

MINUTES

PLANNING COMMITTEE

19 APRIL 2016

APPROVED FOR RELEASE

A handwritten signature in black ink, appearing to read 'Martin Mileham', is centered within a rectangular box.

**MARTIN MILEHAM
CHIEF EXECUTIVE OFFICER**



CITY of PERTH

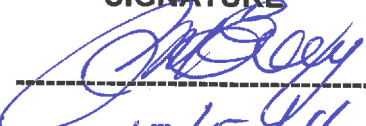
MINUTES

PLANNING COMMITTEE

19 APRIL 2016

THESE MINUTES ARE HEREBY CERTIFIED AS
CONFIRMED

PRESIDING MEMBER'S
SIGNATURE


DATE: 10/5/16

PLANNING COMMITTEE

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Minutes of the meeting of the City of Perth **Planning Committee** held in Committee Room 1, Ninth Floor, Council House, 27 St Georges Terrace, Perth on **Tuesday, 19 April 2016**.

MEMBERS IN ATTENDANCE

Cr McEvoy - Presiding Member
Cr Adamos
Cr Yong

OFFICERS

Mr Mileham - Chief Executive Officer
Mr Dunne - Acting Director Economic Development and Activation
Mr Farley - Acting Director Planning and Development
Ms Smith - Manager Development Approvals
Mr Lee - Manager Environment and Public Health (departed at 6.12pm)

Mr Noble - Acting Manager Governance
Mr Smith - City Architect
Ms Denton - Governance Coordinator
Ms Ferguson - Principal Strategic Town Planner
Ms Morrison - Heritage Officer
Ms Emmons - Governance Officer

OBSERVERS

Cr Limnios (departed at 6.12pm)
Cr Harley (departed at 6.12pm)

GUESTS AND DEPUTATIONS

Victoria Jackson - Australian Hotels Association (WA) (departed at 6.12pm)
Anthony Priolo - Priolo Corporation (departed at 6.12pm)
Francine Priolo - Priolo Corporation (departed at 6.12pm)

2 Members of the public (departed at 6.12pm)

PL46/16 DECLARATION OF OPENING

5.30pm The Presiding Member declared the meeting open.

PL47/16 APOLOGIES AND MEMBERS ON LEAVE OF ABSENCE

Nil

PL48/16 QUESTION TIME FOR THE PUBLIC

Nil

PL49/16 CONFIRMATION OF MINUTES

Moved by Cr Adamos, seconded by Cr Yong

That the minutes of the meeting of the Planning Committee held on 29 March 2016 be confirmed as a true and correct record.

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Adamos and Yong.

Against: Nil

PL50/16 CORRESPONDENCE

Nil

PL51/16 DISCLOSURE OF MEMBERS' INTERESTS

Nil

PL52/16 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

PL53/16 FINAL ADOPTION OF AMENDMENT NO. 34 TO CITY PLANNING SCHEME NO. 2 TO INTRODUCE A SPECIAL CONTROL AREA OVER LOTS 2, 7, 8 AND 123 MURRAY STREET, PERTH**BACKGROUND:**

FILE REFERENCE:	P1031820
REPORTING UNIT:	Strategic Planning
RESPONSIBLE DIRECTORATE:	Planning and Development
DATE:	30 March 2016

MAP / SCHEDULE:

Schedule 1 – Scheme Amendment Report
Schedule 2 – Summary of Submissions

A development application for a 33 level residential building and a 28 level hotel building was approved by the City of Perth Local Development Assessment Panel at its meeting held on 4 June 2015. The approval included an advice note stating that “any future subdivision of the subject site following the completion of one or both of the proposed towers, will require an amendment to City Planning Scheme No. 2 to create a special control area over the site, in order to ensure the car parking and plot ratio provisions for the respective lots comply with the City Planning Scheme No. 2”.

At its meeting held on **24 November 2015**, Council resolved to initiate Amendment No. 34 to City Planning Scheme No. 2 (CPS2), refer it to the Environmental Protection Authority and release it for public consultation.

Amendment No. 34 to CPS2 proposes to establish a Special Control Area over the subject site to enable the future subdivision of the site while maintaining the integrity of CPS2 and the development approval in terms of plot ratio and tenant parking.

LEGISLATION / STRATEGIC PLAN / POLICY:**Legislation**

Clauses 75, 81 and 84 of the *Planning and Development Act 2005*
Clause 50, 53 and 56 of the *Planning and Development (Local Planning Schemes) Regulations 2015*
Clause 56 and 57 of the City Planning Scheme No. 2

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

Council Four Year Priorities: Community Outcome
Perth as a Capital City
S5 Increased place activation and use of under-utilised space.

Policy

Policy No and Name: City Centre Precincts 1 to 8 Plan

DETAILS:**Environmental Protection Authority**

Amendment No. 34 to the CPS2 was referred to the Environmental Protection Authority (EPA) following initiation. On 29 December 2015 the EPA advised that the Scheme Amendment should not be assessed under the *Environmental Protection Authority Act 1986*.

Consultation

Amendment No. 34 was advertised for 48 days (from 23 January to 11 March 2016), six additional days to the 42 day period required by the *Planning and Development (Local Planning Scheme) Regulations 2015*.

Advertising of the Scheme Amendment included:

- A letter and submission form being sent to 12 adjacent landowners and to relevant State Government agencies;
- A notice being placed in The Voice newspaper on 23 January 2016;
- Information being made available for viewing at the City's Customer Service Centre; and
- Information being placed on the City's website.

Submissions

A total of five submissions were received in relation to the Scheme Amendment (refer to Schedule 2). Of the five submissions received one supported the Amendment while the other four had no objection.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CL16201000
BUDGET ITEM:	Community Amenities – Town Planning and Regional Development – Other Town Planning
BUDGET PAGE NUMBER:	9
BUDGETED AMOUNT:	\$ 1,281,009 (this component is \$231,709)
AMOUNT SPENT TO DATE:	\$ 658,227 (this component is \$28,309)
PROPOSED COST:	\$ 1,000 (Public Notice and Gazettal)
BALANCE:	\$ 621,782

All figures quoted in this report are exclusive of GST.

If adopted by the Minister for Planning, notices will be required to be placed in a local newspaper and in the Government Gazette. The costs associated with these will be recouped from the applicant.

COMMENTS:

Pursuant to Regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council is now required to pass a resolution either:

- (a) to support the amendment without modification; or
- (b) to support the amendment with proposed modifications to address issues raised in the submissions; or
- (c) not to support the amendment.

The adoption of Amendment No. 34 to CPS2 will allow the site to be subdivided whilst preserving both the plot ratio and car parking allocation approved under the development approval for the site.

On this basis and given no objections have been received, it is recommended that the Amendment be adopted without modification and forwarded to the WAPC for the final approval of the Minister for Planning.

Moved by Cr Adamos, seconded by Cr Yong

That Council:

- 1. pursuant to clause 50(3) of the Planning and Development (Local Planning Schemes) Regulations 2015, adopts Amendment No. 34 to City Planning Scheme No. 2 without modification as detailed in the Scheme Amendment Report being Schedule 1;***
- 2. pursuant to clause 53 of the Planning and Development (Local Planning Schemes) Regulations 2015, forwards Amendment No. 34 to City Planning Scheme No. 2 and associated documents to the Western Australian Planning Commission for consideration and recommendation to the Minister for Planning; and***
- 3. pursuant to clause 56(5) of City Planning Scheme No. 2, adopts the amended Precinct Plan as detailed in Schedule 2, subject to the gazettal of Amendment No. 34 to City Planning Scheme No. 2.***

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Adamos and Yong.

Against: Nil

DEPUTATION: Agenda Item 2, PL54/16 – Proposed Noise Management Approach In Northbridge

The Presiding Member approved a Deputation from Victoria Jackson of Australian Hotels Association (WA) (TRIM ref. 63636/16).

5.34pm

Ms Jackson commenced the deputation, briefly discussed how the proposed noise management approach recognises the hotels and hospitality industry's long standing concerns regarding the current regulatory environment and although progress is

welcome, the Australian Hotels Association (WA) requests that the matter is deferred pending further industry and stakeholder consultation.

5.36pm

The deputation concluded.

PL54/16 PROPOSED NOISE MANAGEMENT APPROACH IN NORTHBRIDGE

BACKGROUND:

FILE REFERENCE:	P1026038
REPORTING UNIT:	Strategic Planning
RESPONSIBLE DIRECTORATE:	Planning and Development
DATE:	8 April 2016
MAP / SCHEDULE:	Schedule 3 – Current Land Use Map Schedule 4 – Entertainment Venue Growth

Northbridge is one of the State's premier entertainment districts servicing the Perth Metropolitan Region and is home to a concentration of entertainment venues including night clubs, bars and restaurants as well as a hub for cultural facilities such as the State Theatre Centre, Museum and Art Gallery. The Accommodation and Food Services sector contributes 7.5% of the area's economic output compared to 0.7% across the city. The trend towards inner city living has resulted in more residential developments, and hotels/ short stay accommodation, being developed in the area (See Schedule 3 for land use map).

Entertainment venues in Northbridge have historically operated relatively unfettered at higher noise levels, given the absence of residential and hotel uses. However, significant population growth in Northbridge (21% between 2011-2016) has resulted in a similar increase in the number of noise complaints (30%). Northbridge has seen a decline in the number of nightclubs over the last decade, although other entertainment venues which can cause noise disturbances, predominantly taverns, are increasing. Further details on these figures can be found in Schedule 4.

The potential impact of noise complaints from occupants of residential and hotel/ short stay accommodation developments on the operations of entertainment venues in Northbridge is an on-going and unresolved concern for the City and entertainment businesses in the area.

The City is responsible for implementing the State Government's *Environmental Protection (Noise) Regulations 1997 (the Regulations)*, which apply to existing and new development and also regulating the development of land through the land use permissibilities and development standards contained in the City Planning Scheme No. 2 (CPS2) and its associated planning policies.

Environmental Protection (Noise) Regulations 1997

The Regulations apply throughout Western Australia and set noise limits measured from outside of the land use that is receiving the noise. *The Regulations* measure noise using an A-weighted measurement filter which is intended to represent typical human hearing.

Evidence suggests however that A-weighted measurement underestimates noise at low frequencies, including ‘bass’ associated with amplified music. When low frequency noise is dominant, as is the case in Entertainment Precincts such as Northbridge, it is more appropriate to use C-weighted noise measurements.

Most environmental noise standards specify that sound measurements should be conducted outside the building where a complaint has been received, although it is now generally agreed that low frequency noise can only be meaningfully evaluated inside the building.

The Regulations place the responsibility of compliance with the noise emitting land use, regardless of which use was in the location first.

The state-wide application of the Regulations, resulted in them being developed on the presumption that land uses are separated into different zones. In a city centre environment, the majority of areas are mixed use to varying degrees, so the standard separation of land uses does not exist, making the Regulations difficult to apply.

The Regulations were amended in 2014 to include an Approved Venue Regulation (19B). This Regulation allows noise emissions to exceed the assigned noise levels in the Regulations in accordance with the approval. The general intent of this regulation is for use by major venues, such as the Perth Arena for special events, however smaller venues are not excluded from applying for this type of approval for their usual operations.

The process to have a venue approved through Regulation 19B includes a venue making an application to the City accompanied by a fee and the City’s Chief Executive Officer seeking feedback from relevant State Authorities, neighbouring local governments and surrounding noise sensitive premises within one kilometre before making a determination.

City Planning Scheme No. 2

The CPS2 Precinct Plan for Northbridge states that it:

“will remain Perth’s primary entertainment and night life area and provide a variety of residential and visitor accommodation and commercial services”. It also states that: “East of Russell Square, entertainment activities will predominate. However, a rich mix of other commercial uses, including short stay accommodation such as hotels and serviced apartments will be encouraged. The remainder of the Precinct, generally west of Russell Square, will have a residential emphasis, accommodating a variety of residential dwellings, visitor accommodation and other compatible non-residential uses”.

The land use permissibilities for Northbridge reflect the intent set out in the Precinct Plan and show a distinction between east and west of Russell Square. East of Russell Square, entertainment is a 'Preferred' use while residential is 'Contemplated'. West of Russell Square, the opposite applies and entertainment is 'Contemplated' while residential is 'Preferred'.

A 'Preferred Use' cannot be refused on the basis of its use whilst a 'Contemplated Use' can be approved or refused taking into consideration the provisions of CPS2 and its planning policies.

