINANCIAL ACTIVITY STATEMENT - OCTOBER 2007	155
791/07	NOVEMBER BUDGET REVIEW - FORECAST OF THE OPERATING AND CAPITAL RESULTS COMPARED TO BUDGET FOR THE YEAR TO 30 JUNE 2008	156
792/07	CONTRACT 001-05/06 - STATUTORY AUDIT SERVICE	160
793/07	TENDER 041-07/08 - SUPPLY AND DELIVERY OF STATIONERY AND OFFICE PRODUCTS	162
794/07	ASSIGNMENT OF LEASE OF SHOP 2, PIER STREET CAR PARK SHOPS	164

Item	Description	Page
795/07	TELECOMMUNICATIONS LICENCE - LANGLEY PARK TOILET BLOCK - ACURE TECHNOLOGY PTY LTD	166
796/07	ALLAN GREEN CONSERVATORY - THE ESPLANADE, PERTH	169
797/07	HERITAGE RATE RELIEF	173
798/07	UNBUDGETED EXPENDITURE - ELECTRIC PALLET JACK, OSBORNE PARK WORKS DEPOT	177
799/07	MURRAY STREET MALL - ADDITIONAL FUNDING	179
800/07	INVESTMENT POLICY CHANGE	181
GENERAL PURPOSES COMMITTEE REPORTS		
801/07	POLICY 11.4 - WORLD ENERGY CITIES PARTNERSHIP - ATTENDANCE AT MEETINGS	183
WORKS AND URBAN DEVELOPMENT COMMITTEE REPORTS		
802/07	SWAN RIVER FORESHORE FOOTPATH CONSTRUCTION	185
803/07	UNBUDGETED EXPENDITURE - PLAYGROUND REMOVAL AND REPLACEMENT, ROD EVANS CENTRE	190
804/07	TENDER 063-06/07 - FABRICATION AND INSTALLATION OF NEW STREET SIGNS	192
805/07	TENDER 009-07/08 - SUPPLY AND DELIVERY OF TREES, SHRUBS, PERENNIALS AND PLANTS	196
PARKING COMMITTEE REPORTS		
806/07	CONSTRUCTION OF TEMPORARY CAR PARK - LOT 1192 WELLINGTON STREET, PERTH	199
807/07	TENDER 040-07/08 - REMOVAL OF GREASE, OIL AND DIRT IN CAR PARKS	202
808/07	TENDER 034-07/08 - LIFT CONTROL AND DRIVE SYSTEM UPGRADE - ROE STREET CAR PARK	206
809/07	77 - 85 (LOTS 50, 56 AND 302) FRANCIS STREET, NORTHBRIDGE - AMENDED APPLICATION FOR A WAREHOUSE EXTENSION	209
810/07	MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	215

Item	Description	Page
811/07	REPRESENTATION ON STATUTORY AUTHORITIES AND PUBLIC BODIES	215
1.	VACANCY FOR WALGA MEMBER - FESA BUSH FIRE BRIGADE CAPITAL GRANTS COMMITTEE (TWO MEMBERS WITH AT LEAST ONE MEMBER BEING NON-METROPOLITAN) - (MINISTERIAL APPOINTMENT - PANEL OF FOUR REQUIRED)	215
2.	VACANCY FOR WALGA MEMBER - FESA BUSH FIRE BRIGADE CONSULTATIVE COMMITTEE - MEMBER - (MINISTERIAL APPOINTMENT - PANEL OF THREE REQUIRED)	217
3.	VACANCY FOR WALGA MEMBER - FESA STATE EMERGENCY SERVICE CAPITAL GRANTS COMMITTEE - TWO MEMBERS WITH AT LEAST ONE MEMBER BEING NON-METROPOLITAN - (MINISTERIAL APPOINTMENT - PANEL OF FOUR NAMES REQUIRED)	219
4.	VACANCY FOR WALGA MEMBER - METROPOLITAN EMERGENCY MANAGEMENT EXECUTIVE GROUP - METROPOLITAN SERVING OFFICER (1)	222
5.	VACANCY FOR WALGA MEMBER - REGIONAL DEVELOPMENT COUNCIL - MEMBER (PANEL OF SIX NAMES) - (MINISTERIAL APPROVAL)	224
6.	VACANCY FOR WALGA MEMBER - LOCAL GOVERNMENT SELF INSURANCE SCHEMES BOARD - ELECTED MEMBER OF A SCHEME MEMBER COUNCIL (1)	226
812/07	URGENT BUSINESS	230
813/07	CLOSE OF MEETING	230

Minutes of the **Ordinary Meeting** of the Council of the City of Perth held in the Council Chamber, Ninth Floor, Council House, 27 St George's Terrace, Perth, on **Tuesday, 18 December 2007.**

Presiding:	**The Rt Hon Lord Mayor, Ms Lisa Scaffidi**
Councillors Present:	**Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

In Attendance:

Frank Edwards	**-**	**Chief Executive Officer**
Robert Mianich	**-**	**Director Corporate Services**
Doug Forster	**-**	**Director Business Units**
Garry Dunne	**-**	**Director Service Units**
Peter Monks	**-**	**Director Planning and Development**
Margaret Smith	**-**	**Manager Approval Services**
Peter Jackson	**-**	**Media Liaison Co-ordinator**
Sabian Wilde	**-**	**Public Relations Officer**
Jamie Parry	**-**	**Manager Corporate Support**
Brad Sillence	**-**	**Administrative Services Team Leader**

Observers:

Nine members of the public.
Three members of the press.

756/07 PRAYER

The Lord Mayor took the Chair and the prayer was read by the Chief Executive Officer.

757/07 DECLARATION OF OPENING

The Lord Mayor declared the meeting open at 6.04pm.

758/07 APOLOGIES

Nil

759/07 QUESTION TIME FOR THE PUBLIC

Nil

760/07 MEMBERS ON LEAVE OF ABSENCE AND APPLICATIONS FOR LEAVE OF ABSENCE

The Chief Executive Officer advised that a request for leave of absence had been received from Cr Sutherland for the period 18 December 2007 to 15 January 2008, inclusive.

Moved by Cr Davidson, seconded by Cr Butler

That the request for leave of absence from Cr Sutherland for the period 18 December 2007 to 15 January 2008 inclusive, be approved.

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

Cr Hardy requested a leave of absence for the period 13 January to 21 January 2008 inclusive.

Moved by Cr Butler, seconded by Cr Davidson

That the request for leave of absence from Cr Hardy for the period 13 January to 21 January 2008 inclusive, be approved.

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

761/07 CONFIRMATION OF MINUTES

The minutes of the Ordinary Meeting of the Council held on 20 November 2007 were submitted for consideration.

Moved by Cr Davidson, seconded by Cr Butler

That the minutes of the Ordinary Meeting of the Council held on 20 November 2007, be confirmed as a true and correct record.

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

762/07 ANNOUNCEMENTS BY THE LORD MAYOR WITHOUT DISCUSSION

The Lord Mayor announced that the City of Perth had recently received a certificate in recognition of its ongoing review of the City's greenhouse gas emissions as part of the Cities for Climate Protection (CCP) Program.

763/07 DISCLOSURE OF MEMBERS' INTERESTS

The Chief Executive Officer advised that the following Members had disclosed financial interests in the following matters.

Member/Officer	Minute No.	Page No.	Nature of Interest
The Lord Mayor	772/07	16	Financial
	779/07	83	Financial

The Chief Executive Officer advised that the following Members had disclosed a non financial interest in the following matters.

Member/Officer	Minute No.	Page No.	Nature of Interest
Cr Evangel	781/07	107	Proximity
Cr Hardy	776/07	48	Indirect Pecuniary
	782/07	113	Proximity

764/07 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN WITHOUT DISCUSSION

Nil

765/07 CORRESPONDENCE

Nil

766/07 PETITIONS

The Chief Executive Officer advised that a petition containing 12 unverified signatures has been received from the residents of 135 Royal Street, East Perth, relating to parking issues in this area. The petition, which has been circulated to Elected Members, reads as follows:-

"Several food outlets / cafes have opened at the western end of Royal Street over the last few years. With an increasing number of deliveries required by these businesses there is an increasing street parking issue with trucks and vans double parked, blocking driveways or parked on the footpath.

A designated loading / delivery bay on the north side of Royal Street between Fielder Street and Bennett Street would assist in reducing the traffic issues that are developing in this area. As these businesses only operate in the daytime on weekdays we request appropriate signage (Mon - Fri 7am-4pm) which would free up the parking spot for the residents after "office" hours.

The residents of 135 Royal Street would like your help in this matter."

Moved by Cr McEvoy, seconded by Cr Davidson

That the petition relating to Parking Issues in Royal Street, East Perth, be received and referred to the Parking Committee.

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

DESIGN ADVISORY COMMITTEE REPORTS

767/07 DESIGN ADVISORY COMMITTEE RECOMMENDATION - 1171 - 1175 (LOTS 23 AND 24) HAY STREET, WEST PERTH

BACKGROUND:

FILE REFERENCE: P1018637
RESPONSIBLE DIRECTOR: Robert Mianich, Director Corporate Services
DATE: 10 December 2007
MAP / SCHEDULE: N/A

DETAILS:

The Design Advisory Committee at its meeting held on 15 November 2007, considered the design issues and awarding of additional bonus plot ratio for a revised application for a eight level mixed use development containing offices, a ground floor

commercial tenancy, seven multiple dwellings and 28 car parking bays at 1171 - 1175 (Lots 23 and 24) Hay Street, West Perth and resolved to recommend the following:-

"That the Design Advisory Committee, having considered the design and the awarding of bonus plot ratio for a proposed eight level mixed use development at 1171-1175 (Lots 23 and 24) Hay Street, West Perth:-

1. notes that there is no legal basis in the City Planning Scheme No. 2 to approve the proposed plot ratio bonus;

2. does not support the proposed 4.2m increase in height of the building given that:-

2.1 there is no plot ratio available to the site for the proposed increase in floor area;

2.2 it is considered that the applicant has not addressed the Council's previous concerns concerning the appearance and design treatment of the blank side elevations of the proposal.

The development application for the Council's consideration is listed as Item 8 in the Council Notice Paper for the meeting of 18 December 2007.

COMMENTS:

Role of the Design Advisory Committee:

The Design Advisory Committee is required to provide independent technical advice and recommendations to the Council in respect to applications requesting a Plot Ratio Bonus in the Central Area and design issues on other applications referred to it for consideration.

The Lord Mayor departed the Chamber at 6.08pm.

Due to the absence of the Lord Mayor and the Deputy Lord Mayor and in accordance with Section 5.6 of the Local Government Act 1995, the Chief Executive Officer requested that the Council choose a Councillor to preside at the meeting.

Cr Davidson nominated Cr McEvoy.

Moved by Cr Davidson, seconded by Cr Evangel

That Cr McEvoy preside over the meeting of the Council in the absence of the Lord Mayor and the Deputy Lord Mayor.

The motion was put and carried

The votes were recorded as follows:-

For: Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

Cr McEvoy assumed the Chair.

Moved by Cr Davidson, seconded by Cr Butler

That the Council notes the recommendation of the Design Advisory Committee at its meeting held on 15 November 2007 as follows:-

"That the Design Advisory Committee, having considered the design and the awarding of bonus plot ratio for a proposed eight level mixed use development at 1171-1175 (Lots 23 and 24) Hay Street, West Perth:-

1. notes that there is no legal basis in the City Planning Scheme No. 2 to approve the proposed plot ratio bonus;

2. does not support the proposed 4.2m increase in height of the building given that:-

2.1 there is no plot ratio available to the site for the proposed increase in floor area;

2.2 it is considered that the applicant has not addressed the Council's previous concerns concerning the appearance and design treatment of the blank side elevations of the proposal.".

The motion was put and carried

The votes were recorded as follows:-

For: Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

768/07 DESIGN ADVISORY COMMITTEE RECOMMENDATION - 32 - 34 (LOTS 1 AND 2) ST GEORGES TERRACE, PERTH

BACKGROUND:

FILE REFERENCE: P1018637
RESPONSIBLE DIRECTOR: Robert Mianich, Director Corporate Services
DATE: 10 December 2007
MAP / SCHEDULE: N/A

DETAILS:

The Design Advisory Committee at its meeting held on 15 November 2007, considered the design and the awarding of bonus plot ratio for proposed ten-storey office addition and the refurbishment of the existing 17 level office building at 32 – 34 (Lots 1 and 2) St Georges Terrace, Perth and resolved to recommend the following:-

"*That the Design Advisory Committee, having considered the design and the awarding of bonus plot ratio for a proposed ten storey office addition and the refurbishment of the existing 17 level office building at 32-34 (Lots 1 and 2) St Georges Terrace, Perth:-*

1. supports the granting of a 4% plot ratio bonus on the basis of:-

1.1 improved public view considerations to St Andrews church;

1.2 improvements to the functionality of the proposed public plaza including its connection to the adjacent St Georges church forecourt;

1.3 the provision of public amenities in the form of street level seating for bus patrons;

2. supports the revised design of the office addition as being more compatible with the design of the building including the suggestion that a green roof would improve the outlook from the existing office development;

3. notes that the office floor plan in the new addition does not look like a practical layout and the matter should be the subject of discussions between the administration and the applicant to ensure that the plot ratio calculations are not compromised."

The development application for the Council's consideration is listed as Item 9 in the Council Notice Paper for the meeting of 18 December 2007.

COMMENTS:

Role of the Design Advisory Committee:

The Design Advisory Committee is required to provide independent technical advice and recommendations to the Council in respect to applications requesting a Plot Ratio Bonus in the Central Area and design issues on other applications referred to it for consideration.

Moved by Cr Davidson, seconded by Cr Butler

That the Council notes the recommendation of the Design Advisory Committee at its meeting held on 15 November 2007 as follows:-

"That the Design Advisory Committee, having considered the design and the awarding of bonus plot ratio for a proposed ten storey office addition and the refurbishment of the existing 17 level office building at 32-34 (Lots 1 and 2) St Georges Terrace, Perth:-

1. supports the granting of a 4% plot ratio bonus on the basis of:-

1.1 improved public view considerations to St Andrews church;

1.2 improvements to the functionality of the proposed public plaza including its connection to the adjacent St Georges church forecourt;

1.3 the provision of public amenities in the form of street level seating for bus patrons;

2. supports the revised design of the office addition as being more compatible with the design of the building including the suggestion that a green roof would improve the outlook from the existing office development;

3. notes that the office floor plan in the new addition does not look like a practical layout and the matter should be the subject of discussions between the administration and the applicant to ensure that the plot ratio calculations are not compromised.".

The motion was put and carried

The votes were recorded as follows:-

For: Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

769/07 DESIGN ADVISORY COMMITTEE RECOMMENDATION - 111 (LOTS 125 - 128 AND 25) ST GEORGES TERRACE, PERTH

BACKGROUND:

FILE REFERENCE: P1018637
RESPONSIBLE DIRECTOR: Robert Mianich, Director Corporate Services
DATE: 10 December 2007
MAP / SCHEDULE: N/A

DETAILS:

The Design Advisory Committee at its meeting held on 15 November 2007, considered the design issues and awarding of bonus plot ratio for proposed alterations to the ground level lobby and tenancies at 111 (Lots 125-128 and 25) St Georges Terrace, West Perth and resolved to recommend the following:-

"*That the Design Advisory Committee, having considered the design and the awarding of bonus plot ratio for proposed alterations to the ground level lobby and tenancies at 111 (Lots 125-128 and 25) St Georges Terrace, West Perth:-*

1. *supports the proposed plot ratio bonus as complying with clauses 28(3) of the City Planning Scheme No. 2 as no additional bulk, height or scale of the building has been added;*

2. *supports the proposed design and uses proposed for the development subject to:-*

   2.1 *the southern portion of the William Street façade being redesigned in a manner that is transparent to improve the relationship between the tenancy, forecourt and pedestrian movement in William Street and to the visibility of the entrance to Australia Place;*

   2.2 *confirming that the pedestrian connections to the proposed City Square development on the adjacent property can be effected."*

The development application for the Council's consideration is listed as Item 10 in the Council Notice Paper for the meeting of 18 December 2007.

COMMENTS:

Role of the Design Advisory Committee:

The Design Advisory Committee is required to provide independent technical advice and recommendations to the Council in respect to applications requesting a Plot

Ratio Bonus in the Central Area and design issues on other applications referred to it for consideration.

Moved by Cr Davidson, seconded by Cr Butler

That the Council notes the recommendation of the Design Advisory Committee at its meeting held on 15 November 2007 as follows:-

"That the Design Advisory Committee, having considered the design and the awarding of bonus plot ratio for proposed alterations to the ground level lobby and tenancies at 111 (Lots 125-128 and 25) St Georges Terrace, West Perth:-

1. supports the proposed plot ratio bonus as complying with clauses 28(3) of the City Planning Scheme No. 2 as no additional bulk, height or scale of the building has been added;

2. supports the proposed design and uses proposed for the development subject to:-

2.1 the southern portion of the William Street façade being redesigned in a manner that is transparent to improve the relationship between the tenancy, forecourt and pedestrian movement in William Street and to the visibility of the entrance to Australia Place;

2.2 confirming that the pedestrian connections to the proposed City Square development on the adjacent property can be effected.".

The motion was put and carried

The votes were recorded as follows:-

For: Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

770/07 DESIGN ADVISORY COMMITTEE RECOMMENDATIONS - 259 - 263 (LOT 5) ADELAIDE TERRACE, PERTH

BACKGROUND:

FILE REFERENCE: P1018637
RESPONSIBLE DIRECTOR: Robert Mianich, Director Corporate Services
DATE: 10 December 2007
MAP / SCHEDULE: N/A

DETAILS:

The Design Advisory Committee at its meeting held on 13 September 2007 considered the design and the awarding of bonus plot ratio of the proposed five-storey commercial development on the southern portion of the site at 259 - 263 Adelaide Terrace, Perth and resolved to recommend the following:-

"That the Design Advisory Committee, having considered the design and the awarding of bonus plot ratio of the proposed five-storey commercial development on the southern portion of the site at 259 - 263 Adelaide Terrace, Perth:

1. does not support the awarding of bonus plot ratio on the basis of only the external conservation works being undertaken to the E.B. Johnston House located at 259 Adelaide Terrace, Perth;

2. would support the awarding of bonus plot ratio for the revised development on the southern portion of the site subject to:-

2.1 conservation works being undertaken to both the external and internal fabric of the E.B. Johnston House in accordance with the scope of conservation works identified in the Heritage Conservation Report prepared by Palassis Architects dated 30 August 2007;

2.2 the submission of drawings and documentation detailing the full extent of internal and external conservation works;

2.3 the front garden being reinstated in its original form in accordance with the documented evidence, to enhance the setting of the heritage building;

2.4 the developer entering into a Heritage Agreement for the conservation and on-going maintenance of the E.B. Johnston House."

The Design Advisory Committee again considered the application at its meeting held on 15 November 2007and resolved to recommend the following:-

"That the Design Advisory Committee, having considered the design and the awarding of bonus plot ratio for a proposed five storey commercial development on the southern portion of the site at 259-263 Adelaide Terrace, Perth:-

1. supports the granting of a 4.76% plot ratio bonus on the basis of the conservation works being carried out to the E.B Johnston building and the improvements being made to the front garden landscape setting of E.B Johnston House subject to:-

1.1 the submission of details illustrating the landscape design being modified to provide adequate pedestrian connection between the garden and the adjacent Durack Centre forecourt whilst protecting the proposed planting species taking account of the significant use of this garden area;

1.2 investigation of the opportunity for an interpretive swatch on the building providing information on the original building material as the owners are seeking to retain the paintwork;

2. supports the proposed amendments to the design of the proposed commercial building."

The development application for the Council's consideration is listed as Item 11 in the Council Notice Paper for the meeting of 18 December 2007.

COMMENTS:

Role of the Design Advisory Committee:

The Design Advisory Committee is required to provide independent technical advice and recommendations to the Council in respect to applications requesting a Plot Ratio Bonus in the Central Area and design issues on other applications referred to it for consideration.

Moved by Cr Davidson, seconded by Cr Butler

That the Council notes the recommendation of the Design Advisory Committee:-

1. at its meeting held on 13 September 2007 as follows:-

"That the Design Advisory Committee, having considered the design and the awarding of bonus plot ratio of the proposed five-storey commercial development on the southern portion of the site at 259 - 263 Adelaide Terrace, Perth:-

(Cont'd)

1. does not support the awarding of bonus plot ratio on the basis of only the external conservation works being undertaken to the E.B. Johnston House located at 259 Adelaide Terrace, Perth;

2. would support the awarding of bonus plot ratio for the revised development on the southern portion of the site subject to:-

2.1 conservation works being undertaken to both the external and internal fabric of the E.B. Johnston House in accordance with the scope of conservation works identified in the Heritage Conservation Report prepared by Palassis Architects dated 30 August 2007;

2.2 the submission of drawings and documentation detailing the full extent of internal and external conservation works;

2.3 the front garden being reinstated in its original form in accordance with the documented evidence, to enhance the setting of the heritage building;

2.4 the developer entering into a Heritage Agreement for the conservation and on-going maintenance of the E.B. Johnston House.";

2. at its meeting held on 15 November 2007 as follows:-

"That the Design Advisory Committee, having considered the design and the awarding of bonus plot ratio for a proposed five storey commercial development on the southern portion of the site at 259-263 Adelaide Terrace, Perth:-

1. supports the granting of a 4.76% plot ratio bonus on the basis of the conservation works being carried out to the E.B. Johnston building and the improvements being made to the front garden landscape setting of E.B. Johnston House subject to:-

1.1 the submission of details illustrating the landscape design being modified to provide adequate pedestrian connection between the garden and the adjacent Durack Centre forecourt whilst protecting the proposed planting species taking account of the significant use of this garden area;

(Cont'd)

1.2 investigation of the opportunity for an interpretive swatch on the building providing information on the original building material as the owners are seeking to retain the paintwork;

2. supports the proposed amendments to the design of the proposed commercial building.".

The motion was put and carried

The votes were recorded as follows:-

For: Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

771/07 DESIGN ADVISORY COMMITTEE RECOMMENDATION - 957 - 959 (LOTS 1 AND 2) WELLINGTON STREET, WEST PERTH

BACKGROUND:

FILE REFERENCE:	P1018637
RESPONSIBLE DIRECTOR:	Robert Mianich, Director Corporate Services
DATE:	10 December 2007
MAP / SCHEDULE:	N/A

DETAILS:

The Design Advisory Committee at its meeting held on 15 November 2007, considered the design of the proposed six level mixed-use development consisting of two office tenancies and 12 multiple dwellings with 28 basement car parking bays at 957-959 (Lots 1 and 2) Wellington Street, West Perth and resolved to recommend the following:-

"That the Design Advisory Committee, having considered the design of a proposed six-level mixed-use development consisting of two office tenancies and 12 multiple dwellings with 28 basement car parking bays at 957-959 (Lots 1 and 2) Wellington Street, West Perth, supports the design subject to:-

1. the presentation of the car parking level to Wellington Street and Colin Street being redesigned through the detailing of the materials and additional landscaping;

2. *the width of the crossover to Wellington Street being reduced to a maximum of six metres;*

3. *the vehicle entry being designed to accommodate adequate on-site queuing of vehicles waiting to enter the car park;*

4. *the balconies on the east elevation being deleted or redesigned to more closely comply with the required side setbacks;*

5. *the windows on the western elevation to the second bedrooms of the apartments being enlarged to provide an improved outlook from the bedrooms and to enhance the appearance of the western elevation;*

6. *the shortfall in the required landscaped area being addressed."*

The development application for the Council's consideration is listed as Item 12 in the Council Notice Paper for the meeting of 18 December 2007.

COMMENTS:

Role of the Design Advisory Committee:

The Design Advisory Committee is required to provide independent technical advice and recommendations to the Council in respect to applications requesting a Plot Ratio Bonus in the Central Area and design issues on other applications referred to it for consideration.

Moved by Cr Davidson, seconded by Cr Butler

That the Council notes the recommendation of the Design Advisory Committee at its meeting held on 21 June 2007 as follows:-

"That the Design Advisory Committee, having considered the design of a proposed six-level mixed-use development consisting of two office tenancies and 12 multiple dwellings with 28 basement car parking bays at 957-959 (Lots 1 and 2) Wellington Street, West Perth, supports the design subject to:-

1. ***the presentation of the car parking level to Wellington Street and Colin Street being redesigned through the detailing of the materials and additional landscaping;***

2. ***the width of the crossover to Wellington Street being reduced to a maximum of six metres;***

(Cont'd)

3. the vehicle entry being designed to accommodate adequate on-site queuing of vehicles waiting to enter the car park;

4. the balconies on the east elevation being deleted or redesigned to more closely comply with the required side setbacks;

5. the windows on the western elevation to the second bedrooms of the apartments being enlarged to provide an improved outlook from the bedrooms and to enhance the appearance of the western elevation;

6. the shortfall in the required landscaped area being addressed.".

The motion was put and carried

The votes were recorded as follows:-

For: Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

772/07 DESIGN ADVISORY COMMITTEE RECOMMENDATION - 1000 (LOTS 2 AND 3) WELLINGTON STREET, WEST PERTH

BACKGROUND:

FILE REFERENCE:	P1018637
RESPONSIBLE DIRECTOR:	Robert Mianich, Director Corporate Services
DATE:	10 December 2007
MAP / SCHEDULE:	N/A

DETAILS:

The Design Advisory Committee at its meeting held on 15 November 2007, considered the design of the proposed nine level residential development consisting of 15 multiple dwellings and 15 basement car parking bays at 1000 (Lots 2 and 3) Wellington Street, West Perth and resolved to recommend the following:-

"That the Design Advisory Committee, having considered the design of the proposed nine level residential development consisting of 15 multiple dwellings and 15 basement car parking bays at 1000 (Lots 2 and 3) Wellington Street, West Perth:-

1. supports the revised design as a significant improvement form the original scheme submitted;

2. further consideration being given to the materials and finishes with details submitted;

3. notes the beneficial role that a design architect has had in making these improvements through a design audit process and encourages the applicant to consider continuing this approach through the design documentation and construction phases of the development."

The development application for the Council's consideration is listed as Item 13 in the Council Notice Paper for the meeting of 18 December 2007.

COMMENTS:

Role of the Design Advisory Committee:

The Design Advisory Committee is required to provide independent technical advice and recommendations to the Council in respect to applications requesting a Plot Ratio Bonus in the Central Area and design issues on other applications referred to it for consideration.

(The Lord Mayor disclosed an interest, took no part in discussion and did not vote on this item)

Member	Nature of Interest
The Lord Mayor	Financial

Moved by Cr Davidson, seconded by Cr Butler

That the Council notes the recommendation of the Design Advisory Committee at its meeting held on 15 November 2007 as follows:-

"That the Design Advisory Committee, having considered the design of the proposed nine level residential development consisting of 15 multiple dwellings and 15 basement car parking bays at 1000 (Lots 2 and 3) Wellington Street, West Perth:-

1. supports the revised design as a significant improvement form the original scheme submitted;

2. further consideration being given to the materials and finishes with details submitted;

3. notes the beneficial role that a design architect has had in making these improvements through a design audit process and encourages the applicant to consider continuing this approach through the design documentation and construction phases of the development.".

The motion was put and carried

The votes were recorded as follows:-

For: **Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

773/07 DESIGN ADVISORY COMMITTEE RECOMMENDATIONS - 78 - 80 (LOTS 1 AND 2) BENNETT STREET, EAST PERTH

BACKGROUND:

FILE REFERENCE:	P1018637
RESPONSIBLE DIRECTOR:	Robert Mianich, Director Corporate Services
DATE:	10 December 2007
MAP / SCHEDULE:	N/A

DETAILS:

The Design Advisory Committee at its meeting held on 1 February 2007 considered the design of the proposed mixed-use development comprising 21 multiple dwellings, two retail tenancies, a café and 18 car parking bays at 78 - 80 (Lots 1 and 2) Bennett Street, East Perth and resolved to recommend the following:-

"That the Design Advisory Committee, having considered the design of the proposed mixed-use development comprising 21 multiple dwellings, two retail tenancies, a café and 18 car parking bays at 78 - 80 (Lots 1 and 2) Bennett Street, East Perth, does not support the design until the following matters are satisfactorily addressed:-

1. *the recessed entries to the ground level retail tenancies provide potential entrapment areas, which should be replaced with shopfronts that address the street in a safer and more traditional manner;*

2. *the adequacy of the dimensions and the viability of the retail tenancies fronting Wellington Street;*

3. *the location and entry to the toilets serving the commercial tenancies being reviewed to ensure that the ground level façades add interest and vitality to the public domain;*

4. *the positioning of bathrooms, rather than bedrooms, facing the street results in a lack of activity and informal surveillance of the street;*

5. *the provision of storerooms for the residential apartments;*

6. *the provision of balconies for each apartment that are designed to satisfy the plot ratio and private open space requirements of the Residential Design Codes and the Goderich Design Guidelines;*

7. *the lack of diversity in dwelling types and sizes, contrary to the City's Residential Design Guidelines;*

8. *the entry to the car parking area being designed to ensure that there is adequate vehicle turning space from Maggs Lane into and out of the car park;*

9. *the inappropriate shape of the corner element of the building should be revised to improve the way the development addresses the corner of the site."*

The Design Advisory Committee again considered the application at its meeting held on 4 October 2007 and resolved to recommend the following:-

"That the Design Advisory Committee, having considered the amended design of a proposed six-storey mixed-use development containing 18 multiple dwellings, a retail tenancy, a café and 22 residential car parking bays at 78 - 80 (Lots 1 and 2) Bennett Street, East Perth:-

1. *acknowledges the improvements made to the design and layout of the proposed development and considers the amended plans have design merit;*

2. *supports the design in terms of the height and form of the building;*

3. *considers that the location of the storerooms and communal facilities within the curved corner element of the building fails to optimise the development's presentation to the street and its outlook over Wellington Square;*

4. *considers the proposal requires further architectural detail to refine the façades and apartment layout and to ensure compliance with the City Planning Scheme No. 2 plot ratio requirements."*

The development application for the Council's consideration is listed as Item 14 in the Council Notice Paper for the meeting of 18 December 2007.

COMMENTS:

Role of the Design Advisory Committee:

The Design Advisory Committee is required to provide independent technical advice and recommendations to the Council in respect to applications requesting a Plot Ratio Bonus in the Central Area and design issues on other applications referred to it for consideration.

Moved by Cr Davidson, seconded by Cr Butler

That the Council notes the recommendation of the Design Advisory Committee:-

1. at its meeting held on 1 February 2007 as follows:-

"That the Design Advisory Committee, having considered the design of the proposed mixed-use development comprising 21 multiple dwellings, two retail tenancies, a café and 18 car parking bays at 78 - 80 (Lots 1 and 2) Bennett Street, East Perth, does not support the design until the following matters are satisfactorily addressed:-

1. the recessed entries to the ground level retail tenancies provide potential entrapment areas, which should be replaced with shopfronts that address the street in a safer and more traditional manner;

2. the adequacy of the dimensions and the viability of the retail tenancies fronting Wellington Street;

3. the location and entry to the toilets serving the commercial tenancies being reviewed to ensure that the ground level façades add interest and vitality to the public domain;

4. the positioning of bathrooms, rather than bedrooms, facing the street results in a lack of activity and informal surveillance of the street;

5. the provision of storerooms for the residential apartments;

6. the provision of balconies for each apartment that are designed to satisfy the plot ratio and private open space requirements of the Residential Design Codes and the Goderich Design Guidelines;

7. the lack of diversity in dwelling types and sizes, contrary to the City's Residential Design Guidelines;

8. the entry to the car parking area being designed to ensure that there is adequate vehicle turning space from Maggs Lane into and out of the car park;

(Cont'd)

9. the inappropriate shape of the corner element of the building should be revised to improve the way the development addresses the corner of the site.";

2. at its meeting held on 4 October 2007 as follows:-

"That the Design Advisory Committee, having considered the amended design of a proposed six-storey mixed-use development containing 18 multiple dwellings, a retail tenancy, a café and 22 residential car parking bays at 78 - 80 (Lots 1 and 2) Bennett Street, East Perth:-

1. acknowledges the improvements made to the design and layout of the proposed development and considers the amended plans have design merit;

2. supports the design in terms of the height and form of the building;

3. considers that the location of the storerooms and communal facilities within the curved corner element of the building fails to optimise the development's presentation to the street and its outlook over Wellington Square;

4. considers the proposal requires further architectural detail to refine the façades and apartment layout and to ensure compliance with the City Planning Scheme No. 2 plot ratio requirements.".

The motion was put and carried

The votes were recorded as follows:-

For: Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

Moved to Item 779/07.

PLANNING COMMITTEE REPORTS

774/07 1171 - 1175 (LOTS 23 AND 24) HAY STREET, WEST PERTH - REVISED APPLICATION FOR AN EIGHT LEVEL MIXED-USE DEVELOPMENT CONTAINING OFFICES, A GROUND FLOOR COMMERCIAL TENANCY, SEVEN MULTIPLE DWELLINGS AND 28 CAR PARKING BAYS

BACKGROUND:

SUBURB/LOCATION:	1171 - 1175 Hay Street, West Perth
FILE REFERENCE:	2007/2332
RESPONSIBLE DIRECTOR:	Peter Monks, Director Planning and Development
DATE:	23 November 2007
MAP / SCHEDULE:	Map and coloured perspective for 1171 - 1175 Hay Street, West Perth
LANDOWNER:	Broadlake Nominees Pty Ltd Bullfinch Nominees Ridgecroft Holdings RM Research Pty Ltd
APPLICANT:	Broadlake Nominees Pty Ltd
ZONING:	(MRS Zone) Urban (City Planning Scheme Precinct) West Perth Precinct (P10) (City Planning Scheme Use Area) Town Centre
APPROXIMATE COST:	$6 million (additional works)

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

SITE HISTORY:

The application proposes the development over two lots. Lot 23 comprises an area of 536m^2 and is occupied by a single storey office building constructed in 1968. Lot 24 comprises an area of 586m^2 and occupied by a single storey former residence now utilised as an office. A portion of this Lot (3.66 metres in width by 13.68 metres in length) is identified under the City's Local Law and Policy 6.10 “Hay Street Pedestrian Walkway and Road Reserve Widening Policy” to be ceded for road widening purposes. The amalgamated site has an area of 1,122m^2, including the

area identified for future road widening purposes. Car parking is available to the rear of the buildings accessed by a common driveway between the buildings.

The Council at its meeting held on **29 August 2006**, resolved to declare the former residence at 1171 (Lot 24) Hay Street a place of cultural significance in accordance with Clause 30 (1) of City Planning Scheme No. 2 and included in the Register of Places of Cultural Heritage Significance.

The Council at its meeting held on **21 November 2006**, resolved to grant conditional approval to demolish the single storey building currently located on Lot 23, and for the subsequent conservation of the existing former residence on Lot 24 and for the construction of a seven level mixed-use development. The application received a plot ratio bonus of 20% to the commercial component of the development and 5% to the overall development on the basis of retaining and conserving a place of cultural heritage significance at 1171 Hay Street, West Perth.

The Council at its meeting held on **15 May 2007**, resolved to refuse to amend Condition 2 of the Council's planning approval dated 22 November 2006 for the development of a seven level mixed-use building to be constructed on the subject site. Condition 2 required *"the subject lots being amalgamated into one lot on one Certificate of Title, with the area of land on Lot 24 identified for the purposes of road widening being ceded free of cost and transferred to the City of Perth, without payment of any compensation in accordance with Policy 6.1 Hay Street Pedestrian Walkway and Road Reserve Widening Policy".* The applicant stated that they have no desire to give up their land (to be ceded free of cost or otherwise) for road widening or any purposes.

Accordingly, the applicant has subsequently appealed to the State Appeals Tribunal which has resulted in this revised application being submitted as a possible mediation solution, negating the need for the matter to go to a full State Appeals Tribunal hearing. The applicant has also submitted a formal letter to the City dated 22 November 2007, confirming that the owners have no objection to the road widening area (Lot 24) being ceded free of cost to the City of Perth, subject to the City approving the revised development application incorporating a plot ratio bonus of 20%.

DETAILS:

Approval is being sought for the construction of a seven level mixed-use development on the subject site, proposing modifications to the development application approved on 21 November 2006. The original proposal contained a ground floor commercial tenancy; three levels of office space and five multiple dwellings. The application proposed 28 parking bays within a basement level of the building. The existing crossover between the buildings would be removed and a new crossover would be constructed to provide access from Hay Street. The original portion of the existing single storey heritage building on the site was to be retained, however the rear portion was to be demolished.

The main alterations to the previous approved development include:-

- an additional floor comprising two, three - bedroom apartments;
- the three apartments facing Hay Street on the upper levels have been enlarged and an ensuite / bedroom has been added to the rear apartments;
- the overall building height has increased by approximately 4.2 metres to 27.2 metres (excluding the plant / lift overrun) and comprises eight levels;
- 14 of the proposed 28 car parking bays have been designated for residential use, with a minimum of one bay per dwelling.

Under the City Planning Scheme No. 2, a building used for both residential and non-residential purposes may have an overall plot ratio not exceeding 2.0:1 subject to that portion of the building being used for non-residential purposes not exceeding 1.33:1. The original approval granted the commercial component of the development a plot ratio bonus of 20% (an additional 274m^2) and the overall development a plot ratio bonus of 5% (additional 122m^2). No change is proposed to the commercial floor area, however, with the proposed additional residential floor area, the application now proposes a total plot ratio of 2.4:1.0 (2,692.8m^2), which represents an overall plot ratio bonus of 20% (additional 484.8m^2).

COMPLIANCE WITH PLANNING SCHEME:

Land Use:

The subject property is located within the Town Centre area of the West Perth Precinct (P10) of the City Planning Scheme No. 2. The precinct is to accommodate two primary functions, being a residential quarter and a secondary office area in close proximity to the city centre.

Under the Use Group Table for the West Perth Precinct, Residential and Office uses are contemplated ('C') uses above ground level. The use of the commercial tenancy on the ground floor has not been designated; however it is likely to be a Retail (General) or Dining use, both of which are preferred ('P') uses. The use of this tenancy may be addressed as a condition of any approval.

Development Requirements:

The precinct will continue to accommodate a high proportion of offices. The shopping area will be expanded from its core between Outram and Colin Streets along Hay Street. This town centre will provide a range of shopping and related services for residents and the work force. Buildings having historical, architectural or other significance will be preserved and maintained and the new development will be sympathetically designed.

The proposal's compliance with the City Planning Scheme No. 2 development requirements is summarised below:-

Development Standard	Proposed	Required/Permitted
Plot Ratio: - Commercial - Residential - Total	 **1.6:1 (1,767m^2)** 0.82:1 (925.8m^2) **2.4:1 (2,692.8m^2)**	 1.33:1 (1,492.26m^2) 2.0:1 (2,244m^2) 2.0:1 (2,244m^2)
Building Height: - Commercial - Residential	 13 metres **27.2 metres** (excluding plant and lift/stairs overrun)	 18 metres 27 metres
Setbacks: - Front (Hay Street) - Side (west) - Side (east) - Rear (south)	 Nil Nil - 7.4 metres Nil - 1.5 metres Nil - 4.4 metres	 Nil Nil Nil Nil
Car Parking: - Commercial - Residential	 14 tenant bays 14 bays	 22 tenant bays (maximum) 7 bays (minimum) 14 bays (maximum)
Bicycle Parking:	Stores provided for each dwelling with a minimum area of 5m^2	5 bays

Variations to the building height applicable to the development can be granted by an absolute majority decision of the Council, in accordance with Clause 47 of the City Planning Scheme and provided the Council is satisfied that:-

'47(3)(d)(i) if approval were to be granted, the development would be consistent with:-
- *(A) the orderly and proper planning of the locality;*
- *(B) the conservation of the amenities of the locality; and*
- *(C) the statement of intent set out in the relevant precinct plan; and*

(ii) the non-compliance would not have any undue adverse effect on:-
- *(A) the occupiers or users of the development;*
- *(B) the property in, or the inhabitants of, the locality; or*
- *(C) the likely future development of the locality'.*

In accordance with Clause 28 of the City Planning Scheme No. 2, the Council may permit up to 20% bonus plot ratio in West Perth where the development would either conserve or enhance the whole or part of a place which is worthy of conservation. Such a development must not adversely affect the cultural heritage significance of that, or any other, conservation area or place including the streetscape, or have a significant adverse effect on an adjoining or nearby property.

COMMENTS:

Consultation:

The application was advertised to surrounding land owners for comment for a period of 14 days due to the proposed variation in plot ratio. One objection was received during the period raising the following concerns:-

- the proposed development may damage foundations and other infrastructure to surrounding property;
- the proposed development will impinge upon outlook and views;
- the proposed development may reduce the value of their property;
- should approval be granted for the proposal, they may take legal action against the proponents, those who undertake the construction, the designers and those who approved the works.

The above matters relating to the proposed development are addressed in the following sections of this report. However, the concerns pertaining to the potential reduction in property values is not considered to be a valid planning matter.

Bonus Plot Ratio:

As previously indicated, the Council at its meeting held on **21 November 2006,** resolved to grant conditional approval for the conservation of the existing former residence and the construction of a seven level mixed-use development. The application received a plot ratio bonus of 20% to the commercial component of the development and a plot ratio bonus of 5% to the overall development.

Under the current proposal no change is proposed to the plot ratio floor area of the previously approved commercial component of the development. However, an additional residential floor (comprising a plot ratio floor area of 326.8m^2) has been added to the design resulting in an overall plot ratio of 2.4:1 proposed for the site, which represents a plot ratio bonus of 20% or 448.8m^2 of additional floor area for the proposed mixed-use development.

It is noted that within the West Perth precinct, the retention and conservation of heritage places is the only criteria by which bonus plot ratio can be considered. Under Policy 4.6.1 – 'Bonus Plot Ratio Policy' the place, building or area to be protected and conserved must be one that has been identified by the City as being of cultural heritage significance and the development must conform to the Performance Criteria relating to conserving places of heritage significance. The 'former residence' at 1171 Hay Street is listed on the City's Register of Places of Heritage Significance and the applicant is proposing to retain and conserve the original front portion of the building. In this regard, the original application qualified for the bonus plot ratio provision under the City Planning Scheme No. 2. The conservation of the building will be achieved though the implementation of a conservation and management plan. Additionally, the Bonus Plot Ratio Policy identifies interpretation as a criterion for assessment under the Performance Guidelines. In this regard, it is considered appropriate for interpretative signage to be installed at the 'former residence'

detailing the relevant heritage information pertaining to the site and its significance to the West Perth area.

The applicant had advised that the works envisaged for the improvements, restoration, surrounding landscaping and future maintenance of the heritage building is being offered as justification for awarding the full plot ratio bonus of 20%.

The applicant has advised that additional improvement works are envisaged between the new additions and the curtilage around the heritage building incorporating both 'soft' and 'hard' landscaping and a courtyard area that can be utilised by the occupants within the development. Further details are required and can be addressed as a condition with any approval. It is noted however, that the previously approved ground floor level of the proposed development is set back between 2.5 metres to 2.9 metres from the heritage building which will limit the amount of additional landscaping treatment proposed between the interface of the new and existing buildings.

The applicant has advised that they would welcome the opportunity to carry out appropriate landscaping within the road widening area as this represents an opportunity to enhance the refurbished heritage building and the streetscape generally. Although this additional work can not be considered as criteria for the granting of additional floor area under the provisions of the City Planning Scheme No. 2, it is acknowledged that such treatment will contribute positively to the existing streetscape. This matter can be addressed as a condition with any approval.

The applicant has advised that extensive research has already been undertaken on the 'former residence' of 1171 Hay Street and the Conservation and Management Plan will shortly be forwarded to the City. It is noted however, that this is a condition of the previous approved development and that no further information has been submitted proposing additional conservation works to the existing heritage building on site.

Design Advisory Committee:

The application was presented to the Design Advisory Committee at its meeting held on 15 November 2007. The Committee advised that it:-

1. *'notes that there is no legal basis in the City Planning Scheme No. 2 to approve the proposed plot ratio bonus;*

2. *does not support the proposed 4.2m increase in height of the building given that:-*

    2.1 *there is no plot ratio available to the site for the proposed increase in floor area;*

    2.2 *it is considered that the applicant has not addressed the Council's previous concerns concerning the appearance and design treatment of the blank side elevations of the proposal'.*

The applicant has provided the following response to the Design Advisory Committee's comments (summarised):-

With regard to Item 1 - the applicant has advised *"there is provision for the granting of up to a 20% bonus in respect of the heritage building . The fact that we did not seek the maximum 20% on the previously approved application was driven more by lack of car parking and our (in)ability to provide bays for the residential units. Given the requirement to cede very valuable land free of cost and the significant financial costs associated with a heritage building (which is ongoing) it is debatable whether even the maximum 20% plot ratio bonus is commensurate with the associated financial loss/ imposts, however, it was nevertheless an opportunity to further mitigate the financial downside. We have been involved in a number of heritage refurbishments / restorations and they are financial "black holes". Therefore, the ability to increase the plot ratio to the 20% maximum may go some way to further offsetting the loss of our valuable freehold land and the heritage building costs"*.

With regard to Item 2 (1):- the applicant has advised that the *"Scheme allows a maximum of 27m. The maximum height of our building is at the rear of the site (27.2m) and is limited to a building footprint of only about 120m^2 which is some 11% of the site are. This portion is also set back about 25 m from Hay Street which further diminishes the scale. The balance of the new building / parapet has a maximum height of some 24 m which is still 3 metres less than the allowable maximum"*.

With regard to Item 2 (2):- the applicant has advised that '*we were under significant time constraints and we believed that Council would impose a condition in respect of this matter that was consistent with that imposed on the previously approved application ie. we were to satisfy Council with the treatment of the parapets which included colour and banding (prior to issue of building licence). Drawings have been provided subsequent to the DAC meeting showing the banding treatment (colour to be discussed/ resolved)'.*

There is provision under clause 28 of the City Planning Scheme No. 2 for the granting of up to a 20% plot ratio bonus in respect of the works being proposed associated with the heritage building as the original application did not seek the full 20% bonus plot ratio bonus. However, the Council can not consider the ceding of the road widening free of cost to the City as a criteria for the plot ratio bonus being sought.

The Design Advisory Committee misunderstood the justification for the bonus plot ratio as being for the ceding of the road rather than being only for the works associated with the heritage building as being offered for the plot ratio bonus. It is considered reasonable to support the additional plot ratio floor area of 326.8m^2 as justified by the applicant on top of that previously applied for and granted by the Council in the original application, representing an overall plot ratio bonus of 20% for the retention and conservation of the heritage building on site.

Building Height and Massing:

New developments should take into account the scale, massing and grain of the surrounding buildings. Without seeking to copy or imitate existing structures, new developments should contribute positively to the surrounding area. The area surrounding the subject site exhibits a range of scale and architectural styles, including single level residences converted to offices, multi-level contemporary office and residential buildings and low rise office buildings comprising two to three storeys.