The City's development standards with respect to noise management are currently spread across several CPS2 planning policies. The planning policies include reference to:

- uses being able to operate without undue interference from other land uses;
- development being designed and constructed to respond to its location and reduce any adverse impacts by locating windows of sleeping areas away from noise sources and using appropriate building materials;
- acoustic reports being submitted as part of the planning application for both noise emitting and noise sensitive developments; and
- an A-weighted noise level being prescribed for residential developments which is more stringent than the Regulations and the Australian Standards 2107:2000 – Acoustics (Recommended Design Sound Levels and Reverberation Times for Building Interiors) however is consistent with that outlined in the World Health Organisation's (WHO) Guidelines for Community Noise.

The spreading of noise provisions across several CPS2 planning policies has resulted in a number of inconsistencies and is not particularly user friendly.

The planning policies do not include C-weighted noise criteria for noise emitting or noise sensitive development and no noise management provisions for Special Residential development.

The City has received feedback from the City of Perth Local Development Assessment Panel (LDAP) that there needs to be a greater level of clarity and consistency within the CPS2 planning policies regarding noise attenuation.

Past Development Approvals and Conditions

In the absence of C-weighted development standards in planning policy, the City has put the onus back on applicants proposing either noise emitting or noise sensitive development to demonstrate that reasonable acoustic amenity can be achieved.

In addition to the requirements outlined in City's planning policies, the following conditions have been imposed on planning approvals for residential and special residential development in the area:

- in addition to post construction acoustic testing being carried out to confirm compliance, remediation works being required;

- all marketing documentation and contracts of sale or lease agreements to advise prospective purchasers and occupants of the development that there are existing licensed entertainment venues in the immediate locality;
- development being required to achieve an internal maximum C-weighted noise level for sleeping areas; and
- Section 70A Notifications being placed on the land titles and subsequent strata titles of noise sensitive premises warning of high ambient noise levels and the mixed use nature of the area.

The condition relating to remediation works has been challenged by applicants due to its open nature. The condition requiring the achievement of a particular C-weighted noise level has also been challenged by an acoustic consultant representing a number of applicants who argues that focussing on low frequency C-weighted external noise will exacerbate internal noise. Other acoustic consultants have differing views.

Extended Trading Permits

Entertainment venue operators can apply for “Extended Trading Permits” with the Department of Racing Gaming and Liquor (DRGL). When granted, these permits allow venues to operate beyond their usual hours.

The DRGL refers these applications to the City for comment. Council Policy 14.4 – Extended Trading Permits (ETP) provides guidance to the Administration when providing comment back to the DRGL on applications for ETPs and currently states that the City will support all applications for ETPs in Northbridge.

In other parts of the city, the policy states that ETPs will be supported when similar events have previously been approved and conducted within the past 12 months, the extended hours are to host a special or unique event, appropriate management strategies regarding noise and patron behaviour are in place, the premise has not been subject to any recent noise or other complaints and the extended hours will not unreasonably impact upon nearby residents.

State Government Taskforce

The desire to support the ongoing operation of vibrant entertainment precincts in mixed use areas with growing residential populations, such as Northbridge, saw the establishment of a State Government taskforce in 2003. This taskforce was focussed on ensuring live music venues and other entertainment facilities could continue to operate in inner city areas. Draft recommendations included the establishment of special entertainment precincts and an Interim Noise Management Framework for Northbridge which would provide clear guidelines for venues through trial noise levels. These recommendations however were never implemented.

Northbridge Noise Study

The City has undertaken an independent noise study of Northbridge to gain an evidence base from which to develop new legislation, planning provisions and

management strategies. The study was completed in 2012 and included 26 recommendations.

The key recommendations included:

- Imposing higher construction standards for all new residential development in the Northbridge Entertainment Precinct;
- Allocating noise certificates to entertainment venues prescribing an internal C-weighted noise level limit based on an external noise limit and establishing an associated enforcement procedure; and
- Developing an information and education strategy for existing and future businesses and residents.

The study found the ambient noise levels outside residential premises within the Northbridge Entertainment Precinct exceeded the Regulations most of the time, particularly between 10pm and 1am on Thursday, Friday and Saturday nights. This creates some complexity in enforcing *the Regulations* in Northbridge and requires sophisticated methods of noise analysis to reliably determine which venue/s are emitting the noise resulting in complaints.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section 60 of the Liquor Control Act 1988
Environmental Protection (Noise) Regulations 1997
Planning and Development Act 2005
City Planning Scheme No. 2

Integrated Planning and Reporting Framework Implications

Corporate Business Plan

Council Four Year Priorities: Major Strategic Investment
S1 Ensure that major development effectively integrates
into the City with minimal disruption and risk.
1.1 Strategic review of the City's planning approach

Strategic Community Plan

Council Four Year Priorities: Community Outcome
Perth at Night

A City that has a vibrant night time economy that attracts
new innovative businesses and events and where people
and families feel safe.

Council Four Year Priorities: Community Outcome
Living in Perth

The City is a place where a diverse range of people choose
to live for a unique sustainable urban lifestyle and access to
government and private services.

Policy

Policy No and Name: 14.4 – Extended Trading Permits
CPS2 – 2.1 Applications Policy
CPS2 – 4.1 City Development Design Guidelines
CPS2 – 4.9 Residential Design Policy

DETAILS:**Issues**

As outlined above, there are a number of issues relating to noise management in Northbridge that require resolution. These include:

- the encroachment of residential and special residential uses on entertainment uses poses increasing potential for land use conflict;
- entertainment uses (in particular, where there is a concentration and they are within a mixed use area) find it difficult to comply with the Regulations as these were based on separation of uses and compliance is related to the proximity of noise sensitive uses which can change over time as new development occurs;
- there is a lack of guidance under the Regulations and planning policy in relation to low frequency C-weighted noise which is generated by entertainment uses;
- in the absence of guidance on low frequency C-weighted noise, conditions relating to this have been applied on a case by case basis;
- applicants have challenged the open-ended nature of some of the City's conditions, particularly those requiring remediation;
- the planning policies are inconsistent as to when an acoustic report is required and as to what needs to be included in an acoustic report at development application and building application;
- the planning policies lack guidance with respect to Special Residential development; and
- the City's ETP does not provide the City with discretion to not support applications in Northbridge.

Proposed Approach

To address the issues outlined above, four projects are proposed. Changes to the CPS2 and associated planning policies only apply to new development, therefore a multifaceted approach which includes the management of noise emissions from existing development is also proposed.

Project One	Entertainment Noise Management Framework
Option 1	Amendment to the Regulations
Proposed Scope	Option 1 would involve requesting the Minister for the Environment and Minister for Tourism to amend the Regulations to incorporate provisions for "Entertainment Precincts" where higher noise emissions would be acceptable.

	It is expected that a significant area of Northbridge would form an 'Entertainment Precinct' although the exact boundary would require further investigation.
Option 2	Use of Approved Venue Regulation (19B)
Proposed Scope	Option 2 would involve investigating the broader application of the 'Approved Venue' Regulation 19B process of the Regulations to entertainment venues in Northbridge on an opt-in basis. This would enable entertainment venues to legally operate at predetermined noise levels, above the noise levels set out in the Regulations.
Key Steps	<p>Option 2 would involve the following key steps:</p> <ul style="list-style-type: none"> • Develop suitable Regulation 19B conditions and determine appropriate A and C Weighted external noise levels which existing and new entertainment venues would need to meet. • Consult with stakeholder groups; • Develop methodology to be used when taking noise measurements to have venues approved; • Establish management system to ensure the ambient noise level in Northbridge does not increase in line with the likely growth of venues. This may be achieved by requiring new entertainment venues to comply with a lower external noise level than existing entertainment venues; and • Prepare an enforcement procedure.
Financial Implications	<p>Option 1: No financial implications Option 2: \$90,000 for consultancy fees.</p> <p><i>Legal Cost:</i> Between \$15,000 and \$20,000 may be needed for legal advice.</p> <p>If approved, funds will be allocated as part of the 2016/17 budget process.</p>

Project Two	City Planning Scheme No. 2
Option 1	Maintain Land Uses and Planning Policy
Proposed Scope	<p>Option 1 would involve maintaining the current land use permissibilities under CPS2 but preparing a new Noise Management planning policy. The new planning policy would seek to improve the clarity of the City's noise attenuation requirements and enhance the criteria for the design and construction of noise sensitive and noise emitting developments.</p> <p>The new Noise Management planning policy would:</p> <ul style="list-style-type: none"> • Consolidate noise related planning provisions where appropriate from the Applications Policy, Residential Design

	<p>Policy and City Development Design Guidelines into a single policy;</p> <ul style="list-style-type: none"> • Specify the level of detail required in acoustic reports for new noise sensitive and noise emitting development and when they should be submitted; • Ensure noise attenuation requirements are clear and consistent for the development of residential, special residential and entertainment uses; • Introduce a C-weighted noise criteria that new Residential and Special Residential developments will need to achieve in the Northbridge Precinct (generally east of Russell Square); and • Introduce a C-weighted noise criteria that new entertainment uses will need to achieve in the Northbridge Precinct (generally east of Russell Square).
Key Steps	<p>Option 1 would involve the following key steps:</p> <ul style="list-style-type: none"> • Draft policy; • Council initiation of draft policy for advertising purposes; • Advertise draft policy; • Review submissions and make any changes to policy; and • Council adoption of final policy. <p>The process to adopt a new planning policy takes approximately nine months from the time it is initiated by Council.</p>
Option 2	Change Land Uses and Planning Policy
Proposed Scope	<p>Option 2 would involve changing the land use permissibilities under CPS2 to make residential a prohibited land use in the Northbridge Precinct (east of Russell Square).</p> <p>Like Option 1, a new Noise Management planning policy would also be prepared however the noise attenuation measures may not need to be as great given the separation of land uses.</p>
Key Steps	<p>Option 2 would involve the following key steps:</p> <ul style="list-style-type: none"> • Draft Scheme amendment and planning policy; • Council adoption of draft Scheme amendment and planning policy for advertising purposes; • Referral of Scheme amendment to Environmental Protection Authority; • Advertising of Scheme amendment and planning policy; • Review submissions and make any changes to Scheme amendment and planning policy; • Council adoption of Scheme amendment and planning policy; • WAPC consideration of Scheme amendment; and

	<ul style="list-style-type: none"> Minister approval and gazettal of Scheme amendment. <p>A CPS2 Amendment process takes approximately 12-18 months from the time it is initiated by Council.</p>
Financial Implications	<p>Option 1: \$1,400 for advertising fees. Option 2: \$1,900 for advertising and gazettal fees.</p> <p>Legal Cost: \$5,000 may be needed for legal advice</p> <p>If approved, funds will be allocated as part of the 2016/17 budget process.</p>
Preferred Option	<p>Option 1 is the preferred option as making residential a prohibited land use, as Option 2 proposes, goes against both the City and the State's urban infill targets. The continued development of mixed use areas in the city is supported as they provide residents with excellent access to goods and services, while businesses benefit from an increase in their local customer base. Mixed use areas also enhance street activation outside traditional hours which can improve safety.</p> <p>Option 2 would provide greater certainty as to the permissibility of residential land uses within the Northbridge entertainment area (i.e. they would not be permitted) but would lead to 30 residential buildings including 335 dwellings becoming non-conforming uses i.e. (land use which was lawful prior to the amendment but subsequent to the amendment is a prohibited use). This could cause concern for property owners who may believe this will impact on their property values.</p> <p>This could be overcome by identifying existing residential developments as 'Additional Uses' which are permissible in addition to those generally permitted within the area as part of the Amendment. The use of the 'Additional Use' provisions of the CPS2 however is generally limited to avoid complexity in terms of land use provisions.</p>

Project Three	Planning Conditions
Proposed Scope	<p><u>Stage 1</u></p> <p>The noise related conditions placed on planning approvals will be reviewed in terms of reasonableness and consistency of application.</p> <p>It is anticipated that:</p> <ul style="list-style-type: none"> post construction testing and remediation conditions would no longer be applied. Notifications will continue to be placed on land titles and any subsequent strata titles of noise sensitive uses in mixed use

	<p>areas to inform prospective land owners and residents of the likelihood of higher noise levels.</p> <ul style="list-style-type: none"> noise related conditions would be applied in a consistent manner based on the location of the proposed development and relevant land use permissibilities. <p><u>Stage 2</u> When the new Noise Management Planning Policy is adopted, further standard noise conditions on approval will be developed.</p>
Key Steps	<ul style="list-style-type: none"> Administration to review conditions.
Financial Implications	No financial implications

Project Four	Extended Trading Permits
Proposed Scope	<p>A minor modification to the ETP Council Policy will be undertaken to allow the City to consider each application in Northbridge on a case by case basis and determine whether it is supported or not supported.</p> <p>Whilst it is considered that Northbridge should generally be enhanced and protected as an entertainment area, there may be instances (for example, where an entertainment venue abuts an existing residential development) where the City may wish to not support an application for an ETP. This discretion does not currently exist under the policy.</p>
Key Steps	<ul style="list-style-type: none"> Draft amendment to policy. Council adoption of amendment to policy.
Financial Implications	No financial implications

FINANCIAL IMPLICATIONS:

Please refer to financial implications within the tables above for each project.

COMMENTS:

The need to better manage noise in Northbridge has been acknowledged for some time. There has been much discussion about this by various stakeholders but little resolution. The completion however of the City's Northbridge Noise Study provides a sound evidence base to inform a way forward.

The four projects proposed offer short – medium term, practical solutions to the complex task of balancing the objectives of protecting and enhancing the City's and

State's primary entertainment area whilst providing reasonable amenity for residential/special residential development.

The proposed amendment of the Regulations to introduce designated Entertainment Precincts is considered to be the best long term solution to setting more appropriate noise levels for both existing and proposed entertainment venues in Northbridge. This would provide increased surety to entertainment operators and ensure the State's premier entertainment area is protected and enhanced. This is also likely to have broader benefit to other entertainment precincts across the State.

The Regulations however are a State Government responsibility and the amendment therefore is outside of the City's control. Previous amendments to the Regulations took many years and as such, whilst it is recommended that the proposed amendment to the Regulations be strongly advocated for, it is also recommended that the City look to other mechanisms that it could employ in the interim to provide venue operators the long awaited surety they have been asking for. The Approved Venue provisions under Regulation 19B of the Regulations provide one possible mechanism and should be further explored.

The proposed enhancement of the City's development standards relating to noise management will ensure that any new entertainment venues or residential or special residential development is appropriately designed and constructed to attenuate noise. Higher noise attenuation standards are likely to have cost implications for development however these are necessary to provide adequate levels of amenity for residential and special residential development if the City is to continue to support these uses in the area. Existing provisions will be reviewed to ensure clarity and consistency.

The conditions imposed or recommended on planning approvals will be reviewed to ensure that they are reasonable.

The amendment to City's ETP will provide the City with the discretion to support or not support applications in Northbridge taking into consideration context.

A number of entertainment venue operators in Northbridge were consulted during the preparation of the City's Northbridge Noise Study however there has been no formal consultation with operators since. A number of informal discussions however have taken place which have highlighted an expectation amongst venue operators for the City to take decisive action and implement solutions. It is recommended that the entertainment venue operators are advised of the projects outlined in this report.

There are other mixed use areas of the city, where entertainment uses are preferred and residential uses are contemplated, which may benefit from a similar approach in the future. It is intended however to test the approach on Northbridge, the priority area, before considering its roll out across the city.

OFFICER RECOMMENDATION:

That Council:

1. endorses the initiation of the following projects, as outlined in this report, to improve the management of noise in Northbridge:
 - 1.1 the preparation of a minor Amendment to Council Policy 14.4 Extended Trading Permits;
 - 1.2 a review of conditions placed on planning approvals in relation to noise management;
 - 1.3 the preparation of a new City Planning Scheme No.2 planning policy to consolidate and enhance the City's development standards relating to noise management;
 - 1.4 the investigation of setting more appropriate noise levels in Northbridge using the "Approved Venue" provisions under Regulation 19B of the Environmental Protection (Noise) Regulations 1997;
2. requests the Minister for Tourism and the Minister for the Environment to amend the Environmental Protection (Noise) Regulations 1997 to introduce designated Entertainment Precincts to enable the setting of more appropriate noise levels to protect and enhance the State's premier entertainment precincts, including Northbridge; and
3. advises entertainment venue operators in Northbridge of the above.

The Planning Committee agreed to amend part 3 of the Officer Recommendation and include an additional part 4 as follows:

- ~~"3. advises entertainment venue operators in Northbridge of the above.~~ invite representatives from peak bodies for the hospitality and entertainment industry, the Business Improvement Group of Northbridge (BigN), Australian Hotels Association, Perth Liquor Accord and State Government on to a Reference Group to assist the City in identifying the specific implications and practicalities for implementation of a precinct approach to noise management in Northbridge; and
4. notes that, subject to the adoption of the 2016/17 funding as identified in the report:
 - 4.1 the tender for consultancy for part 1.4 (above) will be released in July 2016;
 - 4.2 invitations for membership to the Reference Group will be released in July 2016; with the first meeting of the Reference Group anticipated for August 2016; and

4.3 the Northbridge Noise Management Framework is anticipated to be completed by June 2017 to enable commencement in the 2017/18 financial year”.

PRIMARY MOTION AS AMENDED was put

Moved by Cr McEvoy, seconded by Cr Yong

That Council:

- 1. endorses the initiation of the following projects, as outlined in this report, to improve the management of noise in Northbridge:**
 - 1.1 the preparation of a minor Amendment to Council Policy 14.4 Extended Trading Permits;**
 - 1.2 a review of conditions placed on planning approvals in relation to noise management;**
 - 1.3 the preparation of a new City Planning Scheme No.2 planning policy to consolidate and enhance the City’s development standards relating to noise management;**
 - 1.4 the investigation of setting more appropriate noise levels in Northbridge using the “Approved Venue” provisions under Regulation 19B of the Environmental Protection (Noise) Regulations 1997;**
- 2. requests the Minister for Tourism and the Minister for the Environment to amend the Environmental Protection (Noise) Regulations 1997 to introduce designated Entertainment Precincts to enable the setting of more appropriate noise levels to protect and enhance the State’s premier entertainment precincts, including Northbridge;**
- 3. invite representatives from peak bodies for the hospitality and entertainment industry, the Business Improvement Group of Northbridge (BigN), Australian Hotels Association, Perth Liquor Accord and State Government on to a Reference Group to assist the City in identifying the specific implications and practicalities for implementation of a precinct approach to noise management in Northbridge;**
- 4. notes that, subject to the adoption of the 2016/17 funding as identified in the report:**

(Cont’d)

- 4.1 the tender for consultancy for part 1.4 (above) will be released in July 2016;**
- 4.2 invitations for membership to the Reference Group will be released in July 2016; with the first meeting of the Reference Group anticipated for August 2016; and**
- 4.3 the Northbridge Noise Management Framework is anticipated to be completed by June 2017 to enable commencement in the 2017/18 financial year.**

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Adamos and Yong.

Against: Nil

Reason: The Planning Committee considered that the amendment provides greater clarity as to how and with who the City will engage with as part of its investigations.

DEPUTATION: Agenda Item 3, PL55/16 – City of Perth Heritage Program – Heritage Grant Applications 2015/2016

The Presiding Member approved a Deputation from Mr Anthony Priolo of Priolo Corporation (TRIM ref. 66927/16).

5.53pm Mr Priolo commenced the deputation, briefly outlined the conservation works required to 101 St Georges Terrace, Perth, and requested that the Planning Committee reconsider supporting the full amount of \$90,000 as requested in Matched Funded Conservation Works for this property. This would require a variation to the Council Policy 6.1 – Heritage Grants, which stipulates that matched funding is available up to a maximum of \$40,000 over five years.

The project overview for 101 St Georges Terrace, Perth include restoring the original façade, maintaining the original façade to allow disabled access, reinstating the original façade side entry and creating a space to be shared with the public as the building is currently vacant.

5.58pm The deputation concluded.

PL55/16 CITY OF PERTH HERITAGE PROGRAM – HERITAGE GRANT APPLICATIONS 2015/2016**BACKGROUND:**

FILE REFERENCE:	P1023383-3
REPORTING UNIT:	Arts Culture and Heritage
RESPONSIBLE DIRECTORATE:	Economic Development and Activation
DATE:	30 March 2016
MAP / SCHEDULE:	Schedule 5 – Council Policy 6.1 – Heritage Grants Schedule 6 – Eligibility Requirements Schedule 7 – Assessment Criteria Matrix Schedule 8 – Heritage Grant Funding Assessment

The City has developed a program of financial and development based incentives to promote and facilitate the retention, conservation and use of heritage places in the City of Perth. The program has received national and international awards for its success, and is often regarded as a model of heritage planning for other local governments. A key component of this program is Heritage Grants.

On **11 August 2015** Council adopted the revised Council Policy 6.1 - Heritage Grants (the Policy) (refer Schedule 5). The objective of the Policy is to encourage and assist landowners to conserve and actively use heritage places. Importantly, Heritage Grants are primarily focused on the conservation, rather than maintenance, of heritage places.

Matched funding up to \$40,000 is available for works associated with the conservation of heritage places, and up to \$20,000 for the preparation of studies, reports or advice prepared to inform the future retention, conservation and use of a heritage place. Full funding to a maximum amount of \$20,000 is also available for the preparation of a Conservation Management Plan for a heritage place.

The Policy states that no more than \$40,000 over a 5 year period will be provided to a single property and no more than \$90,000 will be allocated to a single property.

To be eligible for a Heritage Grant the property must be rateable, included in the City Planning Scheme No. 2 Heritage List or Metropolitan Redevelopment Authority Heritage Inventory, and included within the City's Local Government Area.

The 2015/16 Heritage Grants Round opened on 1 November 2015 and closed on 30 January 2016. Eligible landowners and owner representatives were advised in writing and the State Heritage Office (including consultants in their Directory of Heritage Specialists), the National Trust of Western Australia, WA Property Council of Australia and Heritage Perth were also notified.

At the close of the advertising date, a total of 12¹ applications were received and assessed in accordance with the Policy requirements and the outcomes are at Schedule 6 Eligibility Requirements.

An Internal Assessment Panel consisting of the City Architect and the Manager of Approvals, and Managers for Business Support and Sponsorship and Arts Culture and Heritage was established.

All applications and Schedules 6 Eligibility Requirements and 7 Assessment Criteria Matrix were presented to the Internal Assessment Panel for assessment and recommendations. Schedule 8 Heritage Grant Funding Assessment consolidates the information presented and provides the Assessment Panel's recommendation, and justification in relation to the Policy and conditions to impose.

In accordance with Clause 21 of the Policy applications are to be determined by Council.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

City Planning Scheme No. 2

Integrated Planning and Reporting Framework Implications

Corporate Business Plan

Council Four Year Priorities: Perth as a Capital City

S7 Collaborate with private sector to leverage City enhancements.

Council Four Year Priorities: Living in Perth

S9 Promote and facilitate CBD living.

9.2 Review the City's approach to Conservation of Heritage Places.

Council Four Year Priorities: Healthy and Active in Perth

S15 Reflect and celebrate the diversity of Perth.

15.1 Undertake a full review of the Grants, Donations, Sponsorships and Event Funding Policies.

Strategic Community Plan

Council Four Year Priorities: Community Outcome

Perth as a Capital City

The City is recognised internationally as a city on the move and for its liveability, talented people and centres of excellence and business opportunities

Policy

Council Policy

6.1 – Heritage Grants

¹ Administrative amendment – changed from “13” to “12” applications.

DETAILS:

The City recognises the important contribution that heritage makes to community, sustainability, cultural identity and the economy where it contributes \$350 million to the local economy through cultural heritage tourism within the City (Economic Value of Heritage Tourism in the City of Perth, WA July 2008). Investing in the Heritage Grants Program ensures that the building stock of the City is kept vibrant and activated.

Of the 12² applications received, 9³ seek matched funding for conservation works and three seek full funding for Conservation Management Plans. Details of the applications are at Schedule 6.

The 9⁴ applications for matched funded conservation works totalling \$385,287 in heritage grants and \$2,984,753 in landowner contributions. This equates to a \$7.74 landowner contribution for every \$1 requested in a heritage grant.

In relation to funding for Conservation Management Plans, one application seeks full funding of \$20,000 for the preparation of a Conservation Management Plan (CMP), and one seeking full funding of \$4,700 for revisions to an existing CMP.

Another application sought full funding \$20,000 for the preparation of a CMP but did not provide the required supporting documents, including quotes. The City informed the applicant that they needed to complete the application for it to be assessed however no documentation was forthcoming and therefore the application did not progress.