The overall building height has increased by approximately 4.2 metres to 27.2 metres (excluding the plant/lift overrun) and will accommodate eight levels. This marginally exceeds the maximum building height provision of 27 metres of the Scheme and is considered it will not have a detrimental impact on the existing streetscape, nor will it compromise the existing heritage building on site. Accordingly, it is considered that the relatively minor variation to the building height can be supported.

The new floor level has resulted in additional building mass situated on the eastern and western side boundaries. However, it is considered that the proposed balcony areas situated at the front and side of the two additional apartments will assist to reduce the perceived building bulk. It is also noted that the proposed apartment on the top floor is set back 7.4 metres from the western boundary, between 2.1 and 4.4 metres from the rear (southern boundary) and 1.5 metres from the eastern side boundary. This apartment is also set back over 22 metres from Hay Street which will assist to reduce the overall building mass when viewed from the street and adjacent properties.

Whilst it is acknowledged that the adjacent low rise commercial properties are likely to be redeveloped in the future and may comprise developments with nil side setbacks, it is considered that the side elevations of the proposed development require further treatment and articulation to break up the visual bulk of the building and enhance the development from a streetscape perspective. This is particularly important on the western side elevation where the previously approved parapet wall is proposed to increase in height by an additional 4.2 metres, resulting in a parapet wall of 25.6 metres high (from Hay Street) and approximately 23 metres in length, before reducing in height to approximately 12 metres. However, it is noted that due to the one way (westerly direction of traffic) nature of Hay Street, this elevation will generally only be viewed by passing pedestrians.

The overall height of the previously approved eastern side parapet wall has increased marginally by 0.68 metres. This wall is situated at the rear part of the boundary (behind the heritage building) and it is acknowledged that the height of the wall is limited to the three storey office component. The applicant has advised that '*the adjoining properties will largely obscure the wall as No. 47 Havelock is over 4 levels and Desborough House on the corner will largely (if not totally) obscure the wall when traveling in a westerly direction'*.

As previously indicated, the applicant has advised that although no final decision has been made to the method of construction, it is their intention to provide visual 'relief' to the east and west elevations through the use of such methods as 'banding',

varying texture and colour treatments. The revised plans have indicated banding on these elevations. Further details on the colours and materials will be required to break up the visual bulk of the building and enhance the development from a streetscape perspective. This matter can be addressed as a condition of any approval.

Streetscape:

The proposed development is consistent with surrounding buildings in terms of bulk, scale and materials used. In this regard, a consistent streetscape is maintained to provide a sense of place. The materials of the new commercial/residential building contrast with the 'former residence' to provide a point of difference.

The simple architectural style of the previously approved development was not considered to detract from the architectural features of the heritage building. The proposed additions maintain the previously approved style of architecture and will assist to frame the existing heritage building.

Revised plans indicate that the heritage building is not affected by the future road widening and accordingly it is unlikely that modifications to the front verandah of the building will be required. The applicant has advised that in the interim they are prepared to landscape this area which will enhance the setting of the heritage building and contribute positively to the streetscape. This matter can be addressed as a condition of any approval.

Road Widening:

Lot 24 Hay Street, which contains the existing heritage building, is subject to the widening of the Hay Street road reserve. The City Planning Scheme No. 2 Policy 6.10 "Hay Street Pedestrian Walkway and Road Reserve Widening Policy" notes the following in terms of implementation:-

"*a condition will be imposed on the Planning Approval, requiring a satisfactory arrangement to be made with the Council for the ceding or future purchase and transfer to the City of the road widening area within a reasonable time of the issuing of a Building Licence for the proposed development."*

Under the provisions of the policy, as the area of the Lot affected by road widening has been included in the site area for the purposes of calculating plot ratio, the road widening is to be set aside as a separate lot and ceded free of cost and transferred to the City of Perth, without payment of any compensation. The area affected measures approximately 3.66 metres in depth and 13.68 metres in length (frontage), equating to a total area of 50.07m^2.

As previously indicated this matter is currently being considered by the State Appeals Tribunal. The applicant, however, has submitted a formal letter with the revised application confirming that the owners have no objection to the road widening area (Lot 24) being ceded free of cost to the City of Perth subject to the City approving the development application.

As previously indicated, the applicant has also confirmed in writing that the existing heritage building (and specifically the front verandah) situated on Lot 24 will not be affected by the future road widening of the property based on the feature survey submitted which has been ratified by the surveyor.

Whilst it is acknowledged that the future road widening of the subject site will enhance the pedestrian environment within the locality, there is no provision within the City Planning Scheme No. 2 to enable the Council to consider this aspect of the application in regard to the granting of additional plot ratio bonus.

Construction Issues

The construction related issue raised in the submission is acknowledged. These are matters that will be addressed at the building licence stage. A standard condition of any approval will require the submission of a detailed Construction Management Plan prior to the issue of a building licence. This ensures that the construction of the development will be undertaken in an orderly manner with minimal disruption to adjacent properties and street. Additionally, the applicant has advised that *'the prospective builder is extremely well respected and professional and will have all the appropriate insurances in place. Appropriate measures will be taken to ensure the rights of the adjoining owners (and their properties) are respected'*.

CONCLUSION:

The proposed additional works to the previously approved development are consistent with surrounding buildings within the locality in terms of bulk, scale and materials used. Accordingly it is considered that the proposed minor variation to the building height provisions of the City Planning Scheme No. 2 can be supported.

The proposed development will conserve and maintain the heritage building whilst also providing for new development that is consistent with the intended amenity for the precinct. Accordingly, it is considered that the additional plot ratio can be supported.

Moved by Cr Butler, seconded by Cr Hardy

That, in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY the revised application for an eight level mixed-use building containing a ground floor commercial tenancy, offices, seven multiple dwellings and 28 car parking bays at 1171 - 1175 (Lots 23 and 24) Hay Street, West Perth as detailed on the Metropolitan Region Scheme Form One dated 21 September 2007, and as shown on the plans received on 22 November 2007 and 28 November 2007, subject to:-

(Cont'd)

1. ***the commercial component of the development not exceeding a plot ratio of 1.6:1 or 1,767m^2 of plot ratio floor space representing 20% bonus plot ratio being granted to the commercial component of the development and the entire development not exceeding a plot ratio of 2.4:1 or 2,692.8m^2 of plot ratio floor space, representing a 20% bonus plot ratio being granted to the overall development, on the basis of retaining and conserving a place of cultural heritage significance (a former single storey dwelling) at 1171 Hay Street, West Perth;***

2. ***the subject lots being amalgamated into one lot on one Certificate of Title, prior to the issue of a Certificate of Classification for the development;***

3. ***in accordance with the formal letter of offer from the applicant dated 22 November 2007, the area of land on Lot 24 identified for the purposes of road widening being ceded free of cost and transferred to the City of Perth, without payment of any compensation in accordance with City Planning Scheme No. 2 Policy 6.1 Hay Street Pedestrian Walkway and Road Reserve Widening Policy, prior to the issue of a Certificate of Classification for the development;***

4. ***a detailed Schedule of Conservation Works and a management plan for the 'former residence' at 1171 Hay Street being developed by a suitably qualified heritage professional, being submitted and approved prior to the issue of the relevant building licence;***

5. ***the portions of the heritage building to be retained being satisfactorily protected from damage due to any construction works on site, with a works strategy outlining measures to be taken to ensure protection of the buildings to be retained, being submitted and approved prior to the issue of the relevant building licence;***

6. ***the design, finish and materials used for the proposed alterations and restoration of the heritage building being compatible with the design and character of the original building with additional details of the design and finishes, including identification of existing building fabric to be removed or retained, being submitted and approved prior to the issue of the relevant building licence;***

(Cont'd)

7. ***interpretative signage for the former residence detailing the significance of the site, being established in a prominent position visible to the public from Hay Street, with details of the signage being submitted and approved prior to the issue of the relevant building licence;***

8. ***additional details of the design and finishes for the proposed building, including particular attention to the eastern and western side elevations to incorporate banding and colour to add visual interest to the concrete façades of the building being submitted and approved, prior to the issue of the relevant building licence;***

9. ***the use of the ground floor commercial tenancy being subject to a separate application for approval;***

10. ***further details being provided on the proposed disabled lifting platform situated on the Hay Street elevation;***

11. ***a detailed landscaping and reticulation plan incorporating landscaping to the area designated for road widening on the Hay Street frontage, being submitted and approved, prior to the issue of the relevant building licence, with the approved landscaping being installed prior to the occupation of the building and thereafter maintained to a high standard;***

12. ***additional details being provided for the works proposed between the new building and the curtilage around the heritage building incorporating both 'soft' and 'hard' landscaping being submitted and approved prior to the issue of the relevant building licence;***

13. ***any signage for the office and commercial tenancies being subject to a separate application for approval;***

14. ***the dimensions of all car parking bays, aisle widths and circulation areas complying with the Australian Standard AS/NZS 2890.1/2004;***

15. ***Fourteen car parking bays on-site being for the exclusive use of the occupants of the residential apartments within the development, with a minimum of one car bay being allocated to each dwelling;***

(Cont'd)

16. a maximum of 14 tenant car bays being allocated to the commercial tenancies within the development, with these bays being for the exclusive use of tenants or occupants of the development and their guests/customers and not being leased or otherwise reserved for use of the tenants or occupants of other buildings or sites;

17. the existing crossover on Hay Street being removed and the verge reinstated to the City's specification, with all costs being borne by the developer;

18. any proposed external building plant, including air conditioner units and water tanks, being located so as to minimise any visual and noise impact on adjacent properties, with details of the location of such plant being submitted for approval prior to the issue of the relevant building licence;

19. the proposed development being designed and constructed in such a manner that existing and future noise levels occurring between dwellings, the commercial tenancies and from external noise sources and mechanical plant and equipment that could potentially affect future occupiers, can be successfully attenuated in accordance with the City Planning Scheme No. 2 - Residential Design Policy. Details of such noise attenuation measures shall be prepared by a qualified acoustic consultant and be submitted for approval prior to the issue of the relevant building licence;

20. a construction management plan for the proposal being submitted and approved prior to the issue of a building licence, detailing how it is proposed to manage:-

20.1 the delivery of materials and equipment to the site;
20.2 the storage of materials and equipment on the site;
20.3 the parking arrangements for the contractors and subcontractors;
20.4 other matters likely to impact on the surrounding properties.

The motion was put and carried

The votes were recorded as follows:-

For: The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

775/07 32 - 34 (LOTS 1 AND 2) ST GEORGES TERRACE, PERTH - PROPOSED TEN - STOREY OFFICE ADDITION AND REFURBISHMENT OF EXISTING 17-LEVEL OFFICE BUILDING

BACKGROUND:

SUBURB/LOCATION:	32 – 34 St Georges Terrace, Perth
FILE REFERENCE:	2007/2320
RESPONSIBLE DIRECTOR:	Peter Monks, Director Planning and Development.
DATE:	20 November 2007
MAP / SCHEDULE:	Map and coloured perspectives for 32 – 34 St Georges Terrace, Perth
LANDOWNER:	32 St Georges Terrace Pty Ltd
APPLICANT:	Meyer Shircore and Associates
ZONING:	(MRS Zone) Central City Area (City Planning Scheme Precinct) Civic (P 7) (City Planning Scheme Use Area) City Centre
APPROXIMATE COST:	$30 million

At the Planning Committee meeting held on 11 December 2007 the following alternate recommendation to that of the administration was adopted:-

That:-

1. *in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY an application for a proposed ten - level addition to the front of an existing 17-level office building, comprising offices, a ground floor café, retail tenancies and a public plaza at 32 - 34 (Lots 1 and 2) St Georges Terrace, Perth, as detailed on the Metropolitan Region Scheme Form One dated 3 September 2007 and as shown on the plans received on 18 October 2007, subject to:-*

    1.1 the plot ratio of the proposed development being restricted to a total plot ratio of 5.2:1 (13,296m^2 of plot ratio floor space), representing a bonus of 4% (equivalent to an additional 511m^2 plot ratio floor space) being granted to the development on the basis of a 296m^2 public plaza within the front setback area of the new office addition, containing public seating, seating for bus patrons and landscaping;

    1.2 final details of the design and treatment of the public plaza, including details of the landscaping, paving, furniture, lighting and public art, together with details of the on-going management and maintenance of the public space and public art, being submitted and approved prior to the issue of the relevant building licence;

1.3 the public being granted permanent, unrestricted access over the designated public plaza for 364 days out of every year, with the written consent of the City being first obtained if it becomes necessary for public access to this area to be restricted for more than one day per year;

1.4 final details of the materials, colours and finishes of the façades of the existing refurbished building and of the additions being submitted and approved prior to the issue of the relevant building licence;

1.5 a wind impact assessment being undertaken for the proposed development with any recommended design changes being incorporated into the final design of the building and submitted for approval prior to the issue of the relevant building licence. Any significant design modifications resulting from the wind impact assessment are to be the subject of a separate application for approval;

1.6 the dimensions of all car parking bays, aisle widths and circulation areas complying with the Australian Standard AS/NZS 2890.1/2004;

1.7 a minimum 27 bicycle parking facilities and appropriate end of journey facilities being provided within the development, with those facilities being designed and located in accordance with the requirements of the City Planning Scheme No. 2 Policy 5.4 "Bicycle Parking and End of Journey Facilities", and details of the design and location of these facilities being submitted and approved prior to the issue of the relevant building licence;

1.8 any proposed external building plant, including air conditioner intakes, lift overruns and water tanks, being screened and located so as to minimise any visual and noise impact on the adjacent developments, with details of the location of such plant being submitted and approved prior to the issue of the relevant building licence;

1.9 the existing pedestrian link between St Georges Terrace and Hay Street, if retained as part of the development, incorporating adequate lighting and safety measures, with details being submitted and approved prior to the issue of the relevant building licence;

1.10 any signage for the commercial tenancies being subject to a separate application;

1.11 the submission of a construction management plan for the proposal detailing how it is proposed to manage:-

1.11.1 the delivery of materials and equipment to the site;
1.11.2 the storage of materials and equipment on the site;
1.11.3 the parking arrangements for the contractors and subcontractors;
1.11.4 other matters likely to impact on the surrounding properties;

2. the applicant in part 1 above be advised that the location of the proposed access lift is not supported and that alternative locations should be considered.

The administration's original recommendation is set out below:-

That, in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY an application for a proposed ten - level addition to the front of an existing 17-level office building, comprising offices, a ground floor café, retail tenancies and a public plaza at 32 - 34 (Lots 1 and 2) St Georges Terrace, Perth, as detailed on the Metropolitan Region Scheme Form One dated 3 September 2007 and as shown on the plans received on 18 October 2007, subject to:-

1. the plot ratio of the proposed development being restricted to a total plot ratio of 5.2:1 (13,296m^2 of plot ratio floor space), representing a bonus of 4% (equivalent to an additional 511m^2 plot ratio floor space) being granted to the development on the basis of a 296m^2 public plaza within the front setback area of the new office addition, containing public seating, seating for bus patrons and landscaping;

2. final details of the design and treatment of the public plaza, including details of the landscaping, paving, furniture, lighting and public art, together with details of the on-going management and maintenance of the public space and public art, being submitted and approved prior to the issue of the relevant building licence;

3. the public being granted permanent, unrestricted access over the designated public plaza for 364 days out of every year, with the written consent of the City being first obtained if it becomes necessary for public access to this area to be restricted for more than one day per year;

4. final details of the materials, colours and finishes of the façades of the existing refurbished building and of the additions being submitted and approved prior to the issue of the relevant building licence;

5. a wind impact assessment being undertaken for the proposed development with any recommended design changes being incorporated into the final design of the building and submitted for approval prior to the issue of the relevant building licence. Any significant design modifications resulting from the wind impact assessment are to be the subject of a separate application for approval;

6. the dimensions of all car parking bays, aisle widths and circulation areas complying with the Australian Standard AS/NZS 2890.1/2004;

7. *a minimum 27 bicycle parking facilities and appropriate end of journey facilities being provided within the development, with those facilities being designed and located in accordance with the requirements of the City Planning Scheme No. 2 Policy 5.4 "Bicycle Parking and End of Journey Facilities", and details of the design and location of these facilities being submitted and approved prior to the issue of the relevant building licence;*

8. *any proposed external building plant, including air conditioner intakes, lift overruns and water tanks, being screened and located so as to minimise any visual and noise impact on the adjacent developments, with details of the location of such plant being submitted and approved prior to the issue of the relevant building licence;*

9. *the existing pedestrian link between St Georges Terrace and Hay Street, if retained as part of the development, incorporating adequate lighting and safety measures, with details being submitted and approved prior to the issue of the relevant building licence;*

10. *any signage for the commercial tenancies being subject to a separate application;*

11. *the submission of a construction management plan for the proposal detailing how it is proposed to manage:-*

    11.1 the delivery of materials and equipment to the site;
    11.2 the storage of materials and equipment on the site;
    11.3 the parking arrangements for the contractors and subcontractors;
    11.4 other matters likely to impact on the surrounding properties.

SITE HISTORY:

The 17-level office building on the site, known as the May Holman Centre, is set back from the street alignment with a two storey pavilion extending to the street on the eastern side of the site. A 573m^2 plaza space occupies the western portion of the site in front of the office building.

At its meeting held on **20 February 2007**, the Council resolved to approve a nine level addition to the existing 17-level office building, comprising offices, a ground floor café, retail tenancies and a public plaza incorporating public art on the subject property. The Council granted bonus plot ratio of 1.3% (equivalent to an additional 170m^2 plot ratio floor space) on the basis of a 296m^2 public plaza within the front setback area.

DETAILS:

A new development application for a proposed ten-level addition to the front of the existing 17-level office building at 32 – 34 St Georges Terrace has been submitted to the City. The proposed additions will contain an 88m^2 café, a 183m^2 retail tenancy

and a large entry lobby on the ground floor, 10 levels of offices (4,743m^2) and a re-configured basement car park.

The ground to second floor of the addition has been set back further than the previously approved application with setbacks of 8, 10 and 11 metres, with the main bulk of the new addition being above the third floor. A three level glass void area on the western side of the proposed addition has been created with extensive use of glass to provide an improved view of the adjoining St Andrews Church from the east.

The revised design has simplified the east and west façades of the addition to provide a sympathetic backdrop to the adjoining St Andrews Church. The new façade will incorporate a combination of precast concrete panels, glass (both transparent and translucent) and aluminium cladding.

The existing office building will be refurbished, its vertical concrete fins removed and its exterior re-clad to match the new additions, achieving improved visual integration between the existing offices and the new development. The side façades of the existing building will remain unaltered.

The car parking levels will be accessed via a crossover from St Georges Terrace at the eastern boundary of the site, providing 38 tenant car parking bays and five service bays. A shared pedestrian and vehicular access way from St Georges Terrace through to Hay Street on the eastern side of the site is to be retained.

The applicant is seeking 7.1% bonus plot ratio, equating to 910m^2 of additional plot ratio floor area. In exchange for the bonus plot ratio the applicant proposes a 296m^2 landscaped pedestrian plaza incorporating public seating, improved sight-lines to the adjoining heritage listed St Andrews Church and integrated seating for bus patrons.

COMPLIANCE WITH PLANNING SCHEME:

Land Use:

The subject property is located within the City Centre area of the Civic Precinct (P7) of the City Planning Scheme No. 2. In accordance with the Statement of Intent for the precinct, the Civic Precinct will maintain its present function as the focal point of the city's open space and parkland system, an area of heritage interest and the principal centre for civic and judicial activities. Office development is permitted in the north eastern section of the precinct, however, use of office buildings at ground level should stimulate pedestrian interest and activity.

Under the Use Group Table for the Civic Precinct, "Office" is a preferred ('P') use, whilst "Dining" and "Retail (General)" are contemplated ('C') uses.

Development Requirements:

The revised proposal's compliance with the City Planning Scheme No. 2 development requirements for the site is summarised below:-

Development Standard	Proposed	Required
Maximum Plot Ratio:	**5.35:1 (13,695m^2)**	5:1 (12,785m^2)
Building Height: St Georges Terrace	**A height of 40 metres along the street frontage** with the existing tower set back 24 metres from the front property boundary, being a total height of 68 metres	A ratio of 1:1 along the street frontage (36 metres) plus additional height after a minimum 8 metre setback from the front property boundary at a height ratio of 2:1
Setbacks: New Office Podium - St Georges Terrace - West Side - East Side	 3.2 metres 2.6 metres 2.6metres	 Nil permitted Nil permitted Nil permitted
Car Parking: - Commercial - Service	 38 tenant bays 5 bays	 51 tenant bays (maximum) Unlimited
Bicycle Parking	**0 bicycle bays**	27 bays

Variations to the plot ratio, building height and bicycle parking provisions applicable to the development can be granted by an absolute majority decision of the Council, in accordance with Clause 47 of the City Planning Scheme No. 2 and provided the Council is satisfied that:-

'47(3)(d)(i) if approval were to be granted, the development would be consistent with:-
(A) the orderly and proper planning of the locality;
(B) the conservation of the amenities of the locality; and
(C) the statement of intent set out in the relevant precinct plan; and

(ii) the non-compliance would not have any undue adverse effect on:-
(A) the occupiers or users of the development;
(B) the property in, or the inhabitants of, the locality; or
(C) the likely future development of the locality'.

In accordance with Clause 28 of the City Planning Scheme No. 2, the Council may permit up to 20% bonus plot ratio where the development would either conserve or enhance the whole or part of a place which is worthy of conservation, or includes a community or other facility or amenity, and that facility or amenity and the design, standard and nature of the proposed development as a whole would constitute a significant improvement to the amenities of the Central Area. Such a development

must not adversely affect the cultural heritage significance of that, or any other place or have a significant adverse effect on the streetscape or nearby properties.

COMMENTS:

Consultation:

The plans were advertised to adjoining land owners for a period of 14 days due to the variation to the plot ratio requirements of the City Planning Scheme No. 2. No submissions were received.

Design Advisory Committee:

The application was presented to the Design Advisory Committee meeting at its meeting held on 15 November 2007. The Committee resolved that it:-

"1. supports the granting of a 4% plot ratio bonus on the basis of:-

1.1 improved public view considerations to St Andrews church;

1.2 improvements to the functionality of the proposed public plaza including its connection to the adjacent St Georges church forecourt;

1.3 the provision of public amenities in the form of street level seating for bus patrons;

2. supports the revised design of the office addition as being more compatible with the design of the building;

3. notes that the office floor plan in the new addition does not look like a practical layout and the matter should be the subject of discussions between the administration and the applicant to ensure that the plot ratio calculations are not compromised."

Bonus Plot Ratio:

The application proposes 13,695m^2 of plot ratio floor area on the subject site, which equates to a total plot ratio of 5.35:1. This exceeds the maximum permitted 5.0:1 plot ratio for the site by 910m^2 of plot ratio floor area, equating to a plot ratio bonus of 7.1%.

The applicant is seeking a bonus for the improvements to the plaza and its improved integration with the adjoining church forecourt and St Georges Terrace, the provision of public sheltered seating for bus users and the improved views of St Andrews Church from the east.

Public Plaza:

The applicant has revised the application by improving access to the plaza from St Georges Terrace and the adjoining church forecourt through the removal of the existing wall and landscaping treatment to the south western corner of the site and providing steps up to the plaza area. The previous application approved by the Council at its meeting held on **20 February 2007** maintained the level of the plaza at 1.3 metres above the footpath level with a solid wall to the south western corner of the site. The justification for not removing the solid wall fronting to St Georges Terrace was that the level of the plaza could not be altered due to the level of the existing basement car park and electrical transformer.

In this revised application the height of the plaza has been retained at 1.3 metres above the footpath, however stairs have been incorporated into the south - western corner of the site leading to the plaza. This has been achieved through the modification of the transformer room within the existing basement car parking level. The inclusion of stairs to the plaza serves to open up this portion of the site, removing the existing boundary wall which acts as a barrier between the plaza and St Georges Terrace, providing a better visual and physical connection between the site, St Georges Terrace and the church.

The inclusion of stairs from St Georges Terrace and to the adjoining church forecourt reduces the impact of the height difference between the two areas and serves to improve accessibility between the two properties. The applicant has advised that they have liaised with the architects for the church site with regard to level differences between the two sites and have agreed to integrate levels between the two sites where possible. The use of the same high quality stone paving on the two sites has also been agreed. Bench seats have been included within the plaza area for public seating purposes.

The cost of the plaza upgrade has been estimated at $1.16 million, however, the applicant has included the awning and access lift in the cost estimate of the plaza works. The true cost of the public facilities being provided is more likely to be approximately half of this amount. The cost of the public plaza for the application approved by the Council at its meeting held on **20 February 2007**, in which a 1.3% bonus plot ratio was awarded, was calculated at $325,000. The applicant has made considerable changes to the design of the entry to the site which has resulted in substantial improvements to the access and use of the site.

Replacement of Bus Shelters:

The applicant is seeking a bonus for the incorporation of the recessed bus seating area within the property boundary. The provision of a bus shelter on private land is not listed as a facility eligible or warranting the awarding of plot ratio bonus under the Bonus Plot Ratio Policy. However, it is considered that the incorporation of seating for bus patrons within the development will serve to reduce congestion on the adjacent narrow footpath for both bus patrons and pedestrians. The intent of the recessed bus seating is considered consistent with the objectives of Policy 4.6.1 Bonus Plot Ratio Policy.

View to St Andrews Church:

Additional plot ratio bonus is also justified on the basis of the redesign of the south western side of the building, plaza area and landscape treatment which aim to preserve views of the St Andrews Church from the east. The main bulk of the proposed addition on the western side has been raised to above the third floor, with the extensive use of glass on the lower levels to further increase the view of the church from the east. The eastern façade of the proposed addition has been simplified to provide a more sympathetic backdrop to the church from the west. The redesign of the office addition and the entrance to the site will maintain an important view of the church from the east.

It is considered that the proposed development is consistent with the objectives of the Bonus Plot Ratio Policy in that the plaza space is usable, is well defined, and is activated by commercial (retail and café) uses. However, the awarding of a 7.1% bonus plot ratio is considered excessive in light of the Council's previous decision to award a 1.3% bonus plot ratio for a similar, albeit lesser, development on the site. It is acknowledged that the applicant has undertaken considerable amendments to the approved application to improve the integration of the plaza with the adjoining church site and St Georges Terrace and by maintaining views of the church from the east. The awarding of a 4% bonus plot ratio, which equates to an additional 511m^2 of plot ratio floor area is considered an appropriate amount with regard to the facilities proposed.

Heritage:

The subject site is adjacent to the St Andrews Church, which is listed on the State Register of Heritage Places. The application was referred to the Heritage Council of Western Australia (HCWA) due to the proximity of the subject site to St Andrews Church. The HCWA has advised that it does not support the proposed development in its current form for the following reasons:-

"1. The mass and scale of the new development would make it a dominant visual element and would diminish the visual prominence of St Andrews Church;

2. Insufficient information has been provided for the following issues to allow a thorough assessment of the proposal:

a. Heritage impact of the proposed development on St Andrews Church and the larger Cathedral Precinct;
b. Sun/shadow diagrams of the proposed development illustrating the impact on St Andrews Church;
c. Detailed wind assessment on the impact of the proposed development on the wind environment of St Andrews Church;
d. A landscape plan including the forecourt of St Andrews Church;
e. Detailed materials and colour palette.

3. *This part of the city should be treated with special care. It forms arguably the most significant heritage precinct in Perth and in conjunction with the government precinct on the southern side of St Georges Terrace is a vital part of Perth's future."*

It is acknowledged that the applicant has made significant amendments to the design of the addition to maintain the view of the adjoining church from the east and provide a sympathetic background to the church from the west. Whilst the proposed development will have an impact on the existing setting of the heritage listed church, the revised design is considered to be better integrated and more sympathetic to the church than the previous approved design.

A Heritage Impact Assessment was prepared by Hocking Planning and Architecture for the previous application approved by the Council at its meeting held on **20 February 2007**. The applicant has advised that they have considered the design in terms of the recommendations made by the Heritage Impact Assessment and revised the design considering its relation to the church site.

In respect to 2(b) above, the subject site is orientated in a north south direction, with the church site immediately to the west. Therefore any overshadowing of the church site would only be in the early morning in spring and summer and for relatively short periods of time. Any additional overshadowing by the proposed addition to the existing building of the church would be minimal.

The applicant has verbally advised that they are in the process of preparing a wind tunnel assessment for the proposed development. Although it is expected that the proposed addition to the existing building will not adversely impact the current circumstance, the submission of a Wind Impact Assessment can be imposed as a condition of any approval.

The HCWA's request for a landscaping plan to include the forecourt of the St Andrews Church is not considered appropriate given the St Andrews Church site is not a part of this application. The applicant has liaised with the architect for St Andrews Church with regard to site levels and the use of paving to improve integration between the two sites.

The applicant has advised that a white façade has been chosen to provide a neutral back drop for the church when viewed from the west. The submission of a schedule of colours and materials for the proposed development should be made a condition of any approval.

Building Height:

The applicant is seeking a variation to the building height of the proposed addition. The inclusion of an additional floor compared to the previously approved application will increase the height of the proposed addition to 40 metres along the street frontage in which a maximum height of 36 metres is permitted under the City Planning Scheme No. 2. The increased height of the addition is considered to improve the appearance as well as better integrate the new addition with the existing

building. Furthermore it must be noted that the building is set back 3.2 metres from St Georges Terrace whilst a nil setback is permitted. The taller, slender design incorporates an extensive amount of glass on the lower levels of the western side of the addition which permits better views of the St Andrews Church.

Bicycle Parking:

The City Planning Scheme No. 2 Policy 5.4 'Bicycle Parking and End of Journey Facilities' requires the provision of bicycle parking bays for all new developments involving additions to an existing building. Based on the floor area of the building a minimum of 27 bicycle bays are required in accordance with the policy, however, none have been proposed. The provision of 27 bicycle bays should be imposed as a condition of approval.

Conclusion:

In comparison to the previously approved application the revised design will produce additional office space that has improved integration with the existing building while providing a more sympathetic backdrop to the adjacent heritage church. The increased height of the proposed addition serves to improve the integration of the addition with the existing office building and is supported on this basis. The activation of the plaza and its improved integration with the church site and St Georges Terrace warrants the awarding of bonus plot ratio, however, the request for 7.1% is considered excessive.

Given that the Council granted a 1.3% bonus plot ratio for the more compromised plaza proposed as part of the previous development application approved for the site, it is recommended that a 4% plot ratio bonus be granted in accordance with the recommendations of the Design Advisory Committee. As such, it is recommended that the application be approved subject to appropriate conditions.

Moved by Cr Tognolini, seconded by Cr Hardy

That:-

1. in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY an application for a proposed ten - level addition to the front of an existing 17-level office building, comprising offices, a ground floor café, retail tenancies and a public plaza at 32 - 34 (Lots 1 and 2) St Georges Terrace, Perth, as detailed on the Metropolitan Region Scheme Form One dated 3 September 2007 and as shown on the plans received on 18 October 2007, subject to:-

(Cont'd)

1.1 the plot ratio of the proposed development being restricted to a total plot ratio of 5.2:1 (13,296m^2 of plot ratio floor space), representing a bonus of 4% (equivalent to an additional 511m^2 plot ratio floor space) being granted to the development on the basis of a 296m^2 public plaza within the front setback area of the new office addition, containing public seating, seating for bus patrons and landscaping;

1.2 final details of the design and treatment of the public plaza, including details of the landscaping, paving, furniture, lighting and public art, together with details of the on-going management and maintenance of the public space and public art, being submitted and approved prior to the issue of the relevant building licence;

1.3 the public being granted permanent, unrestricted access over the designated public plaza for 364 days out of every year, with the written consent of the City being first obtained if it becomes necessary for public access to this area to be restricted for more than one day per year;

1.4 final details of the materials, colours and finishes of the façades of the existing refurbished building and of the additions being submitted and approved prior to the issue of the relevant building licence;

1.5 a wind impact assessment being undertaken for the proposed development with any recommended design changes being incorporated into the final design of the building and submitted for approval prior to the issue of the relevant building licence. Any significant design modifications resulting from the wind impact assessment are to be the subject of a separate application for approval;

1.6 the dimensions of all car parking bays, aisle widths and circulation areas complying with the Australian Standard AS/NZS 2890.1/2004;

(Cont'd)

1.7 a minimum 27 bicycle parking facilities and appropriate end of journey facilities being provided within the development, with those facilities being designed and located in accordance with the requirements of the City Planning Scheme No. 2 Policy 5.4 "Bicycle Parking and End of Journey Facilities", and details of the design and location of these facilities being submitted and approved prior to the issue of the relevant building licence;

1.8 any proposed external building plant, including air conditioner intakes, lift overruns and water tanks, being screened and located so as to minimise any visual and noise impact on the adjacent developments, with details of the location of such plant being submitted and approved prior to the issue of the relevant building licence;

1.9 the existing pedestrian link between St Georges Terrace and Hay Street, if retained as part of the development, incorporating adequate lighting and safety measures, with details being submitted and approved prior to the issue of the relevant building licence;

1.10 any signage for the commercial tenancies being subject to a separate application;

1.11 the submission of a construction management plan for the proposal detailing how it is proposed to manage:-

1.11.1 the delivery of materials and equipment to the site;
1.11.2 the storage of materials and equipment on the site;
1.11.3 the parking arrangements for the contractors and subcontractors;
1.11.4 other matters likely to impact on the surrounding properties;

2. the applicant in part 1 above be advised that the location of the proposed access lift is not supported and that alternative locations should be considered.

The motion was put and carried by an absolute majority

The votes were recorded as follows:-

For: The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

776/07 111 (LOTS 125 - 128 AND 25) ST GEORGES TERRACE, PERTH - PROPOSED ALTERATIONS TO GROUND LEVEL LOBBY AND TENANCIES AND BUILDING FORECOURT - MINOR BONUS PLOT RATIO

BACKGROUND:

SUBURB/LOCATION:	111 St Georges Terrace, corner William Street, Perth
FILE REFERENCE:	2007/2305
RESPONSIBLE DIRECTOR:	Peter Monks, Director Planning and Development
DATE:	3 December 2007
MAP / SCHEDULE:	Map and coloured perspective for 111 St Georges Terrace, Perth
LANDOWNER:	Becton Investment Management Ltd
APPLICANT:	TPG:Town Planning and Urban Design
ZONING:	(MRS Zone) Central City Area (City Planning Scheme Precinct) St Georges (P6). (City Planning Scheme Use Area) City Centre
APPROXIMATE COST:	$8 million

At the Planning Committee meeting held on 11 December 2007 the following alternate recommendation to that of the administration was adopted:-

That:-

1. *in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY the application for alterations and additions to the ground level lobby and tenancies and building forecourt at 111 (Lots 125-128 and 25) St Georges Terrace, as detailed on the Metropolitan Region Scheme Form One dated 27 August 2007, and as shown on the plans received on 31 August 2007, 19 October 2007, 5 November 2007 and 23 November 2007, subject to:-*

   1.1 the additional plot ratio floor of 115m^2 proposed on the ground floor level of the building being granted and the entire development not exceeding a plot ratio of 6.48:1 or 17,893.4m^2 of plot ratio floor space in accordance with clause 28 (3) of the City Planning Scheme No. 2;

   1.2 a schedule of the final details of the colours, materials and finishes for the proposed ground level refurbishment, including additional details of the treatment of the interface between the new tenancies on the western elevation and the WA Newspaper House buildings being submitted and approved prior to the issue of the relevant building licence;

1.3 additional details of the design and finishes for the proposed alterations to the William Street elevation including deleting any protrusions (fin walls) into the road reserve at pedestrian level, being submitted and approved by the City prior to the issue of the relevant building licence;

1.4 the applicant to furnish the City with a formal letter confirming that the pedestrian connection between the adjoining 'City Square' development at 125-137 St Georges Terrace and the plaza on the ground level of the subject site will be provided and maintained upon the completion of the City Square development, prior to the issue of the relevant building licence;

1.5 final details of the design and treatment of the public spaces including details of the soft and hard landscaping, furniture, water feature, public art locations and lighting, together with details of the management and maintenance of the public spaces, being submitted and approved prior to the issue of the relevant building licence;

1.6 a Public Access and Security Management Plan detailing how access to the pedestrian links through the site will be controlled and maintained, including the opening and closing times that complement the public access to the plazas and pedestrian links on the adjacent sites, being submitted and approved prior to the issue of the relevant building licence;

1.7 the subject lots being amalgamated into one lot on one Certificate of Title, prior to the occupancy of the new tenancies;

1.8 the applicant to furnish the City with a formal letter stating that the proposal will not compromise any existing easements on the site, prior to the issue of the relevant building licence;

1.9 a detailed landscaping and reticulation plan, including further details on the new 'green wall' being submitted and approved, prior to the issue of the relevant building licence, with the approved landscaping being installed prior to the occupation of the new tenancies and thereafter maintained to a high standard;

1.10 the proposed 'green wall' situated on the southern elevation being contained wholly within the site boundaries;

1.11 any proposed external building plant, including air conditioning units and lift overruns, being located as to minimise any visual and noise impact on nearby properties. Details of the location of such plant being submitted for approval prior to the issue of the relevant building licence;

1.12 a signage strategy detailing the pedestrian routes linking to adjacent sites, being submitted and approved, prior to the issue of the relevant building licences;

1.13 any signage for the new commercial tenancies being subject to a separate application for approval;

1.14 a construction management plan for the proposal being submitted and approved prior to the issue of a building licence, detailing how it is proposed to manage:-

1.14.1 the delivery of materials and equipment to the site;

1.14.2 the storage of materials and equipment on the site;

1.14.3 the parking arrangements for the contractors and subcontractors;

1.14.4 other matters likely to impact on the surrounding properties;

1.15 easements providing rights of pedestrian access in favour of the adjoining properties being granted over the proposed ground level plaza, prior to the completion of the approved works with all costs associated with the preparation of such easements being borne by the owner;

2. the applicant in part 1 above be advised that the proposed architectural features projecting over the road reserve on the William Street elevation may require approval under the Land Administration Act 1997.

The administration's original recommendation is set out below:-

That:-

1. in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY the application for alterations and additions to the ground level lobby and tenancies and building forecourt at 111 (Lots 125-128 and 25) St Georges Terrace, as detailed on the Metropolitan Region Scheme Form One dated 27 August 2007, and as shown on the plans received on 31 August 2007, 19 October 2007, 5 November 2007 and 23 November 2007, subject to:-

1.1 the additional plot ratio floor of 115m^2 proposed on the ground floor level of the building being granted and the entire development not exceeding a plot ratio of 6.48:1 or 17,893.4m^2 of plot ratio floor space in accordance with clause 28 (3) of the City Planning Scheme No. 2;

1.2 a schedule of the final details of the colours, materials and finishes for the proposed ground level refurbishment, including additional details of the treatment of the interface between the new tenancies on the western elevation and the WA Newspaper House buildings being submitted and approved prior to the issue of the relevant building licence;

1.3 additional details of the design and finishes for the proposed alterations to the William Street elevation including deleting any protrusions (fin walls) into the road reserve at pedestrian level, being submitted and approved by the City prior to the issue of the relevant building licence;

1.4 the applicant to furnish the City with a formal letter confirming that the pedestrian connection between the adjoining 'City Square' development at 125-137 St Georges Terrace and the plaza on the ground level of the subject site will be provided and maintained upon the completion of the City Square development, prior to the issue of the relevant building licence;

1.5 final details of the design and treatment of the public spaces including details of the soft and hard landscaping, furniture, water feature, public art locations and lighting, together with details of the management and maintenance of the public spaces, being submitted and approved prior to the issue of the relevant building licence;

1.6 a Public Access and Security Management Plan detailing how access to the pedestrian links through the site will be controlled and maintained, including the opening and closing times that complement the public access to the plazas and pedestrian links on the adjacent sites, being submitted and approved prior to the issue of the relevant building licence;

1.7 the subject lots being amalgamated into one lot on one Certificate of Title, prior to the occupancy of the new tenancies;

1.8 the applicant to furnish the City with a formal letter stating that the proposal will not compromise any existing easements on the site, prior to the issue of the relevant building licence;

1.9 a detailed landscaping and reticulation plan, including further details on the new 'green wall' being submitted and approved, prior to the issue of the relevant building licence, with the approved landscaping being installed prior to the occupation of the new tenancies and thereafter maintained to a high standard;

1.10 the proposed 'green wall' situated on the southern elevation being contained wholly within the site boundaries;

1.11 any proposed external building plant, including air conditioning units and lift overruns, being located as to minimise any visual and noise impact on nearby properties. Details of the location of such plant being submitted for approval prior to the issue of the relevant building licence;

1.12 a signage strategy detailing the pedestrian routes linking to adjacent sites, being submitted and approved, prior to the issue of the relevant building licences;

1.13 any signage for the new commercial tenancies being subject to a separate application for approval;

1.14 a construction management plan for the proposal being submitted and approved prior to the issue of a building licence, detailing how it is proposed to manage:-

1.14.1 the delivery of materials and equipment to the site;

1.14.2 the storage of materials and equipment on the site;

1.14.3 the parking arrangements for the contractors and subcontractors;

1.14.4 other matters likely to impact on the surrounding properties;

2. the applicant in part 1 above be advised that the proposed architectural features projecting over the road reserve on the William Street elevation may require approval under the Land Administration Act 1997.

SITE HISTORY:

The site comprises of five lots with a total area of 2,759m^2 and is situated on the south-west corner of St Georges Terrace and William Street, Perth. A multi-level commercial building known as 'AXA' is currently accommodated on the site. The 'Australia Place' building and the City Square site are situated to the south of the site and the Newspaper House Group (which is listed on the State Register) is situated to the west of the site.

The site is affected by two rights-of-carriageway in favour of the Westralia Square site. These being:-

- one right-of-carriageway along the western boundary of Lot 127 is 1.53 metres wide and extends from St Georges Terrace a distance of 30.18 metres;
- the second right-of-carriageway extends further east along St Georges Terrace for a distance of 0.3 metres and then reverts back to an additional width of 0.1 metres at a distance of 14.63 metres. The right-of-carriageway extends to the south on Lot 25 with a width of 1.63 for the entire length of Lot 25.

In 1972 the subject building was approved as an office building comprising basement car parking (75 tenant bays), ground floor, mezzanine level, first floor amenities level and 18 upper office levels. The building was awarded a plot ratio bonus of 3,066m^2 for setbacks to St Georges Terrace and William Street, plaza's located to the west and rear of the building and a colonnade along St Georges Terrace. The total plot ratio approved was 6.11:1 which equates to 16,857m^2.

The Council at its meeting held on **23 October 2001**, approved an application to change the use of the first floor of the existing building to office floor space. The approval included a condition limiting the plot ratio to 6.44:1 or 17,778.4m^2.

DETAILS:

Approval is sought to provide alterations and additions to the ground level lobby and tenancies and also the building forecourt of the existing multi-level commercial 'AXA' building located at 111 St Georges Terrace, Perth. The key elements proposed at the ground level include:-

- converting 255m^2 floor space of one existing bank tenancy to plaza lobby space;
- retaining and reconfiguring the two existing tenancies (a business service and a café) comprising a new total floor area of 264m^2;
- establishing three new food/retail outlets over the existing plaza level on the western side boundary. These tenancies range in area between 67.5m^2 and 82m^2 and incorporate alfresco dining areas amongst a newly landscaped and revamped exterior;
- establishing a new food and beverage tenancy with amenities on the eastern side boundary of the site facing William Street. This tenancy comprises an area of 206.5m^2;
- new glazing to the eastern and western tenancies will be a combination of 'frameless' and timber framed sections. The timber framing has been used as a design tool to create rhythm and pattern across the streetscapes;
- Refurbishing the building's lobby space, to include a lounge area and featured artwork;
- amending the entry points with an emphasis on creating a statement for 111 St Georges Terrace;
- redesigning the building street frontage and interior spaces to create a quality public meeting area;
- reconfiguring access ramps to promote greater ease of access and equity for all building users;
- installing new canopies over the plaza's to the east and west of the building. The canopies will have steel structural elements with glass panels suspended from above.

Overall an additional plot ratio floor area of 115m^2 is proposed at the ground floor level.

COMPLIANCE WITH PLANNING SCHEME:

Land Use:

The subject site is located within the City Centre area of the St Georges Precinct (P6) of the City Planning Scheme No. 2. The Precinct will continue to function as the State's principal centre for business, finance, commerce and administration. While

offices will form the majority activity, the precinct will also accommodate a range of commercial and educational uses, including banks, travel agencies, educational establishment, art galleries and convenient facilities for the work force, such as restaurants, lunch bars, kiosks and local shops, particularly at street or pedestrian level, to create more diversity and interest.

The proposed development satisfies the Statement of Intent for the St Georges Precinct. Under the Use Group Table for the St Georges Precinct, dining and business services uses are preferred ('P') uses. Retail uses are classified as contemplated ('C') uses. A small bar is defined as an 'Entertainment' use which is also classified as a contemplated ('C') use.

Development Requirements:

The proposal has been assessed against the City Planning Scheme No. 2 requirements and the proposal's compliance with the following development standards is summarised below:-

Development Standard	Proposed	Required
Maximum Plot Ratio: Existing (approved) Proposed	 **6.44:1 (17,778.4m^2)** **6.48:1 (17,893.4m^2)**	 5.0:1 (13,795m^2)
Setbacks: St Georges Terrace William Street West boundary South/Rear boundary	 Nil (entry/alfresco) 3.5 metres (building) Nil Nil Nil	 Nil permitted Nil permitted Nil permitted Nil permitted

The Council may grant a minor plot ratio bonus in excess of 20% where a building was constructed prior to the gazettal of the City Planning Scheme No. 2 or constructed after gazettal using an approval granted prior to gazettal, and subject to clause 28 (3) and clauses 28(c) and 47, where:-

a) such bonus is sought as part of the refurbishment and / or upgrade of the existing building:-

   i) with the landowner demonstrating that the existing building is currently in excess of its maximum permitted plot ratio (inclusive of a 20% bonus available or awarded) and that such plot ratio been subject to the Council approval or that the upgrade/refurbishment proposed can not be accommodated within the maximum plot ratio permitted by the Scheme's Plot Ratio Plan and a 20% plot ratio bonus;

   ii) the additional plot ratio does not result in an increase in the bulk, height, or scale of the building;

b) the development to be granted under the provisions of the additional plot ratio is expressed only at street level to include a community facility or use that promotes pedestrian interest and activity at street level, and the additional plot ratio is not used for office purposes.

COMMENTS:

Consultation:

The application was advertised to surrounding land owners for comment for a period of 14 days due to the proposed variation to the plot ratio provisions of the City Planning Scheme No. 2. No objections have been received.