Schedule 8 details the amounts requested from applicants and recommended funding from the Assessment Panel, including an outline of previous funding from the City of Perth.

Of note is the relationship between previous applications for Conservation Management Plans and current applications for conservation works, which reflects that the policy is working in that owners are using the documents to guide works.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CL 16204000
BUDGET ITEM:	Recreation and Culture – Heritage – Heritage Inventory
BUDGET PAGE NUMBER:	10
BUDGETED AMOUNT:	\$668,569 (this component is 532,700)
AMOUNT SPENT TO DATE:	\$ 84,392 (this component is \$2,224)
PROPOSED COST:	\$279,669
BALANCE:	\$302,507

(Cont'd)

² Administrative amendment – changed from “13” to “12” applications.

³ Administrative amendment – changed from “10” to “9” applications.

⁴ Administrative amendment – changed from “10” to “9” applications.

ANNUAL MAINTENANCE: N/A
ESTIMATED WHOLE OF LIFE COST: N/A

All figures quoted in this report are exclusive of GST.

COMMENTS:

The Heritage Grants Program assists in conserving the City's heritage places in partnership with landowners. Council recognises the important contribution that heritage makes to community, sustainability, cultural identity and the economy through the roll of the Heritage Grants Program which ensures that the building stock of the City is kept vibrant and activated.

The applications for the Heritage Grants have been assessed in accordance with the Council Policy 6.1 Heritage Grants which was adopted by Council on **11 August 2015** (refer Schedule 5). The recommendations and conditions of the Assessment Panel are outlined at Schedule 8 for Council's consideration.

Moved by Cr Adamos, seconded by Cr Yong

That Council:

- 1. in accordance with Council Policy 6.1 Heritage Grants, conditionally approves the Heritage Grant Applications for the following properties (total distribution of \$279,669 (excluding GST)):***

<i>1.1 57 Goderich Street, East Perth</i>	<i>\$3,630;</i>
<i>1.2 223 Newcastle Street Northbridge</i>	<i>\$1,617;</i>
<i>1.3 49 Bennett Street East Perth</i>	<i>\$20,000;</i>
<i>1.4 61 King Street Perth</i>	<i>\$40,000;</i>
<i>1.5 101 St Georges Terrace Perth</i>	<i>\$40,000;</i>
<i>1.6 200 St Georges Terrace Perth</i>	<i>\$40,000;</i>
<i>1.7 7 Glyde Street East Perth</i>	<i>\$35,000;</i>
<i>1.8 33 Wellington Street East Perth</i>	<i>\$21,000;</i>
<i>1.9 61 Fitzgerald Street Northbridge</i>	<i>\$23,732;</i>

(Cont'd)

- 1.10 1186 Hay Street West Perth** **\$19,390;**
- 1.11 120 Aberdeen Street Northbridge** **\$40,000;**
- 2. in approving (1) above adopts the Assessment Panel recommendations and conditions in relation to each application as outlined in Schedule 8 and in accordance with Council Policy 6.1 Heritage Grants Terms and Conditions of Grant Funding; and**
- 3. advises the applicant for 145 – 150 Murray Street, Perth that their heritage grant application dated 12 January 2016 has been unsuccessful.**

The motion was put and carried

The votes were recorded as follows:

For: Crs McEvoy, Adamos and Yong.

Against: Nil

6.12pm Crs Limnios and Harley, the Manager Environment and Health, Ms Jackson, Mr Priolo, Ms Priolo, and two members of the public departed the meeting and did not return.

PL56/16 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

PL57/16 GENERAL BUSINESS

Responses to General Business from a Previous Meeting
Nil

New General Business
Nil

PL58/16 ITEMS FOR CONSIDERATION AT A FUTURE MEETING

Outstanding Items:
Nil

PL59/16**CLOSE OF MEETING****6.14pm**

There being no further business the Presiding Member declared the meeting closed.

SCHEDULES
FOR THE MINUTES OF THE
PLANNING COMMITTEE
MEETING
HELD ON
19 APRIL 2016

City of Perth
City Planning Scheme
No. 2



Amendment No. 34



CITY of PERTH

PLANNING & DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME

CITY OF PERTH

CITY PLANNING SCHEME NO. 2

AMENDMENT NO. 34

RESOLVED that the Council, in pursuance of section 75 of the *Planning and Development Act 2005*, amend City Planning Scheme No. 2 by:

1. Inserting after Clause 57A(1):

(v) 396 (Lot 2), 370-372 (Lots 7-8) and 378-392 (Lot 123) Murray Street Special Control Area.

2. Inserting the following in Schedule 9 Special Control Areas:

22. 396 (Lot 2), 370-372 (Lots 7-8) and 378-392 (Lot 123) Murray Street Special Control Area

22.1 Special Control Area

The following provisions apply to the land marked as Figure 22, being 396 (Lot 2), 370-372 (Lots 7-8) and 378-392 (Lot 123) Murray Street Special Control Area.

22.2 Objectives

To facilitate the development of 396 (Lot 2), 370-372 (Lots 7-8) and 378-392 (Lot 123) Murray Street Special Control Area as a whole in a coordinated manner.

22.3 Plot Ratio

For the purpose of determining plot ratio within the Special Control Area, the Special Control Area shall be treated as one lot.

22.4 Car Parking

For the purpose of determining the tenant car parking allowance for the Special Control Area under the provisions of the Perth Parking Policy, the Special Control Area shall be treated as one lot.

Nothing is to prevent the tenant car parking facilities in one building or lot within the Special Control Area from being leased or used by the tenants of another building within the Special Control Area.

3. Amending the City Centre (CC) Precinct Plan Map (P1 to 8) accordingly.

-
- This map shows a section of Wellington Street and Murray Street. A dashed line outlines a Special Control Area. The lots within this area are numbered 1, 6, 7, 19, 2, 7, 8, 29, and 123. The lots outside the area are numbered 16, 15, 1, 6, 7, 19, 1, 2, 7, 8, 29, 123, 100, 8, 9, 5, 6, 123, and 1119. The map is oriented with Wellington Street at the top and Murray Street at the bottom.

\\G:\RA-FSD\DATA\TOWN PLANNING\3888-899\F0277\DRAWING\A-CAD\F0277_F1001A_20150120 PERTH (SPECIAL CONTROL AREA).DWG
Matt Sullivan 19 October 2015

Dated this day of2015

CHIEF EXECUTIVE OFFICER

**PROPOSAL TO AMEND A
TOWN PLANNING SCHEME**

1. **LOCAL AUTHORITY:** CITY OF PERTH
2. **DESCRIPTION OF TOWN PLANNING SCHEME:** CITY PLANNING SCHEME NO. 2
3. **TYPE OF SCHEME:** LOCAL PLANNING SCHEME
4. **SERIAL NUMBER OF AMENDMENT:** AMENDMENT NO. 34
5. **PROPOSAL:**

RESOLVED that the Council, in pursuance of Section 75 of the *Planning and Development Act 2005*, amend City Planning Scheme No. 2 by:

1. Inserting after Clause 57A(1):
 - (v) 396 (Lot 2), 370-372 (Lots 7-8) and 378-392 (Lot 123) Murray Street Special Control Area.

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22.4 Car Parking

Nothing is to prevent the tenant car parking facilities in one building or lot within the Special Control Area from being leased or used by the tenants of another building within the Special Control Area.

-
- This map shows a section of Wellington Street and Murray Street. The area between the streets is divided into several property lots, each labeled with a number. A dashed line outlines a specific area, which is identified in the legend as the 'Special Control Area'.
- Streets:**
- Wellington Street (top)
 - Murray Street (bottom)
- Property Lots (Numbers):**
- 16
 - 15
 - 1
 - 6
 - 7
 - 19
 - 1
 - 2
 - 2
 - 123
 - 7
 - 8
 - 29
 - 123
 - 100
 - 8
 - 9
 - 5
 - 6
 - 123
 - 1119
- Legend:**
- Special Control Area

60 RA.FS/DATA/TOWN PLANNING/3846-3999/3277/DRAFTING/A-CAD/3277_FLOOR/20150123 PERTH (SPECIAL CONTROL AREA) DWG

SCHEME AMENDMENT REPORT

1.0 INTRODUCTION

The purpose of this amendment to City Planning Scheme No. 2 (CPS2) is to introduce a Special Control Area (SCA) over the land situated at 396 (Lot 2), 370-372 (Lots 7-8) and 378-392 (Lot 123) Murray Street, Perth.

SCA's provide a mechanism to prescribe development standards for specific sites or areas within the Scheme Area.

The 396 (Lot 2), 370-372 (Lots 7-8) and 378-392 (Lot 123) Murray Street SCA is proposed to enable any future development on the subject site to distribute the allowable plot ratio and car-parking provisions across the lots as required. This will facilitate the development of a high quality hotel, multiple dwelling development, restaurant and retail tenancies, and various associated amenity facilities. The development proposed is in accordance with the existing Planning Approval.

2.0 SUBJECT SITE

The subject site, being 396 (Lot 2), 370-372 (Lots 7-8) and 378-392 (Lot 123) Murray Street, Perth, is located at the north eastern side of the intersection of Murray Street and Shafto Lane. The subject site comprises four (4) separate allotments, having a combined land area of 4,932m², owned in freehold by Fragrance WA-Perth Pty Ltd.

The subject site is bound by existing commercial development to the north and east, Murray Street to the south and Shafto Lane to the west. It is occupied by an at grade fee paying public car park at the centre of the site (Lot 123), with single and two storey commercial development at the western and eastern extent of the site respectively.



Figure 1 – Aerial Photograph of Subject Site

3.0 PLANNING FRAMEWORK

3.1 Metropolitan Region Scheme

The subject site is zoned Central City Area under the Metropolitan Region Scheme.

3.2 City Planning Scheme No. 2

3.2.1 Use Area and Precinct

The land is located in the City Centre Scheme Use Area and the Citiplace Precinct (P5) as provided by CPS2. The intent of the Citiplace Precinct is to *“offer a wide range of general and specialised retail uses as well as a mix of other uses such as residential and visitor accommodation, entertainment, commercial, medical, service industry and office. Uses at street and pedestrian level will mainly be shops, restaurants (including cafes), taverns and other uses, that have attractive shop fronts and provide activity, interest and direct customer service. Other uses will be established above or below street level and major pedestrian levels.”*

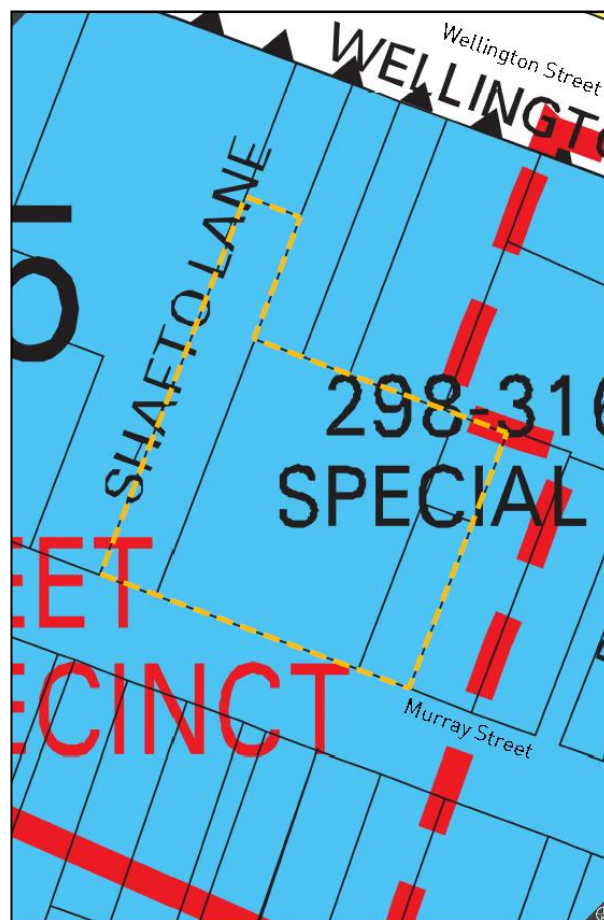


Figure 2 – Extract from City Planning Scheme No.2 Scheme Map

3.2.2 Preferred and Contemplated Uses

Preferred Uses within Precinct 5 – Citiplace, east of King Street, applicable to the subject site include Business Services, Dining, Entertainment, Retail (Central, General and Local) and Special Residential. Contemplated uses include Civic, Community and Cultural, Education, Healthcare, Home Occupation, Industry, Mixed Commercial, Office, Residential and Storage.