Grounds for Bonus Plot Ratio

The 'AXA' office building was constructed in 1972, prior to the gazettal of the City Planning Scheme No. 2 and currently has an approved plot ratio floor area of 17,778.4m^2 equating to a plot ratio figure of 6.44:1 for the site.

The proposed refurbishment of the ground lobby area and building forecourt comprises an additional plot ratio floor area of 115m^2, equating to a new plot ratio figure of 6.48:1 for the site. Therefore it is considered that the proposal generally accords with clause 28(3) of the City Planning Scheme No. 2 and the relevant provisions under the Bonus Plot Ratio Policy.

Essential Criteria

The additional plot ratio must result in uses (excluding offices) that promote pedestrian interest and activity at the street level, be appropriately located, be easily accessible and comply with the principles of universal access wherever possible, be comfortable and safe to use and at least be partly protected from the elements.

In support of the proposal the applicant has advised that the "*existing presentation of the forecourt(s); entry areas and lobby area are stylistically dated, uninviting and functionally constrained".* The functional constraints include:-

- poor mechanisms and opportunities for pedestrian accessibility (into the lobby);
- lack of 'activation' at street level;
- poor commercial tenancy configuration;
- poor surface finishes (relative to aesthetics and maintenance).

The applicant has advised that the redesign of the forecourt area and street frontages will assist to create an image and identity for the building that is unique and recognisable and create 'enlivened' space that operates outside of 'office hours'. The re-arrangement of the lobby areas, and provision of new tenants will assist to activate

the ground level area and enhance the corporate lobby area. The lobby space will include a lounge area and featured artwork.

The applicant has advised that '*the proposed development seeks to retain those areas that were awarded bonus plot ratio such as the eastern, rear and western plaza areas but to significantly upgrade the appearance, use and functionality of those places. The proposed setbacks are to be retained with the exception of the entry statement, which will create a focus for the building along St Georges Terrace. Further, that the proposal provides pedestrian connections to significant adjoining sites including the City Square development which were not previously considered for bonus plot ratio'.*

The plans indicate that the proposed tenancies situated on the western side of the site have incorporated bi-folding doors adjacent to the Newspaper House buildings and the western plaza, to maintain pedestrian interaction. Additionally new works at the west end of the site are set back from the street to maintain views to the corner treatments of the adjacent heritage buildings. The applicant has advised that a new finished floor level proposed between the WA Newspaper House buildings and the subject site may be able to be achieved as a separate application forming part of the City Square development to enable a pedestrian thoroughfare to St Georges Terrace.

It is proposed that the south side of the site will act as a major link with the adjoining public plazas including the future City Square development. Additionally, the proposed connection to the City Square site has been amended to increase the width of the opening to make it more inviting to pedestrians. The applicant has advised that it is important that the entry needs a new glazed shop front on the southern side to provide interest and activity and to define the space.

The new canopies will provide weather protection for pedestrians across the site and are high enough to allow for substantial landscaping below. It is recommended that a condition of any approval requires a wind tunnel testing report being undertaken for the proposed refurbishment, to ensure pedestrian comfort at street level.

The applicant has advised that in the course of redevelopment, the building will be up to date with new standards in universal access facilities and environmental efficiency. Further details on the design and finishes of these elements will be required and can be addressed as a condition of any approval.

None of the additional plot ratio floor area is to be used for office purposes, which the City Planning Scheme No. 2 prohibits. The new tenancies will consist of retail and / or food and beverage uses which will increase public interest in the open space and to encourage its use as a meeting space in accordance with the provisions of the City Planning Scheme No. 2.

Referral to Heritage Council of Western Australia:

The subject property is situated to the east of the WA Newspaper House which is entered in the State Register of Heritage Places and included under Register 8.1

'Places of Cultural Heritage Significance' of the City Planning Scheme No. 2. Accordingly, the proposal was referred to the Heritage Council of Western Australia (HCWA) for their comment and recommendation. In correspondence dated 31 October 2007, the HCWA advised that the proposal is supported. HCWA also advised that it commends the proposed positive connection between the public areas of City Square (to the rear of the heritage buildings) and 111 St Georges Terrace, as it will aid the creation of vibrant public places in the city.

Design Advisory Committee:

At its meeting held on 15 November 2007, the Design Advisory Committee considered the application in regard to the design issues. The Committee advised that it:-

1. *"supports the proposed plot ratio bonus as complying with clauses 28(3) of the City Planning Scheme No. 2 as no additional bulk, height or scale of the building has been added;*

2. *supports the proposed design and uses proposed for the development subject to:-*

    2.1 the southern portion of the William Street façade being redesigned in a manner that is transparent to improve the relationship between the tenancy, forecourt and pedestrian movement in William Street and to the visibility of the entrance to Australia Place;

    2.2 confirming that the pedestrian connections to the proposed City Square development on the adjacent property can be effected".

Applicant's Response to Issues Raised by the Design Advisory Committee:

With regard to item 2.1, the applicant has provided revised plans for the southern portion of the William Street façade. This portion accommodates the amenities of the proposed café / bar fronting William Street. The original proposal incorporated the faceted form of the existing building on site with the contemporary materials ('metal cladding') of the adjacent property (Australia Place).

Revised plans indicate the faceted forms peeling over textured concrete panels (with feature moulding and exposed aggregate) be installed as glazing panels with a designed graphic overlay. This treatment would replace the previously proposed folded 'metal' cladding. The remainder of the façade on William Street (closer to St Georges Terrace) retains full height glazing and feature fin walls. This design also maintains some continuity with the existing building form. The applicant has advised that clear glazing would not be desirable on the southern portion of the façade as this portion of the new tenancy accommodates the amenities (toilets) and a corridor. The applicant also advises that this portion of the site is higher than the footpath and as such the area in question will not be visible to pedestrians on William Street. The applicant considers that the transparency of the front section of the proposal will offer some view through this portion to the 'Australia Place entry'. It is acknowledged that

there is no easement in place on the subject property to maintain the vista of the 'Australia Place' entry to St Georges Terrace.

It is considered that the revised proposal will create some diversity in the architectural styles within the city, and can be supported.

With regard to item 2(ii) the applicant has advised that they are in discussions with the designers of City Square who are supportive of an integrated design as it will enhance pedestrian permeability throughout the sites. Accordingly, as previously discussed, a pedestrian connection to the adjacent 'City Square' is indicated in the submitted plans. This matter can also be addressed as a condition with any approval.

Streetscape:

The main entry points of the building will be redesigned with an emphasis on creating a statement for 111 St Georges Terrace and will enhance the existing streetscapes. The proposed alfresco area adjacent to the WA Newspaper House building will create additional activity and interest at the pedestrian level on St Georges Terrace.

The revised design of the café / bar tenancy situated on the eastern side of the site addressing William Street will create additional interest at the streetscape level. It is noted however that the architectural features proposed on the café situated on the William Street frontage projects marginally into the adjacent road reserve. The applicant is to be advised that these structures may require approval under the Land Administration Act. Additionally the design of the lower fin walls may have to be refined to ensure pedestrian safety, which can be addressed as a condition of any approval.

A 'green wall' is also proposed on the southern end of the new tenancy facing William Street. It is recommended that a condition of any approval requires additional details of this design element being provided and ensuring that it will be contained entirely within the subject site.

The applicant has advised that in terms of security, the southwest area of the plaza/forecourt will be designed to be 'secured' after hours with concertina steel gates. The final detailing of the security arrangements for the site is still to be further investigated and can be addressed as a condition of any approval.

CONCLUSION:

The proposed works will create additional interest and vitality to this prominent corner site and will afford greater pedestrian permeability through the site with links to the adjacent City Square development.

It is considered that the plot ratio bonus can be supported in accordance with clause 28(3) of the City Planning Scheme No. 2 as no additional bulk, height or scale of the building has been added.

(Cr Hardy disclosed an interest, took no part in discussion and did not vote on this item)

Member	Nature of Interest
Cr Hardy	Indirect pecuniary

Cr Hardy departed the Chamber at 6.14pm

Moved by Cr McEvoy, seconded by Cr Butler

That:-

1. in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY the application for alterations and additions to the ground level lobby and tenancies and building forecourt at 111 (Lots 125-128 and 25) St Georges Terrace, as detailed on the Metropolitan Region Scheme Form One dated 27 August 2007, and as shown on the plans received on 31 August 2007, 19 October 2007, 5 November 2007 and 23 November 2007, subject to:-

1.1 the additional plot ratio floor of 115m^2 proposed on the ground floor level of the building being granted and the entire development not exceeding a plot ratio of 6.48:1 or 17,893.4m^2 of plot ratio floor space in accordance with clause 28 (3) of the City Planning Scheme No. 2;

1.2 a schedule of the final details of the colours, materials and finishes for the proposed ground level refurbishment, including additional details of the treatment of the interface between the new tenancies on the western elevation and the WA Newspaper House buildings being submitted and approved prior to the issue of the relevant building licence;

1.3 additional details of the design and finishes for the proposed alterations to the William Street elevation including deleting any protrusions (fin walls) into the road reserve at pedestrian level, being submitted and approved by the City prior to the issue of the relevant building licence;

(Cont'd)

1.4 the applicant to furnish the City with a formal letter confirming that the pedestrian connection between the adjoining 'City Square' development at 125-137 St Georges Terrace and the plaza on the ground level of the subject site will be provided and maintained upon the completion of the City Square development, prior to the issue of the relevant building licence;

1.5 final details of the design and treatment of the public spaces including details of the soft and hard landscaping, furniture, water feature, public art locations and lighting, together with details of the management and maintenance of the public spaces, being submitted and approved prior to the issue of the relevant building licence;

1.6 a Public Access and Security Management Plan detailing how access to the pedestrian links through the site will be controlled and maintained, including the opening and closing times that complement the public access to the plazas and pedestrian links on the adjacent sites, being submitted and approved prior to the issue of the relevant building licence;

1.7 the subject lots being amalgamated into one lot on one Certificate of Title, prior to the occupancy of the new tenancies;

1.8 the applicant to furnish the City with a formal letter stating that the proposal will not compromise any existing easements on the site, prior to the issue of the relevant building licence;

1.9 a detailed landscaping and reticulation plan, including further details on the new 'green wall' being submitted and approved, prior to the issue of the relevant building licence, with the approved landscaping being installed prior to the occupation of the new tenancies and thereafter maintained to a high standard;

1.10 the proposed 'green wall' situated on the southern elevation being contained wholly within the site boundaries;

(Cont'd)

1.11 any proposed external building plant, including air conditioning units and lift overruns, being located as to minimise any visual and noise impact on nearby properties. Details of the location of such plant being submitted for approval prior to the issue of the relevant building licence;

1.12 a signage strategy detailing the pedestrian routes linking to adjacent sites, being submitted and approved, prior to the issue of the relevant building licences;

1.13 any signage for the new commercial tenancies being subject to a separate application for approval;

1.14 a construction management plan for the proposal being submitted and approved prior to the issue of a building licence, detailing how it is proposed to manage:-

1.14.1 the delivery of materials and equipment to the site;

1.14.2 the storage of materials and equipment on the site;

1.14.3 the parking arrangements for the contractors and subcontractors;

1.14.4 other matters likely to impact on the surrounding properties;

1.15 easements providing rights of pedestrian access in favour of the adjoining properties being granted over the proposed ground level plaza, prior to the completion of the approved works with all costs associated with the preparation of such easements being borne by the owner;

2. the applicant in part 1 above be advised that the proposed architectural features projecting over the road reserve on the William Street elevation may require approval under the Land Administration Act 1997.

The motion was put and carried by an absolute majority

The votes were recorded as follows:-

For: The Lord Mayor, Crs Butler, Davidson, Evangel, Liu, McEvoy and Tognolini

Against: Nil

Cr Hardy returned to the Chamber at 6.18pm

777/07 259 - 263 (LOT 5) ADELAIDE TERRACE, PERTH - PROPOSED FIVE-STOREY COMMERCIAL DEVELOPMENT AND ASSOCIATED CAR PARKING BAYS - REQUEST FOR BONUS PLOT RATIO

BACKGROUND:

SUBURB/LOCATION:	259 - 263 Adelaide Terrace, Perth
FILE REFERENCE:	2007/2308
RESPONSIBLE DIRECTOR:	Peter Monks, Director Planning and Development
DATE:	23 November 2007
MAP / SCHEDULE:	Map and coloured perspective for 259 - 263 Adelaide Terrace, Perth
LANDOWNER:	H.O Johnston Estates Pty Ltd
APPLICANT:	APP Corporation Pty Ltd
ZONING:	(MRS Zone) Central City Area (City Planning Scheme Precinct) Adelaide Precinct (P13) (City Planning Scheme Use Area) Office / Residential and Residential R160
APPROXIMATE COST:	$30 million

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

SITE HISTORY:

At its meeting held on **3 April 2007**, the Council granted planning approval for the construction of a five-storey commercial development and associated car parking on the southern portion of the subject site.

Minor amendments to the approved development were granted under Delegated Authority on 8 August 2007. A forward works building licence was issued on 5 November 2007.

DETAILS:

The Council granted approval for the construction of a five-storey commercial development with associated car parking.

It is proposed to increase the floor area of the third floor level of the development by 328m². Previously, a balcony screened by full-height sun louvres extended around the western perimeter of the third floor level. It is proposed to retain a small balcony area at the corner of Terrace Road and Victoria Avenue and extend the floor area towards Victoria Avenue.

Under the City Planning Scheme No. 2, development within the Residential R160 use area of the Adelaide Precinct (P13) is permitted a maximum plot ratio of 2.0:1. The proposed development has a plot ratio of 2.1:1 or 7,228m², representing a bonus of 4.76% or 328m² of additional plot ratio floor area. In exchange for the bonus plot ratio, the applicant proposes conservation works to the E.B. Johnston House.

COMPLIANCE WITH PLANNING SCHEME:

Land Use:

The subject site is located within the Residential R160 area of the Adelaide Precinct (P13) of the City Planning Scheme No. 2. The precinct will be further developed as a residential quarter but will also accommodate offices functioning as a secondary, less intensive, general office district and contain a mixture of general commercial activities of a kind that will contribute to residential amenity.

Amendment No. 7 to the City Planning Scheme No. 2 allows 'Office' as a preferred ('P') use within the portion of site within the Residential R160 use area. 'Retail (General and Local)' and 'Dining' are contemplated uses subject to advertising within the Residential R160 area of the Adelaide Precinct (P13). It is considered that the proposed uses are appropriate for the subject site having regard to the mixed use nature of the immediate locality west of the subject site toward the centre of the city.

Development Requirements:

Development on the southern portion of the site is required to comply with the development standards contained in the Terrace Road Design Guidelines. The proposed development generally complies with the objectives of the guidelines.

The proposed amendment will not alter the setback and building height variations previously approved as part of the original approval. The proposal's compliance with the relevant City Planning Scheme No. 2 and Policy provisions is summarised below:-

Development Standard	Proposed	Required
Maximum Plot Ratio	**2.1:1 (7,228m²)**	2:1 (6,900m²)
Building Height:- - Terrace Road	**18.2 metres within 10m of front boundary**	14m within 10m of front boundary, then 34^0 angled height plane to maximum of 52m
- Victoria Avenue	**17.6 metres within 10m of front boundary**	14m within 10m of front boundary, then contained within an angle of 75^0 from the lot boundary
Setbacks:-		
Front – (Terrace Road)	Nil with **encroachments above the 14 metres height limit**	Nil up to a height of 14 metres, then within an angle of 34^0 from a point 30m beyond the front boundary
Secondary – (Victoria Avenue)	Nil within 10 metres of street boundary with **encroachments within the 75^0 angled height plane**	Nil up to a height of 14 metres, then within an angle of 75^0 from the lot boundary
Side (East)	**Nil (plant rooms) with encroachments within the 75^0 angled height plane**	3m then contained within an angle of 75^0 from the lot boundary
Rear (South)	9 metres then contained within an angle of 75^0 from the lot boundary	3m then contained within an angle of 75^0 from the lot boundary
Car Parking - Commercial	69 bays	69 bays (maximum)
Bicycle Parking	46 bays	14 bays (minimum)

Variations to the building height and setback provisions applicable to the development can be granted by an absolute majority decision of the Council, in accordance with Clause 47 of the City Planning Scheme No. 2 and provided the Council is satisfied that:-

'47(3)(d)(i) if approval were to be granted, the development would be consistent with:-

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

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

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

In accordance with Clause 28 of the City Planning Scheme No. 2, the Council may permit up to 20% bonus plot ratio where the development would either conserve or enhance the whole or part of a place which is worthy of conservation. Such a development must not adversely affect the cultural heritage significance of that, or any other, conservation area or place including the streetscape, or have a significant adverse effect on an adjoining or nearby property.

COMMENTS:

Consultation

The revised application was advertised to the owners of adjacent properties for a period of 14 days due to the non-compliance with the plot ratio requirement of the scheme. No submissions were received during the advertising period.

Design Advisory Committee

The revised proposal was referred to the meeting of the Design Advisory Committee held on 13 September 2007, for comment in relation to the design and the awarding of bonus plot ratio for the proposed five-storey commercial development on the southern portion of the site at 259 – 263 Adelaide Terrace, Perth. The Committee advised that it:-

"1. does not support the awarding of bonus plot ratio on the basis of only the external conservation works being undertaken to the E.B. Johnston House located at 259 Adelaide Terrace, Perth;

2. would support the awarding of bonus plot ratio for the revised development on the southern portion of the site subject to:-

2.1 conservation works being undertaken to both the external and internal fabric of the E.B. Johnston House in accordance with the scope of conservation works identified in the Heritage Conservation Report prepared by Palassis Architects dated 30 August 2007;

2.2 the submission of drawings and documentation detailing the full extent of internal and external conservation works;

2.3 the front garden being reinstated in its original form in accordance with the documented evidence, to enhance the setting of the heritage building;

2.4 the developer entering into a Heritage Agreement for the conservation and on-going maintenance of the E.B. Johnston House."

The applicant submitted revised conservation plans for the proposed works to the E.B. Johnston House including the refurbishment of the front courtyard area. The submission was re-considered by the Design Advisory Committee at its meeting held on 15 November 2007 where the Committee advised that it:-

"1. supports the granting of a 4.76% plot ratio bonus on the basis of the conservation works being carried out to the E.B. Johnston building and the improvements being made to the front garden landscape setting of E.B. Johnston House subject to:-

1.1 the submission of details illustrating the landscape design being modified to provide adequate pedestrian connection between the garden and the adjacent Durack Centre forecourt whilst protecting the proposed planting species taking account of the significant use of this garden area;

1.2 investigation of the opportunity for an interpretive swatch on the building providing information on the original building material as the owners are seeking to retain the paintwork;

2. supports the proposed amendments to the design of the proposed commercial building."

Development Standards

The variations sought to the building height and setback provisions of the Scheme were approved by the Council at its meeting held on **3 April 2007**.

It is proposed to increase the floor area of the third floor level of the development by 328m². Previously, a balcony screened by full-height sun louvres extended around the western perimeter of the third floor level. It is proposed to retain a small balcony area at the corner of Terrace Road and Victoria Avenue and extend the floor area towards Victoria Avenue.

The proposed amendments do not alter the variations previously granted by the Council and will not add to the perceived bulk of the development as the additional floor space will extend within the approved balcony behind the sun screen louvred façade along Victoria Avenue. Given the above it is considered that the development be supported subject to the conditions imposed on the original approval.

Bonus Plot Ratio

Under the City Planning Scheme No. 2, development within the Residential R160 use area of the Adelaide Precinct (P13) is permitted a maximum plot ratio of 2.0:1. The proposed development has a plot ratio of 2.1:1 or 7,228m², representing a bonus of 4.76% or 328m² of additional plot ratio floor area. In exchange for the bonus plot ratio, the applicant proposes conservation works to the E.B. Johnston House and alterations to the existing forecourt area along Adelaide Terrace.

E.B. Johnston House comprises of a two-storey former residential building constructed in 1886. E.B. Johnston House was permanently entered on the Heritage Council of Western Australia Register of Heritage Places on 16 March 2007.

The subject house is considered to have cultural heritage significance for the following reasons:-

- It provides a visual reminder of the former residential character of this area of the City of Perth in the pre Gold Boom era and demonstrates the standard of building accommodation to which the city's leading citizens aspired in the 1880's and early to mid 1890's.
- E.B. House was built for well known Swan River colonist Stanley Parker, and from 1932 become the home of Senator Edward Bertram Johnston and his wife, Hildelith Olymphe Johnston.
- Despite extensive alterations, it is an example of finely detailed residences influenced by the Victorian Italianate style, relatively rare in the City of Perth, retaining much of its original internal spatial qualities and details.

The applicant has submitted a Heritage Conservation Report prepared by Palassis Architects dated 30 August 2007. The report states that *'generally, the place is in good condition and has been well maintained. However, deterioration of both internal and external fabric was noted and a scope of conservation works prepared. The proposed conservation works, will rectify deterioration to the original building fabric and also include the removal of the inappropriate paint finishes to the external brickwork and repointing.'*

The applicant has submitted revised drawings and documentation detailing the extent of the internal and external conservation work including:-

- Repaint interior walls, ceilings, timber joinery, doors and windows with colours to match original.
- Prepare all surfaces prior to painting, including filling holes in damaged joinery and lightly sanding all timber surfaces.
- Patching of any cracks in plasterwork.
- Remove existing cupboards built into fireplaces and ensure surrounding fabric is not damaged during works.
- Refurbishment of the original / early door and window hardware to make operable should allow for paint removal and refixing of the hardware to its original location.
- Remove modern light switches and replace all with Clipsall "Heritage Series".

- Lightly sand timber floors throughout the hatched area before treating with three coats of Feast Watson Floor Seal.
- Check all gutters and clear of debris to ensure free flow of rainwater. Rod all downpipes and check flashings.

The applicant has advised the City that the property owners have requested the painted exterior of the property be maintained. It transpires that they grew up in the house and do not wish to see the external finish changed from what they have always known. An interpretive swatch displaying the original building materials of the house would allow the original materials of the building to be exposed whilst respecting the wishes of the current owners. It is suggested that any approval be conditioned to request the applicant to investigate an opportunity to expose a section of the original brick work of the house in an interpretive display for the viewing of the general public.

The revised plans also indicate proposed landscaping work to the front setback area between the E.B. Johnston House and Adelaide Terrace in response to the Design Advisory Committee's recommendation to reinstate the front garden to its original form. The applicant has advised that they propose to reinstate the front garden area in a manner representative of the age of the building whilst maintaining the function of the area for external activity which includes reduction of the boundary wall heights to present a more attractive streetscape.

The applicant has further advised that an on-going maintenance and conservation agreement will be entered into with the Heritage Council of Western Australia.

It is considered that the proposed internal and external conservation works to the E.B. Johnston House, landscaping and maintenance agreement are worthy of the bonus plot ratio sought by the applicant. It is considered that the works will upgrade the external and internal appearance of the existing house. The proposed refurbishment of the existing forecourt area will improve the pedestrian environment and enhance the open and spacious character along Adelaide Terrace.

Heritage

The E.B. Johnston House is listed in the Heritage Council of Western Australia's (HCWA) 'Register of Heritage Places'. As such, comments from the HCWA were sought in regard to the application. The HCWA have advised in writing that the proposed conservation works as detailed in the revised plans are supported unconditionally.

Conclusion

It is considered that the additional floor space will not have a negative impact on the amenity of the locality and can be supported. The minor external alterations and additional floor space will not significantly alter the built form or appearance of the development approved by the Council at its meeting held on **3 April 2007**.

As supported by the Design Advisory Committee, the proposed conservation work to the E.B. Johnston House on Adelaide Terrace, including the refurbishment of the existing forecourt, justifies the 4.76% bonus plot ratio sought for the amended development.

Given the above it is considered that the proposed development, including the bonus plot ratio, be supported subject to relevant conditions.

Moved by Cr McEvoy, seconded by Cr Butler

That, in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY the application for a proposed five-storey commercial development and associated car parking bays on the southern portion of the site at 259 - 263 (Lot 5) Adelaide Terrace, East Perth, as detailed on the Metropolitan Region Scheme Form One received on 3 September 2007 and as shown on the plans received on 3 September 2007, 9 November 2007 and 13 November 2007 subject to:-

1. the plot ratio of the proposed development being restricted to a total plot ratio of 2.1:1 or 7,228m², representing a bonus of 4.76% (equivalent to an additional 328m² of plot ratio floor space) being granted to the development on the basis of the conservation works being carried out to the E.B. Johnston building and the improvements being made to the front garden landscape setting of E.B. Johnston House subject to:-

1.1 the submission of details illustrating the landscape design being modified to provide adequate pedestrian connection between the garden and the adjacent Durack Centre forecourt whilst protecting the proposed planting species taking account of the significant use of this garden area;

1.2 investigation of the opportunity for an interpretive swatch on the building providing information on the original building material;

2. the developer entering into a Heritage Agreement for the conservation and on-going maintenance of the E.B. Johnston House with details of the agreement being submitted and approved prior to the issue of the relevant building licence;

(Cont'd)

3. a maximum of 69 commercial tenant car parking bays being provided on site, with these bays being for the exclusive use of tenants or occupants of the development and their guests / customers and not being leased or otherwise reserved for use of the tenants or occupants of other off-site buildings;

4. the dimensions of all car parking bays, aisle widths and circulation areas complying with the Australian Standard AS/NZS 2890.1/2004;

5. all bicycle parking bays provided within the development being designed and located in accordance with the requirements of the City Planning Scheme No. 2 Policy 5.4 Bicycle Parking and End of Journey Facilities, with details of the design and location of these facilities being submitted and approved prior to the issue of the relevant building licence;

6. a schedule of the final details of the materials, colours and finishes for the proposed building being submitted and approved prior to the issue of the relevant building licence;

7. any pruning of the heritage listed street trees adjacent to the site being subject to a separate application for approval;

8. final details of the signage for the building being subject to a separate application for approval;

9. the details of the ground level wall adjoining Victoria Avenue being addressed to add interest to the street frontage;

10. the submission of a construction management plan for the proposal detailing how it is proposed to manage:-

10.1 the delivery of materials and equipment to the site;
10.2 the storage of materials and equipment on the site;
10.3 the parking arrangements for the contractors and subcontractors;
10.4 other matters likely to impact on the surrounding properties.

The motion was put and carried by an absolute majority

The votes were recorded as follows:-

For: The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

778/07 957 - 959 (LOTS 1 AND 2) WELLINGTON STREET, WEST PERTH - PROPOSED SIX LEVEL, MIXED-USE DEVELOPMENT CONSISTING OF TWO OFFICE TENANCIES AND 12 MULTIPLE DWELLINGS, WITH ASSOCIATED CAR PARKING

BACKGROUND:

SUBURB/LOCATION:	957 - 959 Wellington Street, cnr Colin Street, West Perth
FILE REFERENCE:	2007/2168
RESPONSIBLE DIRECTOR:	Peter Monks, Director Planning and Development
DATE:	30 November 2007
MAP / SCHEDULE:	Map and colour Perspectives for 957 - 959 Wellington Street, West Perth
LANDOWNER:	PDS Enterprises Pty Ltd
APPLICANT:	Proud Property Group
ZONING:	(MRS Zone) Urban (City Planning Scheme Precinct) West Perth (P10) (City Planning Scheme Use Area) Office/Residential
APPROXIMATE COST:	$3.8 million

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

SITE HISTORY:

The subject site comprises two lots on the corner of Wellington and Colin Streets. Lot 1 has an area of 438m^2 and Lot 2 has an area of 448m^2, equating to a total area of 886m^2. Each Lot is currently occupied by a single storey character building which is used as an office. The two properties are not included on the State Register of the Heritage Council of Western Australia or Schedule 8.1 - Places of Cultural Heritage Significance of the City of Perth Planning Scheme No. 2.

The site is surrounded by a mix of residential and commercial uses. To the west of the site is an eight level residential property and immediately east of the site is a single storey former character dwelling, currently used for commercial purposes. Harold Boas Gardens is situated opposite the site and a two storey commercial building is situated to the south. A right-of-way is situated to the rear of the site. A 4.5 metre gradient affects the site with the land sloping downwards to Wellington Street.

On 1 May 2007, the Western Australian Planning Commission approved the amalgamation of Lots 1 and 2 Wellington Street, West Perth, subject to a standard truncation of 4.25m^2. A Water Corporation easement affects the rear portion of the site. The amalgamated lot is yet to be created.

At its meeting held on 13 November 2007, the Planning Committee resolved that the subject application for the proposed six level, mixed-use development consisting of two office tenancies and 12 multiple dwellings, with associated car parking, be deferred '*to allow discussion with the applicant on the architectural merits of the proposed development*'.

A meeting was held with the applicant on 3 December 2007 and the applicant advised that revised drawings incorporating a couple of minor amendments would be prepared and presented at the Planning Committee meeting.

DETAILS:

Approval is sought for the demolition of the existing buildings on the subject site and the subsequent construction of a six level mixed-use development comprising of two office tenancies and 12 multiple dwellings, with associated car parking for 33 vehicles. External building materials will consist of rendered brick panels with a textured paint finish, a feature black granite panel above the main pedestrian entry, glass / concrete balustrading to the balconies, steel framed canopies and colorbond roof sheeting. The colour scheme shall comprise of Dulux colours 'light rice', 'warm neutral' and 'Carmen Miranda'. Most of the linear detailing including the window frames, handrails, slab edges will be a silver finish. Key elements of the proposal are as follows:-

Semi - Basement Level - this level accommodates 28 car parking bays with vehicular access via a new crossover from Wellington Street. Two storerooms, bicycle storage and an internal lift and stair access into the building are also located on this level.

Ground Level - the main building is set back 4.5 metres from Wellington Street and three metres from Colin Street, with landscaping proposed within the front and secondary setback areas. The main covered pedestrian entry with disability access into the ground floor is via Colin Street. The ground floor accommodates two office tenancies (ranging in area between 169m^2 and 226m^2), amenities and a foyer with a lift and internal stairs to the upper levels of the building. A car parking area accommodating four visitor bays and a disabled bay is situated at the rear of the building accessed via the adjacent right-of-way.

First - Second Levels - these levels accommodate four, two-bedroom apartments on each floor. The apartments range in area between 78m^2 and 89m^2 and each has a balcony greater then 10m^2. Four storerooms per floor are provided.

Third - Fourth Level - these levels accommodates four, three-bedroom apartments split over these two levels. The apartments range in area between 131m^2 and152m^2. Each apartment has a balcony greater than 10m^2.

The overall plot ratio of the proposed development is 1.9:1.0 (1,685m^2) and the height of the building is 17.5 metres.

COMPLIANCE WITH PLANNING SCHEME:

Land Use:

The subject property is located within the Office / Residential Area of the West Perth Precinct (P10) under the City Planning Scheme No. 2. Residential and office uses are preferred ('P') uses within the Use Group Table for the Office / Residential Area of the West Perth Precinct.

The Statement of Intent for the Precinct states '*that it will be developed as one of several residential quarters, accommodating a range of housing types along with support facilities, and also provide a secondary business area adjacent to the city centre'.* The proposed development satisfies the Statement of Intent for the West Perth Precinct.

Development Requirements:

It is envisaged that this Precinct will continue to develop as a living and working environment set in spacious landscaped surrounds, reflecting the original concept for this area of a garden office / residential district. The amenity, character and general environmental quality of the Precinct should be maintained and enhanced. Buildings shall be well set back from boundaries and evoke a sense of prestige. Ensuring the compatibility of commercial and residential uses is necessary and building design will avoid conflict between the two uses.

At its meeting held on **26 June 2007**, the Council resolved to initiate amendments to the City Planning Scheme No. 2 and approved advertising of the amendments to the West Perth Precinct Plan for the purpose of revising the building height, landscaping, setbacks and front fencing requirements applicable to the Office / Residential area of the West Perth Precinct. The advertising period for Amendment No. 13 to the City Planning Scheme No. 2 concludes on 7 December 2007.

The proposal's compliance with the current City Planning Scheme No. 2 requirements and development standards is summarised below:-

Development Standard	Proposed	Required
Plot Ratio:		
-Commercial	0.45:1.0 (396m^2)	1.33:1.0 (1,181m^2)
-Residential	1.45:1.0 (1,289m^2)	2.0:1.0 (1,772m^2)
-Total	1.9:1.0 (1,685m^2)	2.0:1.0 (1,772m^2)

Development Standard	Proposed	Required
Car Parking: -Residential -Commercial -Visitor Bays -Disabled bays	 21 bays 7 tenant bays 4 visitor bays 1 disabled bay	 12 bays (minimum) 24 bays (maximum) 17 tenant bays Nil
Building Height -Commercial -Residential	 4.7metres 17.5 metres	 18 metres 27 metres
Setbacks:- -Wellington Street - north Level 1 (semi-basement) Level 2-3 Level 4 Levels 5-6 -Colin Street - west Level 1-3 Level 4 Level 5 Level 6 -Side setback - east Level 1 Levels 2-3	 4.5 metres **2.8 metres** (canopy) and 4.5 metres (building) **2.8 metres (canopy) and 4.5 metres (building)** **2.8 metres (canopy) and 6 metres (building)** **Nil (portico) and** 3 metres (building) **2.1 metres (fin walls) and 3 metres (building**) **1.9 metre(canopy) and 4 metres (building**) **2.1 metre (fin walls)** and 5 metres (building) **1.8 metres** (semi - basement) **1.8 (balcony)** and 3 metres (building)	 4.5 metres 4.5 metres 5.5 metres 6.5 metres 3 metres 4 metres 5 metres 5 metres 3 metres 3 metres

Development Standard	Proposed	Required
Level 4	**1.8 (balcony) and 3 metres (building)**	4 metres
Level 5	**1.8 (balcony) and 3.8 metres (building)**	5 metres
Level 6	5 metres (building)	5 metres
-Rear setback - south		
Level 1	3.5 metres	3 metres
Levels 2-3	2.6 - 3.5 metres	3 metres
Level 4	**3 metres**	4 metres
Level 5	**3 - 3.9 metres**	5 metres
Level 6	5 metres	5 metres
Landscaping	**23% (204.8m²)**	25% (221.5m²)
Bicycle Parking	**Bike Rack on Basement Wall**	5 bicycle bays

Variations to the front, sides and rear setbacks, landscaping and bicycle parking provisions applicable to the development can be granted by an absolute majority decision of the Council, in accordance with Clause 47 of the City Planning Scheme No. 2 and provided the Council is satisfied that:-

'47(3)(d)(i) if approval were to be granted, the development would be consistent with:-
(A) the orderly and proper planning of the locality;
(B) the conservation of the amenities of the locality; and
(C) the statement of intent set out in the relevant precinct plan; and

(ii) the non-compliance would not have any undue adverse effect on:-
(A) the occupiers or users of the development;
(B) the property in, or the inhabitants of, the locality; or
(C) the likely future development of the locality'.

COMMENTS:

Consultation:

The application was advertised to the owners of adjacent properties for a period of 14 days due to the non-compliance with setback elements of the City Planning Scheme No. 2. No submissions were received during the notification period.

Design Advisory Committee:

At its meeting held on 21 June 2006, the Design Advisory Committee considered the subject application in regard to the design Issues. The Committee advised that it supports the design subject to:-

1. *the presentation of the car parking level to Wellington Street and Colin Street being redesigned through the detailing of the materials and additional landscaping;*

2. *the width of the crossover to Wellington Street being reduced to a maximum of six metres;*

3. *the vehicle entry being designed to accommodate adequate on-site queuing of vehicles waiting to enter the car park;*

4. *the balconies on the east elevation being deleted or redesigned to more closely comply with the required side setbacks;*

5. *the windows on the western elevation to the second bedrooms of the apartments being enlarged to provide an improved outlook from the bedrooms and to enhance the appearance of the western elevation;*

6. *the shortfall in the required landscaped area being addressed".*

Following the Design Advisory Committee meeting, the applicant submitted revised plans for the proposal indicating the following amendments:-

"1. Lower Ground Floor Level
- *The applicant has arranged with the Water Corporation to divert the sewer up Colin Street and down the right-of-way to the existing branch.*
- *This permits the lowering of the ground floor by around 300mm and thus assists in minimising the basement bulk from Wellington Street. The whole building is around 300mm lower.*

2. Improved Treatment of Wellington Street / Colin Street
- *The height of the basement walls shall be further reduced visually by the planter and water feature. The landscaped hedges and other planting shall screen and soften the scale and bulk of the basement walls and improve the presentation.*

- *The wall vents have been adjusted and several have been deleted. They are also predominantly screened by the planting.*
- *A water feature wraps around the corner and is designed to be the size appropriate for the corner truncation and create a simple contemporary feature;*
- *The interaction with public on Wellington Street is enhanced by the seating area adjacent to the water feature.*

3. Basement Access

- *The basement hinged gates have been changed to a sliding gate to provide a standing area off the road for vehicles.*

4. Balconies on East Elevation

- *The balconies have been reduced and the setback to the boundary increased.*

5. Aesthetics on Colin Street West Elevation

- *The Colin Street elevation has been articulated through the use of contrast in colour and texture and the rationalisation and increase in sizes of the windows.*
- *The larger bedroom windows shall be screened inside to provide privacy, thermal insulation from the westerly sun, and acoustic attenuation from the street noise.*

6. Landscaped Area

- *To increase the landscape area the applicant has reduced the crossover and paved area width; modified the bin area and relocated the entry disabled ramp and increased the landscaping."*

The revised plans are considered to be acceptable and in keeping with the intent of the West Perth Precinct. The reduced ground floor level and increased in-ground landscaping areas within the front setback area will provide greater visual interaction between the proposed development and Wellington and Colin Streets and will maintain the 'garden city' design philosophy for the area.

Setbacks:

A number of variations are being sought to the setback provisions. Firstly, an entry portico on the ground floor, architectural features (non-structural columns / fins) and upper level front balconies project into the secondary street setback area facing Colin Street. Some of these structures are open and will maintain the visual continuity between the building and the street as well as providing further articulation and interest to the front façade of the building. The main building is set back between three and five metres from Colin Street in accordance with the provisions of the City Planning Scheme No. 2. The adjacent commercial buildings have varied setbacks from the street.

Variations are sought for encroachments into the front setback area facing Wellington Street. The main building is set back from Wellington Street between 4.5 metres and six metres (including the semi basement level). Due to the gradient of the land a number of retaining walls ranging in height between 0.4 metres and 1.6 metres are proposed to accommodate the terraced landscaped area. The lower retaining walls will be situated closer to the street and the higher retaining walls shall be partially screened with landscaping. A portion of the adjoining properties also project within the front setback area. Accordingly, it is considered that the front and secondary streets setback variations can be supported and will not disrupt the existing pattern of development nor detract from the amenity of the existing streets.

Minor rear (south elevation) setback variations are sought. These setbacks will not adversely impact on the adjoining commercial properties which are separate from the subject site via a right-of-way and accordingly can be supported.

A number of variations are sought on the eastern side boundary, adjacent to a single storey former character dwelling. The semi-basement is proposed to be set back a minimum of 1.8 metres from the side boundary and ranges in height between 0.6 and 2.4 metres and incorporates a number of vents within the façade. This structure is to be partially screened via landscaping. The revised plans indicate that the upper level balconies (4.5 metres in length) on the eastern side façade have been redesigned but still encroach 1.2 metres within the side setback area. The applicant has advised that this is in order to break up the eastern elevation and permit better visibility to the north over Harold Boas Gardens. These variations are considered to be minor in nature and will provide further articulation and interest in the building façades without unduly compromising the existing amenity of the adjacent property. Accordingly, it is considered that the proposed setback variations can be supported in accordance with Clause 47 of the City Planning Scheme No. 2.

Furthermore, it is noted that at its meeting held on **26 June 2007**, the Council resolved to initiate amendments to the City Planning Scheme No. 2 for the purpose of revising the setback requirements applicable to the Office / Residential area of the West Perth Precinct. It is considered that the tiered system of setbacks do not create an appealing architectural form and have little effect on assisting with shadow, privacy and noise issues. It is therefore proposed to remove the requirement for tiered setbacks in favour of consistent minimum setback that would apply to each storey of a building. It is proposed that buildings taller than three storeys will have a consistent four metre side and rear setback. The compliance table indicates that the proposed development would require a similar extent of setback variations under the proposed amended setback provisions.

Landscaping:

The revised plans indicate the area of the landscaping (excluding the feature paving) has been increased to around 205m^2 (23.18%), in lieu of the required 25 per cent (221.5m^2). The terraced landscaping area is predominantly within the front and secondary street setback area and will incorporate a water feature on the corner of Wellington and Colin Streets and a tiered landscaping semi-circular seating area and

water feature walls on Wellington Street. These revised aspects of the proposal will create additional visual interaction between the proposed development and the street and will contribute positively towards the existing 'green' streetscape satisfying the concerns raised by the Design Advisory Committee. As such it is considered that the relatively minor variation can be supported. A detailed landscaping plan should be required as a condition of any approval.

The proposed landscaping would satisfy the locational requirements for landscaping proposed under Amendment No. 13 to City Planning Scheme No. 2, however the shortfall in the amount of landscaping provided would not be affected by the amendment.

Residential Design Guidelines / Streetscape:

The development is well proportioned and appropriately articulated by way of balconies, architectural fins, colour, differences in building materials and strong horizontal and vertical elements to provide an interesting façade on all four elevations.

Revised plans indicate further design improvements to the Colin Street façade, with the rationalisation and increased sizes of the windows and the incorporation of a black granite panel above the entry. It is considered that further refinements are required to blend the western side elevation more closely with the Wellington Street façade. This matter can be addressed as a condition of approval.

The overall building height has been lowered by 300mm which, together with the additional landscaping and water features has assisted to improve the interface between the development and the pedestrian environment on Colin and Wellington Streets.

The development is generally consistent with the City's Residential Design Policy in terms of the overall design of the building and the layout and dimensions of the residential apartments. Each apartment has access to a private balcony ($10m^2$ - $39m^2$), with all bedrooms and living areas having direct access to natural light and ventilation. The proposal will provide a diversity of apartment types with two and three bedroom apartments being proposed. However no noise attenuation report has been provided with the proposal. This matter can be addressed as a condition of any planning approval. Each apartment will have access to a store room as is required under the policy, although it is noted that some stores are very irregular in shape or situated under the stairs, reducing their functional requirements.

The overall scale and built form of the development is compatible with other mixed use and residential developments within the locality. It is noted that the development is well under the maximum building height and plot ratio provisions for the site.

Car Parking and Access:

The proposal generally complies with the parking requirements of Parking Policy 5.1 of the City Planning Scheme No. 2. Twenty eight car parking bays are provided

within the semi-basement level with access via Wellington Street and will be screened from the street. The revised plan indicates that the entry to the Wellington Street car park has been modified to incorporate a sliding gate to provide a standing area for any vehicles waiting to enter the car park. The revised plan however does not indicate a maximum width of 6 metres for the proposed crossover on Wellington Street as requested by the Design Advisory Committee. Additionally, having regard to the proximity of the proposed crossover to the intersection of Colin and Wellington Streets, it is recommended that a condition of any approval require traffic accessing or exiting the site making left in and left out movements only. Any works required to the median in Wellington Street should be at the cost of the developer. These matters can be addressed as a condition of any approval.

The Parking and Access Policy requires that parking facilities are to be located so that they do not dominate the surroundings or intrude into public spaces and landscaped features of the environment. These provisions are also reflected in the Policy 4.1 City Development Design Guidelines. Four visitor bays and a disabled bay are provided at the rear of the property with access via the adjacent right-of-way from Colin Street. These bays will be partially screened from the street due to the gradient of the land, the location of the fire hydrant and with additional landscaping.

The proposed design and parking layouts do not fully comply with the Australian Standards. Minor modifications required to meet the standards can be addressed through a condition of any approval.

Policy 5.4 'Bicycle Parking and End of Journey Facilities', aims to ensure the provision of adequate bicycle parking facilities in new developments. The proposed development requires five bicycle bays. The revised plans have indicated that a bike rack will be installed on the basement wall. A number of the stores provided for the residential apartments may also be capable of accommodating a bicycle. It is recommended that further details on the bicycle facilities be provided at the working drawing stage.

Conclusion:

The proposed development will enhance the existing range of inner city accommodation in the area and add activity and interest to the immediate locality. The variations proposed to the setbacks are considered to be warranted as they will have no adverse impact on the amenity of the locality.

The revised plans indicating a reduction in the height of the basement and ground floor levels, providing additional landscaping and further refinements to the western side elevation will create additional visual interest at the pedestrian level. Furthermore, the overall scale and bulk of the proposed building is considered to be consistent with the intent for buildings within the immediate locality and will not detract from the amenity of the existing streetscape. Having regard to the above comments it is recommended that the proposal be supported subject to relevant conditions.

Moved by Cr McEvoy, seconded by Cr Butler

That, in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY an application for the demolition of two single storey buildings and for the construction of a proposed six level, mixed use development consisting of two office tenancies and twelve multiple dwellings with associated car parking for 33 vehicles at 957 - 959 (Lots 1 and 2) Wellington Street, West Perth, as detailed on the Metropolitan Region Scheme Form One dated 15 May 2007, and as shown on the amended plans received 5 October 2007, subject to:-

1. a detailed schedule of the final colours, high quality materials and finishes for the proposed development being submitted and approved prior to the issue of the relevant building licence(s);

2. further refinement of the design of the façade of the western side elevation (Colin Street) to blend the design of this elevation more closely with the Wellington Street façade, being submitted and approved prior to the issue of the relevant building licence;

3. a detailed landscaping and reticulation plan for the site including the truncated corner, being submitted and approved prior to the issue of the relevant building licence, with the approved landscaping being installed prior to the occupation of the building and thereafter maintained to a high standard;

4. the subject lots being amalgamated to create a single lot on one Certificate of Title, in accordance with the development proposal, prior to the issue of a Certificate of Classification for the development;

5. the proposed development being designed and constructed in such a manner that existing and future noise levels occurring between dwellings and the office tenancies and from external noise sources and mechanical plant and equipment that could potentially affect future occupiers, can be successfully attenuated in accordance with the City Planning Scheme No. 2 - Residential Design Policy. Details of such noise attenuation measures shall be prepared by a qualified acoustic consultant and be submitted for approval prior to the issue of the relevant building licence;

(Cont'd)

6. a maximum of 33 car parking bays provided on site, comprising seven commercial tenant bays and 21 residential car bays and four visitor bays with these bays being for the exclusive use of tenants or occupants of the development and their guests/customers and not being leased or otherwise reserved for use of the tenants or occupants of other buildings or sites. A minimum of one car bay being allocated to each apartment and any tandem bays being allocated to the same apartment and visitor car parking bays to be marked and reserved for visitor use only;

7. the dimensions of all car parking bays, aisle widths and circulation areas complying with the Australian Standard AS/NZS 2890.1/2004;

8. access and egress to and from Wellington Street being limited to left in and left out movements with proposed alterations to the Wellington Street median, to discourage the median being crossed, being submitted to the City with the design details for the road works being the subject of a separate approval from the City prior to a building licence being issued. All costs associated with the Wellington Street road works shall be borne in full by the applicant;

9. the width of the crossover to Wellington Street being reduced to a maximum of six metres;

10. a minimum of five bicycle parking bays being provided within the development and being designed and located in accordance with the requirements of the City Planning Scheme No. 2 Policy 5.4 Bicycle Parking and End of Journey Facilities, with details of the design and location of these facilities being submitted and approved prior to the issue of the relevant building licence;

11. all piped and wired services, air conditioner intakes, hot water systems, water storage tanks, utility meters and bin storage areas being located so as to minimise any visual and noise impact on nearby residents, with details of the location and screening of any proposed external building plant being submitted and approved prior to the issue of the relevant building licence;

12. all clothes drying areas being screened from view from the street with details on the location of clothes drying areas or facilities being submitted and approved prior to the issue of the relevant building licence;

(Cont'd)

13. signage for the building being subject to a separate application for approval;

14. in the event of the development not proceeding within six months of the demolition of the existing buildings on the site, the site is to be:-

14.1 grassed and landscaped in order to preserve the amenity of the area and to prevent dust and sand being blown from the site;
14.2 maintained in a clean and tidy state;

15. the submission of a construction management plan for the proposal detailing how it is proposed to manage:-

15.1 the delivery of materials and equipment to the site;
15.2 the storage of materials and equipment on the site;
15.3 the parking arrangements for the contractors and subcontractors;
15.4 other matters likely to impact on the surrounding properties.