3.2.3 Plot Ratio

In accordance with CPS2, the subject site is permitted to have maximum plot ratio of 5.0:1, together with a maximum 20% bonus plot ratio (1.0:1) available for the provision of the Residential or Special Residential uses.

With an area of 4,932 square metres, the land within the Special Control Area has the potential to be developed with a total plot ratio floor area of 24,660 square metres, without the award of bonus plot ratio, or up to 29,592 square metres with 20% bonus plot ratio.

4.0 PLANNING APPROVAL

A development application for a 33 level residential and a 28 level hotel building was approved by the City of Perth Local Development Assessment Panel at its meeting on **4 June 2015**. The approved development also includes the demolition of the existing buildings on the site.

The 33 level residential building on the eastern portion of the site contains 401 multiple dwelling, five studio/offices, a restaurant and a café. The 28 level hotel building on the western portion of the site contains 487 guest rooms and five restaurant tenancies.

The proposed development has a plot ratio of 5.98:1 (29,501m²) inclusive of 19.6% bonus plot ratio (being 4,841m² plot ratio floor area) for a new Residential use in accordance with Clause 28 of CPS2 and the requirements of the Bonus Plot Ratio Policy 4.6.1.

4.1 Parking

The proposed development will have a maximum of 387 car parking bays provided on site, comprising 45 commercial tenant bays (including car bays for the hotel), 1 loading bay, 2 ACROD car bays and 339 residential car bays. All bays are for the exclusive use of tenants or occupants of the development and their guests/customers and will not be leased or otherwise reserved for use of the tenants or occupants of other buildings or sites.

The 339 residential car bays will be accessed via Murray Street and the 48 commercial car bays will be accessed via Shafto Lane. A porte cochere for the hotel is also

proposed in front of the hotel with entry from Shafto Lane and exiting directly onto Murray Street.

4.2 Advice Note

The development approval was subject to 28 conditions as well as an advice note which included the guidance that *'the applicant be advised that any future subdivision of the subject site following the completion of one or both of the proposed towers, will require an amendment to City Planning Scheme No. 2 to create a special control area over the site, in order to ensure the car parking and plot ratio provisions for the respective lots comply with the City Planning Scheme No. 2'*.

5.0 THE PROPOSAL

The purpose of this Scheme Amendment is to introduce a SCA into the City of Perth CPS2, being the '396 (Lot 2), 370-372 (Lots 7-8) and 378-392 (Lot 123) Murray Street Special Control Area' to facilitate the development of the land as a whole in a coordinated manner in order to achieve a high quality outcome for the site.

The proposed provisions of the SCA to be incorporated into Schedule 9 of the CPS2 Scheme Text are as follows:

22. 396 (Lot 2), 370-372 (Lots 7-8) and 378-392 (Lot 123) Murray Street Special Control Area

22.1 Special Control Area

The following provisions apply to the land marked as Figure 22, being 396 (Lot 2), 370-372 (Lots 7-8) and 378-392 (Lot 123) Murray Street Special Control Area.

22.2 Objectives

To facilitate the development of 396 (Lot 2), 370-372 (Lots 7-8) and 378-392 (Lot 123) Murray Street Special Control Area as a whole in a coordinated manner.

22.3 Plot Ratio

For the purpose of determining plot ratio within the Special Control Area, the Special Control Area shall be treated as one lot.

22.4 Car Parking

For the purpose of determining the tenant car parking allowance for the Special Control Area under the provisions of the Perth Parking Policy, the Special Control Area shall be treated as one lot.

Nothing is to prevent the tenant car parking facilities in one building or lot within the Special Control Area from being leased or used by the tenants of another building within the Special Control Area.

It is also proposed to amend the City Centre Precincts Plan to indicate the Special Control Area.

6.0 PLANNING CONSIDERATIONS

Given the nature of the development and variety of land uses proposed, it is likely that the subject site will be required to be located on separate Titles. It is possible however that the subdivision of the subject site would result in the approved development no longer being compliant with the plot ratio and car parking requirements of CPS2.

The proposed SCA would allow for the subdivision of the subject site while maintaining the intent of the Planning Approval and provisions of CPS2 by enabling the various developments to be located on separate green title allotments, but maintaining the approved plot ratio and car-parking arrangements.

Further, the City could not support the subdivision of the site until such a time as the proposed SCA applying to plot ratio and car-parking has been prepared and subsequently gazetted.

The Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations 2015) were gazetted on 25 August 2015 and came into effect on 19 October 2015. *The Regulations 2015* replaced the *Town Planning Regulations 1967* and associated Model Scheme Text.

Under the *Regulations 2015* it is considered that the proposed amendment would represent a Standard amendment for the following reasons:

- The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and
- The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

7.0 CONCLUSION

The SCA applicable to 396 (Lot 2), 370-372 (Lots 7-8) and 378-392 (Lot 123) Murray Street is proposed to assist in facilitating the high quality redevelopment of the subject site and subsequent subdivision, as well as activating an underutilised site. The proposed SCA will ensure a holistic approach to the development of the site, allowing for flexibility in the way plot ratio and car-parking are distributed within the SCA.

The proposed SCA is consistent with the relevant statutory planning framework provided by CPS2.

**PLANNING AND DEVELOPMENT ACT 2005
CITY OF PERTH**

CITY PLANNING SCHEME NO. 2

AMENDMENT NO. 34

The City of Perth under and by virtue of the power conferred upon it in that behalf by the Planning and Development Act 2005 hereby amend the City Planning Scheme No. 2 by:

1. Inserting after Clause 57A(1):

(v) 396 (Lot 2), 370-372 (Lots 7-8) and 378-392 (Lot 123) Murray Street Special Control Area.

2. Inserting the following in Schedule 9 Special Control Areas:

22. 396 (Lot 2), 370-372 (Lots 7-8) and 378-392 (Lot 123) Murray Street Special Control Area

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Nothing is to prevent the tenant car parking facilities in one building or lot within the Special Control Area from being leased or used by the tenants of another building within the Special Control Area.

3. Amending the City Centre (CC) Precinct Plan Map (P1 to 8) accordingly.

-
- This map shows a section of Wellington Street and Murray Street. A dashed line outlines a Special Control Area. The lots within this area are numbered 1, 6, 7, 19, 2, 7, 8, 29, and 123. The lots outside the area are numbered 16, 15, 1, 6, 7, 19, 1, 2, 7, 8, 29, 123, 100, 8, 9, 5, 6, 123, and 1119. The map is oriented with Wellington Street at the top and Murray Street at the bottom.

\\G:\RA-FSD\DATA\TOWN PLANNING\3888-8999\8277\DRAWING\A-CAD\8277_FIG01A_20150120 PERTH (SPECIAL CONTROL AREA).DWG
Matt Sullivan 19 October 2015

ADOPTION

Adopted by resolution of the City of Perth at the Ordinary Meeting of the Council held
on

The..... day of.....20.....

LORD MAYOR

CHIEF EXECUTIVE OFFICER

FINAL ADOPTION

Adopted for final approval by the City of Perth at the Ordinary Meeting of the Council held on the on the ____ day of _____ 20____, and the Common Seal of the City of Perth was hereunto affixed by the authority of a resolution of the Council in the presence of:

LORD MAYOR

CHIEF EXECUTIVE OFFICER

Recommended / Submitted for Final Approval

DELEGATED UNDER S.16 OF PD ACT 2005

DATE

FINAL APPROVAL GRANTED

MINISTER FOR PLANNING

DATE

SCHEDULE 1 EXISTING CITY CENTRE PRECINCTS PLAN (P1 TO 8)



SCHEDULE 2 PROPOSED CITY CENTRE PRECINCTS PLAN (P1 TO 8)



City Planning Scheme No.2

CITY CENTRE - Precincts 1-8

CITY CENTRE:

Will continue to develop as the focus of business, retail, civic, cultural and entertainment activities in Western Australia

PRECINCTS:

The City Centre contains the following Precincts

- | | |
|----------------------|-----------------|
| P1 - Northbridge | P5 - Citipace |
| P2 - Cultural Centre | P6 - St Georges |
| P3 - Stirling | P7 - Civic |
| P4 - Victoria | P8 - Foreshore |

PARLIAMENT HOUSE AND SURROUNDS:

A Clause 32 area which maintains the visual prominence of Parliament House and the aesthetic quality of development in the area.

MINOR TOWN / LOCAL PLANNING SCHEMES (TPS / LPS):

The additional Schemes which apply in the city centre are:

- TPS 11 - Wesley Trust and WA Travel Centre
- TPS 13 - State Government Insurance Office
- TPS 16 - David Jones Site (now Central Park)
- TPS 21 - FAI Site
- TPS 23 - Paragon
- LPS 26 - Normalised Redevelopment Areas

SPECIAL CONTROL AREAS

Special control areas apply in the city centre for these areas:

- 2 - CTA Building
- 5 - 240 St Georges Tce & 899-915 Hay St
- 6 - 141 & 125-137 St Georges Tce & 18 Mounts Bay Road
- 8 - 126-144 Stirling Street
- 11 - 225-239 St Georges Tce (Bishops See)
- 12 - 298-316 Murray Street
- 15 - 92-120 Roe Street
- 17 - St Martins
- 18 - 30 Beaufort Street
- 19 - 2-6 (Lot 40) Parker Street
- 22 - Lots 2, 7, 8 and 23 Murray Street

PLANNING POLICIES:

Planning and design guidelines apply in the city centre for these areas:

- James, William, Roe and Lake Street
- King Street
- Goderich
- William Street Station Precinct



LEGEND

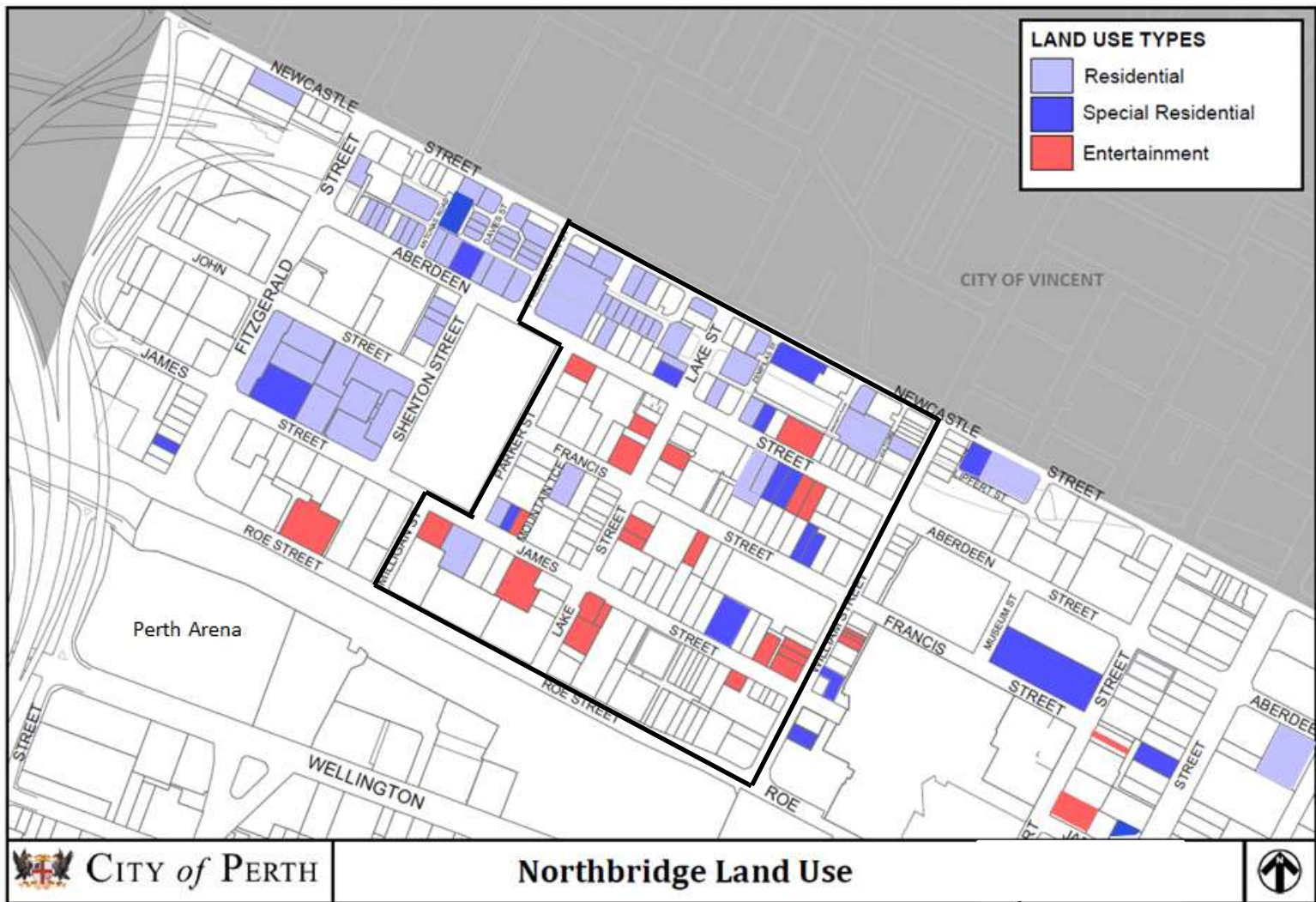
- Scheme Area Boundary
- CITY OF PERTH SCHEME RESERVES
 - Parks & Recreation
 - Public Purposes - Civic Use
- CITY OF PERTH SCHEME USE AREAS
 - City Centre
 - Town Centre
 - Residential
 - Office/Residential
 - Residential/Commercial
 - Commercial
- OTHER
 - Additional Uses
 - Normalised
 - Redevelopment Area
 - Metropolitan Redevelopment Authority Area
 - City Centre Boundary
 - MRS Clause 32 Area
 - Minor Town / Local Planning Schemes and Number
 - Special Control
 - Areas and Number
 - Other Planning Control Areas
 - Precinct Boundary
 - Precinct Number
- METROPOLITAN REGION SCHEME RESERVES
 - Parks & Recreation
 - Railways
 - Civic & Cultural
 - Waterways
 - Public Purposes
 - Hospital
 - Car Park
 - University
 - SECWA
 - Special Uses
- ROADS
 - Primary Regional Roads
 - Other Regional Roads