The motion was put and carried by an absolute majority

The votes were recorded as follows:-

For: The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

Moved to Item 780/04.

779/07 1000 (LOTS 2 AND 3) WELLINGTON STREET, WEST PERTH - PROPOSED 9 LEVEL RESIDENTIAL DEVELOPMENT COMPRISING 15 MULTIPLE DWELLINGS AND 15 CAR PARKING BAYS

BACKGROUND:

SUBURB/LOCATION:	1000 Wellington Street, West Perth
FILE REFERENCE:	2007/2094
RESPONSIBLE DIRECTOR:	Peter Monks, Director Planning and Development
DATE:	29 November 2007
MAP / SCHEDULE:	Map and coloured perspective for 1000 Wellington Street, West Perth
LANDOWNER:	Archer Towns Pty Ltd, Soactar Investments Pty

	Ltd, Archer Soactar Pty Ltd
APPLICANT:	Premier Building Solutions Pty Ltd
ZONING:	(MRS Zone) Urban
	(City Planning Scheme Precinct) West Perth (P10)
	(City Planning Scheme Use Area) Office/Residential
APPROXIMATE COST:	$4 million

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

SITE HISTORY:

The subject site comprises two Lots on the corner of Wellington Street and Douro Place, West Perth. Lot 2 has an area of 294m^2 and Lot 3 has an area of 276m^2, equating to a total site area of 570m^2. These Lots are currently occupied by two derelict single storey commercial buildings. The site is surrounded by a mix of residential and commercial uses. To the east of the site is a ten level residential building. A vacant site (former swan taxi depot) is situated opposite on the corner of Wellington Street and Douro Place. To the north of the site is situated a three storey commercial / residential building with undercroft and to the south of the site are situated low rise commercial developments. A 2.45 metre gradient affects the site with the land sloping down from Wellington Street to the northern rear boundary.

On 9 November 1999, approval was granted under delegated authority for the construction of a three storey mixed-use building comprising five office tenancies and six multiple dwellings on 1000 Wellington Street.

DETAILS:

Approval is sought for the demolition of the existing buildings on the subject site and the subsequent construction of a nine level residential development comprising 15 multiple dwelling and 15 car parking bays.

External building materials will consist of precast rendered panels with a textured paint finish; glass balustrade with aluminium framed and stainless steel handrails, and powder coated windows and doors. Key elements of the proposal are as follows:-

Level 1 (semi-basement) – this level accommodates 15 car parking bays. Vehicle access is via a new crossover and a 4.8 metres wide ramp from Douro Place. A bin enclosure and wash area, 15 storerooms, a vertical bike storage area and an internal lift and stair access to the upper levels of the building are also located on this level.

Level 2 (ground floor) – communal facilities are situated on this level and comprise of a gymnasium, a sauna, a lap pool and outdoor seating area. The main covered pedestrian entry is via Wellington Street and leads into a large lobby area with seating and a lift and stairwell. A two-bedroom apartment comprising a floor area of $82m^2$ is also located on this level and faces Wellington Street. This apartment has access to a side courtyard area. The main building is set back a minimum of 3.9 metres from Wellington Street and a minimum of 2.6 metres from Douro Place. The primary and secondary street setback areas are well landscaped in a terraced design.

Levels 3 – 9 – each of these levels accommodate two, two-bedroom apartments on each floor, of approximately $75m^2$. The front apartments and balconies address Wellington Street and the rear apartment and balconies are oriented towards the northern boundary.

COMPLIANCE WITH PLANNING SCHEME:

Land Use:

The subject property is located within the Office / Residential Area of the West Perth Precinct (P10) under the City Planning Scheme No. 2. The West Perth Precinct is developing as a living and working environment reflecting the original concept of a garden office / residential district. The proposed development satisfies the Statement of Intent for the precinct.

Under the Use Group Table for the West Perth Precinct, 'Residential' are preferred ('P') uses.

Development Requirements:

Buildings in the Office / Residential area of the West Perth Precinct shall be set in landscaped surrounds to create an open, spacious character quite distinct from the continuous built edge of the primary office district of the city centre.

At its meeting held on **26 June 2007**, the Council resolved to initiate amendments to the City Planning Scheme No. 2 and approved advertising the amendments to the West Perth Precinct Plan for the purpose of revising the building height, landscaping, setbacks and front fencing requirements applicable to the Office / Residential area of the West Perth Precinct. The advertising period for Amendment No. 13 to City Planning Scheme No. 2 concludes on 7 December 2007.

The proposal's compliance with the current City Planning Scheme No. 2 is summarised below:-

Development Standard	Proposed	Required
Maximum Plot Ratio	2.0:1.0 (1,139m²)	2.0:1.0 (1,140m²)
Car Parking: Residential	15 bays	15 bays (minimum) 30 bays (maximum)
Building height	27 metres (excluding lift/stairs overrun)	27 metres (residential)
Setbacks:- -Wellington Street Level 1 Levels 2 - 3 Level 4 Levels 5 and above -Douro Place Levels 1 - 3 Level 4 Levels 5 and above -Side setback - East Level 1 Levels 2 - 3 Level 4 Levels 5 and above -Rear setback - North Levels 1 - 2 Level 3 Level 4 Levels 5 and above	 **2 metres (canopy)** **3.9 metres (building)** **3.3 metres (balcony)** **4.4 -** 6.3 metres (building) **3.3 metres (balcony)** **4.4 -** 6.3 metres (building) **3.3 metres (balcony)** **4.4 - 6.3 metres (building)** **2.6 -** 3.4 metres **2.6 - 3.4 metres** **2.6 - 3.4 metres** **Nil** - 4.1 metres 3.3 - 4 metres **3.3 -** 4 metres **3.3 - 4 metres** **Nil - 2.8 metres** **2.8 metres (balcony)** 4.66 metres(building**)** **2.8 metres (balcony)** 4.66 metres(building) **2.8 metres (balcony)** **4.66 metres (building)**	 4.5 metres 4.5 metres 5.5 metres 6.5 metres 3 metres 4 metres 5 metres 3 metres 3 metres 4 metres 5 metres 3 metres 3 metres 4 metres 5 metres
Landscaping	30.7% (175.2m²)	25% (142.5m²)
Bicycle Parking	5 bicycle bays	5 bicycle bays (minimum)

Variations to the front and side setbacks provisions applicable to the development can be granted by an absolute majority decision of the Council, in accordance with Clause 47 of the City Planning Scheme No. 2 and provided the Council is satisfied that:-

'47(3)(d)(i) if approval were to be granted, the development would be consistent with:-
(A) the orderly and proper planning of the locality;
(B) the conservation of the amenities of the locality; and
(C) the statement of intent set out in the relevant precinct plan; and

(ii) the non-compliance would not have any undue adverse effect on:-
(A) the occupiers or users of the development;
(B) the property in, or the inhabitants of, the locality; or
(C) the likely future development of the locality'.

COMMENTS:

Consultation:

The application was advertised to the owners of adjacent properties for a period of 14 days due to the non-compliance with the building height and setback requirements of the City Planning Scheme No. 2. One submission was received objecting to the proposed building height variation, stating that "*it will set a dangerous precedent and create an unfair market advantage when other developers are adhering to the scheme*". The setback variations were considered to be less of a concern and are in keeping with the area.

In response, the applicant has submitted further revised plans indicating the reduction of the proposed floor to ceiling heights of the building from 3.3 metres to 3.125 metres. The proposed building height of 27 metres complies with the provisions of the City Planning Scheme No. 2.

Design Advisory Committee:

The application was presented to the Design Advisory Committee at its meeting held on 15 November 2007. The Committee resolved that it:-

"1. supports the revised design as a significant improvement from the original scheme submitted;

2. further consideration being given to the materials and finishes with details submitted;

3. notes the beneficial role that a design architect has had in making these improvements through a design audit process and encourages the applicant to consider continuing this approach through the design documentation and construction phases of the development".

Setbacks:

Some variations are being sought to the Scheme's setback provisions for West Perth.

Front Setback:

The application proposes a number of setback variations to the Wellington Street frontage, with an irregular shaped front canopy set back a minimum of two metres and the main building being set back 3.9 metres from the street, in lieu of the required 4.5 metres on the ground floor level. A number of minor variations are also sought to the upper levels with the balconies projecting into the front setback area. A portion of the main building is set back a minimum of 4.4 metres. The encroachments are considered to be minor as the canopy provides protection over the entrance and also adds interest to the façade identifying the buildings entrance along Wellington Street. The upper level balconies being open structures will assist to reduce the perceived building bulk and further articulate the front façade. The bulk of the upper building façade is set back 6.3 metres from the street. Additionally, there is no established pattern of development along Wellington Street as the existing building alignment varies from nil to the required 4.5 metres. It is noted that the adjacent development situated on the eastern side of the subject site is set back at an angle a minimum of 2.65 metres from the street.

Accordingly, it is considered that the proposed relatively minor variations will not be discernable from the street, nor unduly compromise the existing amenity of the adjoining property and can be supported in accordance with Clause 47 of the City Planning Scheme No. 2 reflecting the intent of the front setback provisions.

Secondary Street Setback:

Variations are also sought to the secondary street setback requirements, with a portion (five metres in length) of the building accommodating the lift and stairwell set back 2.6 metres and the bulk of the building set back 3.4 metres from Douro Place. A minor variation (0.4 metres) is sought for a limited portion of the first three storey's on the western side façade. The main massing of the upper levels on the western façade, projects into the setback area between 0.6 metres and 1.6 metres. The western façade has been articulated via recessed panels, colours, textures and openings to assist to reduce the perceived building bulk on this prominent corner site location. The secondary street setback area will be landscaped in a terraced design in keeping with the intent of the precinct and will enhance the pedestrian environment.

Sides and Rear Setbacks:

A nil setback is proposed for a limited portion (2.3 metres in length) of the eastern side boundary on the ground floor level to accommodate a storeroom for pool equipment. It is noted that this structure will abut an existing high side boundary wall. The main massing of the upper levels on the eastern façade projects into the side setback area by one metre. This elevation will be appropriately articulated with

recessed panels, colours, textures and openings to assist to reduce the perceived building bulk. The dimensions of the openings have been restricted to reduce any potential overlooking of the adjacent property. It is noted that the main bulk of the adjacent residential building is angled further away from the subject side boundary.

The semi-basement wall proposed adjacent to the rear northern side boundary extrudes approximately three metres above ground level, due to the gradient over the site, in lieu of the required three metre setback. This wall, however, will abut an existing four storey side wall of the adjacent commercial / residential property at 4 Douro Place which is situated on the boundary. A portion of the building (6.4 metres in length) is also set back a minimum of 2.8 metres from the adjacent parapet wall on the ground floor level. The upper levels of the northern façade will accommodate two balconies which project between 1.2 and 2.2 metres into the rear setback area. The bulk of the main building on the northern façade however complies with the setback requirements with the exception of levels 5 and above which encroach marginally (0.34 metres) into the rear setback area. It is considered that the variations for the balconies are acceptable as they are orientated towards either an existing wall on the boundary or over the roof of the adjacent property. Notwithstanding, it is recommended that the balustrading on these balconies incorporate translucent glazing to assist to reduce any potential overlooking issues should the adjacent property at 4 Douro Place be redeveloped in the future. This can be addressed as a condition of any approval. Furthermore, as the proposed development is located to the south of the affected property, no overshadowing is imposed.

It is noted that, at its meeting held on **26 June 2007**, the Council resolved to initiate amendments to the City Planning Scheme No. 2 for the purpose of revising the setback requirements applicable to the Office / Residential area of the West Perth Precinct. It is considered that the tiered system of setbacks does not create an appealing architectural form and has little effect on assisting with shadow, privacy and noise issues. It is therefore proposed to remove the requirement for tiered setbacks in favour of consistent minimum setback that would apply to the whole building. It is proposed that buildings taller than three storeys will have a consistent four metre side and rear setback. The proposed development would require a similar extent of setback variations under the proposed amended setback provisions.

No submissions of objection were received for the proposed setback variations. Accordingly, for the reasons outlined above, it is considered that the proposed setbacks variations will not compromise the amenity of the adjacent properties nor adversely affect the character of the existing streetscape and can be supported.

Streetscape:

The existing streetscape is currently in a period of transition with older buildings gradually being replaced with larger contemporary buildings. The proposed development is consistent with surrounding new buildings in terms of scale and bulk. It is noted that the vacant site (former swan taxi depot) situated opposite on the corner of Wellington Street and Douro Place has recently had approval for an 11 level mixed-use development.

The proposed development is well presented at the pedestrian level with 'in ground' landscaping, low terraced walls (0.5 metres in height) and a covered entry adjacent to Wellington Street. An existing crossover will be removed and the verge reinstated on Wellington Street. Along Douro Place, adjacent to the residential development, a series of low terraced retaining walls providing landscaped gardens follow the gradient and will assist to screen the semi basement area, maintaining the intended amenity for the precinct.

It is considered that further consideration can be given to the proposed materials (featuring predominantly textured paint on precast panels) and finishes to enhance the overall quality of the design and in particular the proposed treatment of the Douro Place elevation. This can be addressed as a condition of any approval.

Residential Amenity:

The proposed development offers a high level of amenity for residents. All dwellings comply with the requirements of the Residential Design Policy in terms of apartment size (an average of 75.5m^2 for a two-bedroom apartment) and well portioned balconies. Further, all habitable rooms have good access to natural light and ventilation and are provided with views to internal landscaped areas or to the wider cityscape. The apartments are well planned and exhibit usable space. Each apartment will have access to a store room as is required under the policy. In this regard, the proposed development will promote the improvement of dwelling stock within the West Perth precinct.

Car Parking and Access:

The proposal generally complies with the parking requirements of Parking Policy 5.1 of the City Planning Scheme No. 2. Provision for 15 car parking bays is proposed within the semi-basement level with access via Douro Place and will be screened from the street. It is noted that there is one car bay where the dimensions do not comply with the Australian Standard AS/NZS 2890.1/2004. This matter can be addressed as a condition of any approval.

CONCLUSION:

The proposed development generally complies with the provisions of the City Planning Scheme No. 2. The proposed development will provide additional vitality to the area and will conform to the Statement of Intent for the West Perth Precinct. The variations to the setback requirements of the City Planning Scheme No. 2 are considered to be consistent with previous approvals in the area and with the objectives of the Scheme whilst the additional landscaping beyond Scheme requirements will improve the presentation of the building to the street at ground level. It is considered that the application can be approved subject to appropriate conditions.

(The Lord Mayor disclosed an interest, took no part in discussion and did not vote on this item)

Member	Nature of Interest
The Lord Mayor	Financial

Moved by Cr Tognolini, seconded by Cr Liu

That, in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY the application for the construction of a proposed nine level residential development consisting of 15 multiple dwellings and 15 car parking bays at 1000 (Lots 2 and 3) Wellington Street, West Perth, as detailed on the Metropolitan Region Scheme Form One dated 2 April 2007, and as shown on the revised plans received 27 November 2007, subject to:-

1. ***a detailed schedule of the final colours, high quality materials and finishes (with particular attention to the Douro Place façade), for the proposed development being submitted and approved prior to the issue of the relevant building licence;***

2. ***a detailed landscaping and reticulation plan being submitted and approved, prior to the issue of the relevant building licence, with the approved landscaping being installed prior to the occupation of the building and thereafter maintained to a high standard;***

3. ***the balustrading on the proposed northern side balconies to incorporate translucent glazing;***

4. ***the subject lots being amalgamated into one lot on one Certificate of Title, in accordance with the development proposal, prior to the issue of Certificate of Classification;***

5. ***all piped and wired services, air conditioner intakes, hot water systems, water storage tanks, utility meters and bin storage areas being located so as to minimise any visual and noise impact on nearby residents, with details of the location and screening of any proposed external building plant being submitted and approved prior to the issue of a building licence;***

6. ***in the event of the development not proceeding within six months of the demolition of the existing buildings on the site, the site is to be grassed and landscaped in order to preserve the amenity of the area and to prevent dust and sand being blown from the site; and maintained in a clean and tidy state;***

(Cont'd)

7. ***the recommendations contained in the Acoustic Report prepared on 8 November 2007 by Gabriels Environmental Design Pty Ltd, being implemented in full and on completion of the building a test or inspection report, undertaken at the developer's cost, shall be submitted and approved verifying that the building complies with the recommendations, standards and objectives contained in the Acoustic Report, prior to the issue of a Certificate of Classification for the development;***

8. ***the dimensions of all car parking bays, aisle widths and circulation areas complying with the Australian Standard AS/NZS 2890.1/2004;***

9. ***a maximum of 15 residential car parking bays being provided on-site, with these bays being for the exclusive use of residents of the development and their guests and not being leased or otherwise reserved for use of the tenants or occupants of other buildings or sites;***

10. ***a minimum of one car parking bay being allocated to each dwelling;***

11. ***the existing crossover to the site on Wellington Street, made redundant by the proposed development, being removed and the verge and kerbing being reinstated to the satisfaction and specifications of the City, with details being submitted for approval prior to works commencing;***

12. ***signage for the building being subject to a separate application for approval;***

13. ***the submission of a construction management plan for the proposal detailing how it is proposed to manage:-***

    13.1 the delivery of materials and equipment to the site;
    13.2 the storage of materials and equipment on the site;
    13.3 the parking arrangements for the contractors and subcontractors;
    13.4 other matters likely to impact on the surrounding properties.

The motion was put and carried by an absolute majority
The votes were recorded as follows:-

For: Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

The Lord Mayor returned to the Chamber at 6.11pm and resumed the Chair.

Moved to Item 774/07.

780/07 78 - 80 (LOTS 1 AND 2) BENNETT STREET, EAST PERTH - PROPOSED SIX-STOREY MIXED-USE DEVELOPMENT COMPRISING 18 MULTIPLE DWELLINGS, A CAFÉ, A RETAIL TENANCY AND 22 CAR PARKING BAYS

BACKGROUND:

SUBURB/LOCATION:	78 - 80 Bennett Street, East Perth
FILE REFERENCE:	2006/2341
RESPONSIBLE DIRECTOR:	Peter Monks, Director Planning and Development
DATE:	31 November 2007
MAP / SCHEDULE:	Maps and Coloured Perspectives for 75 - 80 Bennett Street, East Perth

LANDOWNER:	T Ransom
APPLICANT:	T Ransom and J Lean
ZONING:	(MRS Zone) Central City Area (City Planning Scheme Precinct) Goderich (P14). (City Planning Scheme Use Area) Residential R160
APPROXIMATE COST:	$3 million

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

SITE HISTORY:

The subject site comprises two Lots with a total area of 895m^2 and frontages to Bennett Street and Wellington Street of 19.55 metres and 31.64 metres respectively. It is currently occupied by two single dwellings and is surrounded largely by residential uses. A single dwelling abuts the site to the south while a right-of-way known as 'Maggs Lane' abuts the property to the east.

A development application (2000/14) for a seven storey residential building on the northern lot, containing 23 single bedroom units was refused by the Council at its meeting held on **14 March 2000**. The applicant subsequently lodged an appeal which was dismissed by the Minister for Planning and Infrastructure.

A development application (2003/836) for the construction of a six storey residential development on the northern Lot containing 12 multiple dwellings, a café and car parking was refused by the Council at its meeting held on **13 July 2004**.

A development application (2004/2021) for the construction of a seven storey residential development on the northern Lot containing 15 multiple dwellings, a café and car parking was refused by the Council at its meeting held on **24 August 2004.**

DETAILS:

The applicants propose to demolish the two existing single dwellings on the site and construct a six storey mixed-use development comprising 18 multiple dwellings, a shop, a café, a retail tenancy and 22 car parking bays. The design incorporates a six storey curved corner element addressing the street corner containing lift lobbies and communal amenities. A roof top garden is to be located at the top of this corner element. The dwellings, café and retail tenancy are contained in two wings fronting Wellington and Bennett Streets. The details of the development are as follows:-

Basement Level: The basement level accommodates 19 residential stores including one intended to be utilised by the body corporate.

Ground Floor Level: The ground floor level accommodates an entrance lobby at the street corner, an 82m^2 café fronting Bennett Street and a 101m^2 retail tenancy fronting Wellington Street. A bicycle store and a bin store abutting the right-of-way are also accessed via Wellington Street whilst 22 car parking bays are located within the rear of the building and are accessed via the right-of-way.

First Floor Level: The first floor level accommodates three one-bedroom dwellings and a one two-bedroom dwelling as well as communal amenities and an outdoor communal garden area. The areas of these dwellings range between 58m^2 and 112m^2.

Second to Fourth Floor Levels: These levels each accommodate three one-bedroom dwellings and a one two-bedroom dwelling together with communal amenities. The areas of these dwellings range between 58m^2 and 112m^2.

Fifth Floor Level: The fifth floor level accommodates two two-bedroom dwellings. The area of these dwellings is 123m^2 and 167m^2.

The building is a contemporary design combining a range of external building materials including face brick, rendered walls and glazing.

COMPLIANCE WITH PLANNING SCHEME:

Land Use:

The subject property is located within the Residential Use Area of the Goderich Precinct (P14) under the City Planning Scheme No. 2. This area is intended to

accommodate a wide variety of residential uses. The retention and restoration of existing houses will be encouraged while new development in the form of single houses on small lots, grouped, attached and multiple dwellings and aged persons' accommodation is also encouraged. New residential development is to be medium to high density. Other uses which serve the immediate needs of the residents will also be supported.

Under the Use Group Table for the Residential Use Area within the Goderich Precinct Residential is a preferred (P) use group. The Dining (includes cafés) and Retail (Local) use groups are contemplated (C(1)) subject to advertising procedures. Both the Retail (Central) and Retail (General) use groups are prohibited (X). Therefore if the retail tenancy is to be supported it would need to limited in accordance with the definition of Retail (Local) as prescribed under City Planning Scheme No. 2. This could be imposed as condition of any approval.

Development Requirements:

The proposal has been assessed against the City Planning Scheme No. 2 requirements and the proposal's compliance with the following development standards is summarised below:-

Development Standard	Proposed	Required
Maximum Plot Ratio:	1.9:1 (1,692m^2)	2:1 (1,790m²)
Building Height: -Wellington Street Front 15 metres Rear Bennett Street Front 15 metres Rear	 16 - 18.8 metres 6 - 7.2 metres 16 - 18.8 metres **4.2** - 7.2 metres	 9 metre (minimum) 19.5 metres (maximum) 6 metres (minimum) 48 metres (maximum) 9 metre (minimum) 19.5 metres (maximum) 6 metres (minimum) 48 metres (maximum)
Dwelling Density:	18 dwellings (including 12 single bed dwellings)	18 dwellings (including 12 single bed dwellings)
Car Parking:	22 residential bays	15 residential bays (minimum) 36 residential bays (maximum)
Bicycle Parking:	Bicycle store indicated	6 bicycle bays (minimum)

Development Standard	Proposed	Required
Setbacks:		
Wellington Street (north)	Nil	Nil
Bennett Street (west)	3 metres	4 metres (maximum)
Side (south)	Nil	Nil
Rear (east)	Nil	Nil
Open Space:	**42% (376m^2)**	60% (537m^2) minimum
Stores:	19 stores	One (4m^2) store per dwelling

Variations to the building height and landscaping provisions applicable to the development can be granted by an absolute majority decision of the Council, in accordance with Clause 47 of the City Planning Scheme and provided the Council is satisfied that:-

'47(3)(d)(i) if approval were to be granted, the development would be consistent with:-
(A) the orderly and proper planning of the locality;
(B) the conservation of the amenities of the locality; and
(C) the statement of intent set out in the relevant precinct plan; and

(ii) the non-compliance would not have any undue adverse effect on:-
(A) the occupiers or users of the development;
(B) the property in, or the inhabitants of, the locality; or
(C) the likely future development of the locality'.

COMMENTS:

Consultation:

The proposed Dining and Retail (Local) uses are contemplated in the Residential Area of the Goderich Precinct subject to advertising procedures. Additionally, due to the proposed variations to the building height and landscaping provisions as prescribed by the City Planning Scheme No. 2, the application was advertised to the owners of adjacent properties for a period of 14 days. Two submissions were received and are summarised as follows:-

1. The 7.2 metre and 13.5 metre high walls on the southern side boundary are of concern and should preferably be set back so that rain hitting the wall can be contained within the property and overshadowing can be minimised.

2. The majority of the property to the south, including habitable rooms, will be negatively affected by overshadowing.

3. The car parking area should not be ventilated via the adjoining property.

4. Noise disturbance from the cafe is a concern if opening hours are not limited and if alcohol is served.

5. The cafe and shop are not required as others are already established in the locality.

6. Traffic management in Maggs Lane is likely to be an issue as the lane is only wide enough for one vehicle and is abutted by a number of properties. It is also currently used by elderly pedestrians. The use of the existing crossover in Bennett Street for vehicular access to the site would be more appropriate.

7. The provision of inadequate on-site parking is likely to cause problems in the area, particularly as there is no adjacent street parking.

In response to these concerns the applicants have indicated:-

1. The Goderich Design Policy specifies a zero setback and minimum height of six metres to the southern side boundary and rain hitting the wall will run off as it does on any wall built to the boundary.

2. The proposed building satisfies the overshadowing restrictions specified in the Goderich Design Policy.

3. Ventilation to the car park is achieved by venting to the roof garden above.

4. Café hours and licences will be subject to the normal approval procedures and concerns should be dealt with at that stage.

5. Adding diversity by providing interactive public amenities at ground floor level is an objective of the City of Perth to add vitality to the city.

6. Council regulations require that Maggs Lane be used for access to the property and as the property is the closest to Wellington Street the impact on traffic in Maggs Lane will be minimal. There is not an existing crossover to the site in Bennett Street.

7. The proposed development meets the requirements for on-site parking and it is anticipated that not many visitors to the commercial tenancies will be arriving by car.

Design Advisory Committee:

The original application was considered by the Design Advisory Committee at its meeting on 1 February, 2007. The Committee advised that it:-

"*does not support the design until the following matters are satisfactorily addressed:-*

1. *the recessed entries to the ground level retail tenancies provide potential entrapment areas, which should be replaced with shopfronts that address the street in a safer and more traditional manner;*

2. *the adequacy of the dimensions and the viability of the retail tenancies fronting Wellington Street;*

3. *the location and entry to the toilets serving the commercial tenancies being reviewed to ensure that the ground level façades add interest and vitality to the public domain;*

4. *the positioning of bathrooms, rather than bedrooms, facing the street results in a lack of activity and informal surveillance of the street;*

5. *the provision of storerooms for the residential apartments;*

6. *the provision of balconies for each apartment that are designed to satisfy the plot ratio and private open space requirements of the Residential Design Codes and the Goderich Design Guidelines;*

7. *the lack of diversity in dwelling types and sizes, contrary to the City's Residential Design Guidelines;*

8. *the entry to the car parking area being designed to ensure that there is adequate vehicle turning space from Maggs Lane into and out of the car park;*

9. *the inappropriate shape of the corner element of the building should be revised to improve the way the development addresses the corner of the site."*

The applicants subsequently lodged amended plans, substantially redesigning the entire building in an attempt to address the Committee's concerns. The revised design featured a seven-storey curved corner element that addressed the street corner, which contained the lift lobbies, stores and communal amenities the 1st to 5th storey and residential floor area at the 6th storey. The dwellings were contained in two wings that connect to the corner element. The other major amendments included:

- the reconfiguration of the ground floor level. The café fronts Bennett Street and a single retail tenancy is proposed to front Wellington Street with the entry foyer to the residential levels of the building addressing the street corner. The car parking area was also redesigned to provide 22 residential car bays and the car park entry was widened;

- the redesign of the dwellings resulting in a reduction of the total number of dwellings from 21 to 18. These now include 12 single bedroom dwellings and six two-bedroom dwellings. The redesign included the relocation of the bathrooms away from the street elevations and alterations to the balconies;

- the increase in the number of levels of the building from five floors to six floors, with the corner element extending to seven levels to accommodate two stores, the lift and plant room.

The Design Advisory Committee considered these amended plans at its meeting held on 4 October, 2007 and advised that the Committee:-

"1. acknowledges the improvements made to the design and layout of the proposed development and considers the amended plans have design merit;

2. supports the design in terms of the height and form of the building;

3. considers that the location of the storerooms and communal facilities within the curved corner element of the building fails to optimise the development's presentation to the street and its outlook over Wellington Square;

4. considers the proposal requires further architectural detail to refine the façades and apartment layout and to ensure compliance with the City Planning Scheme No. 2 plot ratio requirements."

The applicants have subsequently lodged further amended plans which include the following alterations:-

- the relocation of the residential stores on Levels 2 to 5 to a new basement area and utilisation of the corner element of the building at these levels wholly for communal amenities. It is anticipated that these amenities would include gymnasiums, games rooms and meditation rooms.

- the relocation of the two rooftop residential stores to the new basement area and utilisation of this area as a roof garden with an open circular pagoda roof structure.

- additional detailing to the corner element including a more extensive entry canopy and detailing to the roof.

While the use of the corner elements at Levels 2 to 5 for residential floor space would be a more optimal use of this space overlooking Wellington Square, the removal of the stores from the corner element and their replacement with solely communal facilities is an improvement.

While the general design of the building is a substantial improvement upon the original application submitted and is now considered to reasonably address the concerns, the detailing of the corner element at ground floor level requires further refinement. This could be imposed as a condition of any approval. A schedule of colours, materials and finishes should also be required as a condition of any approval.

Open Space:

The Residential Design Codes require that 60% open space be provided on site although the Goderich Design Policy states that this requirement may be relaxed subject to the provision of external private open space to each residential unit and an area of mature trees to provide landscaped relief within the built environment. The application proposes the provision of 42% (376m^2) open space on site, as well as external private open space to each dwelling. This is considered to be reasonable and in accordance with the intent of the Goderich Design Policy which allows nil setbacks to all boundaries.

The Goderich Design Policy also requires that where developments are not built to the front boundary the front setback area shall be landscaped with in ground planting, although such planting should not screen the view of the building from the street. The applicants have indicated that the front setback areas will be paved and it is considered that a significant proportion of in ground planting should be required as a condition of any approval in accordance with the Policy.

Building Height:

The Goderich Design Policy requires a minimum building height of six metres and a maximum building height of 48 metres at the interior of the site while the proposed building height ranges between 4.2 metres and 7.2 metres. This proposed variation below the minimum height limit is of little consequence and reduces the impact on the dwelling to the south and can therefore be supported.

While concerns relating to overshadowing are acknowledged, the development is in compliance with the overshadowing guidelines of the Goderich Design Policy. The applicants also have a reasonable expectation to be able to develop the property to the scale proposed given that the Goderich Design Policy would allow a significantly higher building (48 metres) with nil setbacks to the southern (side) boundary.

With regard to concerns relating to water run-off, the standard Building Code regulations for buildings with nil setbacks would apply.

Dwelling Density:

The Residential Design Codes permit a one third concession in minimum site area for single bedroom dwelling with a maximum plot ratio floor area of 60m^2. The development proposes 12 single bedroom dwellings. Four of these dwellings exceed the maximum floor area by 4.4m² but meet the applicable performance criteria. On this basis the proposed density can be supported.

Non-Residential Uses:

Objections have been received in relation to the limited demand in the locality for the proposed café and retail tenancy and the possible noise disturbance generated by these uses. While these concerns are noted, the demand for such uses is governed by economic forces and can not be determined by the City and any disturbance

created would be controlled by standard noise regulations. It would, however, be appropriate to limit the hours of operation of the uses to avoid conflict with surrounding residences. This could be imposed as a condition of any approval.

Traffic Impact:

An objection received raised concern over the use of the right-of-way for vehicular access to the development. However, this situation is preferable to the provision of a crossover to Wellington or Bennett Streets and due to the close proximity of the car park to Wellington Street the impact upon movement in the right-of-way is likely to be minimal.

While an objection received has suggested that inadequate on-site parking is proposed the parking proposed meets the requirements of the City Planning Scheme No. 2 and the Perth Parking Policy and is therefore acceptable.

Conclusion:

The proposed mixed-use development involves minor variations to the provisions of the City Planning Scheme No. 2 and is considered to be consistent with the intended character of the locality. It will also contribute to the diversity of residential accommodation available in the city. The application can therefore be supported subject to appropriate conditions.

Moved by Cr McEvoy, seconded by Cr Tognolini

That, in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY an application to demolish two single dwellings and construct a six storey mixed-use development comprising 18 multiple dwellings, a café, a retail tenancy and 22 car parking bays at 78 – 80 (Lots 1 and 2) Bennett Street, East Perth as indicated on the application form dated 13 October, 2006 and as shown on the plans received on 10 September 2007, 21 November 2007 and 27 November 2007, subject to:-

1. ***a more appropriate treatment of the street façades of the building at ground floor level being investigated by the applicant, with specific attention to the canopies and banding detail and to the columns at the curved corner element, with details of a revised design being submitted for approval prior to the issue of the relevant building licence;***

(Cont'd)

2. ***the provision of in-ground landscaping in the front setback area in accordance with the Goderich Design Policy with a detailed landscaping and reticulation plan being submitted and approved prior to the issue of the relevant building licence, with the approved landscaping being installed prior to the occupation of the building and thereafter maintained to a high standard;***

3. ***any fencing along the street frontage or within the street setback area being designed in accordance with the City Development Design Guidelines of the City Planning Scheme No. 2 with details being submitted for approval prior to the issue of the relevant building licence;***

4. ***the retail tenancy being limited to use in accordance with the definition of 'Retail (Local)' prescribed in the City Planning Scheme No. 2;***

5. ***the hours of operation of the non-residential tenancies being limited to 8.00am to 10.00pm each day;***

6. ***any canopies extending over the road reserve having a minimum height of 2.75 metres above footpath level;***

7. ***a schedule of the materials, colours and finishes for the proposed building being submitted and approved prior to the issue of the relevant building licence;***

8. ***any proposed external building plant, including air conditioner units and water tanks, being located so as to minimise any visual and noise impact on nearby residents, with details of the location of such plant being submitted for approval prior to the issue of the relevant building licence;***

9. ***all store rooms in the basement being utilised for residential purposes with one store room allocated to each dwelling. Each store room shall have a minimum internal area of 4m^2 and minimum internal dimensions of 1.5 metres;***

10. ***signage for the non-residential tenancies being subject to a separate application for approval;***

(Cont'd)

11. the recommendations contained in the Acoustic Report prepared on 27 November, 2006 by Gabriels Environmental Design, regarding the proposed mixed-use development and other noise management measures, being implemented in full and on completion of the building construction a test or inspection report, undertaken at the developer's cost, shall be submitted and approved verifying that the building complies with the recommendations, standards and objectives contained in the Acoustic Report, prior to the issue of a Certificate of Classification for the development, with any significant design changes resulting from the test or inspection report being the subject of a separate application for approval;

12. the dimensions of all car parking bays, aisle widths and circulation areas complying with the Australian Standard AS/NZS 2890.1/2004;

13. a minimum of one car bay being allocated to each multiple dwelling within the development, with all on-site residential car bays being for the exclusive use of the residents of the development;

14. bicycle facilities being provided, designed and located in accordance with the requirements of the City Planning Scheme No. 2 Policy 5.4 Bicycle Parking and End of Journey Facilities, with details of the design and location of these facilities being submitted and approved prior to the issue of the relevant building licence;

15. the subject lots being amalgamated into one lot on one Certificate of Title;

16. in the event of the development not proceeding within six months of the demolition of the existing buildings on the site, the site is to be grassed and landscaped in order to preserve the amenity of the area and to prevent dust and sand being blown from the site and maintained in a clean and tidy state;

17. the submission of a construction management plan for the proposal detailing how it is proposed to manage:-

17.1 the delivery of materials and equipment to the site;
17.2 the storage of materials and equipment on the site;
17.3 the parking arrangements for the contractors and subcontractors;
17.4 other matters likely to impact on the surrounding properties.

Motion to amend

Moved by Cr Hardy, seconded by Cr Evangel

That the motion be amended to read as follows:-

"That:-

1. in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY an application to demolish two single dwellings and construct a six storey mixed-use development comprising 18 multiple dwellings, a café, a retail tenancy and 22 car parking bays at 78 – 80 (Lots 1 and 2) Bennett Street, East Perth as indicated on the application form dated 13 October, 2006 and as shown on the plans received on 10 September 2007, 21 November 2007 and 27 November 2007, subject to:-

1.1 a more appropriate treatment of the street façades of the building at ground floor level being investigated by the applicant, with specific attention to the canopies and banding detail and to the columns at the curved corner element, with details of a revised design being submitted for approval prior to the issue of the relevant building licence;

1.2 the provision of in-ground landscaping in the front setback area in accordance with the Goderich Design Policy with a detailed landscaping and reticulation plan being submitted and approved prior to the issue of the relevant building licence, with the approved landscaping being installed prior to the occupation of the building and thereafter maintained to a high standard;

1.3 any fencing along the street frontage or within the street setback area being designed in accordance with the City Development Design Guidelines of the City Planning Scheme No. 2 with details being submitted for approval prior to the issue of the relevant building licence;

1.4 the retail tenancy being limited to use in accordance with the definition of 'Retail (Local)' prescribed in the City Planning Scheme No. 2;

(Cont'd)

1.5 the hours of operation of the non-residential tenancies being limited to 8.00am to 10.00pm each day;

1.6 any canopies extending over the road reserve having a minimum height of 2.75 metres above footpath level;

1.7 a schedule of the materials, colours and finishes for the proposed building being submitted and approved prior to the issue of the relevant building licence;

1.8 any proposed external building plant, including air conditioner units and water tanks, being located so as to minimise any visual and noise impact on nearby residents, with details of the location of such plant being submitted for approval prior to the issue of the relevant building licence;

1.9 all store rooms in the basement being utilised for residential purposes with one store room allocated to each dwelling. Each store room shall have a minimum internal area of 4m2 and minimum internal dimensions of 1.5 metres;

1.10 signage for the non-residential tenancies being subject to a separate application for approval;

1.11 the recommendations contained in the Acoustic Report prepared on 27 November, 2006 by Gabriels Environmental Design, regarding the proposed mixed-use development and other noise management measures, being implemented in full and on completion of the building construction a test or inspection report, undertaken at the developer's cost, shall be submitted and approved verifying that the building complies with the recommendations, standards and objectives contained in the Acoustic Report, prior to the issue of a Certificate of Classification for the development, with any significant design changes resulting from the test or inspection report being the subject of a separate application for approval;

1.12 the dimensions of all car parking bays, aisle widths and circulation areas complying with the Australian Standard AS/NZS 2890.1/2004;

(Cont'd)

1.13 a minimum of one car bay being allocated to each multiple dwelling within the development, with all on-site residential car bays being for the exclusive use of the residents of the development;

1.14 bicycle facilities being provided, designed and located in accordance with the requirements of the City Planning Scheme No. 2 Policy 5.4 Bicycle Parking and End of Journey Facilities, with details of the design and location of these facilities being submitted and approved prior to the issue of the relevant building licence;

1.15 the subject lots being amalgamated into one lot on one Certificate of Title;

1.16 in the event of the development not proceeding within six months of the demolition of the existing buildings on the site, the site is to be grassed and landscaped in order to preserve the amenity of the area and to prevent dust and sand being blown from the site and maintained in a clean and tidy state;

1.17 the submission of a construction management plan for the proposal detailing how it is proposed to manage:-

1.17.1 the delivery of materials and equipment to the site;
1.17.2 the storage of materials and equipment on the site;
1.17.3 the parking arrangements for the contractors and subcontractors;
1.17.4 other matters likely to impact on the surrounding properties;

2. the administration be requested to prepare a report on the ability of Maggs Lane to accommodate additional traffic generated from any future developments adjoining the lane and to submit a report to the Council as to the reason why the wall blocking Bennett Street at the end of Maggs Lane exists."

The motion to amend was put and carried

The votes were recorded as follows:-

For: The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

The amended motion was put and carried by an absolute majority

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

781/07 BUS BRIDGE FROM JAMES STREET OVER ROE STREET AND THE RAILWAY RESERVE TO 830 (LOT 301) WELLINGTON STREET, PERTH - PROPOSED BUS BRIDGE LINKING JAMES STREET TO THE WELLINGTON STREET BUS STATION

BACKGROUND:

SUBURB/LOCATION:	James Street along the eastern side of the Mitchell Freeway over Roe Street and the railway reserve to 830 Wellington Street where the Perth Arena is currently under construction
FILE REFERENCE:	2007/2083
RESPONSIBLE DIRECTOR:	Peter Monks, Director Planning and Development.
DATE:	26 November 2007
MAP / SCHEDULE:	Map and coloured perspectives of the proposed bridge
LANDOWNER:	Crown - Commissioner of Main Roads
APPLICANT:	Public Transport Authority
ZONING:	(MRS Zone) Primary Regional Roads Reserve Located within the Hamilton Precinct (P11) and is not zoned under the City Planning Scheme No. 2
APPROXIMATE COST:	$12 million

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

On 30 April 2007, the East Perth Redevelopment Authority (EPRA) conditionally approved a development application for the construction of a 14,000 seat stadium, to be known as the Perth Arena on the former Entertainment Centre car park and a 680 bay public car park over the railway line adjacent to Roe Street. A revised application proposing the deletion of the Roe Street car park over the railway line and the

provision of a basement car park under the Perth Arena was conditionally approved by EPRA on 9 October 2007. EPRA has confirmed in its letter dated 16 November 2007 that the above development approval "included the proposed construction of a bus ramp, within the Northbridge Link Project Area, designed to connect with the future PTA bus bridge."

DETAILS:

Currently all bus routes that service the northern suburbs of Perth arrive in the city via Fitzgerald Street entering a dedicated bus access road to the Wellington Street Bus Station. The bus access road crosses the rail reserve at a level crossing located between the Mitchell Freeway overpass and the Sutherland Street underpass.

The level crossing was established as a temporary measure during development of the northern suburbs railway. A bridge from Fitzgerald Street over the rail reserve was proposed, however, was not adopted.

The development application proposes construction of a two lane bridge to convey buses only between the west end of James Street in Northbridge and the existing bus access road adjacent to the existing Perth Entertainment Centre. It includes the reconfiguration of traffic lanes in James Street and the Fitzgerald Street / James Street intersection to accommodate bus queuing and turning movements.

The bus bridge is proposed immediately adjacent to the Wellington Street off-ramp on the Mitchell Freeway southbound carriageway, linking new dedicated bus lanes on James Street to existing bus lanes in the railway reserve west of Milligan Street, passing over Roe Street and the railway lines.

The bridge comprises a nine metre wide, 160m long multispan structure over Roe Street and the railway reserve, including approach ramps at the south eastern and northern ends. Bridge piers on piled foundations will be located so as to be aligned with the piers of the existing freeway bridges.

The northern approach is located on the east embankment slope of the Mitchell Freeway Wellington Street off-ramp and connects to James Street at the end of the Mitchell Freeway off-ramp into James Street.

At the north end of the ramp bus traffic will flow to James Street via dedicated laneways to the Fitzgerald Street intersection. "Bus only" phases are proposed at these signals to maximise the public transport advantage to Fitzgerald Street north.

It is proposed that the kerb line on the south side of James Street, west of Fitzgerald Street, is moved to provide a four lane carriageway comprising one westbound lane for buses and general traffic and three eastbound lanes. One eastbound lane is dedicated to buses for turning left into Fitzgerald Street, one for general traffic turning either way or straight along James Street and one for general traffic turning right into Fitzgerald Street. The eastbound lane would need to be clear of parked vehicles whilst at the west end of James Street provision is made, as it exists currently, for

general traffic to return on the eastbound lanes to park or access properties on the north side of the street.

A minor reconfiguration of the kerb lines at the James Street / Fitzgerald Street intersection will be required to enable buses to negotiate right and left turn movements and some realignment of the east kerb line of Fitzgerald Street between James Street and John Street is required to create an additional lane for buses turning right into James Street.

COMMENTS:

Northbridge Link:

The principal of an improved safe link for the bus services from the north to the Wellington Street Bus Station is supported. However, concern is raised in regard to any obstructions this would bring to the desire for an improvement in the link between the City Centre and Northbridge. Currently the Northbridge Link Plan is being finalised and any proposal impacting on the future of the area should be considered and approved subject to it being demonstrated by the applicant that the proposal does not impact on the desire to improve the north-south links between the City Centre and Northbridge.

Design:

The design of the bridge, and its location directly adjoining the Mitchell Freeway off ramps is considered to be acceptable as it would match the existing and have no negative impact on the amenity of the area currently and in the future. However, it is considered that the amenity of the properties on either side of James Street between the Mitchell Freeway and Fitzgerald Street may be affected by the alterations to the kerbs, changes to the traffic lanes, impact on access to these properties, impact on the footpath facilities and pedestrian environment and impact on this area which is regarded as a gateway to Northbridge and the city. It is therefore considered prudent to make any support of the application subject to a condition requiring the applicant to prepare detailed urban design plans for James Street, including the intersection with Fitzgerald Street illustrating how footpaths, parking and landscaping, including tree-planting, will be incorporated into the project to the satisfaction of the City. Furthermore, it is considered necessary that any support of the proposed bus bridge should be made subject to a condition requiring that the realigned bike path and principal shared path (PSP) be incorporated into the project to the satisfaction of the City.

Infrastructure:

The plans indicate that the bus bridge will match the existing Freeway infrastructure. As the bridge and the ramps will have a significant impact on the stormwater runoff any support of the application should be made subject to the applicant demonstrating how stormwater will be managed from the bridge and how it will impact on the City's existing stormwater drainage infrastructure.

Traffic:

The traffic impact assessment model used in the planning of the proposed bus bridge and associated traffic impacts assumed the Perth Arena car park being located over the railway reserve with access from Roe Street. As this has now been revised with the Perth Arena car park being located in a basement below the Arena with its main access being from Wellington Street, the assumptions in regard to the traffic impact on buses approaching James Street and Fitzgerald Street will have changed. Any support of the proposed bus bridge should therefore be made subject to an amended traffic impact assessment being undertaken to the satisfaction of the City, incorporating all traffic movements and including the changes as a result of the modification to the Perth Arena car park. Furthermore, revised plans being submitted to the City for approval providing details of site access to James Street from sites on the north and south, additional details regarding revised traffic lanes in James Street and Fitzgerald Street, additional details regarding intersection details for James Street and Fitzgerald Street and details of the proposed parking amendments to James Street.

Conclusion:

The proposed bus bridge will improve the safety of the major bus route by replacing the current level railway crossing and will also improve the bus service from the north of the city to the Wellington Street Bus Station. This will improve the attractiveness of public transport to city commuters and therefore the principle can be supported. However, there are a number of issues that need to be resolved in principle and in detail and therefore it is considered that the Western Australian Planning Commission be advised that the application can be supported subject to the conditions being satisfied.

(Cr Evangel disclosed an interest, took no part in discussion and did not vote on this item)

Member	**Nature of Interest**
Cr Evangel	Proximity

Cr Evangel departed the Chamber at 6.25pm

Moved by Cr Hardy, seconded by Cr Tognolini

That:-

1. the Council advises the Western Australian Planning Commission (WAPC) that it supports the application for a bus bridge linking James Street over Roe Street and the railway reserve to the Wellington Street Bus Station, Perth as shown on the application form dated 20 March 2007 and on the plans received on 21 March 2007 subject to:-

1.1 as the proposal impacts on the future development of the Northbridge Link Area the application should only be considered and approved subject to the applicant demonstrating that the proposal does not impact on the desire to improve the north-south vehicular and pedestrian links between the City Centre and Northbridge;

1.2 the final design, materials and finishes for the proposed bus bridge and all associated infrastructure being of a high standard and quality befitting such a prominent public facility with details being prepared in consultation with the City and submitted and approved prior to works commencing;

1.3 the applicant preparing detailed urban design plans for James Street, including the intersection with Fitzgerald Street illustrating how footpaths, parking and landscaping including tree-planting and reticulation, will be incorporated into the project to the satisfaction of the City prior to work commencing with the approved proposals being implemented at the developer's cost, prior to the bus bridge coming into operation;

1.4 the route of the Principle Shared Path being further reviewed in order to provide a safer and more attractive environment for pedestrians and cyclists;

1.5 the applicant demonstrating how stormwater runoff will be managed from the bridge and ramps and how it will impact on the City's existing stormwater drainage infrastructure;

(Cont'd)

1.6 a revised Traffic Management Plan incorporating appropriate modelling as a result of the modifications to the Perth Arena car park and addressing any need resulting from the development for the upgrading of the adjacent roads, including additional details regarding revised traffic lanes in James Street and Fitzgerald Street, additional details regarding intersection details for James Street and Fitzgerald Street, details of the proposed parking amendments to James Street and details of the location of access points to sites located north and south along James Street, being submitted and approved prior to the development commencing, with the recommendations of the Plan being implemented at the developer's cost, prior to the bus bridge coming into operation;

1.7 the submission of a construction management plan for the proposal detailing how it is proposed to manage:-

1.7.1 the delivery of materials and equipment to the site;
1.7.2 the storage of materials and equipment on the site;
1.7.3 the parking arrangements for the contractors and subcontractors;
1.7.4 other matters likely to impact on the surrounding properties;

2. the applicant in part 1 above being advised that:-

2.1 traffic management during construction will require the separate approval of the City;

2.2 all works within the road reserves will require the separate approval of the City in relation to both design and construction specifications.

The motion was put and carried

The votes were recorded as follows:-

For: The Lord Mayor, Crs Butler, Davidson, Hardy, Liu, McEvoy and Tognolini

Against: Nil

Cr Evangel returned to the Chamber at 6.26pm

782/07 2008 SUMMADAYZE MUSIC FESTIVAL ON THE ESPLANADE AND SUPREME COURT GARDENS - OBJECTION TO CONDITION OF APPROVAL

BACKGROUND:

FILE REFERENCE:	P1010921-9
RESPONSIBLE DIRECTOR:	Peter Monks, Director Planning and Development
DATE:	26 November 2007
MAP / SCHEDULE:	Plan of Summadayze Fencing on Barrack Street

At the Planning Committee meeting held on 11 December 2007 the following alternate recommendation to that of the administration was adopted:-

That the Council supports the fencing of the Esplanade Reserve, Supreme Court Gardens and the section of Barrack Street between The Esplanade and Riverside Drive during the Summadayze Music Festival to be held on Sunday 6 January 2008, subject to the event organisers providing alternative public access between the city and Barrack Square to the satisfaction of the Chief Executive Officer.

In accordance with Regulation 11(da) of the Local Government (Administration) Regulations 1996 the reason for the decision made being significantly different to that recommended is because the Planning Committee agreed that the proposal offered an appropriate form of management for pedestrian movement at the event.

The administration's original recommendation is set out below:-

That the Council:-

1. *does not support the objection raised by Mr. Brad Mellen of Mellen Events to a condition of approval for the Summadayze music festival requiring that the public has free access to the portion of Barrack Street adjacent to The Esplanade Reserve and Supreme Court Gardens during the event;*

2. *advises Mr Mellen that the Council would support a fenced walkway being created in Barrack Street whereby gates could be used alternatively to allow the public through and when not required, by concert patrons to move between venues.*

At its meeting held on **26 June 2007**, the Council resolved to approve the Summadayze music festival on the Supreme Court Gardens and The Esplanade Reserve and the closure of Barrack Street between The Esplanade and Riverside Drive on Sunday, 6 January 2008.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Local Government Act 1995
Section: 3.50 - Closing certain thoroughfares to vehicles

Strategic Plan
Key Result Area: Liveable City
Strategy: Smart City Strategy

DETAILS:

Mr Brad Mellen, on behalf of Mellen Events has raised an objection to a condition placed on this event by the City being that the public has free access to the portion of Barrack Street adjacent to The Esplanade Reserve and Supreme Court Gardens.

During discussions on the event details, the City advised Mr Mellen that although the City supported the closure of Barrack Street between The Esplanade and Riverside Drive to vehicular traffic, the road must be open for the use of the general public.

Mr Mellen has now objected to that condition on the grounds that:-

1. the applicants are now required to fence off both sides of Barrack Street, creating two separate venues which requires patrons to exit and re-enter each venue, each time they wish to see different acts;
2. in the past they have had a “no-pass” out policy to minimise patrons coming and going from the venue as they feel that it is in everyone’s best interest to keep the concert site “contained and as a single venue”. They claim this is supported by the WA Police and the Department of Racing, Gaming and Liquor;
3. dividing the concert site would result in it being “incredibly” difficult to manage the crowd in the street and their subsequent behaviour;
4. the general public that wish to walk along Barrack Street could be escorted through the venue by security officers.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

COMMENTS:

Over the past several years Mellen Events have utilised Supreme Court Gardens for various events during the summer months. The Summadayze event has grown in popularity and recently the Council approved the use of both the Supreme Court Gardens and The Esplanade Reserve for this event. It is anticipated that the 10 hour music festival could attract in the vicinity of 15,000 patrons.

The organisers have requested that both reserves, including Barrack Street, be fenced to make one undivided concert area. Accordingly, they would not require additional fencing either side of Barrack Street. They propose to escort the public with security guards between The Esplanade and Riverside Drive.

The issue of additional fencing should not be considered as an argument as the garden beds either side of Barrack Street would need to be fenced in order to protect them from damage.

Barrack Street provides the only effective link between the City and Barrack Square. Visitors to and from Barrack Square rely on Barrack Street for access. It is considered that the proposal to utilise security staff to move the public through the event would be difficult to manage and most of the public would be confronted by this proposal. Most would resort to walking around the venue via William Street or Victoria Avenue.

Advice received from both the Events and Operations Team and the Alcohol and Drug Section of the WA Police has confirmed that they support a “no pass” out policy for large licensed events, as suggested by Mr Mellen.

Barrack Square is an important tourist destination for visitors to the city and it is considered that the general public should have easy access to and from Barrack Square. Notwithstanding, some of the concerns raised by Mr Mellen are supported by the WA Police.

As a compromise solution, it is considered that a fenced walkway could be created in Barrack Street whereby gates could be used alternatively to allow the public through and when not required, could be used for concert patrons to move between venues.

Correctly signposted, this will provide visitors easy access between Barrack Square and the city and will obviate the need for “pass-outs”.

(Cr Hardy disclosed an interest, took no part in discussion and did not vote on this item)

Member	**Nature of Interest**
Cr Hardy	Proximity

Cr Hardy departed the Chamber at 6.27pm

Moved by Cr McEvoy, seconded by Cr Evangel

That the Council supports the fencing of the Esplanade Reserve, Supreme Court Gardens and the section of Barrack Street between The Esplanade and Riverside Drive during the Summadayze Music Festival to be held on Sunday 6 January 2008, subject to the event organisers providing alternative public access between the city and Barrack Square to the satisfaction of the Chief Executive Officer.

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Liu, McEvoy and Tognolini**

Against: **Nil**

Cr Hardy returned to the Chamber at 6.30pm

783/07 KING STREET TRIAL CLOSURE (BETWEEN HAY AND MURRAY STREETS)

BACKGROUND:

FILE REFERENCE:	P1022496
RESPONSIBLE DIRECTOR:	Peter Monks, Director Planning and Development
DATE:	30 November 2007
MAP / SCHEDULE:	N/A

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

The original impetus to close King Street came from a request earlier this year:

The City received a request from Bontempo Nominees Pty Ltd for the closure of King Street to traffic (between Hay and Murray Streets). In addition, the City received a further ten written submissions in support of closing King Street. A further two letters requested that the pedestrianisation proposal be applied to the entire length of King Street. The requests came from city businesses that support the creation of a pedestrian zone in this location. These businesses are mostly located along and within the vicinity of King Street.

A trial to close King Street to traffic was undertaken approximately ten years ago, over a period of three to four weeks. Permanent closure was not implemented following the trial as it failed to gain support by all affected property owners.

As a result of this request, at its meeting on **26 June 2007** the Council resolved:-

"That the Council:-

1. *endorses the idea to temporarily close King Street, between Hay and Murray Streets, on an ad-hoc basis for specific times or events;*

2. *instructs the administration to write to all businesses that provided submissions, advising that the Council will support the temporary closure as detailed in part 1 above;*

3. *acknowledges that any permanent closure of King Street, between Hay and Murray Streets, will have an adverse effect on traffic flow in the west end of the city;*

4. *directs the administration to provide a report to the Works and Urban Development Committee detailing the different design concepts available to close King Street at the intersection of Hay Street."*

Subsequently, at its meeting on **18 September 2007** the Council resolved:-

"That the Council:-

1. *approves a one month trial closure of King Street, between Hay and Murray Streets, on Friday evenings between 6.30pm and 12.00 midnight, subject to suitable arrangements being made to provide access for adjacent property owners;*

2. *notifies the land owners in King Street, between Hay and Murray Streets, that the trial closure in part 1 will commence from 12 October 2007.*

This report provides details on the feedback from residents and businesses on the trial closure in King Street.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	Local Government Act 1995
Section:	3.50 - Closing Certain Thoroughfares to Vehicles
Strategic Plan	
Key Result Area:	Accessible City
Strategy:	Movement and Access Strategy

DETAILS:

In line with the Council resolution the trial closure of King Street, between Hay Street and Murray Street was to be undertaken from the 12 October to conclude on the 2 November. As the West End festival was being held on 23 November it was decided to extend the trial for a further three weeks to conclude on the night of the festival, so there would be no confusion on traffic arrangements.

The closure details were advertised in The West Australian newspaper two weeks prior to the closure and every week during the trial closure. Using the electoral roll and business directory, a letter was sent to all premises in the King Street precinct area which gave information on the trial and the traffic management arrangements, including a map. Encouragement was given in the letter to provide feedback by telephone or e-mail on the trial closure and contact details to do so were provided.

Officers also encouraged individual premises to participate by increasing their trading hours and alfresco dining opportunities during the trial; however, this trader support was not forthcoming.

Once the three week extension of the trial closure was confirmed, an additional letter was distributed which included a survey form and reply paid envelope to encourage more feedback. Questions were directed at the additional vitality of the precinct, increase in patronage to businesses and the concept of closing King Street. The results from the survey are listed below.

Throughout the trial closure communication has been achieved on a weekly basis with officers walking the precinct and talking to as many businesses and residents for feedback on the effects on trade to businesses and the vitality of King Street.

Feedback has been received with 49 surveys, 15 telephone calls and approximately 30 weekly face to face discussions. The response breakdown does not specify the different percentage rate of a business respondent or a residential respondent.

With a fifty five percent return rate, details of the survey are as follows:

1. Eighty six percent of respondents have seen no increase in patronage to their businesses.
2. Whilst thirty nine percent of respondents are satisfied with the concept of the closure; sixty percent have not seen any benefit to their business.
3. Eighty percent of respondents say that they have observed no increase in vitality or pedestrians in King Street throughout the trial period.

Traffic Implications

A traffic management company was engaged to control traffic in and around the site for the duration of the closure.

The impact of the closure on the surrounding road network was negligible. Some additional traffic circulation was experienced in Murray and Hay Streets, east of King Street. On the night of the West End Festival, it is understood that some delays were experienced, although this was most likely due to the event and not a direct result of the closure itself. A complaint was received from the Rydges Hotel on the corner of King and Hay Streets relating to the delay experienced operating their valet service.

A number of other complaints were received from tenants with parking within Wolfe Lane. Despite the provision of traffic management at the entrance to Wolfe Lane from Murray Street, some motorists were not comfortable with the contra-flow arrangement.

Requirements to close King Street

Section 3.50 of the Local Government Act 1995 gives the City the authority to close a thoroughfare at particular times. The City would be required to give local public notice of the proposal and written notice to land owners directly affected by the

closure. A reasonable time to receive and consider submissions would be required. The Commissioner of Main Roads WA would also need to be advised of the proposed closure. The order to close the thoroughfare would remain in effect for a period of up to four years. Subsequent orders could be made to extend the closure for a further time.

To ensure that driver confusion was minimised, the installation of permanent luminated traffic signs at, and on the approaches to, the intersection of King Street and Hay Street would be necessary. These signs would be turned on during the period of the closure. It is anticipated that manned traffic control at this intersection would need to be provided to accommodate local and emergency access. If automated bollards were installed, then sufficient resources would need to be provided to ensure that the bollards were monitored adequately.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CL 16245000
BUDGET ITEM:	Economic Services - Other Economic Services - Economic Development Program (STR)
BUDGET PAGE NUMBER:	14
BUDGETED AMOUNT:	$453,408 (this component is $402,215)
AMOUNT SPENT TO DATE:	$187,832 (this component is $102,850)
PROPOSED COST:	$ 7,098
BALANCE:	$258,477

COMMENTS:

Feedback to the Administration throughout the trial closure has generally been negative with the main criticisms of the trial closure being that it brought no additional benefit to King Street or the individual businesses and it was believed that the current traffic condition stimulates pedestrian movement around the precinct and the road closure reduced people's perception of accessibility to the street.

With the lack of support from stakeholders on the Friday night trial closure, it is recommended that the Council does not progress a permanent closure of the street.

Moved by Cr Tognolini, seconded by Cr McEvoy

That the Council receives the report on the trial closure of King Street and resolves not to progress a permanent closure, due to the lack of support from residents, businesses and the community.

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

784/07 PERTH LIGHT RAIL STUDY

BACKGROUND:

FILE REFERENCE:	P1020834
RESPONSIBLE DIRECTOR:	Peter Monks, Director Planning and Development
DATE:	21 November 2007
MAP / SCHEDULE:	Schedule 1 - Public Transport Planning Concepts Schedule 2 - Desirable Road Reserve Activities and Required Space Schedule 3 - Joining up Activity Centres Schedule 4 - Illustrative Street Cross-Sections Map 1 - Base Light Rail Route

At the Planning Committee meeting held on 11 December 2007 the following alternate recommendation to that of the administration was adopted:-

That the Council:-

Part 1 deleted.

1. advises the Department for Planning and Infrastructure that:-

1.1 any investment in light rail by the State Government should be as the first stage in a regional transport system rather than a stand-alone system;

1.2 any light rail system for the Perth Metropolitan Region must have at its core one or more routes passing through central Perth;

1.3 the City of Perth is not able at this stage to approve a specific route for light rail as it considers that insufficient work has been carried out to date to enable such a decision to be made;

1.4 does not support the suggested location of Royal Street for a light rail depot and encourages further investigation of sites under the control of the State Government;

2. *authorises the administration to work with the Department for Planning and Infrastructure in order to further investigate routing issues and to make recommendations to a future meeting of the Council.*

The administration's original recommendation is set out below:-

That the Council:-

1. *notes the positive role of light rail in contributing to transport and economic development in modern major cities;*

2. *advises the Department for Planning and Infrastructure that:-*

   2.1 *any investment in light rail by the State Government should be as the first stage in a regional transport system rather than a stand-alone system;*

   2.2 *any light rail system for the Perth Metropolitan Region must have at its core one or more routes passing through central Perth;*

   2.3 *the City of Perth is not able at this stage to approve a specific route for light rail as it considers that insufficient work has been carried out to date to enable such a decision to be made;*

   2.4 *does not support the suggested location of Royal Street for a light rail depot and encourages further investigation of sites under the control of the State Government;*

3. *authorises the administration to work with the Department for Planning and Infrastructure in order to further investigate routing issues and to make recommendations to a future meeting of the Council.*

At the request of the Minister for Planning and Infrastructure, the Department for Planning and Infrastructure (DPI) has prepared a report to examine the feasibility of a light rail route linking East Perth to Subiaco. The study was overseen by a Steering Committee, on which the City of Perth was represented by the current Lord Mayor, Cr Hardy and the Director Planning and Development, while officers contributed by means of a Technical Working Group. The Minister did not ask for a comparison of light rail with other modes, nor for study of any other route options.

LEGISLATION / STRATEGIC PLAN / POLICY:

Strategic Plan

Key Result Area:	Accessible City, Liveable City
Strategy:	Movement and Access Strategy

DETAILS:

Functions of Light Rail
As a mass-transit system, light rail can provide a mixture of the on-street accessibility of buses and the higher speed and service reliability of heavy rail. It can be put on the street like a bus, or in a separate corridor like a train. It can also provide new network links between key activity nodes and a fast and efficient service if the appropriate road space and direct route alignment can be identified. Light rail is more visual than buses due to the greater level of permanent infrastructure introduced into the urban realm, and it is because of this that it is often claimed to promote the economic vitality of urban corridors by providing a permanent public transport service with a high degree of visibility and permanence, which attracts businesses, housing and economic activity. Benefits will increase with the length and coverage of the light rail system across the metropolitan area.

It has been demonstrated in a large number of cases worldwide that the development of a rail system, (whether, light, medium or heavy rail) brings with it an injection of economic activity into a given area. This is due primarily to the function of rail as a mass mobiliser of people, income and employment. A substantial body of research has also found a strong relationship between transport investment and increasing land value. The particular qualities of light rail; reliability, legibility, permanence and simplicity of service, have a profound effect on the attraction of higher value real estate development.

Planning Concepts for Light Rail
The Study Working Group considered some basic concepts for planning any new public transport system that will ensure the route demonstrates effectiveness of purpose, and maximises operational efficiencies and these are shown in Schedule 1.

Typically, metropolitan Perth is a car-oriented city and motorists are accustomed to a generous amount of road space; convenient routes with wide road reservations providing multiple lanes ensure capacity is rarely at a premium. There is limited congestion in the city and inner urban areas, aside from a few hot spots during peak hours. Nevertheless, as the city grows so will the demand for travel. Without alternative mode choices, people will be compelled to travel by private car. This will be particularly problematic for the city, as there will be limited opportunity to expand road widths. The application of additional public transport is therefore a vital component to ensuring these areas remain accessible to everyone, maintain a high standard of street amenity and do not become choked by vehicles and the resulting emissions.

The study assumed that light rail would have dedicated road space, in order to minimise delays caused by congestion, which degrade the reliability of the services, frustrates passengers and ultimately reduces patronage. By reallocating some road space for sole use by public transport vehicles, the remaining street environment will require a new approach. Priorities between uses may need to be established, for example, a preference may be for footpaths and street trees rather than on-street car parking or an additional traffic lane.

The road reservation of the majority of the streets allocated for the light rail route are at best approximately 20 metres wide, building to building, sometimes narrowing to 16 metres at pinch-points. Within these road reservations there is a demand for a minimum of six metres of verge to accommodate pedestrian footpaths, landscaping, street furniture and underground utilities. The remaining 14 metres is then generally split into four lanes to provide for vehicular traffic travelling in two directions. The manner in which the road space is allocated can differ depending on traffic flows and demand for alternative uses, such as in Hay Street where traffic flows in a single direction and the demand for pedestrian circulation space is higher than average.

Schedule 2 lists the activities noted by the Steering Committee as desirable within the road reserve, and an approximate width required for each single entity. It can be seen that to accommodate every desirable use requires over and above what is available in Perth's street network. Therefore in order to provide an attractive and functional environment, a system of trade-offs is required where, for example, traffic speed and capacity might be reduced to enable the fast and reliable delivery of light rail services, or car parking might be reduced to provide easy access to light rail stops and additional pedestrian circulation space. To arrive at a decision on trade-offs requires a detailed assessment of such matters as traffic circulation, alternative parking options and impacts on streetscape and land use.

Possible Route and Depot for Light Rail

Schedule 3 outlines the street locations that were considered by the study, where the primary emphasis was to provide improved connections between existing and expanding activity centres, providing modal interchange opportunities and also opening up communities that currently have little or no public transport provision. The schedule details the positive and negative consequences of accommodating the light rail in a variety of streets that could provide such connections. Schedule 4 shows two cross sections which illustrate how street layouts might be re-configured in order to accommodate light rail tracks.

The study spent considerable time investigating potential sites for a light rail depot, as it would not be possible to operate a light rail system without a depot connected to the initial section of track. Discussions were held with the owners of a number of publicly owned sites; however the majority were ruled out by the owners as being either of too great a land value to contemplate a depot use, or not surplus to owners' requirements. The only feasible site of an appropriate size identified was land between Royal Street and Brown Street, currently largely occupied by the eastern section of the CPP Royal Street car park. The study concluded that it would be possible to incorporate a depot as part of a larger integrated development. This site is within the area of the Royal Street West Masterplan, currently being prepared by the East Perth Redevelopment Authority.

Map 1 shows the base light rail route accepted by the Steering Committee for the purposes of the study. The route uses Hay Street and Murray Street Mall between East Perth and Subiaco and then continues on to University of Western Australia (UWA) via Rokeby Road and Queen Elizabeth II Medical Centre. The study found that such a route was technically feasible, but that it could not be implemented without significant alterations to traffic patterns, land use access, on-street car

parking and streetscape. Only superficial analysis was undertaken of these issues. Traffic modelling showed no overwhelming issues along the route within the city, although there was no examination of the impact of alternative options or of the route on the city as a whole. It was estimated that such a route could carry approximately 45,000 passengers per day, assuming that light rail would replace the red CAT service, although this figure is heavily influenced by students travelling to and from UWA.

The study concluded that the indicative cost (2007) of construction of the base light rail route would be in the order of $250 million, with a further cost of $140 million for rolling stock. There would be annual operating costs of the order of $10 million.

Completion of Study
The study has been submitted to the Minister who has welcomed the work carried out. She has asked for some additional work to be carried out by DPI, including consulting with the two local authorities involved in the study. The report to the Council should therefore be considered as an interim report pending a more detailed presentation and briefing by DPI.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

COMMENTS:

Principle of Light Rail
In the light of the Minister's continuing interest in this matter, it is important for the Council to consider the principle of light rail. It is estimated that metropolitan Perth will experience a fifty percent population increase within the next 30 years, to a total of approximately 2.4 million people. At present, each person within the metropolitan Perth makes just over three trips per day which will equate to nearly 18 million trips in 2037. This represents a phenomenal challenge, but also a tremendous opportunity for public transit systems to be developed to meet this growth, including a possible inner-city transit system. At present approximately 80% of all daily trips are undertaken by car, with the remaining 20% undertaken on foot, by bicycle and by public transport. It will not be possible to sustain this current mode split in 30 years time unless a substantial proportion of valuable land is dedicated to the provision of wider, longer roads

The success of Transit Oriented Development, the continuing subdivision of large blocks in inner suburbs and the rising popularity of new high density apartments in Subiaco, West Perth, Northbridge and East Perth will all continue to put pressure on the capability of existing transit systems. Bus and train services are increasingly full at peak periods, while the CAT services are crowded for much of the day. The consolidation and growth of educational and health facilities in the inner west has been an incentive to investigate the feasibility of introducing a larger capacity, higher frequency transit service between the key demand centres of inner metropolitan Perth: on-street light rail.

The study concluded that demand already exists for this type of transit mode in Perth. This demand will only increase over time, particularly across inner suburbs and between key activity nodes. The cost of delivering such a system will be high: the budget estimate of $250 million includes not just the provision of rails on roads, but also includes signalling changes and installation of a priority system for light rail, depot construction as part of integrated developments, drainage and street realignment, displacement and relocation of existing on-street facilities, land acquisition and remediation, stop design and provision of materials.

While the cost of implementation is high, the cost of not investigating new transit options for Perth could be much higher: the social impacts of enforced car ownership, the environmental impacts of increasing number of private car trips, the economic impacts of providing more road space to accommodate peak hour traffic flow demands, and the unsustainable physical impacts upon the city of allowing cars to dominate the inner metropolitan area.

The delivery of light rail into Perth could be socially acceptable, as long as the City and the community are included in discussions regarding final route adoption, streetscape design and land use change. Businesses will adapt to serve the custom brought by the light rail system, providing a sufficient lead time is available to make transition plans and adjust to any loss of on-street parking. Local housing development plans will respond to the changing environment and potential for a denser built form.

Perth is not the first place in the world to implement a light rail system into an existing urban area. Cities all over the world are investigating light rail opportunities, technological options and system types to suit their individual requirements. Perth has every reason to explore the benefits that light rail could bring to both the mobility and accessibility of the city, but also the economic regeneration influence that permanent public transport infrastructure can bring to the metropolitan area.

Comments to the Department for Planning and Infrastructure

Light rail will be expensive to implement and will involve extensive construction disruption. It will also require a long implementation lead-in time. The larger the ultimate light rail network becomes, the greater the benefits will be to the city. The Council should only support the principle of light rail if any initial system is to be regarded as the start of a new metropolitan transit system, rather than a short stand-alone system, with no potential for expansion. In order for the city to continue to remain at the centre of the metropolitan transit system and to gain the economic, social and cultural benefits that arise from this position, however, it is crucial that, if light rail is to proceed, it is centred on the city.

The study recognised that the introduction of a new transit system is an immensely complex matter, which will have a significant effect on many aspects of city activities. It was an unrealistic expectation that the first feasibility study investigating a new transit system for Perth could examine in sufficient depth all the issues relevant to serious consideration of a specific route. While this study has made a start, much more work needs to be done before the Council can adopt a position regarding this

matter. Consequently no recommendation is being made to the Council on a potential route for light rail.

The proposed depot site is on land largely owned by the City. The study identified no other acceptable site, while light rail could not proceed without a depot. It would be preferable for DPI to identify a site under the control of the State Government, rather than restricting the potential for development of City-owned land.

Further Investigation of Routing Options
If light rail is progressed by the State Government, there will need to be considerable further investigation of routing options and their implications. These are matters of great interest and concern to the Council and it will be important that officers participate at all stages of these investigations.

Moved by Cr Hardy, seconded by Cr Butler

That the Council:-

1. advises the Department for Planning and Infrastructure that:-

1.1 any investment in light rail by the State Government should be as the first stage in a regional transport system rather than a stand-alone system;

1.2 any light rail system for the Perth Metropolitan Region must have at its core one or more routes passing through central Perth;

1.3 the City of Perth is not able at this stage to approve a specific route for light rail as it considers that insufficient work has been carried out to date to enable such a decision to be made;

1.4 does not support the suggested location of Royal Street for a light rail depot and encourages further investigation of sites under the control of the State Government;

2. authorises the administration to work with the Department for Planning and Infrastructure in order to further investigate routing issues and to make recommendations to a future meeting of the Council.

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

785/07 PERTH'S CREATIVE INDUSTRIES - AN ANALYSIS

BACKGROUND:

FILE REFERENCE:	P1021037
RESPONSIBLE DIRECTOR:	Peter Monks, Director Planning and Development
DATE:	30 November 2007
MAP / SCHEDULE:	N/A

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

The impetus for a study of the Creative Industries (CIs) developed from the Northbridge Action Plan 2003-2007 endorsed by the Council at its meeting held on **10 June 2003**. The plan comprised a number of key policy areas that included CIs. The CIs were identified as requiring action under the Economic Development policy area of the action plan and a small working group was convened at the end of 2005.

Members of the working group included representatives from the City of Perth and three State Government agencies, the Department of the Premier and Cabinet, the Department of Industry and Resources and the Department of Culture and the Arts. This working group agreed that any study of CIs in Perth should include both the City of Perth and the wider metropolitan area. In January 2006 the agencies agreed on financial contributions and formed a steering group to progress the project.

The group realised that in order to understand the nature of Perth's CIs the research needed to extend beyond the City of Perth local government area. In this way the importance and influence of the City of Perth CIs on other metropolitan centres could be assessed. This came about in part because of the vested interests of the State Government agencies in the project and also in recognition of the strategic role that the City's CIs play within the greater metropolitan area. For this reason the City has maintained the lead role for the study.

At its meeting held on **21 February 2006**, the Council resolved to approve the undertaking of the geographic mapping and qualitative analysis into Perth's CIs as a

collaborative effort with the three State Government agencies led by the City of Perth.

At its meeting held on **26 April 2006**, the Council approved the appointment of consultants Telesis in collaboration with SGS Economics, Designer Futures and the ABC Centre of Excellence for Creative Industries and Innovation at Queensland University of Technology to undertake this specialised study of the CIs.

The consultants completed compiling their report in July 2007 and since that time the committee has continued to meet to analyse and assess the information in order that it could be presented in a well structured and accessible report.

LEGISLATION / STRATEGIC PLAN / POLICY:

Strategic Plan

Key Result Area:	Prosperous City
Strategy:	Business City Strategy
Key Result Area:	City Leadership
Strategy:	Leading City Strategy

DETAILS:

Perth's Local Creative Economy

As appreciation for the contribution that CIs make to the local economy developed the need for research based evidence became clear. Prior anecdotal evidence of "clusters" of creative activity in Perth existed, however, there was no hard evidence to support it. Thus, the brief was to identify and document the unique nature of creative industries in Perth.

The report focused on eight creative segments, namely:-

- Music and Performing Arts.
- Film, Television and Radio.
- Advertising and Marketing.
- Software, Web and Multimedia Development.
- Writing, Publishing and Print Media.
- Architecture.
- Design and Visual Arts.
- Other Creative Arts.

Definition of the Creative Industries

The report defines the Creative Industries as those businesses that turn creative ideas into commercial outcomes, stating that they are primarily activities that focus on creating and exploiting intellectual property (IP) products.

CIs add to the image and the economy of the city through the economic, social, industrial and cultural contributions that they make and are increasingly recognised as strategically important drivers for strong national, state and city economies.

Methodology
The study followed the methodology developed by the Creative Digital Industries National Mapping Project undertaken at the ARC Centre of Excellence for Creative Industries and Innovation at Queensland University of Technology. Their methodology is able to identify creative industries workers employed within other industries and therefore paints a fuller picture of Creative Industry (CI) employment.

In order to understand the complexity of the contribution that CIs make to Metropolitan Perth and to the city of Perth, a geographic mapping exercise and qualitative analysis was undertaken in 2006. The mapping and analysis provided the following information:

- The number of CI activities, businesses and organisations.
- Detailed information and analysis of employment within the CIs.
- Geographical locations of the various CI segments.
- Economic analysis of each CI segment.
- Detail of inter-relationships and linkages between CIs.

The research sourced statistics from the Australian Bureau of Statistics (ABS) 2001 Census in relation to a breakdown of the various industries that comprise CIs, their geographic spread and data relating to workforce and employment. It also utilised 2006 Australian Tax Office (ATO) business information, as well as qualitative information compiled from workshops held locally with representative CI workers in 2006.

Employment
The report identified that employment within Perth's CIs is almost equally divided between those that work directly in CIs and those that are employed in non-creative industries. For example creative workers such as software and web designers can be employed in both the corporate and the CI sector.

The Creative Economy is dispersed with a growing number of individual creative workers and 'micro' firms working in isolation from one another. The report identified that in many CI segments there are weak connections with national industry associations and bodies.

The city of Perth benefits by being home to the larger employers in the CIs. The city's numerous substantial companies and organisations from other sectors are clients of creative businesses and serve as obvious attractors.

Presentation of the Report Findings
The Executive and Report Summary comprise a 24 page booklet with the full report findings on compact disc (CD) inserted into a custom pocket on the back cover. The information supplied on CD provides detailed analysis of each CI segments including:-

- How CIs are measured and defined.
- Employment and workforce information broken down for each CI segment.

- The geographic spread of CIs in the metropolitan area.
- Detailed analysis of CIs in the City of Perth.
- Case studies on six individual creative workers.

The full report on CD is a detailed economic analysis, formatted to allow further investigation into areas or sectors of interest. The CD is formulated as hotmail to allow web-style interactive access to information of interest facilitated by 'hyperlinks'. Chapter 6 on Creative Industries in the City of Perth will be of greatest interest.

Having been compiled in hotmail format the CD gives the look and feel of a web based presentation. This creates report content with immediate appeal and allows for later transition to fully web based presentation.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CL 16793000-7230	
BUDGET ITEM:	Economic Services - Other Economic Services - Economic Development Program (STR)	
BUDGET PAGE NUMBER:	14	
BUDGETED AMOUNT:	$453,408	(This component is $10,705)
AMOUNT SPENT TO DATE:	$118,237	(This component is $ 8,319)
PROPOSED COST:	$ 27,000	
BALANCE:	$308,171	

All figures quoted in this report are exclusive of GST.

COMMENTS:

The Importance of the Creative Industries
Within the past 12 months CIs have stirred a lot of debate and Perth has been host to visiting experts such as author and city planner Charles Landry and leading urban strategist Carol Coletta. According to Carol Coletta, "*The theory goes that successful cities attract young talent, who attract more of the same – fuelling the hip (and economic) gestalt of a city*." Although comments are useful to the debate, there has been a lack of hard evidence based research, until now.

The development and nurture of the Creative Industries is of paramount importance to the economic, social and cultural vitality of the city. The reasons for this stem from the ways in which Creative Industries impact on production, labour markets, and issues of image and revitalisation.

The CIs diversify the local economic base through production. They build on the creative economy by developing new products and attracting investment. They generate labour markets that provide opportunities to attract and retain young talent, thereby developing the local creative skills base and preventing "brain-drain", the loss of talented and skilled people to competitor areas and economies. A vital creative economy boosts a city's image to the global marketplace as a cutting edge centre of new production, technology and lifestyle.

The report entitled “Perth’s Creative Industries – An Analysis” provides valuable information on the makeup of the local creative economy. Previous studies have been undertaken in the United Kingdom and Europe, and in Australia the national mapping exercise has been conducted by the Creative Digital Industries National Mapping Project at ARC Centre of Excellence for Creative Industries & Innovation at Queensland University of Technology.

“Perth’s Creative Industries – An Analysis” is a defining document. A product of robust research, it provides a valuable snapshot and aids understanding of Perth’s CIs. It can be used as a base document to inform policy and strategic development.

In its role as Capital City Council it is important for the City to take a civic leadership role in developing and nurturing Perth’s CIs. The city of Perth accounts for a third of all CI employment in Metropolitan Perth and has the largest number of creative industry firms. It also has many of the “anchor companies”, those which provide strategically critical services to other CI firms across all Metropolitan LGA boundaries.

These factors all contribute to placing the city at the centre of the states CIs, an important potential growth area of the economy. Taken as a catalyst this research can be used to assist initiatives that further encourage creative activity and in so doing add diversity and vitality to the city.

A noticeable characteristic of metropolitan Perth’s CIs is the predominance of individual operators and ‘micro’ firms of one or two people. The creative energy of these many operatives tends to follow unconventional working hours, for example the music industry, fashion designers and other creative workers producing arts and crafts. Their creative energy could be encouraged and harnessed in order to add to the city’s vibrancy and in particular the after hours economy.

However, the larger CIs are more prevalent in Perth and attention will be needed to attract and retain the smaller CI operatives. It is the smaller CIs who potentially have the greatest role to play in the evening economy and in enlivening streets and laneways.

The report can be used to build on an already developed creative economy, to help consolidate and further develop clusters of competitive activity. It is important to connect the various CIs so that clusters of activity can aid their growth. The report outlines initiatives for consideration that will address the business development needs of the creative industries. Although the City is already doing some of these things it could be that a more targeted approach would produce greater results.

Initiatives for consideration outlined in the report include:-

- the provision of business development skills;
- broad based capacity-building services;
- support for cross-sector interactions;
- encourage networking events; and
- encourage industry associations.

The report also suggests that initiatives led by members of the creative industries need government support to make them more productive. The laneways activation project for example offers an ideal opportunity to assist the creative industries.

The CI report will be updated in the first quarter of 2008 as data from the 2006 Census becomes available. Information sheet updates will be produced as the employment and workforce data becomes fully available. Early indications are that the growth in CI employment has continued. With the main body of the report formatted on CD in web style hotmail format it affords opportunity for future updates to be transferred to the internet for wider dissemination of the information.

Moved by Cr Hardy, seconded by Cr Evangel

That the Council approves the research and findings of the study "Perth's Creative Industries - An Analysis", undertaken jointly by the City of Perth with the Department of the Premier and Cabinet, Department of Industry and Resources and the Department of Culture and the Arts.

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

786/07 88A (LOTS 1-15) ROYAL STREET, EAST PERTH - AMENDMENT TO ALFRESCO DINING AREA FOR THE 88 ROYAL CAFE

BACKGROUND:

SUBURB/LOCATION:	Adjacent to 88 Royal Street, East Perth
FILE REFERENCE:	2007/9011
RESPONSIBLE DIRECTOR:	Peter Monks, Director Planning and Development
DATE:	7 December 2007
MAP / SCHEDULE:	Map for 88A Royal Street, East Perth
LANDOWNER:	The Crown
APPLICANT:	V.L Troung

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

SITE HISTORY:

The premises at 88A Royal Street East Perth was purpose built in 1998 as a food premises and has operated as such and been licensed as an eating house since then. An alfresco dining licence was issued in 1998.

At its meeting held on **27 June 2006** the Council resolved to support the lessening of a setback for an alfresco area for the Il Vero Gusto Café at 267 William Street, Northbridge, immediately adjoining the Joy Café, to 1.9 metres, on the grounds that the width of the footpath adjacent to the premises would not allow a viable alfresco area to be established with the standard pedestrian clearway of 2.5 metres. Further, at its meeting held on **7 August 2007** the Council resolved to support the lessening of the setback for alfresco dining areas for the Icey Ice Café at 297 William Street, Northbridge and for the Court Hotel at 50 Beaufort Street, Perth, to 1.9 metres on the same grounds and at its meeting of **18 September 2007** also supported the lessening of the setback for the Joy Café at 269 William Street, Northbridge.

DETAILS:

The premises at 88A Royal Street, East Perth has held an alfresco dining licence since first opening in 1998. The original licence, issued prior to the adoption of the City's Alfresco Dining Policy and Local Law 2000, included an area on the footpath enhancement in Royal Street, for four tables and eight chairs, and an area adjacent to the premises on the footpath in Eastbrook Terrace. These areas have remained as part of the alfresco dining licence since then. Under the provisions of the Alfresco Dining Policy the position of the area in Eastbrook Terrace does not comply with the requirements of the Policy and will need the Council's approval to be situated where it currently is located. The licensee of the 88A Royal Cafe has applied to locate the Eastbrook Terrace alfresco dining area set back 1.2 metres from the building line of the premise, contrary to clause 3.1(3) of the Alfresco Dining Policy.

This application has been submitted as a consequence of a recent complaint made to the City concerning the position of the existing benches in the subject alfresco dining area. The positioning of the benches in Eastbrook Terrace does not comply with the City's Alfresco Dining Policy and the complainant has raised concerns that the benches obstruct pedestrian movement along this section of the street. The benches have been in place since 1998 (prior to the adoption of the Alfresco Dining Policy) and the objection to the placement of the benches is the only complaint received concerning the established alfresco dining area. The applicant has requested approval of the alfresco dining area to enable the two tables and benches located in the area to remain and provide a viable alfresco dining area for his customers. Further, the applicant is seeking approval for the alfresco dining area to

be located only 1.2 metres from the building line of the premises as the width of the footpath adjacent to the premises will not allow a viable alfresco area to be established with the standard pedestrian clearway of 2.5 metres.

The construction of the benches and the attached seats are such that they are not easily moved and will remain in position. The area of Eastbrook Terrace in which they are located has very minimal pedestrian traffic and the location of the benches in the area requested would not interfere with any pedestrian movement.

LEGISLATION / POLICY:

Policy
Policy No. and Name: 14.1 - Alfresco Dining Policy 2000

COMMENTS:

Compliance with the Alfresco Dining Policy:

Part 3.1(3) of the City's Alfresco Dining Policy states that:

"There must be a minimum pedestrian clearway of 2.5 metres from the alfresco dining area to the building line."

The width of the footpath in front of the subject cafe is only 3.7 metres wide. If the proposed alfresco dining area was established in full compliance with the Policy, requiring a 2.5 metre pedestrian clearway between the building and the alfresco dining area and a 600mm setback from the kerb, there would be insufficient width (600mm) available for an alfresco dining area to be established.

The applicant has requested a lessening of the pedestrian clearway to 1.2 metres to enable an alfresco area, 1.5 metres in width and one metre from the kerb, to be established.

Clause 2.2 of the Alfresco Dining Policy lists matters that the City shall have regard to when considering an application for an alfresco dining licence, including the location, compatibility of the activity with surrounding uses and safety matters. It is considered that an alfresco dining area in this location, including a reduced pedestrian thoroughfare, will not have any adverse impact on pedestrian movement in this area and will not have any adverse impact on any adjacent businesses or the streetscape. It is also noted that at its meeting held on **27 June 2006** the Council approved an alfresco area for the Il Vero Gusto Café at 267 William Street, immediately adjoining the Joy Café, with a reduced pedestrian clearway of 1.9 metres, on the grounds applicable to this current application. Therefore the variation to the width of the pedestrian clearway can be supported.

Conclusion:

The 88A Royal Lunch Bar opens from 7.00am daily and trades until 3.00pm, Monday to Friday. The alfresco area would enhance the area and assist the applicant in maintaining his business.

The locating of an alfresco area 1.2 metres from the building line would not cause any undue interference to the pedestrian traffic in this area.

With regard to the above, the establishment of another alfresco area in this section of Eastbrook Terrace, with a 1.2 metre pedestrian clearway, can be approved under the provisions of clause 2.2 of the Alfresco Dining Policy.

Moved by Cr McEvoy, seconded by Cr Butler

That, in accordance with Clause 2.2 of the City's Alfresco Dining Policy 2000, the Council APPROVES an application for the establishment of a 1.5 metre x 7.5 metre alfresco dining area in Eastbrook Terrace, East Perth, located immediately adjacent to the "88 Royal Cafe" at 88A (Lots 1-15) Royal Street, East Perth, subject to a minimum pedestrian clearway of 1.2 metres being maintained at all times between the alfresco dining area and the building line.

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

MARKETING, SPONSORSHIP AND INTERNATIONAL RELATIONS COMMITTEE REPORTS

787/07 CORPORATE SPONSORSHIP - TOURISM COUNCIL OF WA 2008

BACKGROUND:

FILE REFERENCE:	P1010627-14
RESPONSIBLE DIRECTOR:	Garry Dunne, Director Service Units
DATE:	16 November 2007
MAP / SCHEDULE:	N/A

The Committee recommendation to the Council for this report was resolved by the Marketing, Sponsorship and International Relations Committee at its meeting held on 27 November 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

A sponsorship request has been received from the Tourism Council of WA (TCWA) to increase the annual sponsorship/membership contribution from the City of Perth.

The City of Perth is currently recognised as an Industry Associate Member of the Tourism Council of WA and receives one vote at TCWA general meetings. The cost of the Industry Association Membership is currently $770 annually. As an Industry Associate Member the City has no authority or influence over TCWA policy papers or election submissions.

The City of Perth has been a category sponsor of the Sir David Brand Award since its inaugural year at the 2006 WA Tourism Awards. In 2007 the Council approved the sponsorship of the Sir David Brand Award for $3,500.

LEGISLATION / STRATEGIC PLAN / POLICY:

Strategic Plan
Key Result Area: Liveable City
Strategy: Unique City Strategy

Policy
Policy No and Name: 18.8 – Provision of Sponsorships and Donations

DETAILS:

The Tourism Council of WA (TCWA) seeks an investment of $15,500 (excluding GST) from the City of Perth for 2008.

TCWA is the peak body for the tourism industry in Western Australia. It is a not-for-profit organisation, representing members' interests. TCWA acts as the industry's principal lobbying force as well as acting as an industry reference group by holding regular conferences and seminars to keep members up-to-date with tourism trends and initiatives.

TCWA is operated by a Board of Directors elected from the membership with regular input from a number of sub-committees comprising members with particular expertise.

In return for the City of Perth's investment TCWA will provide the following benefits:-

Gold VIP membership for Tourism Council of Western Australia
As a TCWA Gold Member, the City of Perth would join the following organisations currently holding gold membership status; Burswood Entertainment Complex, Burswood Park Board, MGIB Insurance Brokers, Perth Airport, Qantas, RAC, Skywest, The Sunday Times and Tourism Western Australia.

By upgrading the currently held TCWA membership from Industry Associate to Gold the City of Perth would receive significant input into TCWA policy papers and election submissions and increase its voting capacity at general meetings from one vote to four.

With tourism now contributing $5.7 billion to the state economy, as reported by Tourism WA in October 2007, these benefits would allow the City of Perth a greater voice in representing its tourism industry stakeholders, from large hotels to small operators.

Category sponsorship of the 2008 Sir David Brand Award for Tourism
The Western Australian Tourism Awards are presented annually by TCWA. The Awards provide a chance for business and individuals in the tourism industry in WA to be recognised for their commitment to the industry and to set benchmarks in the industry for others to aspire to.