NOTE: The Department of Planning should be consulted for full information on the actual land requirements for all Metropolitan Region Scheme Reserves

City Planning Scheme No.2 - Amendment No.34

Overview of Submissions (5 in total)		
Organisation		City's Response
1.	Main Roads Western Australia	The proposed amendment is not adjacent to, nor will it impact, any roads under Main Roads control. Therefore, Main Roads has no comment.
2.	Water Corporation	<p>Reticulated water and sewerage is currently available throughout the subject area. The developer is expected to fund any new works required or the upgrading of existing works and protection of all works.</p> <p>Buildings on these lots will require the approval of the Water Corporation and infrastructure contributions and fees may apply.</p>
3.	ATCO Gas Australia	<p>ATCO Gas has infrastructure that will need to be identified and managed prior to any future design being finalised and any ground truthing, disturbance commencing on the lots.</p>
4.	Tourism WA	<p>Tourism WA supports the amendment to create a special control area over the site.</p> <p>The development of a hotel on this site will be an important addition to room supply in a strategic location within the Perth CBD.</p>
5.	Department of Water	The Department of Water has assessed the proposed amendment and has no comments to provide.

Current Land Use Map



Noise Complaints, Population Growth & Licensed Premises

Number of Music Related Noise Complaints by Suburb & Year						
	Perth	Northbridge	East Perth	West Perth	Crawley	Total/Year
2010	59	13	19	9	0	100
2011	22	13	7	2	0	44
2012	28	19	18	1	0	66
2013	21	21	14	2	0	58
2014	28	15	19	2	0	64
2015	37	17	24	6	0	84
2016 (up to March)	2	3	2	0	0	7
% change 2010-2015	-37%	+30%	+26%	-33%	N/A	+52%
Total/Suburb	197	102	103	22	0	

*Note data captures all music related noise complaints – includes from venues and private residences.

Population Growth by Suburb					
	Perth	Northbridge	East Perth	West Perth	Crawley
2011	4,147	1,009	7,887	2,703	1,321
2016 Forecast	5,333	1,220	11,115	3,816	1,580
% increase in population	+28.6	+20.9	+40.9	+41.2	+19.6

Night Club Licenses by Year and Suburb																
	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
East Perth	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
West Perth	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Northbridge	10	12	14	14	14	13	13	13	13	13	12	12	12	11	11	11
Perth	11	11	10	8	8	8	7	7	6	7	7	7	7	7	7	7
Total	21	23	24	22	22	21	20	20	19	20	19	19	19	18	18	18
% Increase/Decrease		9.52	4.35	-8.33	0.00	-4.55	-4.76	0.00	-5.00	5.26	-5.00	0.00	0.00	-5.26	0.00	0.00

Total licensed Venues by Year and Suburb																
	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
East Perth	26	27	30	31	30	31	33	34	33	36	37	40	41	44	46	48
West Perth	31	31	34	32	34	35	35	38	38	35	36	35	33	35	33	36
Northbridge	92	100	102	99	94	94	92	95	93	92	96	104	106	106	103	109
Perth	150	150	151	154	156	163	161	163	157	165	175	180	184	192	206	213
Total	299	308	317	316	314	323	321	330	321	328	344	359	364	377	388	406
% Increase/Decrease		3.01	2.92	-0.32	-0.63	2.87	-0.62	2.80	-2.73	2.18	4.88	4.36	1.39	3.57	2.92	4.64

COUNCIL POLICY 6.1 HERITAGE GRANTS

PREAMBLE

The City of Perth recognises the important contribution that heritage makes to community, sustainability, cultural identity and the economy. The City of Perth also recognises that heritage is important because it provides a sense of unity and belonging within the community, and provides insight into previous generations and our history. Together, the City of Perth and the property owners must ensure that the valuable assets of our heritage are respected and celebrated.

The City of Perth's program of development and financial incentives is aimed at encouraging and assisting landowners to retain, maintain, conserve and use heritage places. Heritage Grants are a key component of the City's heritage incentives program and are primarily focused on the conservation, rather than maintenance, of heritage places.

This Policy should be read in conjunction with other Policies that relate to the City's heritage incentive program including, Planning Policy 4.5.1 Bonus Plot Ratio, Planning Policy 4.5.2 Transfer Plot Ratio and Council Policy 9.2 Heritage Rate Concession.

POLICY OBJECTIVE

The City of Perth provides heritage grants to encourage and assist landowners to conserve and continue the active use of heritage places.

DEFINITIONS

Heritage Place means individual places and conservation areas included in the City Planning Scheme No. 2 *Register of Places of Cultural Heritage Significance* (excluding non-heritage properties in conservation areas).

Cultural Heritage Significance means identified aesthetic, historic, scientific or social value for past, present or future generations.

Conservation means all the processes of looking after a place so as to retain its cultural heritage significance.

Maintenance means the continuous protective care of a place, and its setting. Maintenance is to be distinguished from repair which involves *restoration* or *reconstruction*.

Preservation means maintaining a place in its existing state and retarding deterioration.

Restoration means returning a place to a known earlier state and retarding deterioration.

Reconstruction means returning a place to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material.

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Interpretation means all the ways of revealing the cultural heritage significance of a heritage place, and is intended to heighten public awareness and enhance understanding of the cultural heritage significance of a heritage place.

Conservation Management Plan is the principal guiding document for the conservation and management of a heritage place.

Fabric means the physical element or finish which is part of the heritage value of a heritage place.

POLICY STATEMENT

1. Matched funding between \$2,000 and \$40,000 is available for works associated with the conservation of heritage places located within the City of Perth Local Government Area.
 - 1.1. The recipient contribution must, as a minimum, match the heritage grant.
 - 1.2. In-kind support will not be considered.
2. Matched funding between \$2,000 and \$20,000 will be considered for the preparation of studies, reports or advice prepared to inform the future retention, conservation and use of a heritage place located within the City of Perth Local Government Area.
3. Full funding to a maximum of \$20,000 will be considered for the preparation of a Conservation Management Plan for a heritage place located within the City of Perth Local Government Area.
4. No more than \$40,000 over a five (5) year period will be provided to a single property (excluding heritage grants provided for the preparation of a Conservation Management Plan).
5. Where funding exceeds \$20,000 for a single property the landowner will be required to prepare a Conservation Management Plan.
6. No more than \$90,000 will be provided to a single property.

Funding Priorities

7. Match funding will be considered for the following projects:
 - 7.1. Reconstruction and restoration of significant heritage fabric that is visible from the public realm;
 - Examples include:
 - Re-pointing brickwork;
 - Removal of non-original paint and render;
 - Reinstatement of original or early paint colour schemes (including signs);

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- Reinstatement of former facades, windows, entries, verandahs and awnings;
 - Repairs to significant features including fences and chimneys.
- 7.2. Façade work that visually reconnects the ground floor to intact upper floors;
- 7.3. Replacement of significant heritage fabric with new fabric (where existing fabric is beyond repair) using traditional materials and building techniques;
- 7.4. Works required to stabilise a heritage place that do not constitute maintenance;
- Examples include:
 - Works to address subsurface and subsoil changes;
 - Foundation repair;
 - Underpinning;
 - Structural ties and reinforcement.
- 7.5. The removal of non-structural intrusive elements that are visible from the public realm and have a negative impact on the cultural heritage significance of a heritage place. The removal must be associated with conservation works and result in a positive conservation outcome for the heritage place or conservation area.
- Examples include:
 - Any element identified as intrusive in a Conservation Management Plan;
 - Non-original verandahs, awnings and verandah in-fills;
 - Non-original render and paint colour schemes;
 - Redundant signage and lighting;
 - Add-on-extensions, intrusive buildings and infill structures;
 - Exposed services and mechanical equipment.
- 7.6. Interpretation that explains, reveals or enhances an understanding of the cultural heritage significance of a heritage place where the cultural heritage significance of a heritage place is not readily apparent from the public realm;
- Examples include:
 - Visual representation (as opposed to reconstruction or restoration) of missing original fabric, including creative and innovative design solutions;
 - Publically accessible interpretative fixed infrastructure (signs and displays);
- 7.7. The preparation of studies, reports or advice, prepared by a suitably qualified professional that provides recommendations to inform the future retention, conservation and use of a heritage place;

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Examples include:

- Building condition assessments (including material conservation, restoration and reconstruction studies) to evaluate the physical state of a heritage place;
- Interpretation Plan, strategy or policy;
- Signage policy or strategy for a conservation area or a heritage place with multiple tenancies;
- Adaptive re-use options study for vacant heritage places;
- Place to determine its conservation needs;
- Structural engineering advice (in relation to heritage fabric only).

8. Fully funded heritage grants will be considered for the preparation of a Conservation Management Plan by a heritage professional with demonstrated experience in preparing Conservation Management Plans, and in accordance with the State Heritage Office's *An Information Guide to Conservation Managed Plans*.

Funding Exclusions

9. Heritage grants will not be provided for the following:

- 9.1. Maintenance works that are required to avoid or delay deterioration of heritage fabric;

Examples include:

- Cleaning, weatherproofing, fire protection, security;
- Repainting using the same colour scheme;
- Replacing missing or deteriorated fittings or building materials such as loose roof sheeting;
- Replacing electric wiring or other utility services;
- Landscape maintenance.

- 9.2. Maintenance works that are required to be undertaken as a condition of receiving previous funding from the City of Perth or to fulfil an agreement associated with the City's Heritage Rate Concession;

- 9.3. The installation of services;

Examples include:

- Solar and wind energy devices;
- Water tanks;
- Heat pumps and air conditioners;
- Gas meters, bottles and plumbing;
- Satellite dishes/antennae.

- 9.4. Minor works including the installation of temporary hoarding, fencing or scaffolding;

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- 9.5. Works associated with administering a business including resources and the purchase of devices, components or equipment, or any other facility associated with operational costs;
- 9.6. New buildings, additions or extensions to an existing heritage place;
- 9.7. The preparation of documentation associated with a Development Application or Building Permit involving a Bonus Plot Ratio or Transfer Plot Ratio.

Examples Include:

- Heritage Impact Assessment;
- Conservation Management Plan or Strategy;
- Interpretation Plan, Policy or Strategy;
- Access Statement or Study;
- Landscape or Plan;
- Signage Strategy;
- Safer Design Site Assessment;
- Management Plan.

- 9.8. Any works required to satisfy conditions imposed as part of an approval for a Bonus Plot Ratio or Transfer Plot Ratio.

Examples include:

- Work associated with the maintenance or conservation of a place;
- The implementation of an Interpretation Plan or Strategy.