The first formal awards for tourism operators in Australia were introduced by the Western Australian Department of Tourism in 1972. Designed to promote and reward excellence in tourism operations, the awards were named in honour of the first Western Australian Minister for Tourism and former Premier, Sir David Brand.

The Western Australian Tourism Awards is recognised as the major tourism industry annual event and is regarded as the industry's most prestigious function, attracting wide media coverage and enthusiastic industry-wide support.

In 2006, the City of Perth was the inaugural sponsor of the Sir David Brand Award for Tourism. The Award had not previously been offered for sponsorship by a ‘presenting’ organisation or company.

The Sir David Brand Award for Tourism recognises “Outstanding Achievement by an Organisation in Promoting or Servicing the Western Australian Tourism Industry.”

Past Winners of this award have been Sandalford Wines, The Perth Zoo, Burswood International Resort Casino and in 2007, The Perth Mint.

As sponsor of the Sir David Brand Award the City is provided with the opportunity to demonstrate its recognition of the value of these organisations (award recipients and entrants) in their contribution to the capital city as well as the overall State of Western Australia. Despite some past winners and possible future ones not necessarily being domiciled in the City of Perth, the calibre of the Award and its winners is such that they are influential in establishing Perth and Western Australia as an international tourist destination.

Gold sponsorship of the 2008 Elite Awards
The Elite Awards are a new initiative from TCWA established to recognise excellence in customer service for tourism businesses throughout Western Australia. The program is based on anonymous visits to the participating organisations to assess their customer service and operational standards.

As a major sponsor of the Elite Awards, the City is provided with the opportunity to acknowledge the important role tourism operators and visitor centres play in representing the capital city and Western Australia at the coal face to local, interstate and international visitors. The award, and in turn the City, demonstrates the important role that service, local knowledge and professionalism play in helping to create an identity and opinion of the capital city and the State.

Assessment of Application.

To be eligible for corporate sponsorship:-

The range of activities which may be considered for corporate sponsorship include:-

a) awards, presentations, acknowledgment for excellence in relevant professional fields;

b) support for activities which award endeavour in community service;

c) events and activities held outside the City of Perth which will increase awareness of, and goodwill for, the City of Perth;

d) support for promotional material (such as publications and films) which positively position the City of Perth; and

e) support for the activities of organisations or individuals that provide positive positioning for the City of Perth.

The Tourism Council of WA proposal is eligible for sponsorship under criteria (a), (b), (c) and (e).

The applicant must identify the markets / public who will be exposed to the sponsorship information.

The markets exposed to the sponsorship will be primarily:-

- the Western Australian tourism industry through publications, promotions and media coverage;
- up to 1,200 state-wide guests at the annual Western Australian Tourism Awards presentation and Elite Awards dinner; and
- the general public via publicity of the Elite Awards and the Western Australia Tourism Awards.

The applicant must detail how they will promote the support of the City of Perth to the markets / public.

In recognition of the City of Perth's financial contribution the Tourism Council of WA will acknowledge the City's Gold Membership status in both its written and electronic collateral. This recognition is detailed in the recommendations of this report.

Both the Western Australian Tourism Awards and the Elite Awards are heavily promoted by the Tourism Council via the industry work groups, presentations and publications. Award winners will be publicised in industry and mainstream media. Specific benefits of the sponsorship are as detailed in the recommendation.

Dates and amounts of any previous sponsorship of the applicant.

The City sponsored the Sir David Brand Award for Tourism in 2006 and 2007 and has held an Industry Association Membership with TCWA since 2002.

In 2003 the City sponsored TCWA's Australian Cultural Tourism Conference for $10,000 (excluding GST).

Year	Award Sponsorship	Membership	Other	Total
2002/03	-	$275 (pro-rata)	-	$275
2003/04	-	$600	$10,000	$10,600
2004/05	-	$600	-	$600
2005/06	-	$600	-	$600
2006/07	$3,500	$600	-	$4,100
2007/08	$3,500	$770	-	$4,270

Cost of current sponsorship application.

The sponsorship request is for $15,500 (excluding GST).

Assessment of value of naming rights sponsorship application.

Naming rights are not available.

Identification of opportunities to add value to the sponsorship.

The City benefits from being able to actively demonstrate its corporate commitment to the tourism industry by way of promotion of its support of the peak industry body in this State. The City will increase its ability to represent its tourism stakeholders at a State level.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CL 1454 3000	
BUDGET ITEM:	Economic Services – Tourism and Area Promotion – City Vibrancy	
BUDGET PAGE NUMBER:	14	
	BUDGET ITEM	**THIS COMPONENT**
BUDGETED AMOUNT:	$860,939	$177,700
AMOUNT SPENT TO DATE:	$495,559	$ 93,505
PROPOSED COST:	$ 15,500	$ 15,500
BALANCE:	$349,880	$ 68,695

All figures quoted in this report are exclusive of GST.

COMMENTS:

The sponsorship of TCWA allows the City of Perth to have a direct involvement on the operations and priorities of the Council through voting rights at general meetings and contributions to policy papers and election submissions. With these authorities the City can ensure that its tourism industry stakeholders are represented effectively and the capital city remains a point of focus in all future tourism concerns.

It is also an opportunity for the City of Perth to showcase its involvement and commitment to the tourism industry.

The sponsorship of the Sir David Brand Award for Tourism and the Elite Awards is an example of the City taking a leadership role in recognising the importance of the operators which have made a significant contribution to the tourism industry and thereby, the importance to Perth in supporting the industry.

It is recommended that the Council approves the $15,500 sponsorship (excluding GST) for the Tourism Council of WA.

Moved by Cr Evangel, seconded by Cr Tognolini

That the Council approves:-

1. cash sponsorship of $15,500 (excluding GST) to the Tourism Council of WA (TCWA) for the 2007/08 financial year subject to:-

1.1 the City of Perth receiving gold membership for TCWA which includes:-

1.1.1 input into the TCWA policy paper;

1.1.2 input into the TCWA election submission to party leaders;

(Cont'd)

1.1.3 VIP invitation to the Tourism Leaders Forum;

1.1.4 the City of Perth crest on TCWA website homepage;

1.1.5 four votes at all TCWA general meetings executed by the Chief Executive Officer;

1.1.6 invitation to attend all exclusive sponsor functions;

1.2 the City of Perth being acknowledged as a gold sponsor of the Elite Awards which includes:-

1.2.1 ten VIP tickets to the Elite Awards dinner;

1.2.2 City of Perth crest displayed on the Elite Awards website and all other promotional material regarding the Elite Awards;

1.2.3 the City of Perth crest displayed on the big screen at the Elite Awards;

1.2.4 the Lord Mayor, or representative, to give a five minute speech at the Elite Awards dinner;

1.2.5 the Lord Mayor, or representative, to present two categories at the Elite Awards dinner;

1.3 the City of Perth being acknowledged as category sponsor of the "Sir David Brand Award for Tourism" to be presented at the 2008 WA Tourism Awards which includes:-

1.3.1 exclusive sponsorship of the top award at the annual industry awards presentation;

1.3.2 the City of Perth crest appearing on the front and back cover of the nomination brochure;

1.3.3 City of Perth recognised on screens and displays at the Awards presentation, gala dinner, finals cocktails and all presentations and seminars promoting the WA Tourism Awards;

1.3.4 the Lord Mayor, or representative, to present the Sir David Brand Award on stage with Mr Brian Brand;

1.3.5 two seats at the VIP table for the WA Tourism Awards Gala Dinner in 2008;

1.3.6 two tickets to the Finals Cocktail function in 2008;

(Cont'd)

2. the expenditure in part 1 above being charged to Budget Item 'Economic Services – Tourism and Area Promotion – City Vibrancy'.

The motion was put and carried

The votes were recorded as follows:-

For: The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu and Tognolini

Against: Cr McEvoy

788/07 CULTURAL SPONSORSHIP 2007/08 - UNION INTERNATIONALE DE LA MARIONETTE CONGRESS AND WORLD PUPPETRY FESTIVAL 2008

BACKGROUND:

FILE REFERENCE:	P1010627-14
RESPONSIBLE DIRECTOR:	Garry Dunne, Director Service Units
DATE:	14 November 2007
MAP / SCHEDULE:	N/A

The Committee recommendation to the Council for this report was resolved by the Marketing, Sponsorship and International Relations Committee at its meeting held on 27 November 2007 with the General Purposes Committee, at its meeting held on 27 November 2007, amending part 5. The following alternate recommendation to that of the administration was adopted:-

That the Council approves:-

1. Arts Partnership cash sponsorship of $100,000 (excluding GST) to the Spare Parts Puppet Theatre for the Union Internationale de la Marionette Congress and World Puppetry Festival 2008 from Wednesday 2 April to Saturday 12 April 2008;

2. Arts Partnership in kind sponsorship of $10,000 (excluding GST) to the Spare Parts Puppet Theatre for the hire of the Perth Town Hall;

3. the expenditure in part 1 above being charged to Budget Item "Recreation and Culture – Other Culture – Donations and Sponsorships";

4. the organisers being required to provide the following benefits to the City of Perth:-

4.1 acknowledgment of the City of Perth as 'Civic Partner' in all event marketing;

4.2 inclusion of the City of Perth crest on the Sponsors page of the Festival Brochure;

4.3 inclusion of the City of Perth crest predominantly displayed on pages of the Festival Brochure;

4.4 placement of message from the Lord Mayor in the Festival brochure;

4.5 inclusion of the City of Perth crest in all promotional material and publications relating to the project, including media releases, programme sheets, event programmes, posters, website and sponsors banners at venues;

4.6 full page City of Perth advertisement in the Festival brochure;

4.7 acknowledgment of the City of Perth in the Festival's major publicity kit;

4.8 opportunities to display City of Perth signage throughout the Festival at the Perth Concert Hall and the Perth Town Hall;

4.9 City of Perth promotional material may be distributed on the seats of Festival venues by negotiation;

4.10 City of Perth logo hyperlink from the Festival website;

4.11 inclusion of City of Perth signage at the Festival Club at the Perth Town Hall;

4.12 invitation for the Lord Mayor, or representative to open the event;

4.13 invitations for the Lord Mayor, Elected Members and representative staff to attend Festival corporate hospitality functions;

4.14 invitations for the Lord Mayor, Elected Members and representative staff to attend Festival events;

4.15 complementary tickets for community members to selected Festival events;

4.16 a full event evaluation report to be provided to the City by July 2008;

5. the request from Spare Parts Puppet Theatre, the UNIMA Festival 2008 organisers, for the City to host a reception at Council House for international UNIMA artists and consulates representing the artists countries on Thursday, 10 April 2008 from 5.00pm to 7.00pm at an estimated cost of $3,600 (excluding GST);

<u>5.1 deleted at the request of the General Purposes Committee</u>

6. notes the expenditure in part 5 above being charged to Budget Item "Governance – Governance – General – Civic Receptions".

The administration's original recommendation is set out below:-

That the Council approves:-

1. *Arts Partnership cash sponsorship of $100,000 (excluding GST) to the Spare Parts Puppet Theatre for the Union Internationale de la Marionette Congress and World Puppetry Festival 2008 from Wednesday 2 April to Saturday 12 April 2008;*

2. *Arts Partnership in kind sponsorship of $10,000 (excluding GST) to the Spare Parts Puppet Theatre for the hire of the Perth Town Hall;*

3. *the expenditure in part 1 above being charged to Budget Item "Recreation and Culture – Other Culture – Donations and Sponsorships";*

4. *the organisers being required to provide the following benefits to the City of Perth:-*

    4.1 acknowledgment of the City of Perth as 'Civic Partner' in all event marketing;

    4.2 inclusion of the City of Perth crest on the Sponsors page of the Festival Brochure;

    4.3 inclusion of the City of Perth crest predominantly displayed on pages of the Festival Brochure;

    4.4 placement of message from the Lord Mayor in the Festival brochure;

    4.5 inclusion of the City of Perth crest in all promotional material and publications relating to the project, including media releases, programme sheets, event programmes, posters, website and sponsors banners at venues;

    4.6 full page City of Perth advertisement in the Festival brochure;

    4.7 acknowledgment of the City of Perth in the Festival's major publicity kit;

    4.8 opportunities to display City of Perth signage throughout the Festival at the Perth Concert Hall and the Perth Town Hall;

    4.9 City of Perth promotional material may be distributed on the seats of Festival venues by negotiation;

    4.10 City of Perth logo hyperlink from the Festival website;

    4.11 inclusion of City of Perth signage at the Festival Club at the Perth Town Hall;

    4.12 invitation for the Lord Mayor, or representative to open the event;

    4.13 invitations for the Lord Mayor, Elected Members and representative staff to attend Festival corporate hospitality functions;

4.14 invitations for the Lord Mayor, Elected Members and representative staff to attend Festival events;

4.15 complementary tickets for community members to selected Festival events;

4.16 a full event evaluation report to be provided to the City by July 2008;

5. the request from Spare Parts Puppet Theatre, the UNIMA Festival 2008 organisers, to host two receptions at Council House for dignitaries during the festival, those being:-

5.1 to host the UNIMA Executive on Thursday, 3 April 2008 from 5.00pm to 7.00pm at an estimated cost of $3,600 (excluding GST);

5.2 to host international UNIMA artists and consulates representing the artists countries on Thursday, 10 April 2008 from 5.00pm to 7.00pm at an estimated cost of $3,600 (excluding GST);

6. notes the expenditure in part 5 above being charged to Budget Item "Governance – Governance – General – Civic Receptions".

At its meeting held on 4 May 2004, the then Marketing, Promotions and Sponsorship Committee approved the proposal for the City of Perth to be the host city for the 2008 Union Internationale de la Marionette Australia (UNIMA) International Puppetry Congress and Festival.

At its meeting held on 20 March 2007, the Marketing Sponsorship and International Relations Committee approved an amount of $100,000 (excl GST) in cultural sponsorship on the 2007/08 budget to support the 2008 UNIMA International Puppetry Congress and Festival. This was endorsed by the Council with the adoption of the City of Perth 2007/08 Annual Budget at the Special Council Meeting held on **7 June 2007**.

An application has recently been received from Spare Parts Puppet Theatre to support the presentation of the 20th UNIMA Congress and World Puppetry Festival, collectively titled UNIMA 2008.

Spare Parts Puppet Theatre
Spare Parts Puppet Theatre (Spare Parts) will produce UNIMA 2008. Spare Parts is a not-for-profit incorporated association, established in 1982. Spare Parts is Australia's leading puppetry company creating entertaining and inspirational theatre for young people and their families. Spare Parts is Western Australia's only specialist puppet theatre company and one of only three in Australia.

Union Internationale de la Marionette Australia
UNIMA was established in 1929 and has over 60 member countries. It was created to assist in preserving the traditional puppetry of individual countries, assist with the development of puppetry on an international scale and to promote puppetry as a means of cultural awareness.

UNIMA 2008

The UNIMA International Puppetry Congress and Festival is held every four years, normally midyear, and consists of two components; the Congress (held over five days) and the Festival (held over a ten day period). The Congress or conference component is likely to attract up to 1,000 participants from Australia and overseas. The concurrent Festival would be targeted at the general public via free and ticketed performances from international, interstate and local companies and individual performers.

In 2004, Spare Parts Puppet Theatre successfully bid to host the 20th Union Internationale de la Marionette (UNIMA) Congress and World Puppetry Festival in 2008. The bid, endorsed by the City of Perth, was presented to the UNIMA Committee at the 2004 Congress and Festival in Croatia during June 2004. The other country vying to host the event was China. Congress locations are selected from applications presented to the host organisation (Croatia 2004) and voted for by the international councillors.

The UNIMA Congress and Festival has not previously been held in the Southern Hemisphere and it will be only the third time outside Europe.

LEGISLATION / STRATEGIC PLAN / POLICY:

Strategic Plan

Key Result Area:	Prosperous City Liveable City Attractive City
Strategy:	Unique City Strategy Business City Strategy

Policy

Policy No and Name:	18.8 - Provision of Sponsorship and Donations 18.1 - Arts and Culture 10.12 - Provision of Hospitality

DETAILS:

Summary

UNIMA 2008 will be a major festival in Perth comprising both free and ticketed events.

The Festival will include theatre productions, a free carnival day, street theatre, exhibitions and a professional development conference.

This event will be a showcase of international puppetry for adults and children.

The project dates and locations

The Festival will be held from Wednesday, 2 April to Saturday, 12 April 2008. Some activities will commence prior to the opening and conclude later than the closing such as the exhibitions at the WA Museum and Alexander Library.

The project must raise a high level of public attendance, interest and/or participation

The event organisers estimated that UNIMA 2008 will attract over 160,000 people to the city including:-

- 1,200 national and international delegates;
- 100,000 people to free events;
- 60,000 people to ticketed events.

The forecast schedule of 30 theatre productions represents approximately 20,000 tickets. Forecast attendances at paid exhibitions at the WA Museum and Alexander Library is 40,000 over a six week period.

Festival and Congress Management

A Conference Organiser will be appointed to manage the Congress on behalf of UNIMA Australia and Spare Parts Puppet Theatre. A Festival Manager has been employed for the two years leading up to the Festival to work with UNIMA Australia and Spare Parts. Marketing and production support have also now been appointed to manage the event.

Key Features of UNIMA 2008

The UNIMA 2008 will include a festival, a professional development conference and the 65th UNIMA Congress.

Further information about these events is detailed below.

Professional Development Conference

- National and international UNIMA delegates.
- Government members and policy makers.
- Professional artists and performers.
- Theatre producers and presenters.
- Animators and new media producers.
- Teachers and students.

Congress – Official Meeting of the 65 Unima Member Countries

- Five half days of executive meeting.
- Congress translated in Japanese, French and Spanish.

Festival Program

The majority of Festival events will take place within the boundaries of the City of Perth in both public spaces and performance venues. The Festival Program will comprise of:

- Opening Ceremony and parade.
- 30 national and international productions.
- Festival Club and Cabaret.
- Festival Centre, operating as an information centre.
- Street Theatre performances.
- Million Puppet Project - A Guinness World Record attempt.
- Animation Festival.
- Free Carnival Day.
- Exhibitions.
- Puppetry Film Festival.
- Lectures, discussions and forums.
- Community workshops and master-classes.
- Puppetry performance program.

Festival Venues

Venues are likely to include but are not limited to:-

- The Playhouse.
- Perth Institute of Contemporary Arts.
- Rechabites Hall.
- The Blue Room.
- Yirra Yaakin Theatre.
- Perth Concert Hall.
- SciTech.
- Subiaco Theatre Centre.
- Supreme Court Gardens.
- Alexander Library.
- Western Australian Museum.
- Art Gallery of Western Australia.
- The Bakery.
- Government House Ball Room.
- King Street Arts Centre.
- Central TAFE.
- His Majesty's Theatre.
- CBD office foyers.
- Perth Town Hall Foyer.
- The Festival Club at the Perth Town Hall.
- Forrest Place.
- Perth Cultural Centre.

Million Puppet Project

In the lead up to UNIMA 2008 is the *Million Puppet Project* a *Guinness World Record* event to inspire people around the Australia and the world to make one million puppets. This internationally profiled project was launched on 21 March 2007 and will run for 14 months.

The Million Puppet Project includes a corporate team puppet competition aimed at making large outdoor parade puppets that will be exhibited during the Festival.

Carnival Day

Carnival Day will centre in and around the Perth Concert Hall and Supreme Court Gardens on Sunday 6 April 2008. This event will be the culmination of the Million Puppet Project and Guinness World Record attempt to create the *World's Largest Puppet Display*. The display will be installed in the Perth Concert Hall and if required foyers and terraces. It will be open free to the public throughout the festival.

Carnival Day will be a family friendly event including a variety of free performances, workshops for children and street theatre.

Ticket Prices

Ticketed events will be priced between $8 (concession) and $35.

The average price of a ticket is forecast to be $21.50 plus charges. Children's and family ticket prices will be lowest.

Paid exhibitions at the WA Museum and Alexander Library have an average ticket price of $10.

Assessment of return on investment

This application has been assessed against the eligibility criteria outlined in Policy No: 18.8 Provision of Sponsorship and Donations to support arts and cultural activities that:-

- Contribute to the economy of the central city.
- Facilitate the dynamic celebration of the city through a range of major festivals and activities.
- Provide sustainability for art and cultural enterprises and organisations.
- Demonstrate leadership by developing partnership initiatives.

Economic & Cultural Development Benefits

This project will meet the above arts partnerships sponsorship objectives and deliver the following economic and cultural development benefits:-

- An investment of $100,000 will deliver to the City of Perth a major cultural event in a prominent inner-city location, costing $2,852,400 to produce.

- The Australian Bureau of Statistics (ABS) gross value added multiplier of 1.79 applies to money spent on music and theatre productions. Using this multiplier, the Festival will generate a $5,105,796 economic benefit to the city.
- A forecast total of 1,200 delegates and 120 guest artists will, over the ten day Festival period, account for a total of 13,200 room nights. At an average cost of $120 per night, the total forecast spend on accommodation in the city is $1,584,000.
- The City's contribution of $100,000 towards the Festival represents 3.5% of the total budget for the event
- The event will positively align the City as a leading capital city identified with premier arts events.
- The event will deliver a high quality, free to the public event encouraging participation in arts and culture by people of all ages, abilities and backgrounds.
- The event will activate public spaces and venues throughout the central city, ensuring it is alive with events and experiences for residents, workers and visitors to encounter and enjoy.
- The event will enhance the City's reputation as an active, safe and exciting place to be.
- The event will promote the central city as an active, safe and exciting place to be.
- The general public benefits from the social bonds created when the community shares experiences such as major festival events. These events create an opportunity to express common values and community identity.

Corporate Hospitality

The Festival organisers have requested that the City of Perth provide the Level 11 Reception Room as the media launch venue and host two receptions for dignitaries during the Festival. The City of Perth hosted receptions will be to host:

- UNIMA Festival media launch on Wednesday, 30 January 2008 at 10.30am, at no cost to the City of Perth;
- the UNIMA Executive on Thursday, 3 April 2008 from 5.00pm to 7.00pm for 60 guests, at a cost to the City of Perth of $3,600;
- international UNIMA artists and consulates representing the artists' countries on Thursday, 10 April 2008 from 5.00pm to 7.00pm for 60 guests, at a cost to the City of Perth of $3,600.

It is estimated that the cost of the receptions will total $7,200 (exclusive of GST).

In accordance with City of Perth *Policy 10.12 - Provision of Hospitality*, it is requested that the General Purpose Committee consider the request from Spare Parts Puppet Theatre to host the two receptions outlined above and provide the Level 11 Reception Room as a venue for the UNIMA Festival media launch on Wednesday, 30 January 2008 at 10.30am.

FINANCIAL IMPLICATIONS:

Cultural Sponsorship

ACCOUNT NO:	CL15846000-7901	
BUDGET ITEM:	Recreation & Culture – Other Culture – Donations and Sponsorship	
BUDGET PAGE NUMBER:	12	
	BUDGET ITEM	**THIS COMPONENT**
BUDGETED AMOUNT:	$929,000	$100,000
AMOUNT SPENT TO DATE:	$630,925 (Committed)	$ 0
PROPOSED COST:	$100,000	$100,000
BALANCE:	$198,075	$ 0

All figures quoted in this report are exclusive of GST.

Past support

Spare Parts Puppet Theatre has not previously received financial support from the City of Perth.

Budget Information

The total cost of UNIMA 2008 is $2,852,400.

This cost includes production costs ($714,400), venues ($220,000), marketing ($515,000), administration, including salaries ($878,000), artist fees ($330,000) and travel and accommodation ($110,000).

Income is derived from ticket sales and delegate fees ($1,027,000), Department of Culture and the Arts ($100,000), Events Corp ($100,000), LotteryWest ($405,400 & $600,000 to be confirmed), Department of Communications Information Technology and the Arts ($30,000), The Australia Council for the Arts ($40,000), Healthway ($60,000 to be confirmed), Austrade ($15,000 to be confirmed) as well as corporate sponsorships ($355,000 to be confirmed).

An amount of $120,000 was requested of the City of Perth. An amount of $100,000 including $90,000 cash and $10,000 in-kind is recommended.

Corporate Hospitality

ACCOUNT NO:	GL105 110
BUDGET ITEM:	Governance - Governance - General - Civic Receptions
BUDGET PAGE NUMBER:	8
BUDGETED AMOUNT:	$477,949
AMOUNT SPENT TO DATE:	$ 87,223
PROPOSED COST:	$ 7,200
BALANCE:	$383,526

COMMENTS:

The 20th UNIMA World Congress and Festival would deliver to the city a major cultural festival.

Businesses within the city would benefit from the visitation of international and national delegates as well as attendance by performance audiences.

The City of Perth would also benefit through the increased profile associated with hosting an international event.

Moved by Cr Evangel, seconded by Cr Tognolini

That the Council approves:-

1. Arts Partnership cash sponsorship of $100,000 (excluding GST) to the Spare Parts Puppet Theatre for the Union Internationale de la Marionette Congress and World Puppetry Festival 2008 from Wednesday 2 April to Saturday 12 April 2008;

2. Arts Partnership in kind sponsorship of $10,000 (excluding GST) to the Spare Parts Puppet Theatre for the hire of the Perth Town Hall;

3. the expenditure in part 1 above being charged to Budget Item "Recreation and Culture – Other Culture – Donations and Sponsorships";

4. the organisers being required to provide the following benefits to the City of Perth:-

4.1 acknowledgment of the City of Perth as 'Civic Partner' in all event marketing;

4.2 inclusion of the City of Perth crest on the Sponsors page of the Festival Brochure;

4.3 inclusion of the City of Perth crest predominantly displayed on pages of the Festival Brochure;

4.4 placement of message from the Lord Mayor in the Festival brochure;

(Cont'd)

4.5 inclusion of the City of Perth crest in all promotional material and publications relating to the project, including media releases, programme sheets, event programmes, posters, website and sponsors banners at venues;

4.6 full page City of Perth advertisement in the Festival brochure;

4.7 acknowledgment of the City of Perth in the Festival's major publicity kit;

4.8 opportunities to display City of Perth signage throughout the Festival at the Perth Concert Hall and the Perth Town Hall;

4.9 City of Perth promotional material may be distributed on the seats of Festival venues by negotiation;

4.10 City of Perth logo hyperlink from the Festival website;

4.11 inclusion of City of Perth signage at the Festival Club at the Perth Town Hall;

4.12 invitation for the Lord Mayor, or representative to open the event;

4.13 invitations for the Lord Mayor, Elected Members and representative staff to attend Festival corporate hospitality functions;

4.14 invitations for the Lord Mayor, Elected Members and representative staff to attend Festival events;

4.15 complementary tickets for community members to selected Festival events;

4.16 a full event evaluation report to be provided to the City by July 2008;

5. the request from Spare Parts Puppet Theatre, the UNIMA Festival 2008 organisers, for the City to host a reception at Council House for international UNIMA artists and consulates representing the artists countries on Thursday, 10 April 2008 from 5.00pm to 7.00pm at an estimated cost of $3,600 (excluding GST);

6. notes the expenditure in part 5 above being charged to Budget Item "Governance – Governance – General – Civic Receptions".

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

FINANCE AND BUDGET COMMITTEE REPORTS

789/07 PAYMENTS TO CREDITORS - NOVEMBER 2007

BACKGROUND:

FILE REFERENCE:	P1022020-12
RESPONSIBLE DIRECTOR:	Robert Mianich, Director Corporate Services
DATE:	6 December 2007
MAP / SCHEDULE:	Trim Ref 140459/07

The Committee recommendation to the Council for this report was resolved by the Finance and Budget Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	Local Government (Financial Management) Regulations 1996
Section:	Regulation 13(1)

COMMENTS:

Payments for the month of November were relatively normal with no substantial extraordinary payments.

Moved by Cr Davidson, seconded by Cr Butler

That in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended 30 November 2007, as laid on the table, be received and recorded in the minutes of the Council, the summary of which is as follows:-

(Cont'd)

FUND	*PAID*
Municipal Fund	*$ 8,729,641,98*
Trust Fund	*$ 88,231.34*
TOTAL:	*$ 8,817,873.32*

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

790/07 FINANCIAL STATEMENTS AND FINANCIAL ACTIVITY STATEMENT - OCTOBER 2007

BACKGROUND:

FILE REFERENCE:	P1014149-24
RESPONSIBLE DIRECTOR:	Robert Mianich, Director Corporate Services
DATE:	20 November 2007
MAP / SCHEDULE:	Schedule 5 - Financial Statements and Financial Activity Statement for the period ended 31 October 2007.

The Committee recommendation to the Council for this report was resolved by the Finance and Budget Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

The Local Government (Financial Management) Regulations 1996 require the City to produce the monthly Financial Statements, including a Financial Activity Statement in rate setting format.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	Local Government Act 1995 Local Government (Financial Management) Regulations 1996
Section:	34 (3) – Financial Activity Statement 6.4 (2) – Monthly Financial Statements

Strategic Plan

Key Result Area:	Capable and Responsive Organisation

DETAILS:

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

FINANCIAL IMPLICATIONS:

There are no direct financial implications arising from this report.

COMMENTS:

This Financial Activity Statement commentary compares the financial results with any Council approved changes to the adopted budget for the period to 31 October 2007.

Moved by Cr Davidson, seconded by Cr Butler

That the Council approves the Financial Statements and the Financial Activity Statement for the period ended 31 October 2007, as detailed in Schedule 5.

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

791/07 NOVEMBER BUDGET REVIEW - FORECAST OF THE OPERATING AND CAPITAL RESULTS COMPARED TO BUDGET FOR THE YEAR TO 30 JUNE 2008

BACKGROUND:

FILE REFERENCE:	P1020665
RESPONSIBLE DIRECTOR:	Robert Mianich, Director Corporate Services
DATE:	4 December 2007
MAP / SCHEDULE:	Schedule 6 - Operating Statement Schedule 7 - Capital Budget Review

The Committee recommendation to the Council for this report was resolved by the Finance and Budget Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

As in previous years the City has conducted a budget review to forecast its results to the end of the financial year. This first review for the year is based on the actual financial results for the four month period to October 2007.

This budget review has the following objectives:

- To project operating and capital results forward to 30 June 2008.
- To identify resources available for redeployment.
- To identify areas that may need additional funding.
- To assist in preliminary work on the 2008/09 budget and in the preparation of the 2008-13 Strategic Financial Plan.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	Local Government (Financial Management) Regulations 1996
Section:	Regulation 33A (2)
Strategic Plan	
Key Result Area:	Capable and Responsive Organisation

DETAILS:

The result of the review compared with the 2007/08 budget was an additional operating surplus of $1,543,183 and a net shortfall on the capital budget of $483,281.

In the operating result the main areas of variance from the original budget are:-

Revenue **Net increase of $3,495,194**

- Parking fees – increase of $3.1 million due to increased occupancy, the retention of car parks anticipated as being closed for redevelopment, delays to the opening of the Southern Suburbs Railway which was budgeted to produce a small decline in patronage and the effect of parking for special events, the extent of which had not been anticipated.
- Fines and costs produced an anticipated increase of $423,000.
- Investment earnings have been reduced by $1.6 million as an impact from the sub-prime markets in the United States.

- Other revenue has been forecast to increase by $1.6 million with planning and building licence fees contributing $444,000, additional road grants $375,000 and $225,000 in billings related to the Southern Suburbs Railway construction.

Expenditure **Increase of $1,952,012**

Major areas where the forecast has resulted in changes are:

- Information Services $340,000 due mainly to depreciation increases following the reclassification of expenditure as capital and not operating.
- Savings of $107,000 in Community Services are mainly due to the temporary closure of the Rest Centre.
- Compliance forecasts increased expenditure of $190,000 due mainly to increased costs directly related to higher fines revenue.
- Property Management has increased forecast expenditure by $102,000 due mainly to property maintenance. Increases in depreciation following revaluation of heritage and investment property after budget preparation amount to $534,000.
- Contract Management has produced savings of $295,000 as a result of deferment of underground power extension and motor vehicle expenses reduction.
- Off Street Parking has forecast additional variable cost expenditure of $792,000 in terms of security services, equipment maintenance and the use of external contract labour. This is as a result of increased activity and revenue.
- Parks and Landscaping Services report a $230,000 saving ascribed to less spending on materials, together with staff costs due to difficulties in filling vacancies as well as external contractor and street tree maintenance savings.
- Planning and Development have forecast an additional $257,000 due to additional consultancy expenditure on the Perth Town Hall precinct project as approved by the Council.
- Urban Development have forecast an additional $225,000 reflecting increased costs on the demolition of the Albert Facey Bridge as approved by the Council. This will be partially offset by recovery from the State Government.

Capital

- Savings of $76,890 emerged from the Security Room upgrade and the Mezzanine floor at the depot. $200,000 will not be spent on work on the Forrest Chase walkways this year and has been carried forward to 2008/09.
- Expenditure on PDA printer equipment has been deferred.
- An additional $141,000 has been provided for the Citiplace Rest Centre upgrade.
- $110,000 is required for plant replacement together with $68,000 of additional PDA equipment.

- An additional $150,000 has been provided for the electrical upgrade for Perth Concert Hall to attain Western Power Conditions. $75,000 co-contribution from the Perth Theatre Trust has been included in income.
- The Elder Street Car Park has been delayed and capital expenditure anticipated in 2007/08 has been reduced by $1.5 million. The Murray Street Mall Streetscape Enhancement will bring forward costs of an additional $433,000 which is the subject of a separate paper. Both these projects are funded from reserves.

FINANCIAL IMPLICATIONS:

This forecast has been prepared prudently to forecast the anticipated budget outcome.

COMMENTS:

This review has resulted in significant adjustments to the budget in individual units. Major adjustments will be noted for special attention in setting the 2008/09 budget. Depreciation is a particularly significant area which can be controlled more. Revenue areas also report divergent forecasts and although some are driven by external factors, in future more focus will be made on these areas.

Moved by Cr Davidson, seconded by Cr Butler

That the Council:-

1. receives the first budget review of the Operating Statement as detailed in Schedule 6;

2. APPROVES BY AN ABSOLUTE MAJORITY that the overall additional revenue and saving of expenditure totalling $1,543,183 be appropriated as follows:-

2.1 $483,281 to fund additional capital expenditure;

2.2 $279,951 to the Asset Enhancement Reserve;

2.3 $279,951 to the Parking Facilities Development Reserve;

(Cont'd)

2.4 $500,000 to be retained as a surplus to provide funding for additional unbudgeted operating and capital expenditure emerging prior to the conduct of the second budget review;

3. receives the first budget review of the Capital Budget as detailed in Schedule 7;

4. APPROVES BY AN ABSOLUTE MAJORITY the following adjustments funded from the surplus on the operating budget:-

4.1	***Projects completed or underway and savings identified***	***$144,480;***
4.2	***Completed Projects overspent or additional projects approved***	***($627,761);***
4.3	***Shortfall required to be funded from operating savings***	***($483,281).***

The motion was put and carried by an absolute majority

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

792/07 CONTRACT 001-05/06 - STATUTORY AUDIT SERVICE

BACKGROUND:

FILE REFERENCE:	P1015979-2
RESPONSIBLE DIRECTOR:	Robert Mianich, Director Corporate Services
DATE:	20 November 2007
MAP / SCHEDULE:	N/A

The Committee recommendation to the Council for this report was resolved by the Finance and Budget Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Part 7 of the Local Government Act 1995
Local Government (Audit) Regulations 1996

Strategic Plan
Key Result Area: Capable and Responsive Organisation
Strategy: Capable and Responsive Organisation Strategy

DETAILS:

Following the tender process and at its meeting held on **2 August 2005**, the Council resolved by an absolute majority to award the Audit Service Contract for the five years ending on 30 June 2010, to Mr Michael Hillgrove, and in his absence to Mr Maurice Lee Anghie, the registered Auditors of the chartered accounting firm "Bentley's MRI, Perth".

Mr Anghie has now retired from practice and in an announcement dated 24 September 2007, Bentley's MRI, Perth advised they were changing their trading name to Grant Thornton in Perth. Mr Hillgrove will remain the auditor of the City of Perth and in his absence Mr Patrick Warr will act as auditor. Both auditors are now partners in the Perth partnership of Grant Thornton.

COMMENTS:

These changes are consistent with the Council's previously approved decision. The Audit Contract will be completed with the finalisation of the audited accounts dated 30 June 2010.

Moved by Cr McEvoy, seconded by Cr Tognolini

That the Council APPROVES BY AN ABSOLUTE MAJORITY, the reassignment of the City's Contract 001-05/06 - Statutory Audit Service for the remaining contract period ending on 30 June 2010, to Mr Michael Hillgrove, and in his absence Mr Patrick Warr, both registered company auditors with the chartered accounting firm Grant Thornton Perth.

The motion was put and carried by an absolute majority

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

793/07 TENDER 041-07/08 - SUPPLY AND DELIVERY OF STATIONERY AND OFFICE PRODUCTS

BACKGROUND:

FILE REFERENCE:	P1022953-1
RESPONSIBLE DIRECTOR:	Robert Mianich, Director Corporate Services
DATE:	26 November 2007
MAP / SCHEDULE:	Schedule 8 – Schedule of Rates

The Committee recommendation to the Council for this report was resolved by the Finance and Budget Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

The current agreement for supply and delivery of office stationery to the City of Perth concludes in December 2007. Tenders were called for the supply and delivery of office stationery over the next three years with a further 12 month option, based on the annual consumption of commonly used stationery products and other Office Products. The tender closed at 2.00pm, Tuesday 30 October 2007.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	Local Government (Functions and General) Regulations 1996
Section:	Part 4 - Tenders for providing Goods and Services
Strategic Plan	
Key Result Area:	Capable and Responsive Organisation
Strategy:	Capable and Responsive Organisation Strategy
Policy	
Policy No and Name:	9.2 - Expenditure - Authorisation - Annual Items

DETAILS:

Four tenders were received with the total value as follows:

1.	Corporate Express	$120,939.14
2.	Lyreco	$132,354.05
3.	Office Max	$155,874.33
4.	Quick Corporate	$157,056.40

The tender evaluation was based on pricing and in the order of the following criteria:

Criteria 1: Ability to supply all items within time frames required.
Criteria 2: On-Line computer ordering system.
Criteria 3: Availability of support resources personnel.
Criteria 4: Experience with similar contracts and financial viability.
Criteria 5: Performance service reports from clients.

A detailed examination of all tender documents was undertaken. As part of this assessment price submitted by the tenderers was taken into account, as well as the above mentioned criteria.

All submissions presented were of high quality and professional standards, and were evaluated on the basis of comparison with the tender specification.

FINANCIAL IMPLICATIONS:

Funding provided by each operating unit for 2007/08.

ACCOUNT NO:	Various
BUDGET ITEM:	Various Units
BUDGET PAGE NUMBER:	2
BUDGETED AMOUNT:	$248,000 (excluding GST)
AMOUNT SPENT TO DATE:	$ 97,851
PROPOSED COST:	$234,842
BALANCE:	$ 13,158

All figures quoted in this report by tenderers are inclusive of GST.

COMMENTS:

It is considered that Corporate Express fully addressed the tender, including service issues and were the lowest bidding tenderer.

It is therefore recommended the tender submitted by Corporate Express be accepted and that the commencement date of the contract be January 2008.

Moved by Cr Tognolini, seconded by Cr Evangel

That the Council approves:-

1. ***the lowest tender, being that submitted by Corporate Express, for the supply and delivery of office stationery for three years plus an option for a further 12 months commencing January 2008 in accordance with the schedule detailed in Schedule 8;***

2. ***the expenditure in part 1 above being charged against unit operating budgets as it is incurred.***

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

794/07 ASSIGNMENT OF LEASE OF SHOP 2, PIER STREET CAR PARK SHOPS

BACKGROUND:

FILE REFERENCE:	P1021478
RESPONSIBLE DIRECTOR:	Garry Dunne, Director Service Units
DATE:	19 November 2007
MAP / SCHEDULE:	Map - Pier Street Car Park Shops

The Committee recommendation to the Council for this report was resolved by the Finance and Budget Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

At its meeting held on **27 June 2006**, the Council resolved to advertise its intention to enter into a new lease with Mrs Neeltje Jeannette Tielens over Shop 2 at the Pier Street Car Park for a term of two years from 1 January 2007 to 31 December 2008 with an option to extend the lease for two years from 1 January 2009 until 31 December 2010, with a further one year option of renewal from 1 January 2011 until 31 December 2011.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	Commercial Tenancy (Retail Shops) Agreement Act 1985
Section:	10(4)

The effect of this clause is to release any previous tenant of a retail shop from any ongoing financial responsibility, upon assignment of the lease.

Strategic Plan

Key Result Area:	Attractive and Functional City
Strategy:	Dynamic City Strategy

DETAILS:

Mrs Tielens has entered into a contract with Mr Singh and Mrs Kaur for the sale of the business known as "Gianni's Fashions", at Shop 2, Pier Street Car Park.

Settlement is scheduled to occur on 1 February 2008.

The proposed purchasers of this business are residents of Uganda who are to migrate to Australia with their two children in December 2007.

Mr Singh and Mrs Kaur are directors of Asiatic Sports (U) Ltd, and they have provided confidential personal details which support their claims of extensive experience in retail trade in their home country, and a sound personal asset position, which includes substantial liquid cash.

FINANCIAL IMPLICATIONS:

INCOME:

ACCOUNT NO:	121440006521
BUDGET ITEM:	Transport – Parking Facilities – Parking Property Income
BUDGET PAGE NUMBER:	5
BUDGETED AMOUNT:	$17,026 (this component)
AMOUNT RECEIVED TO DATE:	$ 7,725 (this component)
ACTUAL INCOME:	$17,411 (this component)

All figures quoted in this report are exclusive of GST.

COMMENTS:

It is recommended that the Council approves the assignment of the lease from Neeltje Jeannette Tielens to Mr Singh and Mrs Kaur over Shop 2, Pier Street Car Park, effective from 1 February 2008, subject to:-

- settlement of the sale of the business being effected;
- any monies owed to the City by Mrs Tielens being cleared at settlement.

Approval will release Mrs Tielens from any on-going liability, beyond the date of assignment.

Moved by Cr Tognolini, seconded by Cr McEvoy

That the Council:-

1. approves assignment of the lease over Shop 2, Pier Street Car Park from Neeltje Jeannette Tielens to Charanjit Singh and Manjit Kaur, effective from 1 February 2008, subject to:-

(Cont'd)

1.1 settlement of the sale of the business between the Assignor and the Assignee;

1.2 any monies owed to the City by Mrs Tielens being cleared at settlement;

2. notes that the reasonable legal costs incurred for documenting the assignment of lease are for the account of the Assignee.

The motion was put and carried

The votes were recorded as follows:-

For: The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

795/07 TELECOMMUNICATIONS LICENCE - LANGLEY PARK TOILET BLOCK - ACURE TECHNOLOGY PTY LTD

BACKGROUND:

FILE REFERENCE:	P1007793-10
RESPONSIBLE DIRECTOR:	Garry Dunne, Director Service Units
DATE:	22 November 2007
MAP / SCHEDULE:	N/A

The Committee recommendation to the Council for this report was resolved by the Finance and Budget Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

While aCure Technology Pty Ltd is not a Government instrumentality, it has similar compulsory acquisition powers under Schedule 3 of The Telecommunications (Low Impact Facilities) Determination 1997 which list types of low impact facilities such as small radio communication dishes and antennae among a number of items considered low-impact.

Although aCure Technology Pty Ltd has the power to compel the City to give them a licence over roof-space at the Langley Park Public Conveniences, the City is not able to conclude a licence with them, without first advertising its intent under Section 3.58 of the Local government Act 1995, as the regulations do not provide any exemption in these circumstances.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	Local Government Act 1995
Section:	3.58 - Disposition of property

Strategic Plan

Key Result Area:	Liveable City
Strategy:	Dynamic City Strategy

DETAILS:

aCure Technology Pty Ltd has proposed that three 165mm diameter antennae be installed on a small pole mounted on the roof top area of the Langley Park public conveniences/change rooms, with four compact pieces of control equipment to be mounted in a secure internal location.

This will require access to power to be provided by the City. Their equipment will draw some 20 watts of power at a cost of $2.50 per month, estimated by reference to information provided by Synergy Power. This cost is a component of the licence fee offered.

The installation is required as an enhancement and extension to their existing Wi-Fi network, to provide wireless internet services to the many new residents in the Terrace Road locality.

FINANCIAL IMPLICATIONS:

INCOME:

ACCOUNT NO:	To be allocated	
BUDGET ITEM:	Recreation and Culture – Other Recreation and Sport – Parks, Gardens and Reserves	
BUDGET PAGE NUMBER:	4	
	BUDGET ITEM	**THIS COMPONENT**
BUDGETED AMOUNT:	$19,590	$ 0
AMOUNT RECEIVED TO DATE:		$ 0
ACTUAL INCOME:		$300

All figures quoted in this report are exclusive of GST.

COMMENTS:

The rental value for similar wireless communication sites is not readily identifiable or available to the City.

aCure Technology Pty Ltd was advised that their proposal to install these small antennae on a City owned building would not be supported without the payment of a licence fee.

The annual licence fee of $600.00, exclusive of GST, fixed for the term of the licence, was negotiated between aCure and the City. It is based on the fee that aCure pays for their most expensive site, on a private building in Hay Street, Perth.

Moved by Cr Tognolini, seconded by Cr McEvoy

That, under section 3.58 of the Local Government Act 1995, the Council advertises its intent to grant a licence to aCure Technology Pty Ltd of 78 Hasler Road, Osborne Park over a 0.5 square metre portion of the roof of the Langley Park public conveniences/change rooms for the installation of three pole mounted 165mm diameter WiFi antennae and supporting equipment, on the following terms and conditions:-

1.	***Premises:***	***An area of approximately 0.5 square metres on the roof of the Langley Park public conveniences / change rooms;***
2.	***Term:***	***five (5) years from 1 January 2008;***
3.	***Rental:***	***$600 per annum, exclusive of GST, fixed for the term of the licence and payable by annual instalments in advance, with the first payment due on the Commencement Date;***
4.	***Insurance:***	***the Licensee shall take out and hold current for the term of this licence and any extension a policy of insurance for public liability with a reputable insurer for not less than $10million for any one claim;***
5.	***Use:***	***installation, testing, operation, maintenance and replacement of an equipment cabinet and three small low impact antenna with pole mounts;***
6.	***Access:***	***the Licensee is to have access to the premises twenty four hours per day, seven days per week***
7.	***Assignment:***	***the Licensee may not assign or sub-licence its rights under this agreement;***
8.	***Maintenance:***	***the Licensee shall maintain the premises in good and substantial repair, subject to fair wear and tear;***

(Cont'd)

9. Documentation: this Licence shall be documented by way of exchange of correspondence between the parties.

The motion was put and carried

The votes were recorded as follows:-

For: The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

796/07 ALLAN GREEN CONSERVATORY - THE ESPLANADE, PERTH

BACKGROUND:

FILE REFERENCE:	P1022054
RESPONSIBLE DIRECTOR:	Garry Dunne, Director Service Units
DATE:	4 December 2007
MAP / SCHEDULE:	N/A

The Committee recommendation to the Council for this report was resolved by the Finance and Budget Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

At the Council meeting held on **29 August 2006**, it was resolved:-

That the Council:-

1. *approves in-principle for the Alan Green Conservatory, The Esplanade Reserve, Perth, to be redeveloped for café/restaurant purposes, for leasing to a private operator*

2. *requests the Chief Executive Officer to engage an architect to submit concept drawings and budget estimates for two or three design options for the project in part 1, above, for consideration by the Council;*

3. *approves closure of the Alan Green Conservatory, The Esplanade Reserve, Perth, effective immediately;*

4. *authorises the Chief Executive Officer to approach the Department for Planning and Infrastructure to exchange the City's Crown Grant in Trust over the Esplanade Reserve for a conditional Crown Land Title, which will permit facilities on this reserve to used for non-recreational purposes and to be leased to private tenants, subject to the approval of the Hon. Minister for Planning and Infrastructure.*

At the Council meeting held on **24 April 2007**, it was resolved:-

That the Council:-

1. *notes the outcome of Expression of Interest 073 - 06/07 – Redevelopment of the Allan Green Conservatory;*

2. *invites Fairytale Holdings Pty Ltd and PDR Enterprises Pty Ltd to submit tenders to fit out, furnish and operate a restaurant at the Allan Green Conservatory upon the City's completion of redevelopment works;*

3. *notes that the tender process in part 2 above will take approximately two years to complete, due to the need to complete a lengthy land tenure rationalisation procedure through the State Government, before construction can commence.*

At the Council meeting held on **9 October 2007**, it was resolved:-

That the Council:-

1. *does not accept the tender received from PDR Enterprises Pty Ltd for the lease of the Allan Green Conservatory;*

2. *authorises the Chief Executive Officer to enter into negotiations with PDR Enterprises Pty Ltd, Fairytale Holdings Pty Ltd and any other interested party to establish a firm rental proposal and the project scope for the redevelopment of the Allan Green Conservatory;*

3. *authorises the Chief Executive Officer to make an application to the Minister for Planning and Infrastructure to excise the land required for the Alan Green Conservatory from the Esplanade Reserve.*

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	Local Government Act 1995
Section:	3.58 - Disposition of Property

Strategic Plan

Key Result Area:	Liveable City
Strategy:	Outdoor City Strategy

DETAILS:

The following offers to lease the Alan Green Conservatory after it has been converted for restaurant purposes, have been received:-

PDR Enterprises Pty Ltd
Ten year lease with a ten year option of renewal with a rental of $156,000 per annum, excluding GST, plus outgoings, or 8% of gross turnover, whichever is the greater.

A rental concession is proposed for the first 12 month establishment period:

- First six months rent free, with outgoings only to be paid by the tenant.
- Second six months rental to be paid at the rate of $156,000 per annum, excluding GST, plus outgoings.

Performance of the Lessees covenants to be guaranteed by the director, Jean-Daniel Ichallalene, known for establishing "Pierre's" in West Perth; "Highlite 33" in St Martin's Tower and more recently the "Jolly Green Frog" at Dawesville, near Mandurah.

Lessee to provide any non-fixed plant, all furnishings and decorations.

Clinton Holdings Pty Ltd, trading as Friends Restaurant
Ten year lease with a ten year option of renewal with a rental of $110,000 per annum, excluding GST, including outgoings, or 8% of gross turnover, whichever is the greater.

A three month rent free period at the commencement of the lease is proposed.

Performance of the Lessees covenants to be guaranteed by the directors, Clyde and Lesley Bevan, who have successfully operated Friends Restaurant for approximately 20 years, firstly at Caversham and for about ten years in the Hyatt Regency complex at the east end of the city.

Lessee to provide any non-fixed plant, all furnishings and decorations.

A proposal has also been received from a relaxation centre to use the property as a "quiet cone".

Quiet Cone International Pty Ltd
Their proposal represents an expression of interest, rather than a definite offer, as it left a number of issues like lease term and the mechanism for rental calculation and payments to be resolved.

The proposal is to construct a 10 metre by 10 metre quiet cone inside the existing structure, leaving as many of the plants and trees as possible around the internal pyramid, with the operator funding all building works and the City committing to up-

grade the gardens within 10 metres of the building, plus the adjoining Alf Curlewis pergola, to create a sanctuary of tranquillity on the edge of the city.

Quiet Cone International Pty Ltd operates four quiet cones at present, but has a vision of taking the concept world-wide. The existing centres are at Albany (WA), Parkerville (WA), Mandurah (WA) and Latrobe (Tasmania). No details are known on any of these facilities, but the operators claim that 20,000 people visit their Albany site, and that a quiet cone in the Allan Green Conservatory would attract large numbers.

They have suggested that an appropriate rental formula would be for them to pay the City a percentage of net profits. The percentage and the anticipated profit were unspecified.

Impact of the State Government's "Mounts Bay" Project
It is known that Landcorp is considering the future of the Esplanade Reserve as part of the Mounts Bay project.

State Land Services has asked the City to seek advice on Landcorp's vision for the "Mounts Bay Project", and to obtain clearance from them before progressing the City's request for the Allan Green Conservatory to be excised from the Esplanade Reserve so that it can be leased for restaurant conversion purposes.

Letters have been issued to The Director Landmark Projects, Department for Planning and Infrastructure and The Director, Landcorp, on this matter. Their responses are not yet to hand.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

COMMENTS:

While the offers to lease which have been received are both from very experienced and highly regarded restaurateurs, the rental offers from both represent inadequate returns on the funds to be invested by the City to convert the Conservatory.

On 2 January 2007, Quantity Surveyors, Ralph Beattie Bosworth estimated the conversion costs at $4.8 million including consultant's fees and contingencies.

While the City's motivation for this project is activation of the reserve, rather than property investment, the rental guarantees offered would return only 2% to 3.2% on the likely construction cost, if it can be contained to that level. That is considered to be insufficient and progression of this project is not recommended.

It is considered that the Quiet Cone proposal may be worth investigating. However progression should be deferred until the impact of the proposed Mounts Bay Project is known.

Moved by Cr McEvoy, seconded by Cr Evangel

That the Council:-

1. does not accept the offers to lease the Allan Green Conservatory on the Esplanade Reserve, received from PDR Enterprises Pty Ltd and Clinton Holdings Pty Ltd, due to the unacceptable return on the estimated capital cost for this project and the prospect of the conservatory site being part of the State Government's "Mounts Bay" redevelopment;

2. notes that there may be merit in the proposal from Quiet Cone International Pty Ltd to use the Allan Green Conservatory as a relaxation centre, but defers consideration of this proposal until more is known on the possible impact of the Mounts Bay redevelopment on the Esplanade Reserve.

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

797/07 HERITAGE RATE RELIEF

BACKGROUND:

FILE REFERENCE:	P1021465
RESPONSIBLE DIRECTOR:	Peter Monks, Director Planning and Development
DATE:	12 November 2007
MAP / SCHEDULE:	Schedule 9 - Listing of properties eligible for Heritage Rate Relief of $20,000 or more

The Committee recommendation to the Council for this report was resolved by the Finance and Budget Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

The City of Perth Heritage Program was adopted by the Council at its meeting held on **27 August 2002** as a means of supporting the conservation of heritage places in the city and offering financial and planning incentives to owners of listed properties.

At its meeting held on **9 October 2007** the Council accepted a number of recommendations resulting from a review of the City of Perth Heritage Program. The remainder of these will be included for consideration in the 2008/09 budget.

Part of the Council resolution was to review the discount available to the owners of heritage properties through the Heritage Rate Relief Scheme. This report seeks final Council approval to put these changes into effect in order to inform owners of the incentives available in the 2008/09 financial year.

LEGISLATION / STRATEGIC PLAN / POLICY:

Strategic Plan

Key Result Area:	Attractive and Functional City, Liveable City, Prosperous City
Strategy:	Unique City Strategy, Leading City Strategy, Dynamic City Strategy

DETAILS:

Heritage Rate Relief was introduced in 2006 when owners of all scheme-listed heritage properties were invited to apply for a discount on their general rates. A total of 91 owners successfully applied and in 2007/08 are receiving a total of $161,853 in rate rebates. This has resulted in maintenance agreements being established for the 57 buildings involved.

Initial operation of the incentive highlighted the following issues:-

- The discount of 10% equates to less than $50 per year for many owners, particularly those in strata-titled properties.
- Of the approximately 500 eligible ratepayers, the discount is less than $100 per year for over 70% of owners.
- Many owners were unwilling to commit to any agreement for the benefits offered, particularly for the limited period offered.
- The initial application process was seen as too complex.
- Very few owners were able to demonstrate an economic disadvantage from the listing of their property, which was a requirement to receive the incentive.
- The use of property maintenance agreements creates a need for compliance monitoring.

Many of the comments made by owners were taken into account in the report submitted to the Council at its meeting held on **3 April 2007**. The Council resolved to remove the requirement to demonstrate an economic disadvantage and accepted that owners would make a simple agreement to undertake the proper care and

maintenance of their property. The application process has been greatly simplified and is now part of the Heritage Rate Relief Scheme brochure.

It is anticipated that some of the concerns of potential applicants will be met by the simplification of the application process, however, there remains a strong likelihood that many owners will view the current discount as being insufficient to justify an application. Given that one of the key aims of the incentive is to engage property owners in the process of building maintenance, it is desirable that the number of applicants is maximised.

This has led to the recommendation of setting a minimum amount for the relief, set high enough to encourage a level of uptake desired by the Council. If necessary, this can be funded by capping the benefit for those properties receiving the highest discounts.

The following table shows the financial implications of such a policy, showing the City's maximum potential contribution and a comparison of awarding different discounts, using the current recipients of Heritage Rate Relief as a sample group.

Table 2: Illustration of varying the rate of Heritage Rate Relief

	Total cost of discount	
Incentive offered	All eligible properties	Current recipients
10% discount	$548,833	$161,853
20% discount	$1,097,666	$323,706
10% discount, minimum $230*, no maximum	$609,090	$171,906
10% discount, minimum $460*, maximum $20,000	$546,564	$184,239

* The minimum values chosen are based on the minimum general rate, as this gives a figure that will adjust with changes to the Council's rate requirement. For illustration, amounts equivalent to 50% and 100% of the 2007/08 minimum general rate of $460 were used.

The above figures demonstrate that the financial impact of a high minimum can be offset by setting a maximum discount that still remains a strong incentive for potential applicants. Only one of the present applicants receives a discount of greater than $20,000, but there are five further major properties eligible for the discount (see Schedule 9 for further information). The current potential value of Heritage Rate Relief for these six properties is $224,576. A $20,000 cap would reduce this liability to $120,000, allowing greater subsidy to smaller properties.

Costs given illustrate the effect of the incentive as a reduction in rates income. Based on current recipients for rate relief, the Council's reduction in income would be increased from $161,853 to $184,239. It is anticipated, however, that this policy

would result in a higher uptake of Heritage Rate Relief. The maximum exposure of the City in revenue foregone would be reduced minimally from $548,833 to $546,564.

It is therefore recommended that:-

1. the basic rate for Heritage Rate Relief remains at 10% per claim, but that the minimum amount of Heritage Rate Relief is set each year at the same level as the general minimum rate (equivalent to $460 per annum for 2007/08);

2. the maximum rate of Heritage Rate Relief is set at $20,000 per annum per claim.

FINANCIAL IMPLICATIONS:

There are financial implications on budgetary income. The maximum exposure of the City in revenue foregone would be reduced minimally from $548,833 under the current program to $546,564 under the proposed program.

COMMENTS:

This recommendation seeks formal adoption of a policy previously accepted by the Council at its meeting held on **9 October 2007**. The purpose of seeking a resolution at this stage, rather than putting it forward as part of the budget process, is to allow time for informing owners, as the application deadline is in March each year for the following financial year. A decision will also allow documentation to be revised where necessary and incentive information to be included in publications and communication with the community.

Moved by Cr McEvoy, seconded by Cr Liu

That the Council modifies the Heritage Rate Relief scheme by:-

1. setting the minimum amount of rate relief per application each year to be the same as the minimum general rate adopted as part of the City's Annual Budget;

2. setting the maximum rate relief per application at $20,000 per annum.

The motion was put and carried

The votes were recorded as follows:-

For: The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

798/07 UNBUDGETED EXPENDITURE - ELECTRIC PALLET JACK, OSBORNE PARK WORKS DEPOT

BACKGROUND:

FILE REFERENCE:	P1005059-2
RESPONSIBLE DIRECTOR:	Doug Forster, Director Business Units
DATE:	26 November 2007
MAP / SCHEDULE:	N/A

The Committee recommendation to the Council for this report was resolved by the Finance and Budget Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

The Osborne Park Works Depot currently stores bulk stock items for use in capital and operational works. A purpose built, fully enclosed shed for cement products exists as a part of the Depot complex. Cement products are delivered on pallets and are currently manoeuvred into storage using a manual pallet jack.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation
Local Government Act 1995
Local Government (Functions and General) Regulations 1996

Strategic Plan
Key Result Area: Attractive and Functional City
Strategy: Dynamic City Strategy

Policy
Policy No and Name: 9.2 – Expenditure – Authorisations – Annual Items

DETAILS:

All cement products are currently delivered to the Osborne Park Works Depot on pallets which are unloaded by forklift onto a purpose built loading dock prior to being manually located within the cement store with a pallet jack. The pallets support 60, 20 kilogram bags of cement producing a total weight of 1.2 tonnes. A recent audit of safety procedures has identified this method as unsafe and highly likely to cause injury.

FINANCIAL IMPLICATIONS:

Budget Item where monies have been / will be fully expended

ACCOUNT NO:	CW1211
BUDGET ITEM:	Parking Facilities – Other – Crane Upgrade – Depot Workshop
BUDGET PAGE NUMBER:	21
BUDGETED AMOUNT:	$12,500
AMOUNT SPENT TO DATE:	$ 0
PROPOSED COST:	$12,500
BALANCE REQUIRED:	$ 0

All figures quoted in this report are exclusive of GST.

It is proposed the funding of $12,500 be accessed from the Capital Works Budget Item 'Parking Facilities – Other – Crane Upgrade – Depot Workshop'. A review of plant and equipment requirements has identified the upgrade as redundant and consequently the works will not proceed.

COMMENTS:

The City has a duty of care to provide its staff a safe and secure workplace to carry out and complete required tasks. Providing an electric powered pallet jack will assist in increasing efficiency and allow the manoeuvring of pallets to be completed in a safe and timely manner reducing any downtime and risk to City employees.

Moved by Cr McEvoy, seconded by Cr Tognolini

That the Council APPROVES BY AN ABSOLUTE MAJORITY:-

1. ***the expenditure of $12,500 (excluding GST) for the purchase of an electric pallet jack for the Osborne Park Works Depot;***

2. ***the unbudgeted expenditure in part 1 above being accommodated from Budget Item 'Capital Expenditure – Parking Facilities – Other – Crane Upgrade, Works Depot' as these works will not be proceeding.***

The motion was put and carried by an absolute majority

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

799/07 MURRAY STREET MALL - ADDITIONAL FUNDING

BACKGROUND:

FILE REFERENCE: P1020692
RESPONSIBLE DIRECTOR: Peter Monks, Director Planning and Development
DATE: 29 October 2007
MAP / SCHEDULE: N/A

The Committee recommendation to the Council for this report was resolved by the Finance and Budget Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

At its meeting held on **7 June 2007** the Council approved the Annual Budget for 2007/08 which included $3,122,236 for the Central City Malls. Following adjustments to the carry forward of funds from the previous year, 2006/07, the annual budget was reduced by $343,814 to $2,778,422.

LEGISLATION / STRATEGIC PLAN / POLICY:

Strategic Plan
Key Result Area: Accessible City and Attractive and Functional City.
Strategy: Movement and Access Strategy and Unique City Strategy.

DETAILS:

There are three factors that have contributed to the estimated shortfall in funds in the current financial year for Murray Street Mall:

- $343,814 reduction in the annual budget, following adjustments to carry forwards in November 2007;
- conservative estimates on projected cash flow for 2007/08 back in April 2007;
- A sudden increase in the speed of construction for electrical work and granite paving.

The construction of the Murray Street Mall, especially the laying of granite paving, is running ahead of programme. Although there was a slow start and delays in the commencement of laying the granite due to late shipments, the laying contractor has managed to work extremely fast and has encountered fewer stoppages than was the experience with Hay Street Mall. In addition, based on the poor dimensional quality of the granite supplied, it was anticipated that the laying of the granite would further

delay the project, however, the laying contractor has been able to work with the stone and achieve a flat surface by taking additional care in the laying.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CW0887
BUDGET ITEM:	Transport – Streets, Roads, Bridges, Depots – Central City Malls CBD – Hay and Murray Street Malls
BUDGET PAGE NUMBER:	20
BUDGETED AMOUNT 07/08:	$2,778,422 (revised down from $3,122,236)
EXTERNAL FUNDS:	$ 45,454 (contribution from PTA for footpath)
CURRENT AVAILABLE FUNDS 07/08:	$2,823,876
AMOUNT SPENT TO DATE 07/08:	$1,014,526
CURRENT COMMITMENTS:	$2,269,258
ANTICIPATED SPEND TO JUNE 08:	$3,256,512
BUDGET SHORTFALL FOR 07/08:	$ 432,636
ANNUAL MAINTENANCE:	(Previously considered)

The current Five Year Capital Works Programme has $4,794,613 listed in the next two financial years to complete Murray Street Mall and commence works in Forrest Place and Station Forecourt.

At this point in time, it is too early to estimate the future budget requirement for Forrest Place and therefore a complete review of the Malls Budget is premature. It is therefore proposed to source funds of $432,636 from the Asset Enhancement Reserve to cover the current shortfall without increasing the overall budget in the Five Year Plan.

All figures quoted in this report are exclusive of GST.

COMMENTS:

Utilising funds from the Asset Enhancement Reserve to cover existing commitments and anticipated costs to the end of the current financial year will enable the works in Murray Street Mall to be completed without delay and potential cost increases.

It is noted that the cost plan to June 2008 does not include the expenditure for street trading kiosks. These structures should be substantially complete by the end of the financial year but it is anticipated that the majority of costs associated with them will be funded from within the 2008/09 budget.

Moved by Cr McEvoy, seconded by Cr Tognolini

That the Council APPROVES BY AN ABSOLUTE MAJORITY:-

1. ***unbudgeted expenditure of $432,636 (excluding GST) to complete the Murray Street Mall Enhancement works and commitments in this financial year;***

2. ***the expenditure in part 1 above being sourced from the "Asset Enhancement Reserve".***

The motion was put and carried by an absolute majority

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

800/07 INVESTMENT POLICY CHANGE

BACKGROUND:

FILE REFERENCE:	P1001378-27
RESPONSIBLE DIRECTOR:	Robert Mianich, Director Corporate Services
DATE:	6 December 2007
MAP / SCHEDULE:	Schedule 10 - Policy 9.3 - Management of Investments

The Committee recommendation to the Council for this report was resolved by the Finance and Budget Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

Policy No. 9.3 Management of Investments was last reviewed on 19 September 2006. The policy has been successfully implemented and the wider diversification of investments and returns, since produced has reinforce this.

A review of the policy has recognised the need to change constraints on Term to Maturity settings in respect of Direct Investments and to clarify the required reporting requirements.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	Section 6.14 of the Local Government Act 1995 Local Government (Financial Management) Regulations 1996 – Power to Invest The Trustees Amendment Act 1997, Point 6, Part III Investments
Strategic Plan Key Result Area:	Capable and Responsive Organisation

DETAILS:

The investment term for Non Authorised Deposit-taking Institution securities is recommended to be increased to ten years. The five year term was introduced to limit exposure to long term securities of this type. An opportunity has now come about to reduce risk on an investment in the City's portfolio by replacing it with a longer-term security. This opportunity is the subject of a separate paper, but for it to proceed a policy change is required.

The second change reflects a more appropriate method of reporting. Currently financial statements are provided to Council on a monthly basis, disclosing investment earnings and listing as a note to the statements the type of investments held. This level of reporting will continue. A more detailed report listing separate securities and disclosing earnings on each investment is provided to the Finance and Budget Committee quarterly. This report is available to all Councillors.

COMMENTS:

The changes to Policy are necessary to manage investments in a changed environment and to reflect an appropriate system of reporting.

Moved by Cr Davidson, seconded by Cr Tognolini

That the Council approves changes to Policy 9.3 - Management of Investments as follows:-

1. Section 3.2.2 Direct Investments, changing the maximum Investment Term Non ADIs (Authorised Deposit-taking Institution) from five to ten years;

(Cont'd)

2. Section 5.3 Review/Reporting changing the interval of the monthly report to the Council to a quarterly report to be provided to the Finance and Budget Committee detailing the investment portfolio in terms of performance and counterparty percentage exposure of the total portfolio. For relevant investments, fluctuations will be marked to market in this report.

The motion was put and carried

The votes were recorded as follows:-

For: The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

GENERAL PURPOSES COMMITTEE REPORTS

801/07 POLICY 11.4 - WORLD ENERGY CITIES PARTNERSHIP - ATTENDANCE AT MEETINGS

BACKGROUND:

FILE REFERENCE:	P1012089-6
RESPONSIBLE DIRECTOR:	Frank Edwards, Chief Executive Officer
DATE:	20 November 2007
MAP / SCHEDULE:	Schedule 11 - Policy 11.4 - World Energy Cities Partnership - Attendance at Meetings

At the General Purposes Committee meeting held on 27 November 2007 the following alternate recommendation to that of the administration was adopted:-

That the Council adopts Policy 11.4 – World Energy Cities Partnership – Attendance at Meetings, as amended in Schedule 5.

The administration's original recommendation is set out below:-

That the Council adopts Policy 11.4 – World Energy Cities Partnership – Attendance at Meetings, as detailed in Schedule 5.

The City of Perth has been a member of the World Energy Cities Partnership (WECP) since 2000, and the Lord Mayor and the Chief Executive Officer have attended the Annual General Meetings and the Annual Working Group Meetings as the need has arisen. On previous instances, a report has been submitted to the

Council to approve the Lord Mayor and the Chief Executive Officer to attend these meetings.

It is considered that the attendance of the Lord Mayor and Chief Executive Officer to attend these meetings be formalised in a Council policy to remove the requirement for a report to be submitted to the Council.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Local Government Act 1995
Section: 2.7(2)(b)

Strategic Plan
Key Result Area: City Leadership
Strategy: Leading City Strategy

DETAILS:

The WECP became an incorporated organisation in 2005 and has a permanent secretariat provided by the World Trade Division of the Greater Houston Partnership. The WECP's goal is to encourage business development and the exchange of opportunities.

The partnership cities are "energy cities" in the world's key energy nations which means that the most important parts of the world's energy operations have a base within their respective city. The network is gradually expanding as more countries open their doors to joint ventures and the current members of the WECP include the following cities:-

- Aberdeen, Scotland;
- Daqing, China;
- Damman, Saudi Arabia;
- Donyong, China;
- Halifax, Canada;
- Houston, USA;
- Luanda, Angola;
- Perth, Australia;
- Malabo, Equatorial Guinea;
- San Fernando, Trinidad and Tobago;
- Stavanger, Norway;
- St Johns, Canada;
- Villahermosa, Mexico.

In previous occasions a report has been submitted to the Council to authorise the Lord Mayor and the Chief Executive Officer to attend the respective WECP meetings, however it is considered that such approval can be accommodated in a formalised policy of the Council.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report. All costs associated with the attendance of the Lord Mayor and the Chief Executive Officer at the various WECP meetings will be accommodated within budgeted funds within various operational accounts.

COMMENTS:

The World Energy Cities Partnership provides an effective means by which the City of Perth can support the energy industry in Western Australia.

It is considered that formalisation of an appropriate policy to allow the Lord Mayor and the Chief Executive Officer to fulfil their responsibilities within the organisation will negate the need for a report to be submitted to the Council when the WECP meetings occur.

Moved by Cr Evangel, seconded by Cr Butler

That the Council adopts Policy 11.4 – World Energy Cities Partnership – Attendance at Meetings, as amended in Schedule 11.

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

WORKS AND URBAN DEVELOPMENT COMMITTEE REPORTS

802/07 SWAN RIVER FORESHORE FOOTPATH CONSTRUCTION

BACKGROUND:

FILE REFERENCE: P1022996
RESPONSIBLE DIRECTOR: Peter Monks, Director Planning and Development
DATE: 15 November 2007

MAP / SCHEDULE: Maps 1 - 7 Location of proposed Swan River Foreshore footpath and shared path widening plus location of photographs
Schedule 12 - Possible Footpath Cross Section
Schedule 13 - Site Photographs

At the Works and Urban Development Committee meeting held on 26 November 2007 the following alternate recommendation to that of the administration was adopted:-

That the Council:-

1. *approves the construction of a pedestrian footpath along the Swan River Foreshore between Barrack Square and Plain Street as detailed in Schedules 2 and 3;*

2. *approves the incorporation of bollard lighting along the pedestrian footpath as outlined in part 1 above;*

3. *notes that the section of pedestrian footpath from Plain Street to Point Fraser will require a review of the current design.*

The administration's original recommendation is set out below:-

That the Council approves the construction of a pedestrian footpath along the Swan River Foreshore between Barrack Square and Plain Street as detailed in Schedules 2 and 3.

On 10 October 2007, the Minister for Planning and Infrastructure responded to a Perth Bicycle Network Local Government Grant application submitted by officers with an offer of a grant to the City of Perth. The offer is for a grant of $126,000 towards construction of a 1.1 km long footpath to provide pedestrian separation along the Swan River Foreshore adjacent to the existing river wall approximately between Governors Avenue and Plain Street.

Maps 1 to 7 show the location of the proposed footpath included in the application which extends from approximately opposite the Perth Performing Arts Precinct to 0.18 km east of Plain Street.

Schedule 12 shows a possible footpath cross section. Schedule 13 shows site photographs.

The grant offered by the Minister excludes the section of shared path from Plain Street eastwards as the officer's application proposed the widening of the existing shared path in this section and this did not receive sufficient priority in the assessment of the various projects being considered by the Department for Planning and Infrastructure (DPI). The shared path widening proposal was suggested because the area behind the river wall east of Plain Street is constructed of coarse stone (as

shown in Photograph E in Schedule 13) and is not suitable for a provision of a paved footpath.

Other works either being undertaken or considered by the Council in this area are:-

- Capital Works item for the provision of irrigation of the Swan River Foreshore between a point opposite Governors Avenue to Plain Street on the southern side of Riverside Drive.

- Future Perth Performing Arts Precinct foreshore works opposite Perth Concert Hall west of Victoria Avenue, including Hospitality Buildings, Drama Theatre, and boat mooring facilities.

LEGISLATION / STRATEGIC PLAN / POLICY:

Strategic Plan

Key Result Area:	Accessible City
Strategy:	Movement and Access Strategy

DETAILS:

The purpose of the proposal is to ease the congestion currently being experienced by cyclists and pedestrians on the shared path hotspot in this area.

The construction of the footpath is subject to agreement by the Council and the final design will require approval by the Swan River Trust. The Swan River Trust has indicated informally that a development application for the footpath will need to be submitted to the Swan River Trust, and that the timescale for consideration of the application is expected to be about four months.

Work on installation of the Swan River Foreshore irrigation has commenced. It was developed to provide soft landscaping and improve the appearance and amenity of this part of the foreshore. The design of the irrigation includes the provision of reticulation along the back of the river wall where the footpath would be located. The programme has been re-arranged so that most of the work along the river wall will be left until last and any changes needed to reticulation work actually completed arising from construction of a footpath would be minimised.

The grant offer was conditional on acceptance by 26 October 2007, and was subject to several other conditions including completion of the works by 30 April 2008, completion of the works as proposed, and the meeting of any over-expenditure by the City of Perth. There is no undertaking to carry the grant offer forward to the next financial year if the footpath is not completed by 30 April 2008. DPI has been advised that the Council would be unlikely to be able to meet the terms of the offer with regard to timescale because of the need to obtain development approval from the Swan River Trust and that the details of the offer would be considered by the Council in due course.

Options that could be included in the full footpath work but which would increase the cost include, at the western end near the Perth Performing Arts Precinct development, a boardwalk over the river wall and, at the eastern end east of Plain Street, either widening of the existing shared path or construction of another boardwalk over the river wall. Both the latter options may have to be completed without grant support.

FINANCIAL IMPLICATIONS:

There is currently no budgeted item covering the Council's proportion of constructing the proposed footpath. The grant offer from the Minister is intended to cover a 50% contribution towards the costs for the footpath which was initially forecast to total $252,000. However, this sum does not include alterations to the Swan River Foreshore Irrigation currently underway nor any possible widening of the section east of Plain Street, nor the additional cost of the boardwalk options referred to above.

If the Council wishes to proceed with the proposal to construct the footpath the following steps will need to be undertaken:-

1. redesign the Swan River Foreshore Irrigation and vary the existing contract;

2. prepare and approve detailed footpath design, including possible boardwalk or shared path widening east of Plain Street, and prepare a detailed cost estimate including irrigation alterations;

3. negotiations with DPI about variations to their conditions placed on the grant offer, including extending the completion date into the next financial year;

4. identification of Council funds;

5. submission of a development application to Swan River Trust for development approval;

6. construction.

All figures quoted in this report are exclusive of GST.

COMMENTS:

Several options have been considered for improving the safety and amenity of pedestrians in this area.

The existing shared path could be widened but this would do little to reduce the existing conflict between cyclists and pedestrians and would probably not receive a supporting grant from DPI.

Another possibility would be to try to reduce the speed of cyclists. However, it is likely that this would be difficult to enforce and would be unlikely to succeed. Cyclists are not required to have a speedometer and most cyclists do not have an accurate knowledge of their speed. Speed enforcement would therefore not be feasible. Speed bumps and partial barriers to slow cyclists would not make much difference to cyclists who would probably cycle round them.

The possibility of providing an on-road cycle facility in both directions along Riverside Drive may be a long-term option but issues to be considered are how to provide a cycle lane in each direction including at the intersections, the possible reduction of Riverside Drive to one through lane in each direction for much of its length and provision of facilities to enable cyclists to cross the road safely at each end. In addition, on-road cycle lanes would not be attractive to many recreational cyclists who enjoy being near the river. The benefit to pedestrians on the shared path of providing a separate on-road facility for cyclists could be minimal.

The area behind the river wall could be fully irrigated and provided with soft landscaping as currently intended by the Council. This may provide some relief to congestion and conflict on the shared path by providing an alternative area for pedestrians to stroll but it may not provide sufficient relief to significantly improve the existing problems.

The final option considered is the provision of a separate pedestrian only footpath adjacent to the river wall. This could be constructed using standard 400 x 400 mm city pavers, with some boardwalk introduced as described above. It is not considered that a handrail would be required as long as the path is limited to pedestrian use only.

There are two main options to be considered by the Council:-

Option 1 - Decline the Grant and Continue with Soft Landscaping

Firstly, the Council could continue with the soft landscaping included in the Swan River Foreshore Irrigation project and advise DPI that it declines the Minister's offer of a grant.

The provision of reticulation and grass may result in less pedestrians keeping to the shared path and ease the conflict with cyclists.

The City of Perth could monitor the congestion and conflict between cyclists and pedestrians on the shared path and review the situation in a years time.

Option 2 – Agree to Accept the Grant, Modify the Swan River Foreshore Irrigation Design and Build the Path

Secondly, the Council could request officers to prepare a firm proposal for the Council to consider for amending the irrigation, constructing the footpath and widening the shared path east of Plain Street or constructing the boardwalk options,

and to conduct negotiations with DPI to secure conditions for the grant support that would enable the footpath to be constructed within an achievable timeframe.

Moved by Cr Hardy, seconded by Cr Evangel

That the Council:-

1. ***approves the construction of a pedestrian footpath along the Swan River Foreshore between Barrack Square and Plain Street as detailed in Schedules 12 and 13;***

2. ***approves the incorporation of bollard lighting along the pedestrian footpath as outlined in part 1 above;***

3. ***notes that the section of pedestrian footpath from Plain Street to Point Fraser will require a review of the current design.***

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

803/07 UNBUDGETED EXPENDITURE - PLAYGROUND REMOVAL AND REPLACEMENT, ROD EVANS CENTRE

BACKGROUND:

FILE REFERENCE:	P1022967
RESPONSIBLE DIRECTOR:	Doug Forster, Director Business Units
DATE:	16 November 2007
MAP / SCHEDULE:	N/A

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 26 November 2007 and endorsed by the Finance and Budget Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

Written quotations were sought in October 2007 for the installation of a new playground and associated works at the Rod Evans Centre.

Assessments of the quotations have been completed. It has become evident that insufficient funding was allocated for this project in the 2007/08 Capital Works Budget. As a consequence, additional funds are now sought to progress the work.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Local Government Act 1995

Strategic Plan
Key Result Area: Attractive and Functional City
Strategy: Outdoor City Strategy

DETAILS:

An amount of $60,000 is currently allocated in the 2007/08 capital works budget for the provision of the new playground equipment (the budget excluded the provision of shade sails). All the quotations received for the playground equipment exceeded the budgeted amount.

Four companies provided ten playground tender submissions ranging in price from $62,477 to $91,517 to remove the existing playground, install new equipment and to replace the existing softfall.

Prior to the quotations being sought, consultation was undertaken with the playgroup that currently utilise the existing playground - East Perth Tiny Tots Playgroup. During this process it was identified that the user age range for the equipment would be from one to five years of age and that rubber was the preferred softfall material. In addition, the playground would be fully fenced.

All submissions were assessed. The quotation from Forpark Australia scored highly against the selection criteria. All panel members agreed that submission from Forpark Australia best met the needs of the intended users and fully utilised the space available for the playground.

Requests have also been received for the existing playground to have a shade structure installed. The shade structure can be completed after the new playground is constructed subject to availability of funding.

FINANCIAL IMPLICATIONS:

The total cost for the project as recommended is $99,517 which includes $91,517 for the equipment and soft-fall, and $8,000 for shade sails.

ACCOUNT NO:	CW 11450
BUDGET ITEM:	Recreation and Culture - Other Recreation and Sport - Sports and Play Grounds
BUDGET PAGE NUMBER:	19
BUDGETED AMOUNT:	$60,000
AMOUNT SPENT TO DATE:	$ 0
PROPOSED COST:	$99,517
BALANCE REQUIRED:	$39,517

All figures quoted in this report are exclusive of GST.

COMMENTS:

Consultation and involvement of the users of the proposed playground equipment, together with consideration of the age of the children using the facility, has confirmed that the recommended option from Forpark Australia will provide the best result.

Moved by Cr Butler, seconded by Cr Evangel

That the Council:-

1. APPROVES BY AN ABSOLUTE MAJORITY unbudgeted expenditure of $39,517 (excluding GST) for the replacement of the playground and installation of shade sails at Rod Evans Centre, East Perth;

2. notes that the expenditure in part 1 above can be accommodated from savings identified at the November 2007 budget review.

The motion was put and carried by an absolute majority

The votes were recorded as follows:-

For: The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

804/07 TENDER 063-06/07 - FABRICATION AND INSTALLATION OF NEW STREET SIGNS

BACKGROUND:

FILE REFERENCE:	P1022444
RESPONSIBLE DIRECTOR:	Peter Monks, Director Planning and Development
DATE:	16 November 2007
MAP / SCHEDULE:	Schedule 14 - Tendered Rates

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 26 November 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

Tenders for the fabrication and installation of street signs was advertised in The West Australian on 9 May 2007 and closed on 26 June 2007.

At its meeting held on **7 August 2007**, the Council adopted the following resolution:-

That the Council:-

1. *notes that three conforming tenders have been received for the fabrication and installation of street signs;*

2. *defers acceptance of any one tender until prototypes have been fabricated and a preferred sign design and fixing details are accepted by the Council;*

3. *requests each tenderer to develop a prototype sign, including fixing arrangements, based on their submitted prices, as follows:*

3.1	*Varisigns Pty Ltd*	*$1,052.31 (excluding GST);*
3.2	*Sign Supplies Pty Ltd*	*$660.00 (excluding GST);*
3.3	*Sudden Impact Signs*	*$789.24 (excluding GST);*

4. *notes the expenditure in part 3 above is to be charged to Budget Item "Parking Facilities - Other - Street Signs - Municipality of City of Perth".*

LEGISLATION / STRATEGIC PLAN / POLICY:

Strategic Plan
Key Result Area: Attractive and Functional City
Strategy: Outdoor City Strategy

DETAILS:

Tenders for the fabrication and installation of street signs closed on 26 June 2007. Tenderers were required to submit their tenders in two parts:-

Part 1: The cost for developing a prototype (fixed price).
Part 2: Implementation of the signage programme (based on rates).

Three tenders were received:-

1 Sign Supplies Pty Ltd.
2 Sudden Impact Signs.
3 Varisigns Pty Ltd.

All three tenders were assessed against the following qualitative selection criteria and deemed to be conforming tenders:-

- previous experience in similar street fabrication and installation;
- competency in being able to carry out design, construction and project management;
- previous experience of personnel;
- quality control and assurance;
- guarantee and warranty.

Final Ranking of Tenderers
By combining the assessment results of the qualitative criteria and the prototypes, the final ranking of tenderers is:-

Final Ranking	Tenderer
1	Sudden Impact Pty Ltd
2	Varisigns Pty Ltd
3	Sign Supplies Pty Ltd

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CW 1170
BUDGET ITEM:	Parking Facilities - Street Signs - Other
BUDGET PAGE NUMBER:	21
BUDGETED AMOUNT:	$100,000
AMOUNT SPENT TO DATE:	$ 2,554
PROPOSED COST:	$ 97,446 (approximately 100 signs in 07/08)
BALANCE:	$ 0
ANNUAL MAINTENANCE:	Damaged signs will be replaced under contract using submitted schedule of rates for a minimum of three years. The maintenance thereafter could be undertaken in-house or continued under contract - following assessment of resource availability and probable costs.

All figures quoted in this report are exclusive of GST.

COMMENTS:

Value for Money
The ranking between tenderers on qualitative criteria was very close thereby making the deciding factors cost and quality of prototype. Although Varisigns Pty Ltd and Sign Supplies Pty Ltd are well-known and experienced manufacturers, on this occasion their prototypes are considered to be significantly less developed than Sudden Impact Signs Pty Ltd. In consideration of the tender assessment of qualitative criteria, prototypes and submitted rates, the tender submitted by Sudden Impact Signs Pty Ltd offers best value for money.

Programme and Cost
It is estimated that the removal of each City sign and the replacement with a new sign will cost in the order of $900 per sign. The current budget will therefore support approximately 100 new signs. It is estimated that there are approximately 300 signs in the central area of Perth; therefore additional funds will be required in the capital works programme to complete the central area. A total project budget of $300,000 is currently proposed in the draft Five Year Capital Works Programme to cover this cost.

Following completion of the central area, the Council can then decide on the priority areas and the rate of the signs replacement programme across the remainder of the city as a second stage to this project.

The City will consider options for the potential re-use or selling of the old signs. This will be subject to a separate report to the Council.

Moved by Cr Hardy, seconded by Cr McEvoy

That the Council:-

1. ***accepts the most suitable tender, being that submitted by Sudden Impact Signs Pty Ltd, for the fabrication and installation of street signs based on the tendered schedule of rates detailed in Schedule 14 and the submitted prototype;***

2. ***notes that the expenditure in part 1 above, to an initial cost of $97,446, is to be charged to Budget Item "Parking Facilities – Other – Street Signs", enabling the project to commence this financial year with approximately 100 signs;***

3. ***supports in principle a budget of approximately $300,000 in the Five Year Capital Works Programme to implement this project in the central area of Perth;***

4. ***considers the priority areas and rate of replacement programme across the remainder of the city at a future meeting once the central area has been completed.***

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

805/07 TENDER 009-07/08 - SUPPLY AND DELIVERY OF TREES, SHRUBS, PERENNIALS AND PLANTS

BACKGROUND:

FILE REFERENCE:	P1022694
RESPONSIBLE DIRECTOR:	Douglas Forster, Director Business Units
DATE:	9 November 2007
MAP / SCHEDULE:	Schedule 15 - Schedule of Rates

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 26 November 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

Perth's parks, gardens, reserves and entry statements reflect the City's commitment to the continuing enhancement and management of the landscape. In order to maintain the high quality expected of a Capital City it is necessary to renovate gardens and replace damaged and unsuitable plants.

In order to ensure the City receives best value for money and is supplied with the highest quality plants available, a panel of suppliers is presently required.

POLICY/LEGISLATION/STRATEGIC PLAN:

Legislation	Local Government (Functions and General) Regulations 1996
Section:	Part 4 - Tenders for providing Goods and Services
Strategic Plan	
Key Result Area:	Attractive and Functional City
Strategy:	Outdoor City Strategy
Policy	
Policy No and Name:	9.2 - Expenditure - Authorisation - Annual Items

DETAILS:

An invitation seeking suitable tenders for the supply and delivery of trees, shrubs, perennials and associated plants was advertised in The West Australian newspaper. A total of nine documents were downloaded from the City's website.

Two submissions were received at close of tenders. Submissions were received from the following companies:-

- Temay Pty Ltd as trustee for Stanhope Land Trust trading as Domus Nursery.
- Quito Pty Ltd trading as Benara Nurseries.

Tenderers were required to address the selection criteria in the specification and to submit a Form of Tender that included a Schedule of Rates. Suitable companies were also invited to provide, as a variation, prices for plant types not listed.

Tender submissions were evaluated against the following assessment criteria:-

- quality control procedures;
- demonstrated experience;
- ability to provide goods and services;
- support resources – personnel;
- support resources – equipment.

Domus Nursery

Domus Nursery adequately addressed every aspect of the selection criteria. Domus Nursery is able to supply a large variety of native plant species and has supplied the City with plant stock for approximately 20 years. The quality of stock and service has always been of a high standard.

Benara Nurseries

Benara Nurseries adequately addressed every aspect of the selection criteria. Benara Nurseries carry an extensive and mixed range of native and exotic plant species and are currently contracted to the City for the supply of annual plants.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	Various
BUDGET ITEM:	Recreation and Culture – Other Recreation and Sport – Parks Gardens and Reserves
BUDGET PAGE NUMBER:	11
BUDGETED AMOUNT:	$4,936,098
AMOUNT SPENT TO DATE:	$ 921,773
PROPOSED COST:	$ 40,000
BALANCE:	$3,974,325

ACCOUNT NO:	Various
BUDGET ITEM:	Recreation and Culture – Other Recreation and Sport – Sports and Play Grounds
BUDGET PAGE NUMBER:	11
BUDGETED AMOUNT:	$547,654
AMOUNT SPENT TO DATE:	$130,641
PROPOSED COST:	$ 15,000
BALANCE:	$402,013

ACCOUNT NO:	Various
BUDGET ITEM:	Transport – Streets, Roads, Bridges, Depots – Road Reserves Maintenance
BUDGET PAGE NUMBER:	13
BUDGETED AMOUNT:	$1,980,848
AMOUNT SPENT TO DATE:	$ 561,044
PROPOSED COST:	$ 40,000
BALANCE:	$1,379,804

All figures quoted in this report are exclusive of GST.

COMMENTS:

The tender specifications provides for the selection of a panel of suppliers for the required plants with orders being placed according to price and availability. The Schedule of Rates covered 263 plant types over 11 container sizes. No submission provides prices for all plants or all pot sizes as listed in the Schedule of Rates.

Both companies have supplied good quality plants to the City for a number of years and are current suppliers. It is recommended that both tenders be accepted to establish a panel of providers. This would ensure adequate supply of large plant orders and also a wider range of plant species and types available for the City's parks and gardens.

Moved by Cr Tognolini, seconded by Cr McEvoy

That the Council:-

1. ***accepts the most suitable tenders, being those submitted by Benara Nurseries and Domus Nurseries, to establish a panel of providers for the supply and delivery of trees, shrubs, perennials and plants for a period of two years commencing on 20 December 2007, with the option of a two year extension as per the schedule of rates detailed in Schedule 15;***

2. ***notes that expenditure in part 1 above is to be charged to Budget Items "Recreation and Culture – Other Recreation and Sport – Parks, Gardens & Reserves", "Recreation and Culture – Other Recreation and Sport – Sports & Play Grounds" and "Transport – Streets, Roads, Bridges, Depots – Road Reserves Maintenance".***

The motion was put and carried

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

PARKING COMMITTEE REPORTS

806/07 CONSTRUCTION OF TEMPORARY CAR PARK - LOT 1192 WELLINGTON STREET, PERTH

BACKGROUND:

FILE REFERENCE:	P1021540
RESPONSIBLE DIRECTOR:	Doug Forster, Director Business Units
DATE:	13 November 2007
MAP / SCHEDULE:	Site Locality Map – Aerial Photograph Plan – Wellington Street – Proposed Temporary City of Perth Car Park

The Committee recommendation to the Council for this report was resolved by the Parking Committee at its meeting held on 26 November 2007 and endorsed by the Finance and Budget Committee at its meeting held on 11 December 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

The City's purchase of a 99 year lease of the Convention Centre car park package in 2004 included an area of land adjoining Wellington Street immediately west of the former Entertainment Centre (Lot 1192). At the time, it was estimated that approximately 300 car bays could be established on the site.

Construction of a temporary car park on Lot 1192 is now proposed given the delays in the commencement of the Northbridge Link project.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	Local Government Act 1995 Perth Parking Management Act 1999

Strategic Plan

Key Result Area:	Prosperous City
Strategy:	Business City Strategy

Policy
Policy No and Name: 9.1 - Budget Policy relating to the car parking business

DETAILS:

Given the City's support for the construction of the Northbridge Link project, including the extension of the underground rail system, the conversion of Lot 1192 to a car park has not been pursued with any vigour since 2004. However, in 2006 when it became obvious that the Northbridge Link was unfunded by the State Government, a Development Application was lodged with the East Perth Redevelopment Authority (EPRA) for a temporary car park. At EPRA's request the application was subsequently withdrawn, however was relodged in July 2007 when State Government funding still did not eventuate.

While initially being refused, a conditional planning approval for a temporary car park is now being negotiated with EPRA. An update will be provided at the Parking Committee meeting.

The conditions for the surrender of Lot 1192, as part of the City's contribution to sink the railway and the implementation of Northbridge Link, have been included in a draft Deed of Agreement to be signed by the City and the State Government. The draft Deed's conditions include that the first instalment of the City's contribution (made up of Lot 1192 plus 20% of the agreed cash component) is linked to the State Government committing to fund the Northbridge Link project.

It is generally accepted that parking in the city is at a premium and the two recent Parking Forums involving retail, property and business interests confirmed the shortage. Community comment through the press and correspondence is further evidence. Constructing the temporary facility will ease that situation, however, it is anticipated that further problems will occur when the Elder Street car park expansion takes place.