Eligibility

10. To be eligible applicants must be the landowner (or lawfully act on behalf of the landowner) of a rateable property that is listed as a Heritage Place in the City of Perth City Planning Scheme or in the Metropolitan Redevelopment Authority heritage inventory.

Ineligibility

11. Applications will be considered ineligible if:
 - 11.1. The property is identified as non-heritage or non-contributory in a Conservation Area;
 - 11.2. The property is not rateable;
 - 11.3. Previously approved City of Perth Heritage Grant for the property has not been acquitted;

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- 11.4. The landowner has an outstanding debt to the City of Perth;
- 11.5. The application is for retrospective funding of a commenced or completed project;
- 11.6. The application does not address the assessment criteria or is incomplete.

Application Requirements

- 12. A completed 'Heritage Grant Application' must be signed by the landowner or authorised landowner representative and submitted to the City of Perth no later than the nominated closing date. Where the applicant is representing a landowner, or group of landowners, the applicant must provide their legal authorisation:

Examples:

- Letter of Authority (must be on company letterhead);
- Power of Attorney;
- Company Statement/Extract.

- 13. All applicants must disclose the following:
 - 13.1. Any known established relationship between the property landowner (or landowner representative), managing agent or leasee and all quote providers;
 - 13.2. Any other funding sought or received from the City of Perth or any other funding body for the property;
 - 13.3. Any development based incentives received for the property.
- 14. The following supporting documentation must be submitted with the application form:
 - 14.1. Evidence that the applicant has the proper authority to act on behalf of the landowner/s of the property;
 - 14.2. A succinct current property condition report;
 - 14.3. A Project Scope including project description, objectives and timetable (tangible outputs, funding stages, phasing and milestones);
 - 14.4. An itemised budget (cost breakdown structure and grant and recipient contribution distribution);
 - 14.5. Three (3) quotes from relevant professionals with proven experience specific to the project for which grant funding is sought;
 - 14.6. Evidence of full value building insurance cover for the property.

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15. A Conservation Management Plan must be submitted with applications where the cumulative funding for the property exceeds \$20,000.

Assessment Criteria

16. Applications for matched funded Heritage Grants will be assessed against the following essential criteria:
- 16.1. Accordance with the Heritage Grant Policy objective;
 - 16.2. Compliance with best practice heritage conservation;
 - 16.3. Accordance with Conservation Management Plan (where appropriate);
 - 16.4. Improvement of the external presentation of a heritage place;
 - 16.5. Promotion and enhancement of community appreciation and understanding of the heritage place;
 - 16.6. Project design and achievability, budget rigour and value-for-money;
 - 16.7. Other funding received or sought;
 - 16.8. Any development based incentives received or sought;
17. Applications for matched funded Heritage Grants will be assessed against the following desirable criteria:
- 17.1. Improvement of access to a heritage place;
 - 17.2. Heritage place forms part of a tourist or visitor attraction;
 - 17.3. Heritage place is located in an area that is planned for revitalisation or streetscape/laneway enhancement;
 - 17.4. The project facilitates the activation of a heritage place (basements, upper floors).
18. Applications for matched funded Heritage Grants for the preparation of studies, reports or advice will be assessed against the following additional criteria:
- 18.1. There is a demonstrated need for the document to inform the future retention, conservation and/or use of a heritage place.
19. Applications for fully funded Heritage Grants for the preparation of a Conservation Management Plan will be assessed against the following essential criteria:

CP 6.1 – Heritage Grants

- 19.1. There is a demonstrated need for a property management tool to guide future change and inform effective decisions in relation to change in a heritage place, specifically through conservation and maintenance schedules;
- 19.2. A revised/up-dated Conservation Management Plan is required given that, since the existing document was prepared, significant development has occurred and/or the heritage values of the heritage place have changed;
- 19.3. Whether any development based incentives received for the heritage place;
- 19.4. Whether any other funding received or sought.

Application Process

- 20. Applications and supporting documents will be assessed on their merit against the assessment criteria, and rated and ranked in relation to other applications being considered for heritage grant funding in the same round.
- 21. Applications will be determined by the Council.
- 22. The Council may prioritise or place greater weight of any of the assessment criteria.
- 23. Applicants will be advised in writing of the Council's decision.
- 24. Applications that meet the assessment criteria are not guaranteed a heritage grant.

Terms and Conditions of Grant Funding

Funding

- 25. The landowner must enter into a 'Heritage Grant Funding Agreement' with the City of Perth that includes conditions pertaining to the heritage grant funding.
- 26. Subject to the terms and conditions of the Funding Agreement the City shall provide the Funding to the Landowner.
- 27. Funding shall be paid by the City to the Landowner, and used by the Landowner for the purposes for which the amount was intended, and in accordance with the approved Heritage Grant application.
- 28. For matched funded grants, the financial contribution of the landowner must, as a minimum, match the approved Heritage Grant funding amount.
- 29. In-kind funding contributions and any other grant funding received shall not be used in the calculation of the landowner contribution.
- 30. Funding application (including three quotes) and approval runs with the Property and can be transferred to any new landowner.

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31. Funding is not effective prior to the Funding Agreement being signed by all parties.
32. Funding is to be expended within 24 months of the date the Council approved the application, unless otherwise agreed by the Council.
33. Where the cumulative total of City heritage grants for a single property exceeds \$20,000 the landowner will be required to prepare a Conservation Management Plan for the heritage place.
34. Prior to the provision of funding the landowner must sign the City's Property Maintenance Agreement.
35. Funding approval is not approval to undertake work. All relevant approvals, permits and licences from relevant authorities.
36. For grant funded works, on-site acknowledgment of the City's funding shall be provided for the period of the grant funded project.
37. Publicity requests from the City in relation to the funding shall not be unreasonably withheld.
38. For grant funded documents, one digital copy must be provided to the City prior to payment of funds, and the author must grant to the City in writing perpetual, nonexclusive licence to copy, display and electronically retain the document. The City may not use the document in any way which may or is likely to bring the author into disrepute
39. The landowner agrees to the City communicating commercially non-sensitive information contained in the original Heritage Grant Application and Acquittal Report, including photographs, to the public in relation to future promotion of the Heritage Grant.
40. Unless prior approval in writing is obtained from the City, the Landowner must not use any part of the funding provided by the City for any purpose other than the purpose for which the funding is provided.

Acquittal

41. Within 6 months from the project completion, and no later than 30 months from the date the Council approved the application, a written Acquittal Report for the project must be submitted to the satisfaction of the City. The report must:
 - 41.1. Provide a detailed acquittal of how the funding has been expended and proof of payment;
 - 41.2. Include a tax invoice;

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- 41.3. Demonstrate how the project met the original project objectives that formed the basis for the funding;
- 41.4. Demonstrate that the funding was expended after the Funding Agreement was executed;
- 41.5. Demonstrate that at least an equal direct financial contribution to the project was provided by the landowner (excluding in-kind contributions and any other grant funding obtained for the project);
- 41.6. For studies, reports, advice, or conservation management plans demonstrate how the recommendations have been, or are intend to be, implemented;
- 41.7. Include a statement of funding benefits, achievements and challenges, including photographs of the project (prior, during and after works);
- 41.8. Advise of any commercially sensitive operation details, which the City must keep confidential.

Grant Payment

42. Payment will only be made as a reimbursement on works certified as completed.
43. Payment will not be made for expenditure undertaken prior to the date that the last party signed the Funding Agreement.
44. Payment will only be made following acceptance by the City of the written acquittal report by the City.
45. The City shall endeavour to pay the funding to the landowner as soon as practicable after the acceptance of the written Acquittal Report.

Document Control Box									
Document Responsibilities:									
Custodian:		Heritage			Custodian Unit:		Arts, Culture & Heritage		
Decision Maker:		Council							
Compliance Requirements:									
Legislation:		Section 6.47 of the <i>Local Government Act 1995</i> .							
Industry:									
Organisational:									
Document Management:									
Risk Rating:		Medium	Review Frequency:		Biannual	Next Due:	2017	TRIM Ref:	[AP####]
Version #	Decision Reference:			Synopsis:					
1.	OCM 24/04/12 (174/12)			Adopted.					
2.	OCM 11/08/15 (328/15)			Revised Policy adopted.					
3.									

HERITAGE GRANT ROUND APPLICATIONS 2016

					Eligibility		Application requirements								Policy Statement					
TRIM	Date Recived	Address	Project Details	Amount Sought	Heritage	Rateable	Statement re assessment criteria	Project Scope	property report	Itemised Budget	Three quotes	ABN or supplier	Over \$20,000 CMP	building insurance	Grant exceeding \$40,000 in last five	Grant exceeding \$90,000 excl CP	Works deemed maintenance	documentation for Bonus or TPR	Debt	Comments
5984/16	12/01/2015	142-150 Murray Street Perth	CMP	\$ 20,000.00					na											Application not progressed
213964/15	3/12/2015	57 Goderich Street	Tuckpointing	\$ 3,630.00									na		na	na	na	na	na	
222554/15 & 228840/15	16/12/2015	223 Newcastle Street Northbridge	Conservation Works	\$ 3,234.00			not supplied self explanatory	not supplied self explanatory	not supplied self explanatory				na		na	na	na	na	na	
14541/16	29/01/2016	49 Bennett Street, East Perth	CMP	\$ 20,000.00					na				na		na	na	na	na	na	
14547/16	29/01/2016	61 King Street, Perth	Conservation works	\$ 40,000.00									\$40,000		na	na	na	na	na	
14549/16	29/01/2016	101 St Georges Terrace Perth	Conservation works	\$ 90,000.00													na	na	na	
14725/16	29/01/2016	200 St Georgres Tce The Cloisters	Conservation Works	\$ 40,000.00											na	na	na	na	na	
14882/16	30/01/2016	7 Glyde (Boans Warehouse)	Conservation Works	\$ 35,000.00							2 quotes				na	na	na	na	na	
14642/16	29-Jan	33 Wellington Street	Conservation Works	\$ 40,000.00							tender report 4 quotes sought				na	na	na	na	na	Note only \$41,099 worth of conservation work in project but a \$328 k projects
13977/16	28-Jan	61 Fitzgerald Street (St Brigids)	\$19,033 + \$4,700 Ws & CMP	\$ 23,733.00									na		na	na	na	na	na	applied for \$1.2m lotteries grant
13427/16	21-Jan	1186 Hay Street (Merilinga House)	Conservation Works	\$ 24,390.00							1 quote				na	na	na	na	na	\$10,000 sho grant
15670/16 &	30-Jan	120 Aberdeen Street, Northbridge	Conservation Works	\$ 90,000.00									will undertake a CMP if grant approved	Stated will obtain if required	na	na	na	na	na	No CMP or insurance provided but will supply if required
TOTAL				\$ 429,987.00																

SCHEDULE 6

Schedule 1:																								
		Project Outline	Application details		Assessment Criteria													Policy Variations						
					Essential									Desireable										
	Property	Conservation works	Total Cost	Requested Grant ex gst	Accords with policy objectives	complied with best practice	Accords with Conservation Plan	Improves external presentation of HP	Promotes and enhances community understanding	Project Design budget rigor value for money	Implications of other funding	Other development based incentives	Improves Access	Part of a Tourist Attraction	Planned for revitalisation or enhancement	Facilitates activation	Matched funding 50%	Above \$40,000	Does not have a CMP and above \$20,000 works	\$90,000 maximum	Less than 3 quotes	Ranking		
1	57 Goderich Street	Tuckpointing	\$7,260	\$3,630	y	y		y	y	y								y	na	na	na	na	1	
2	223 Newcastle Street	Chimney and tuckpointing repairs	\$3,234	\$3,234	y	y		y	y	y								100	na	na	na	na	2	
3	61 King Street	Front façade restoration	\$108,000	\$40,000	y	y		y	y	y				y				y	na		na		3	
4	101 St Georges Tce	Front façade restoration and	\$184,075	\$90,000	y	y	y	y	y	y								y		na			4	
5	200 St Georges Terrace Cloisters	Façade restoration of brickwork	\$479,000	\$40,000	y	y	y	y	y	y								y	na	na	na	na	1	
6	7 Glyde Street - fmr Boans	Restoration of external fabric	\$70,387	\$35,000	y	y	y	y	y	y								y	na	na	na	na	1	
7	33 Wellington Street	Conservation and additions	\$328,002	\$40,000	y	y	y	y	y	y							y		na	na	na	na	2	
8	61 Fitzgerald Street St Brigids	External conservation works	\$1,296,015	\$19,033	y	y	y	y	y	y							y	y	na	CMP 2 below	na	na	1	
9	1186 Hay Street	Conservation works	\$48,780	\$24,390	y	y	y	y	y	y	SHO \$10K							y	na	na	na		2	
10	120 Aberdeen Street	Stablisation of structure for conservation	\$460,000	\$90,000	y	y		y	y	y							y	y					5	
		Sub Total	\$2,984,753	\$385,287																				

		Project Outline	Application details		Assessment Criteria					
	Property	Conservation Plan	Total Cost	Requested Grant ex gst	Demonstrated need for management tool to guide development and inform	Revised/updated CMP because either outdated or changes	Development based ncentives received for heritage place	Any other funding received or sought	Comments	
1	49 Bennett Street	full	\$21,000	\$20,000	y		n	n		
2	61 Fitzgerald Street	updates	\$4,700	\$4,700		y	n	y	CoP Grant + lotteries	
		Sub Total	\$25,700	\$24,700						


Totals	\$3,010,453	\$409,987
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Heritage Grant Funding Assessments


Summary:

Address	Amount Requested	Amount Recommended	Previous City funding
61 Fitzgerald Street	\$4,700	\$4,700	nil
49 Bennett Street	\$20,000	\$20,000	nil
120 Aberdeen Street	\$90,000	\$40,000	nil
1186 Hay Street	\$24,390	\$19,390	\$6,930 (CMP)
61 Fitzgerald Street	\$19,032	\$19,032	nil
33 Wellington Street	\$40,000	\$21,000	\$10,770 (CMP)
7 Glyde Street	\$35,000	\$35,000	\$19,580 (CMP)
200 St Georges Terrace	\$40,000	\$40,000	nil
101 St Georges Terrace	\$90,000	\$40,000	\$30,000 (CMP) \$40,000
61 King Street	\$40,000	\$40,000	nil
223 Newcastle Street	\$3,234	\$1,617	nil
57 Goderich Street	\$3,630	\$3,630	\$11,996 (CMP)
Totals	\$409,986	\$279,669	


Details

Heritage Place Name	St Brigid's Complex
Property Address	61 Fitzgerald Street
Photo	
Funding Type	Fully Funded Conservation Management Plan (CMP)
Project Overview	Update CMP, specifically physical description and policy section to reflect changes to the heritage buildings since 2002.
Amount Sought	\$4,700
Owner Contribution	Nil
Application sought to vary Council Policy 6.1 Heritage Grants	Nil – fully complies
Relevant Assessment Criteria	Nil
Recommended Funding	\$4,700
Special Conditions	Nil.

Heritage Place Name	Fmr Grand Lodge
Property Address	49 Bennett Street
Photo	
Funding Type	Fully Funded Conservation Management Plan
Project Overview	Prepare a CMP for the heritage building
Amount Sought	\$20,000
Owner Contribution	\$1,175
Application sought to vary Council Policy 6.1 Heritage Grants	Nil – fully complies
Relevant Assessment Criteria	Nil.
Recommended Funding	\$20,000
Special Conditions	Nil.


Heritage Place Name	House (fmr)
Property Address	120 Aberdeen Street
Photo	
Funding Type	Matched Funded Conservation Works
Project Overview	Replace roof tiles with corrugated iron to match original, replace concrete verandah with original bullnose, add wrought iron gate, paint exterior, return window frames to match original, repair leadlight and restore structural damage
Amount Sought	\$90,000
Owner Contribution	\$370,000
Application sought to vary Council Policy 6.1 Heritage Grants	CI 1. Matched funding available up to \$40k CI 4. No more than \$40K over 5 years. CI. 5 CMP required where funding exceeds \$20K
Relevant Assessment Criteria	Nil.
Recommended Funding	\$40,000¹
Special Conditions	Demonstrate Building Insurance, and to negate requirement for works to be undertaken under the supervision of a qualified Heritage Architect to ensure accurate interpretation of original roof and verandah.
Note	Council may vary its Policy and approve amount sought.


¹ Administrative amendment – changed from "\$40,00" to \$40,000".

Heritage Place Name	Meerilinga House
Property Address	1186 Hay Street
Photo	
Funding Type	Matched Funded Conservation Works
Project Overview	Remedial works including restoration of external brickwork and limestone, windows and leadlight, balcony floor and heritage signage. Internally restore timber floors, tiled areas around fireplaces and walls.
Amount Sought	\$24,390
Owner Contribution	\$38,780 + \$10K SHO grant
Application Sought Variation to Council Policy 6.1 Heritage Grants	CI 1. Matched funding available up to \$40K CI. 9.8 Excludes works required as part of approval for Bonus Plot Ratio or Transfer Plot Ratio ²
Relevant Assessment Criteria	CI. 16.7 Other funding Sought or Received (\$10K State Heritage Office Grant and City of Perth Heritage Grants \$6,930 for CMP 2004 and \$4,500 for conservation works 2006 – did not proceed) CI. 16.8 Any development based incentive received or sought (BPR – TBC) ³
Recommended Funding	\$19,390
Special Conditions	Nil.
Note	Owner allocation \$38,780 plus \$10,000 State Heritage Office Grant. 50% of \$38,780 = \$19,390. Council may vary its Policy and approve amount sought. Governance advised that the Policy 6.1 adopted in 2015 does not apply retrospectively.

² Administrative amendment – removed text included in error.

³ Administrative amendment – removed text included in error.


Heritage Place Name	St Brigid's Complex (Parish Hall Building)
Property Address	61 Fitzgerald Street
Photo	
Funding Type	Matched Funded Conservation Works
Project Overview	Replace existing roof gutters and downpipes with new profiles to match original. External painting to trims, window frames and chimneys with colour to match original.
Amount Sought	\$19,032.50
Owner Contribution	\$19,982.50
Application sought to vary Council Policy 6.1 Heritage Grants	Nil – fully complies
Relevant Assessment Criteria	Cl. 16.7 Other funding Sought or Received (\$1.257M Lotterywest Grant)
Recommended Funding	\$19,032.50
Special Conditions	Nil.


Heritage Place Name	House
Property Address	33 Wellington Street
	
Funding Type	Matched Funded Conservation Works
Project Overview	Stabilise foundations, external brickwork restoration, render repair and chimney restoration.
Amount Sought	\$40,000
Owner Contribution	\$288,002
Application sought to vary Council Policy 6.1 Heritage Grants	Cl 1. Matched funding available up to \$40K however Total conservation works = \$41,099 Cl. 9.8 Excludes works required as part of approval for Bonus Plot Ratio or Transfer Plot Ratio⁴
Relevant Assessment Criteria	Cl. 16.8 Any development based incentive received or sought (TPR – TBC)⁵ Cl. 16.7 Other funding Sought or Received (City of Perth Heritage Grant \$10,770 for CMP 2007 (approved) & \$100K for conservation and stabilisation works in 2012 (not approved))

⁴ Administrative amendment – removed text included in error.

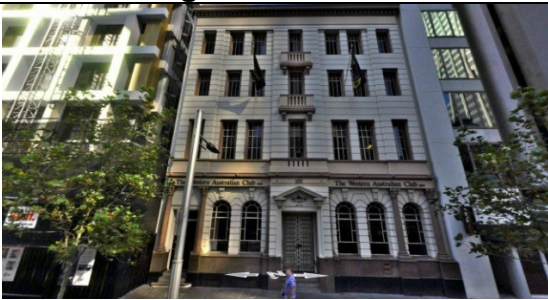
⁵ Administrative amendment – removed text included in error.


Recommended Funding	\$21,000
Special Conditions	Nil.
Note	<p>50% of \$41,099 (total conservation works) = \$21,000.</p> <p>Council may vary its Policy and approve amount sought.</p> <p>Governance advised that the Policy 6.1 adopted in 2015 does not apply retrospectively.</p>

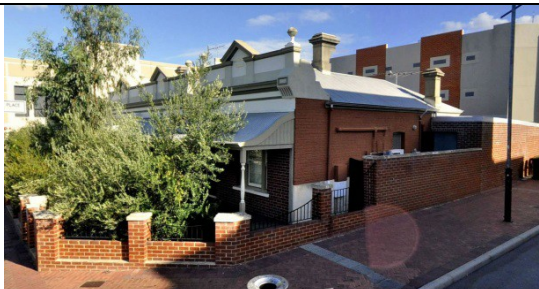
Heritage Place Name	fmr Boans Warehouse
Property Address	7 Glyde Street
Photo	
Funding Type	Matched Funded Conservation Works
Project Overview	External repairs and remedial works including replacing deteriorated timber members, repoint brickwork, repair cracked windows and masonry lintels and sills
Amount Sought	\$35,000
Owner Contribution	\$35,387
Application sought to vary Council Policy 6.1 Heritage Grants	Nil – fully complies
Relevant Assessment Criteria	Cl. 16.7 Other funding Sought or Received (City of Perth Heritage Grant \$19,580 CMP 2010)
Recommended Funding	\$35,000
Special Conditions	Nil.
Note	Governance advised that the Policy 6.1 adopted in 2015 does not apply retrospectively.


Heritage Place Name	Cloisters
Property Address	200 St Georges Terrace
Photo	
Funding Type	Matched Funded Conservation Works
Project Overview	Replace eroded bricks to façade with bricks to

	match original repoint all brickwork with lime mortar and replace cement render to brickwork with lime wash.
Amount Sought	\$40,000
Owner Contribution	\$439,000
Application sought to vary Council Policy 6.1 Heritage Grants	Nil – fully complies
Relevant Assessment Criteria	Nil
Recommended Funding	\$40,000
Special Conditions	Nil.

Heritage Place Name	Fmr WA Club
Property Address	101 St Georges Tce
Photo	
Funding Type	Matched Funded Conservation Works
Project Overview	Façade restoration including repair cracked and damaged parapet, granite columns, window sills, panels, repaint, and reinstate original façade side entry.
Amount Sought	\$90,000
Owner Contribution	\$94,075
Application sought to vary to Council Policy 6.1 Heritage Grants	Cl. 1. Matched funding available up to \$40k Cl. 4: No more than \$40K over 5 years. Cl. 5: CMP required where funding exceeds \$20K
Relevant Assessment Criteria	Cl. 16.7 Other funding Sought or Received (City of Perth heritage grants - \$30K for CMP in 2007 and \$40K in conservation works in 2009)
Recommended Funding	\$40,000
Special Conditions	Nil
Note	Governance advised that the Policy 6.1 adopted in 2015 does not apply retrospectively. Council may vary its Policy and approve amount sought.

Heritage Place Name	Commercial Building
Property Address	61 King Street
Photo	
Funding Type	Matched Funded Conservation Works
Project Overview	Structural repairs gable and columns, including replacing missing column, window frame restoration and patching and repainting masonry.
Amount Sought	\$40,000
Owner Contribution	\$68,000
Application sought to vary Council Policy 6.1 Heritage Grants	Nil – fully complies
Relevant Assessment Criteria	Cl. 16.7 Other funding Sought or Received (Previous owners awarded Heritage Grant in for \$20K in 2007 for CMP, \$40K in 2009 for repairs and \$30K for works in 2010 but did not proceed with any)
Recommended Funding	\$40,000
Special Conditions	Nil.

Heritage Place Name	House
Property Address	223 Newcastle Street
Photo	
Funding Type	Matched Funded Conservation Works
Project Overview	Replace fretting bricks, patch loose render, repair and patch cracks in chimney and touch up re-pointing.
Amount Sought	\$3,234
Owner Contribution	Nil
Application sought to vary Council Policy 6.1 Heritage Grants	Cl. 1 Match funding available however 100% funding sought
Relevant Assessment Criteria	Nil.
Recommended Funding	\$1,617
Special Conditions	Nil.
Note	<p>Variation to Council Policy required for full funding.</p> <p>Application requested full funding at \$3,234 however 50% = \$1,617.</p>

Heritage Place Name	Terrace House
Property Address	57 Goderich Street
Photo	
Funding Type	Matched Funded Conservation Works
Project Overview	Remove paint from façade and reinstate tuck-pointing
Amount Sought	\$3,630
Owner Contribution	\$3,630
Application sought to vary Council Policy 6.1 Heritage Grants	CI 1. Matched funding available (owner seeking full funding)
Relevant Assessment Criteria	Nil.
Recommended Funding	\$3,630
Special Conditions	Nil.