As best as can be determined the temporary car park will operate for a minimum period of 12 months. Given the start-up time needed for Northbridge Link post government funding, the period is likely to be longer.

FINANCIAL IMPLICATIONS:

In 2005/06 an amount of $750,000 was included in the City's Capital Works budget to construct a permanent car park facility on Lot 1192. Given the uncertainty regarding the Northbridge Link commencement the funding bid lapsed. As a result, no capital funding is listed in the current year.

The estimated cost for the temporary facility is $360,000. The area will need to be shaped for drainage and sealed to create an all weather dust free surface with line-marking. Additional lighting will be required along with ticket machines for the payment of parking fees.

It is recommended that funds be allocated from the Parking Facilities Development Reserve fund which currently has a balance of $30.9 million.

Over the initial 12 month operating period (which is expected to be the minimum) net contribution is projected at $161,700. This includes the recovery of the initial capital investment but does not include the loan borrowing costs and other amortisations associated with the initial purchase of the 99 year lease.

It should be noted that the proposal is to provide additional parking in the city to support business activities, events and the like and not as a money making venture.

Depending on the timing of the demolition of the Elder Street car park, having additional parking bays in this locality will assist in the provision of car parking services. In particular, services to the Hotel Grand Chancellor, which relies on the Elder Street facility for parking, can be provided although there is no contractual obligation to do so.

COMMENTS:

Constructing a temporary car parking facility on Lot 1192 will go some way to meeting the demand on parking in the city for at least a short period of time.

Having the surrender of the land linked through the formal agreement between the State Government and the City of Perth will ensure that the temporary car park construction does not interfere or impact on the Northbridge Link project proceeding when planned.

Moved by Cr McEvoy, seconded by Cr Tognolini

That the Council:-

1. APPROVES BY AN ABSOLUTE MAJORITY unbudgeted expenditure of $360,000 (excluding GST) for the construction of a temporary car park on Lot 1192, Wellington Street;

2. notes that the expenditure in part 1 above can be accommodated from the "Parking Facilities Development Reserve".

The motion was put and carried by an absolute majority

The votes were recorded as follows:-

For: The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

807/07 TENDER 040-07/08 - REMOVAL OF GREASE, OIL AND DIRT IN CAR PARKS

BACKGROUND:

FILE REFERENCE:	P1022860
RESPONSIBLE DIRECTOR:	Doug Forster, Director Business Units
DATE:	16 October 2007
MAP / SCHEDULE:	N/A

The Committee recommendation to the Council for this report was resolved by the Parking Committee at its meeting held on 26 November 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

The City of Perth operates 14 undercover car parks and 17 open air car parks. The undercover car parks are cleaned utilising a major degrease and scrubbing programme at least once a year.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	Local Government (Functions and General) Regulations 1996
Section:	Part 4 – Tender for providing Goods and Services

Strategic Plan

Key Result Area:	Accessible City
Strategy:	Movement And Access Strategy

Policy

Policy No and Name:	9.2 - Expenditure - Authorisations - Annual Items

DETAILS:

A public tender for the works was advertised in The West Australian newspaper on 11 September 2007.

The duration of the contract was for three years, with the option to extend for two further one year periods.

At the close of tenders on 2 October 2007, four submissions were received, being:-

- Luxodrome Pty Ltd trading as FCT Surface Cleaning.
- Envirotech Cleaning Pty Ltd.
- Industrial Scrubbing and Sweeping Services Pty Ltd.
- Graffiti of Australia Pty Ltd.

The four tender submissions were evaluated against the specified assessment criteria:-

- experience with similar works;
- specific experience in degreasing of car parks;
- method of cleaning.

Primarily, the method of cleaning is utilising a power-operated floor scrubber incorporating biodegradable chemicals and limited water.

Luxodrome Pty Ltd trading as FCT Surface Cleaning

The tender from FCT Surface Cleaning scored second highest against the assessment criteria. The company has held government contracts for the past 14 years for graffiti removal and has experience with cleaning shopping centre open air car parks.

Envirotech Cleaning Pty Ltd

Envirotech Cleaning offered an alternative tender which scored third against the qualitative assessment criteria. The company uses a high pressure machine which cleans, recovers and recycles water. In a previous trial the company was given the work of degreasing His Majesty's car park and other pavement areas as a test of the machine's capabilities. While effective as a cleaning unit, manoeuvrability was an issue.

Industrial Scrubbing and Sweeping Services Pty Ltd (ISSS)

Industrial Scrubbing and Sweeping Services Pty Ltd scored highest against the assessment criteria. The company has several years experience in degreasing and sweeping of multi-storey car parks with other local governments and private car park operators. ISSS has held previous City contracts for degreasing and scrubbing of multi-storey car parks. During this time an acceptable standard of cleaning and service was provided. The machines used comply with the preferred method of using a power-operated floor scrubber which utilises biodegradable chemicals and also recycles water.

Graffiti of Australia Pty Ltd

Graffiti of Australia Pty Ltd has its head office in New South Wales with a branch in Perth. It holds a number of contracts for example in Perth with the Public Transport Authority and the City of Subiaco. Its experience is mainly in graffiti removal as well as pressure cleaning. The price submission from Graffiti of Australia Pty Ltd missed an addendum which added the Convention Centre car park which had previously been omitted from the pricing schedule.

After the qualitative assessment of the submissions, the panel considered the price submissions below.

Price (Exc GST)				
Car park Name & Location	**FCT**	**ISSS**	**GoA**	**Envirotech**
Elder Street	$7,800	$6,040	$11,520	$11,701
His Majesty's, Murray Street	$10,400	$9,130	$69,120	$17,385
Cultural Centre, Roe Street	$5,200	$4,850	$17,280	$9,612
Concert Hall, Terrace Road	$6,500	$3,700	$11,520	$12,100
Roe Street, Northbridge	$7,800	$7,045	$23,040	$18,454
Pier Street	$10,400	$9,090	$86,400	$23,026
State Library, Francis Street	$9,100	$7,170	$11,520	$18,481
Citiplace, Roe Street	$7,800	$7,100	$51,840	$15,873
Mayfair Street, West Perth	$7,800	$4,990	$46,080	$15,393
Regal Place, Royal Street	$11,700	$7,000	$34,560	$7,883
Aberdeen Garage, Aberdeen Street	$750	$280	$5,760	$696
The Garage, Wellington Street	$750	$480	$5,760	$1,220
Council House St Georges Terrace	$1,300	$1,860	$5,760	$3,202
Aberdeen Street Car Park open air - may or may not require cleaning	$750	$3,450	$5,760	$2,114
Convention Centre Car Park	$20,800	$12,500	Not submitted	$31,018
TOTAL	**$108,850**	**$84,685**	**$385,920**	**$188,157**

The above tender sums are exclusive of GST.

The Council recently approved the purchase of a high pressure cleaning and degreasing machine to be used for general pavement cleaning including car parks. It is likely that the new machine will be operational in six to nine months. As a consequence, all tenderers were asked whether they would accept a reduction in the contract period and whether there would be a price difference. All except Graffiti of Australia Pty Ltd accepted the change in duration and that the prices would remain the same. Graffiti of Australia Pty Ltd accepted the change but indicated that there would be a price increase of 16%.

Based on the qualitative assessment, specific experience in degreasing of car parks and price, it is recommended that Industrial Scrubbing and Sweeping Services Pty Ltd be awarded the tender.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	Various
BUDGET ITEM:	Transport - Parking Facilities – Multi-storey Car Park Operations (OSP)
BUDGET PAGE NUMBER:	13
BUDGETED AMOUNT:	$100,000 - this component
AMOUNT SPENT TO DATE:	$ 0 - this component
PROPOSED COST:	$ 84,865 - this component per annum
BALANCE:	$ 15,135

All figures quoted in this report are exclusive of GST.

COMMENTS:

The recommended tenderer, Industrial Scrubbing and Sweeping Services Pty Ltd, has experience specifically in degreasing of car parks. In particular, it has held the contract for degreasing of the City's car parks over the past eight years. The price quoted is substantially lower than the other tenderers.

Moved by Cr Liu, seconded by Cr Tognolini

That the Council:-

1. accepts the most suitable tender being that submitted by Industrial Scrubbing and Sweeping Services Pty Ltd for the removal of grease, oil and dirt in car parks at a total recommended cost of $84,685 per annum (excluding GST), for an initial period of 12 months commencing on signing of the contract with a possible six month extension;

2. notes the expenditure in part 1 above being charged to Budget Item 'Transport - Parking Facilities - Multi-Storey Car Park Operations'.

The motion was put and carried

The votes were recorded as follows:-

For: The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

808/07 TENDER 034-07/08 - LIFT CONTROL AND DRIVE SYSTEM UPGRADE - ROE STREET CAR PARK

BACKGROUND:

FILE REFERENCE:	P1022978
RESPONSIBLE DIRECTOR:	Garry Dunne, Director Service Units
DATE:	22 November 2007
MAP / SCHEDULE:	N/A

The Committee recommendation to the Council for this report was resolved by the Parking Committee at its meeting held on 26 November 2007.

The Committee recommendation to the Council is the same as that recommended by the administration.

At its meeting held on 21 August 2007, the Finance and Budget Committee resolved that it:-

1. *authorises the Chief Executive Officer to tender a contract to replace the controllers, lifting equipment, machine over-speed governors and car panels to the lifts at the Roe Street car park;*

2. *notes that the works in part 1 above will involve unbudgeted capital works expenditure of approximately $170,000 (excluding GST).*

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	Local Government (Functions and General) Regulations 1996
Section:	Part 4 – Tender for providing Goods and Services

DETAILS:

The tender was advertised in The West Australian newspaper on Wednesday, 10 October 2007 with a mandatory site briefing held on Tuesday, 16 October 2007.

Three sets of tender documents were collected or downloaded from the City of Perth website during the tender period, however, only two tenderers attended the mandatory site briefing. They were Otis Elevator Company Pty Ltd and Kone Elevators Pty Ltd.

The tender closed at 2.00pm on Thursday, 8 November 2007 and three submissions were received, as follows:-

Tender	Works Program, Incl Delivery Time	Five Year Maintenance	Tender Sum
Otis Elevator Company Pty Ltd	34 weeks	$ 6,900 pa	$ 166,400
Kone Elevators Pty Ltd	40 weeks	$10,108 pa	$ 181,932
ThyssenKrupp	41 weeks	Not provided	$ 245,760

The tender submissions were assessed against the following published criteria:-

- Program of works.
- Appreciation / methodology of the works / services.
- Experience of key personnel and similar experience.
- Proposed equipment.
- Spare parts availability.

ThyssenKrupp did not send a representative to the mandatory site briefing. Their submission was ruled to be non-conforming and was not assessed.

Kone Elevators Pty Ltd provided a detailed submission, scoring well with their proposed equipment and availability of spare parts.

Otis Elevator Company Pty Ltd scored higher against the qualitative assessment criteria by a very small margin. Their submission provided the most ideal program of works period and their five year maintenance fees were considerably less than Kone Elevators Pty Ltd. Coupled with the lowest tender price, the Otis Elevator Company Pty Ltd submission was considered to represent the best value for money.

It is therefore recommended that Otis Elevator Company Pty Ltd be awarded this contract at a cost of $166,400 (exclusive of GST).

FINANCIAL IMPLICATIONS:

Budget Item where monies have been / will be fully expended

ACCOUNT NO:	TBC
BUDGET ITEM:	N/A
BUDGET PAGE NUMBER:	N/A
BUDGETED AMOUNT:	$ 0
AMOUNT SPENT TO DATE:	$ 0
PROPOSED COST:	$185,000
BALANCE:	-$ 185,000

As there has not been funds allocated in the 2007/08 budget for these works, it is intended to fund the project through saving identified in the November 2007 Budget review.

All figures quoted in this report are exclusive of GST.

COMMENTS:

Otis Elevator Company Pty Ltd have advised they are willing to suspend billing during the upgrade program on each lift and then reinstate their existing maintenance agreement on the completion date.

The Otis Elevator Company Pty Ltd tender for preventative maintenance is identical to the maintenance contract that they already hold over these machines which commenced 1 July 2007. No action is therefore required on this matter.

Moved by Cr McEvoy, seconded by Cr Evangel

That the Council:-

1. accepts the most suitable tender, being that submitted by Otis Elevator Company Pty Ltd, to upgrade the lift controllers and drive system of two passenger lifts at the Roe Street car park, at a cost of $166,400 (excluding GST);

2. APPROVES BY AN ABSOLUTE MAJORITY the unbudgeted expenditure of $185,000 (excluding GST), to fund the following works:-

2.1 $166,400 - Otis Elevator contract as detailed in part 1 above;

2.2 $5,500 - Lift Consultant's fees;

2.3 $5,200 - Air Conditioning in the lift motor room;

2.4 $7,900 - Contingency;

3. notes the expenditure in part 2 above can be accommodated from savings identified at the November 2007 budget review;

4. takes no action on the maintenance component of the tender from Otis Elevator Company Pty Ltd as it is identical to the terms of the current maintenance contract held by Otis Elevator Company Pty Ltd.

The motion was put and carried by an absolute majority

The votes were recorded as follows:-

For: The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini

Against: Nil

809/07 77 - 85 (LOTS 50, 56 AND 302) FRANCIS STREET, NORTHBRIDGE - AMENDED APPLICATION FOR A WAREHOUSE EXTENSION

BACKGROUND:

SUBURB / LOCATION:	77 - 85 Francis Street, Northbridge
FILE REFERENCE:	2007/2353
REPORTING OFFICER:	Kathy Lees
RESPONSIBLE DIRECTOR:	Peter Monks, Director Planning and Development
DATE:	29 November 2007
MAP / SCHEDULE:	Map and Coloured Perspective for 77 - 85 Francis Street, Northbridge
LANDOWNER:	The Re Store Pty Ltd
APPLICANT:	Marocchi Engineering
ZONING:	(MRS Zone) Central City Area. (City Planning Scheme Precinct) Northbridge (P1). (City Planning Scheme Use Area) City Centre
APPROXIMATE COST:	$750,000

This item was tabled as a late report by the Chief Executive Officer on 18 December 2007.

At the Special Planning Committee meeting held on 18 December 2007 the following alternate recommendation to that of the administration was adopted:-

That, in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY an amended application for a warehouse extension at 77 - 85 (Lots 50, 56 and 302) Francis Street, Northbridge as indicated on the application form dated 8 October 2007 and as shown on the plans received on 9 October 2007 and 7 November 2007 subject to:-

1. *the height of the building not exceeding 11.5 metres at the building frontage as defined under the City Planning Scheme No. 2;*

2. *coffee roasting machinery being located towards the front of the building to enable viewing from the street by pedestrians;*

3. *the colours and finishes of the front facade of the existing warehouse being upgraded to match the front facade of the proposed warehouse additions, with final details being submitted for approval prior to the issue of the relevant building licence;*

4. lighting being provided to the street elevation of the building to enhance security for pedestrians at night with details being submitted for approval prior to the issuing of the relevant building licence;

5. the subject lots being amalgamated into one lot on one Certificate of Title;

6. any new signage being subject to a separate application for approval;

7. the existing and proposed roller doors on the front elevation of the warehouse buildings being decorated with public art to improve the amenity of the streetscape, with details of the artwork being submitted for approval prior to the issue of the relevant building licence.

The administration's original recommendation is set out below:-

That, in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY an amended application for a warehouse extension at 77 - 85 (Lots 50, 56 and 302) Francis Street, Northbridge as indicated on the application form dated 8 October 2007 and as shown on the plans received on 9 October 2007 and 7 November 2007 subject to:-

1. the height of the building not exceeding 11.5 metres at the building frontage as defined under the City Planning Scheme No. 2;

2. coffee roasting machinery being located towards the front of the building to enable viewing from the street by pedestrians;

3. the colours and finishes of the street elevation of the existing and the proposed building, including the roller doors, matching with final details being submitted for approval prior to the issue of the relevant building licence;

4. lighting being provided to the street elevation of the building to enhance security for pedestrians at night with details being submitted for approval prior to the issuing of the relevant building licence;

5. the subject lots being amalgamated into one lot on one Certificate of Title;

6. any new signage being subject to a separate application for approval.

SITE HISTORY:

The subject site consists of two lots fronting Francis Street with a central right-of-carriageway shared between the two lots. The total area is 2,292m^2 and the total frontage to Francis Street is 45.39 metres. Lot 56 is occupied by a warehouse and Lot 302 is occupied by a single-storey building (originally a house) which was previously used as a restaurant and is currently vacant. The surrounding area is characterised by a range of commercial uses including restaurants, warehouses and offices.

An application to demolish the vacant building on Lot 302 and construct an extension to the existing warehouse was approved by the City under delegated authority on 24 January 2007. An application for the amalgamation of the lots has been submitted for approval and endorsed by the Western Australian Planning Commission and is awaiting finalisation by Landgate.

The members of the Planning Committee met with the applicants on 17 December 2007 and the issues raised at the Planning Committee meeting on 11 December 2007 were resolved.

DETAILS:

The applicants propose to demolish the vacant building on the site and construct an 810m^2 extension to the existing warehouse, resulting in a warehouse building extending over effectively the entire site with a floor area of 2,160m^2. The height of the previously approved extension largely matched the height of the existing warehouse with feature panels extending up to ten metres. However, the applicants now seek planning approval to increase the height of the extension to accommodate imported coffee roasting machines and silos and increase the available storage space. The existing warehouse façade extends up to nine metres in height above footpath level while the addition is proposed to extend up to 11.5 metres above footpath level. Two windows have also been added to the façade of the building to provide an active street frontage and potentially allow pedestrians to view the coffee roasting process.

Vehicular access to the addition is to be gained from Francis Street via a large 'colorbond' roller door in the front façade of the building.

The addition is to be constructed of concrete panels with a textured paint finish, with two vertical panels with feature grooves located in the front façade. These vertical panels together with an angled setback to the roller door and a steel canopy are intended to provide articulation to the front elevation. The existing warehouse is to be painted to match the paint finish of the addition.

The warehousing is part of a larger established landholding and valued retail and wholesale operation within the area and the applicants have indicated that the warehouse component of the operation is only required over the shorter term and in the longer term will be moved out of Northbridge.

COMPLIANCE WITH PLANNING SCHEME:

Land Use:

The subject property is located within the City Centre Use Area of the Northbridge Precinct (P1) under the City Planning Scheme No. 2. A mixture of compatible, complementary activities is essential to maintain the diversity of activity in this Precinct with entertainment activities predominating east of Russell Square. A rich

mix of other commercial uses, including short stay accommodation such as hotels and serviced apartments, will also be encouraged.

A warehouse is a contemplated (C) use within the City Centre use area of the Northbridge Precinct. Warehousing is an established use within Francis Street which forms part of a larger established landholding and valued retail and wholesale operation within the area. On this basis the use can be supported

Development Requirements:

The proposal has been assessed against the City Planning Scheme No. 2 requirements and the proposal's compliance with the following development standards is summarised below:-

Development Standard	Proposed	Required
Maximum Plot Ratio	0.94:1 (2,160m^2)	3.0:1 (6,873m^2)
Car Parking	Nil	22 bays maximum
Building Height	**11.5 metres at building frontage**	0.5:1 (10 metres) at building frontage plus additional height within 45° plane
Setbacks - Front (Francis Street) - Side (West) - Side (East) - Rear (South)	 Nil – 4 metres Nil Nil Nil	 Nil Nil Nil Nil
Bicycle Parking	**Nil**	2 Bays (minimum)

Variations to the building height provisions applicable to the development can be granted by an absolute majority decision of the Council, in accordance with Clause 47 of the City Planning Scheme and provided the Council is satisfied that:-

'47(3)(d)(i) if approval were to be granted, the development would be consistent with:-
(A) the orderly and proper planning of the locality;
(B) the conservation of the amenities of the locality; and
(C) the statement of intent set out in the relevant precinct plan; and

(ii) the non-compliance would not have any undue adverse effect on:-
(A) the occupiers or users of the development;
(B) the property in, or the inhabitants of, the locality; or
(C) the likely future development of the locality'.

COMMENTS:

Consultation:

The application was advertised to the owners of adjacent properties for a period of 14 days due to the non-compliance with the building height provisions as prescribed by the City Planning Scheme No. 2. No submissions were received.

Building Height and Bulk:

On the subject site, the City Planning Scheme No. 2 permits a maximum building height ratio at building frontage of 0.5:1 or 10 metres, while the warehouse addition is proposed to extend to a maximum height of 11.5 metres. The applicants have advised that the additional height is required to accommodate coffee roasting machines and silos imported from Europe and to improve the viability of the project. The lower window added to the façade will enable the viewing of the roasting process by pedestrians.

The additional 1.5 metres to the height is marginal and on its own is not likely to have any significant impact upon the amenity of the streetscape and the locality in general. While the overall bulk and scale of the building façade is likely to be dominant in the streetscape, this is a product of the intended use of the building for warehousing. The applicants have attempted to provide articulation in the front façade although clearly the opportunities are limited and the difficulties in disguising a warehouse use are acknowledged. On the basis that an extension to the existing warehouse is reasonable and can be supported, a building of significant bulk and scale is unavoidable and the additional height proposed can be supported.

Roller Door:

The roller door will be a dominant feature in the building façade given its required size to accommodate trucks. The City Planning Scheme No. 2 Policy 4.3 – Roller Doors on Shopfront is not applicable to this proposal as it applies only to shopfronts and is intended to improve the pedestrian environment and foster window shopping as a major activity. While a panelled door which is more complementary to the streetscape is favoured, the applicants have advised that it is not possible to obtain a panelled door at the scale required. However, it is considered that a condition requiring the two existing roller doors and the new door to match and be of a colour appropriate to the streetscape should be imposed as a condition of any approval.

Lighting:

The provision of lighting to the front of the building to enhance pedestrian security at night is also appropriate given the limited surveillance afforded from the building and should be made a condition of any approval. The applicants have indicated their agreement to undertake this.

Bicycle Storage:

The City Planning Scheme No. 2 requires that two bicycle bays be provided on-site, however, no bicycle bays have been indicated. The provision of these bays should be made a condition of any approval.

Conclusion:

The additional height proposed to the warehouse addition is a minor change to the approved development and a minor variation to the height provisions of the City Planning Scheme No.2 which is not likely to have any significant additional impact upon the streetscape and can therefore be supported.

Moved by Cr Hardy, seconded by Cr Butler

That, in accordance with the provisions of the City Planning Scheme No. 2 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY an amended application for a warehouse extension at 77 - 85 (Lots 50, 56 and 302) Francis Street, Northbridge as indicated on the application form dated 8 October 2007 and as shown on the plans received on 9 October 2007 and 7 November 2007 subject to:-

1. ***the height of the building not exceeding 11.5 metres at the building frontage as defined under the City Planning Scheme No. 2;***

2. ***coffee roasting machinery being located towards the front of the building to enable viewing from the street by pedestrians;***

3. ***the colours and finishes of the front facade of the existing warehouse being upgraded to match the front facade of the proposed warehouse additions, with final details being submitted for approval prior to the issue of the relevant building licence;***

4. ***lighting being provided to the street elevation of the building to enhance security for pedestrians at night with details being submitted for approval prior to the issuing of the relevant building licence;***

5. ***the subject lots being amalgamated into one lot on one Certificate of Title;***

6. ***any new signage being subject to a separate application for approval;***

(Cont'd)

7. the existing and proposed roller doors on the front elevation of the warehouse buildings being decorated with public art to improve the amenity of the streetscape, with details of the artwork being submitted for approval prior to the issue of the relevant building licence.

The motion was put and carried by an absolute majority

The votes were recorded as follows:-

For: **The Lord Mayor, Crs Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini**

Against: **Nil**

810/07 MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

811/07 REPRESENTATION ON STATUTORY AUTHORITIES AND PUBLIC BODIES

1. VACANCY FOR WALGA MEMBER - FESA BUSH FIRE BRIGADE CAPITAL GRANTS COMMITTEE (TWO MEMBERS WITH AT LEAST ONE MEMBER BEING NON-METROPOLITAN) - (MINISTERIAL APPOINTMENT - PANEL OF FOUR REQUIRED)

NOMINATION PROCESS:
Nominees are asked to complete the Nomination Form and email by **12 Noon Monday 21 January 2008** to nominations@walga.asn.au Completed forms may also be faxed or posted. Unsigned or late nominations will not be accepted. At the close of the nomination period the Selection Committee will meet and resolve on preferred candidates or make recommendations on preferred candidates to the WALGA State Council.

IMPORTANT NOTE:
Please note, your nomination will be photocopied for the Association's State Council and/or Selection Committee and where relevant, the Minister and Committee Chairman. Therefore, it is important that profile information be complete, up to date and typed.

Appointments are conditional on the understanding that nominees will resign when their entitlement terminates, that is, they are no longer Elected Members or Serving Officers of Local Government.

EQUALITY:
It should be noted that the Government is committed to providing equal selection opportunity for both indigenous and non-indigenous people and both genders and the WA Local Government Association encourages nominations accordingly.

REASON FOR VACANCY, TERM AND COMMENCEMENT DATE:
Expiration of terms. Commencement upon appointment with a three year term.

MEETING DETAILS:

Meetings:	As required - at least once per year
Venue:	Metropolitan Perth
Duration:	Four hours
Sitting Fee:	Nil
Travelling allowance:	In accordance with Government policy.

SELECTION CRITERIA:
Nominee to address the following Selection Criteria:
- Are you a current Elected Member/ Serving Officer? Yes/No
- What is your relevant experience as an Elected Member / Serving Officer? Please provide examples.
- What are your experiences, skills, attributes or qualifications to support the nomination? Please provide examples.
- Please outline your demonstrated interest in the position.
- If successful, what do you see as your role and how would you represent Local Government and the Association?

TERMS OF REFERENCE:
- To determine the priority allocation of funds for the procurement of replacement and additional capital assets for Local Governments.
- To determine and approve the circumstances and conditions for the provision of new or refurbished assets to Local Governments and any necessary relocation of assets.
- To adjudicate on disputes formally referred to the Committees concerning capital and operating grant allocations.

BACKGROUND INFORMATION:
The FESA Bush Fire Brigade Capital Grants Committee was established to oversee the capital funding allocations to Local Governments for their bush fire brigade units. The primary function of this Committee is to determine the priority of the allocation of Capital Grants to meet the needs of Local Governments and communities throughout the State.

MEMBERSHIP:
Six members as follows:
- FESA Board representative (Chair)
- Two WALGA representatives
- One FESA Bush Fire Brigade Consultative Committee representative
- Two FESA Officers

FOR FURTHER PARTICULARS ABOUT THE COMMITTEE PLEASE CALL:
Mr Alan Jardine
A/Manager Funding Services
9323 9861
alan.jardine@fesa.wa.gov.au

FOR FURTHER PARTICULARS ABOUT THE NOMINATION PROCESS PLEASE CALL:
Tim Lane
Governance Policy Officer
WALGA
(08) 9213 2029
nominations@walga.asn.au

Nominations must be submitted by the closing date to:
WA Local Government Association - Attention: Tim Lane
by preferably email to nominations@walga.asn.au;
by facsimile: 9322 2611; or
by post to 15 Altona Street, West Perth WA 6005.

No nominations were received.

2. VACANCY FOR WALGA MEMBER - FESA BUSH FIRE BRIGADE CONSULTATIVE COMMITTEE - MEMBER - (MINISTERIAL APPOINTMENT - PANEL OF THREE REQUIRED)

NOMINATION PROCESS:
Nominees are asked to complete the Nomination Form and email by **12 Noon Monday 21 January 2008** to nominations@walga.asn.au Completed forms may also be faxed or posted. Unsigned or late nominations will not be accepted. At the close of the nomination period the Selection Committee will meet and resolve on preferred candidates or make recommendations on preferred candidates to the WALGA State Council.

IMPORTANT NOTE:
Please note, your nomination will be photocopied for the Association's State Council and/or Selection Committee and where relevant, the Minister and Committee Chairman. Therefore, it is important that profile information be complete, up to date and typed.

Appointments are conditional on the understanding that nominees will resign when their entitlement terminates, that is, they are no longer Elected Members or Serving Officers of Local Government.

EQUALITY:
It should be noted that the Government is committed to providing equal selection opportunity for both indigenous and non-indigenous people and both genders and the WA Local Government Association encourages nominations accordingly.

REASON FOR VACANCY, TERM AND COMMENCEMENT DATE:
Resignation of incumbent Member. Commencement upon appointment with a three year term.

MEETING DETAILS:

Meetings:	As required – usually three times per year
Venue:	Metropolitan Perth
Duration:	Four hours
Sitting Fee:	Nil
Travelling allowance:	In accordance with Government policy.

SELECTION CRITERIA:
Nominee to address the following Selection Criteria:

- Are you a current Elected Member/ Serving Officer? Yes/No
- What is your relevant experience as an Elected Member / Serving Officer? Please provide examples.
- What are your experiences, skills, attributes or qualifications to support the nomination? Please provide examples.
- Please outline your demonstrated interest in the position.
- If successful, what do you see as your role and how would you represent Local Government and the Association?

TERMS OF REFERENCE:
Provide advice to the FESA Board and Chief Executive Officer in relation to all matters concerning the operation of the Consultative Committee.
Facilitate communication, understanding and improvement in all Fire & Rescue Service activities.

MEMBERSHIP:

- FESA Board Member (Chair)
- CALM Representative
- WALGA Representative
- FESA Officers
- Other Members appointed by Regional District Advisory Committee meetings

FOR FURTHER PARTICULARS ABOUT THE COMMITTEE PLEASE CALL:
Mr Merve Austic
Manager Stakeholder Relations
9323 9300
maustic@fesa.wa.gov.au

FOR FURTHER PARTICULARS ABOUT THE NOMINATION PROCESS PLEASE CALL:
Tim Lane
Governance Policy Officer
WALGA
(08) 9213 2029
nominations@walga.asn.au

Nominations must be submitted by the closing date to:
WA Local Government Association - Attention: Tim Lane
by preferably email to nominations@walga.asn.au;
by facsimile: 9322 2611; or
by post to 15 Altona Street, West Perth WA 6005.

No nominations were received.

3. VACANCY FOR WALGA MEMBER - FESA STATE EMERGENCY SERVICE CAPITAL GRANTS COMMITTEE - TWO MEMBERS WITH AT LEAST ONE MEMBER BEING NON-METROPOLITAN - (MINISTERIAL APPOINTMENT - PANEL OF FOUR NAMES REQUIRED)

NOMINATION PROCESS:
Nominees are asked to complete the Nomination Form and email by **12 Noon Monday 21 January 2008** to nominations@walga.asn.au Completed forms may also be faxed or posted. Unsigned or late nominations will not be accepted. At the close of the nomination period the Selection Committee will meet and resolve on preferred candidates or make recommendations on preferred candidates to the WALGA State Council.

IMPORTANT NOTE:
Please note, your nomination will be photocopied for the Association's State Council and/or Selection Committee and where relevant, the Minister and Committee Chairman. Therefore, it is important that profile information be complete, up to date and typed.

Appointments are conditional on the understanding that nominees will resign when their entitlement terminates, that is, they are no longer Elected Members or Serving Officers of Local Government.

EQUALITY:
It should be noted that the Government is committed to providing equal selection opportunity for both indigenous and non-indigenous people and both genders and the WA Local Government Association encourages nominations accordingly.

REASON FOR VACANCY, TERM AND COMMENCEMENT DATE:
Expiration of terms. Commencement upon appointment with a three year term.

MEETING DETAILS

Meetings:	As required – at least once per year
Venue:	Metropolitan Perth
Duration:	Four hours
Sitting Fee:	Nil
Travelling allowance:	In accordance with Government policy.

SELECTION CRITERIA:
Nominee to address the following Selection Criteria:
- Are you a current Elected Member/ Serving Officer? Yes/No
- What is your relevant experience as an Elected Member / Serving Officer? Please provide examples.
- What are your experiences, skills, attributes or qualifications to support the nomination? Please provide examples.
- Please outline your demonstrated interest in the position.
- If successful, what do you see as your role and how would you represent Local Government and the Association?

TERMS OF REFERENCE:
- To determine the priority allocation of funds for the procurement of replacement and additional capital assets for Local Governments
- To determine and approve the circumstances and conditions for the provision of new or refurbished assets to Local Governments and any necessary relocation of assets
- To adjudicate on disputes formally referred to the Committees concerning capital and operating grant allocations

BACKGROUND INFORMATION:
The FESA State Emergency Service Capital Grants Committee was established to oversee the capital funding allocations to emergency service units. The primary function of this Committee is to determine the priority of the allocation of Capital Grants to meet the needs of Local Governments and communities throughout the State.

MEMBERSHIP:
Six members as follows:

- FESA Board representative (Chair)
- Two WALGA representatives
- One FESA State Emergency Service Consultative Committee representative
- Two FESA Officers

FOR FURTHER PARTICULARS ABOUT THE COMMITTEE PLEASE CALL:
Mr Alan Jardine
A/Manager Funding Services
9323 9861
alan.jardine@fesa.wa.gov.au

FOR FURTHER PARTICULARS ABOUT THE NOMINATION PROCESS PLEASE CALL:
Tim Lane
Governance Policy Officer
WALGA
(08) 9213 2029
nominations@walga.asn.au

Nominations must be submitted by the closing date to:
WA Local Government Association - Attention: Tim Lane
by preferably email to nominations@walga.asn.au;
by facsimile: 9322 2611; or
by post to 15 Altona Street, West Perth WA 6005.

No nominations were received.

4. VACANCY FOR WALGA MEMBER - METROPOLITAN EMERGENCY MANAGEMENT EXECUTIVE GROUP - METROPOLITAN SERVING OFFICER (1)

NOMINATION PROCESS:
Nominees are asked to complete the Nomination Form and email by **12 noon Monday 21 January 2008** to nominations@walga.asn.au. Completed forms may also be faxed or posted. Late nominations will not be accepted. At the close of the nomination period the Selection Committee will meet and make recommendations to the next State Council Meeting.

GENDER EQUALITY:
It should be noted that the Government is committed to providing equal selection opportunity for both genders and the WA Local Government Association encourages nominations accordingly.

REASON FOR VACANCY, TERM AND COMMENCEMENT DATE:
Resignation of current Member from Local Government. Commencement date is upon appointment.

MEETING DETAILS:

Meetings:	The group shall meet as often as is considered necessary for the performance of its functions.
Venue:	To be advised.
Duration:	As required.
Sitting Fee:	Nil.
Travel Allowance:	N/A.

SELECTION CRITERIA:
Nominee to address the following Selection Criteria:

- Are you a current Serving Officer (Chief Executive Officer or Executive Management level)? Yes/No
- What is your relevant experience as a Serving Officer (Chief Executive Officer or Executive Management level)? Please provide examples.
- What are your experiences, skills, attributes or qualifications to support the nomination? Please provide examples.
- Please outline your demonstrated interest in the position.
- What is your capacity to represent the interests of Local Government and the Association?

TERMS OF REFERENCE:
The Metropolitan Emergency Management Executive Group (MEMEG) assists the Metropolitan Emergency Coordinator to ensure effective emergency management arrangements for the Perth Metropolitan Region.

Functions:

(a) Prepare an emergency management strategic plan for the region.
(b) Coordinate direction, advice and support to Government agencies, industry, commerce, and the community on emergency management issues that impact across districts or the region as a whole.
(c) Oversee district level emergency management operations within the region by assisting operations management groups.
(d) Review, at least annually, all district emergency management arrangements ensuring their compliance with state emergency management arrangements.
(e) Ensure appropriate exercising of all district emergency management arrangements.
(f) Prepare an annual report on regional emergency management activities for submission to the State Emergency Management Committee.
(g) Contribute to the development and implementation of State Emergency Management Committee policy in the region.
(h) Assist the State Emergency Management Committee as requested.

BACKGROUND INFORMATION:
To facilitate emergency management arrangements in Western Australia, the State is divided into emergency management districts, each of which comprises a number of local governments. These districts closely follow existing police district boundaries with the Police District Officer designated as the District Emergency Coordinator. Details of these districts are contained in State Emergency Management Committee (SEMC) Policy Statement No. 7 *(Western Australian Emergency Management Arrangements)*.

The Perth Metropolitan Region, however, is somewhat different from the country emergency management districts because of the concentration of population, services, and state infrastructure into a small area. There are six (6) Police Districts each of whom has their own District Emergency Management Committee (DEMC). The MEMEG assists the Metropolitan Emergency Coordinator with the coordination of effective emergency management arrangements in the region.

MEMBERSHIP:
The MEMEG will be chaired by the Western Australian Police Superintendent in Charge of the Office of the Metropolitan Emergency Coordinator. Other members will be as follows:

- FESA Regional Director, SES Metropolitan
- FESA Director Fire Services Metropolitan

And one representative from:

- WA Local Government Association
- Department of Health
- St John Ambulance
- Department for Community Development
- Metropolitan Hospitals Disaster Planning Committee
- Chairs (6) of the District Emergency Management Committees

FOR FURTHER PARTICULARS ABOUT THE COMMITTEE PLEASE CALL:
Mr Darryl Ott
FESA District Manager
SES Metropolitan
Ph: 08 9479 9324
E: dott@fesa.wa.gov.au

FOR FURTHER PARTICULARS ABOUT THE NOMINATION PROCESS PLEASE CALL:
Tim Lane
WA Local Government Association
Ph: 08 9213 2029 or email **nominations@walga.asn.au**

Nominations must be submitted by the closing date to:
WA Local Government Association – Attention Tim Lane
by preferably email to nominations@walga.asn.au;
by facsimile: 9322 2611; or
by post to 15 Altona Street, West Perth WA 6005.

No nominations were received.

5. VACANCY FOR WALGA MEMBER - REGIONAL DEVELOPMENT COUNCIL - MEMBER (PANEL OF SIX NAMES) - (MINISTERIAL APPROVAL)

NOMINATION PROCESS:
Nominees are asked to complete the Nomination Form and email by **12 Noon Monday 21 January 2008** to nominations@walga.asn.au Completed forms may also be faxed or posted. Unsigned or late nominations will not be accepted. At the close of the nomination period the Selection Committee will meet and make recommendations to the next State Council Meeting.

IMPORTANT NOTE:
Please note, your nomination will be photocopied for the Association's State Council and/or Selection Committee and where relevant, the Minister and Committee Chairman. Therefore, it is important that profile information be complete, up to date and typed.

Appointments are conditional on the understanding that nominees will resign when their entitlement terminates, that is, they are no longer Elected Members or Serving Officers of Local Government.

MINISTERIAL APPROVAL:
Appointment to the positions requires panels of three names to be submitted by WALGA to the Minister for each position. The Minister will recommend one person for appointment to the position to Cabinet. It is **essential** that a curriculum vitae be submitted with your nomination form.

EQUALITY:
It should be noted that the Government is committed to providing equal selection opportunity for both indigenous and non-indigenous people and both genders and the WA Local Government Association encourages nominations accordingly.

REASON FOR VACANCY; TERM AND COMMENCEMENT DATE:
Resignation of incumbent Member. Term is three years upon appointment.

MEETING DETAILS:

Meetings:	The Council meets four times a year (two meetings in Perth and two meetings in the regions) plus special meetings and tours of regions during the year.
Venue & Duration:	When meeting held in Perth: Dumas House, 2 Havelock Street, West Perth WA 6005, meeting venues in regions vary. Duration - two to three hours
Travelling allowance:	Travel costs reimbursed in accordance with the Government policy on travel allowance

SELECTION CRITERIA:
Nominee to address the following Selection Criteria:

- Are you a current Elected Member/Serving Officer? Yes/No
- What is your relevant experience as an Elected Member**/**Serving Officer? Please provide examples.
- What are your experiences, skills, attributes or qualifications to support the nomination? Please provide examples.
- Please demonstrate your interest in the position.
- If successful, what do you see as your role and how would you represent Local Government and the Association?

TERMS OF REFERENCE / BACKGROUND INFORMATION:
As stated in *Regional Development Commissions Act* 1993 (Part 4 s.35), the function of the Council is to be the advisory body to the Minister on all regional development issues and for that purpose:

(a) to promote development in all regions;
(b) to develop policy proposals on development issues affecting one or more of the regions;
(c) to facilitate liaison between commissions and relevant government agencies and the coordination of their respective functions;

(d) to promote liaison between local, State and Commonwealth government bodies with respect to regional issues, and the coordination of their respective policies on those issues; and
(e) to report to the Minister on matters referred to it by the Minister.

MEMBERSHIP:
- Nine Regional Development Commissions Chairs.
- Two WA Local Government Association Representatives.
- Independent Chair.

FOR FURTHER PARTICULARS ABOUT THE COMMITTEE PLEASE CALL:
Ms Pam Edmondson
Senior Policy Officer
1st Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005
Ph: 9217 1402
Email: pam.edmondson@dlgrd.wa.gov.au

FOR FURTHER PARTICULARS ABOUT THE NOMINATION PROCESS PLEASE CALL:
Tim Lane
WA Local Government Association
Ph: 08 9213 2029 or email nominations@walga.asn.au

Nominations must be submitted by the closing date to:
WA Local Government Association - Attention: Tim Lane
by preferably email to nominations@walga.asn.au;
by facsimile: 9322 2611; or
by post to 15 Altona Street, West Perth WA 6005.

No nominations were received.

6. VACANCY FOR WALGA MEMBER - LOCAL GOVERNMENT SELF INSURANCE SCHEMES BOARD - ELECTED MEMBER OF A SCHEME MEMBER COUNCIL (1)

NOMINATION PROCESS:
Nominees are asked to complete the Nomination Form and email to nominations@walga.asn.au by **12 noon Monday 21 January**. Completed forms may also be faxed or posted. Late nominations will not be accepted. At the close of the

nomination period the Selection Committee will meet and make recommendations to the next State Council Meeting.

IMPORTANT NOTE:
It is important to note that your nomination is photocopied for the Association's Selection Committee members. It is important that profile information be complete, up to date and typed.

Appointments are conditional on the understanding that nominees will resign when their entitlement terminates, that is, they are no longer Elected Members or Serving Officers of a Scheme Member Local Government.

GENDER EQUALITY:
It should be noted that the Government is committed to providing equal selection opportunity for both genders and the WA Local Government Association encourages nominations accordingly.

BACKGROUND INFORMATION:
The Board has governance responsibility for the LGIS WorkCare Scheme, Liability Scheme and Property Scheme.

The mission, vision and values for the Local Government Self Insurance Schemes Board are:

"Local Government Insurance Services will create benefits for all Local Governments and like organisations by providing comprehensive self insurance and risk management services."

We will achieve this mission by:

- High participation by member Local Governments in the Schemes;
- Meeting members' needs through dynamic, innovative self insurance schemes which are market leaders in value and service;
- Building long term, mutually beneficial relationships with our suppliers and service providers;
- Fostering support and the fulfilment of responsibilities by management and staff of the Scheme Manager;
- Being proactive in minimising risks and preventing workplace accidents through effective planning and risk management;
- Effective rehabilitation of Local Government employees affected by workplace injuries;
- Overriding aim to reduce claims and other costs of risk;
- Prudent investments that maximise returns to the Schemes; and
- Being a responsible and conscientious corporate citizen.

The organisation will be guided by the values of:

- Financial responsibility in all matters;
- Honesty and integrity in all dealings;
- Professionalism in all operations;
- Respect for our members;
- Open communication; and
- Leadership within the industry.

Under the delegation of the State Council, the Board's primary function is to govern the successful operation of the Schemes through the Scheme Manager (Jardine Lloyd Thompson) to achieve these objectives.

The Board is responsible for defining the policy and setting the overall strategic direction of the Schemes. It is not responsible for running the business of the Schemes or for managing the contractual relationship between the Association and the Scheme Manager.

Without intending to limit the general role of the Board, the broad functions and responsibilities delegated to the Board by State Council include:

- Providing the overall strategic direction of the Schemes;
- Determining all matters relating to the policies, practices, governance and operation of the Schemes;
- Monitoring/evaluating Scheme Manager performance;
- Monitoring the financial performance of the Schemes;
- Ensuring compliance of the Schemes with the law;
- The proper management of risk; and
- Communicating between the Scheme Manager and Stakeholders.

TERM AND COMMENCEMENT DATE:
One vacancy for a three year term – to 1 February 2011. Commencement upon appointment.

MEETING DETAILS:

Meetings:	Monthly
Day/Time:	Usually fourth Thursday of the month at 1.00pm with a light lunch provided at 12.30pm
Venue:	Local Government Insurance Services Boardroom, 1st floor, Local Government House, 15 Altona Street West Perth
Duration:	Three hours (approx.)
Meeting Fee:	Directors fee of $15,000 pa (paid in quarterly instalments) plus superannuation
Travel Allowance:	Yes

SELECTION CRITERIA:
Nominee to address the following Selection Criteria:

Essential

- Are you a current Elected Member of a Local Government that is a member of the LGIS Liability, WorkCare and Property Self Insurance Schemes? Yes/No?
- What are you relevant skills, knowledge and practical experience in insurance/risk management in relation to liability, workers compensation and property risks within Local Government and/or relevant skills, knowledge and practical experience in organisational management/financial management?
- Can you demonstrate a commitment to a co-operative self-management approach to Local Government liability, workers compensation and property risks?
- Please provide comment to demonstrate contemporary understanding of the Strategic and Governance roles of a Board Member.
- Please outline your demonstrated interest in the position.
- What is your capacity to represent the interests of Local Government and the Association

Consideration will be given in the selection process to achieving a balance between country and metropolitan shareholder interests on the Board.

MEMBERSHIP:
The Committee has representation from:

- Shareholder members (two elected members)
- Shareholder members (two serving officers)
- Invited member (finance/accounting/actuarial)
- Invited member (insurance/risk management)
- Invited member (board/business management)
- President, WA Local Government Association
- Chief Executive Officer, WA Local Government Association
- Chief Executive Officer LGSIS (Non Voting)
- Executive Manager Workplace Business Solutions (Non Voting)

FOR FURTHER PARTICULARS ABOUT THE BOARD PLEASE CALL:
John Phillips, Executive Manager Workplace Business Solutions
Phone: 9213 2028 or email jphillips@walga.asn.au

FOR FURTHER PARTICULARS ABOUT THE NOMINATION PROCESS PLEASE CALL:
Tim Lane
Ph: 08 9213 2029 or email nominations@walga.asn.au

Nominations must be submitted by the closing date to:
WA Local Government Association - Attention: Tim Lane,

- **by preferably email to nominations@walga.asn.au;**
- **by facsimile: 9322 2611; or**
- **by post to 15 Altona Street, West Perth WA 6005.**

No nominations were received.

812/07 URGENT BUSINESS

Nil

813/07 CLOSE OF MEETING

The Lord Mayor declared the meeting closed at 7.19pm with Councillors Butler, Davidson, Evangel, Hardy, Liu, McEvoy and Tognolini in attendance.