

Works and Urban Development Committee

**Notice of Meeting
5 December 2017
5:30pm**

**Committee Room 1
Ninth Floor
Council House
27 St Georges Terrace, Perth**



Agenda

ORDER OF BUSINESS AND INDEX

- 1** Declaration of Opening
- 2** Apologies and Members on Leave of Absence
- 3** Confirmation of minutes – 7 November 2017
- 4** Correspondence
- 5** Disclosure of Members' interests
- 6** Reports
 - 6.1 - Increase Capital Works Budget – CW2226 Stirling Gardens Water Feature Refurbishment
 - 6.2 - Wellington Square Enhancement – Draft Masterplan
 - 6.3 - Agreement with 480 Hay Street Pty Ltd
- 7** Motions of which Previous Notice has been given
- 8** General Business
 - 8.1 - Responses to General Business from a Previous Meeting
 - Point Fraser Lighting (raised at WKS on 7/11/17)

Cr Harley requested the administration liaise with Western Power regarding the lack of lighting on the riverside of Point Fraser.

The Director Planning and Development advised this matter will be investigated and a response will be provided to Elected Members in due course.
 - Bike Lanes – Barrack Street (raised at WKS on 7/11/17)

Cr Harley requested information on a road safety audit for the bike lanes on Barrack Street.
 - Wolf Lane Lighting (raised at WKS on 7/11/17)

Cr Harley requested information on improving the lighting in Wolf Lane.

- CCTV (raised at WKS on 7/11/17)

Cr Harley advised there is no CCTV provided within the cross of King Street, Queen Street, Murray Street and Wellington Street.

A memorandum was provided to Elected Members on 29 November 2017 via the Council Hub.

8.2 - New General Business

9 Items for consideration at a future meeting

Outstanding Reports: Nil

10 Closure



ROBERT MIANICH
DIRECTOR CORPORATE SERVICES

30 November 2017

This meeting is not open to members of the public

WORKS AND URBAN DEVELOPMENT COMMITTEE

Established: 17 May 2005 (Members appointed 24 October 2017)

Members:	1st Deputy:	2nd Deputy:
Cr Limnios (Presiding Member)	Cr Hasluck	Cr Barton
Cr Harley		
Cr Chen		

Quorum: Two

Expiry: Local Government Elections 2019

TERMS OF REFERENCE: [Adopted OCM 24/11/15]

To oversee and make recommendations to the Council on matters related to:

1. works required to construct, upgrade and maintain streets, footpaths, thoroughfares and other public places, including streetscape upgrades, landscaping initiatives and directional signage and graffiti;
2. design, construction and upgrading of parks, reserves, recreational and civic amenities and facilities and Council owned buildings, excluding Council House, the Perth Town Hall, City of Perth Public Lending Library and the Perth Concert Hall;
3. oversight of the implementation of the Lighting Strategy;
4. waste management.

**Agenda
Item 6.1**

**Increase Capital Works Budget – CW2226 Stirling Gardens
Water Feature Refurbishment**

Recommendation:

That Council APPROVES BY ABSOLUTE MAJORITY, the transfer of \$78,638 budget from CW1878 Pedestrian Walkways to CW2226 Stirling Gardens Water Feature Refurbishment.

FILE REFERENCE: P1034026
REPORTING UNIT: Parks
RESPONSIBLE DIRECTORATE: Construction and Maintenance
DATE: 27 November 2017
ATTACHMENT/S: N/A

Council Role:

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

Legislation / Strategic Plan / Policy:

Legislation Part 4 of the *Local Government (Functions and General) Regulations 1996*

**Integrated Planning and
Reporting Framework
Implications**

Strategic Community Plan

- Goal 2 An exceptionally well designed, functional and accessible city
Goal 3 A city connected to its natural beauty

Corporate Asset Management Plan 2016

Policy

Policy No and Name: Purchasing Policy 9.7

Purpose and Background:

The purpose of this report is to seek Council endorsement to reallocate \$78,638 of funds from CW1878 Pedestrian Walkways to CW2226 Stirling Gardens Water Feature Refurbishment.

The adopted 2017/18 budget provides \$70,000 for the Stirling Gardens Water Feature Refurbishment project. To date, \$12,750 has been spent on design fees.

In October 2017, the City requested quotations. During the process, it became clear that the City's budget for the project was not sufficient for the scope of work.

Details:

The Stirling Gardens water feature is a prominent water feature was last renovated in 1994 with modifications to include the upper pond and kangaroo statues, but currently experiences issues with water quality and circulation (Figure 1). Initial investigations suggest this is due to aging infrastructure and the requirement to manually dose chemicals.

The proposed scope of work will:

- restore water re-circulation performance;
- incorporate a water filtration system;
- incorporate an automatic dosing system for water sanitisation; and
- abandon the existing pump pit, due to difficulties associated with maintenance access and costs.

Financial Implications:

ACCOUNT NO:	CW2226
BUDGET ITEM:	Stirling Gardens water feature refurbishment
BUDGETED AMOUNT:	\$ 70,000
AMOUNT SPENT TO DATE:	\$ 12,750
PROPOSED COST:	\$148,638 (includes 20% contingency on construction costs)
BALANCE REMAINING:	\$-78,638 (To be funded from CW1878)
ANNUAL MAINTENANCE:	Currently catered for in the Parks Operational budget
ESTIMATED WHOLE OF LIFE COST:	N/A

ACCOUNT NO:	CW1878
BUDGET ITEM:	Pedestrian Walkways - ISPT
BUDGETED AMOUNT:	\$1,200,000
AMOUNT SPENT TO DATE:	\$ 164,990
PROPOSED COST:	Nil (2017/18)
BALANCE REMAINING:	\$ 956,372
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE OF LIFE COST:	N/A

All figures quoted in this report are exclusive of GST.

It is recommended that \$78,638 from CW1878 Forrest Place Pedestrian Walkway project (ISPT) be reprioritised to CW2226 Stirling Gardens Water Feature Refurbishment. The City will then go to the open market to ensure the most competitive and advantageous bid can be selected.

The budget for the Forrest Place Pedestrian Walkway Project (ISPT) is currently catered for in CW1878. On 18 September 2017, ISPT confirmed that Stage 1 work will be completed in November 2018; so the contribution to ISPT will not be required this financial year. Therefore the 2017/18 remaining budget for CW1878 will be returned during the mid-year review.

Comments:

The City requires additional budget of \$78,638 for CW2226 to successfully deliver the refurbishment of the Stirling Gardens Water Feature.



Figure 1 Photograph of the Stirling Gardens water feature showing cloudy and discoloured water

Recommendation:

That Council:

- 1. RECEIVES the details of the consultation on the Wellington Square Framework as detailed in this report and in Confidential Attachment 6.2A;**
- 2. APPROVES the Wellington Square Draft Masterplan as detailed in this report and Confidential Attachment 6.2B for consultation purposes; and**
- 3. NOTES that the results of the consultation will be used to inform the Final Masterplan which will be presented to Council at a future meeting.**

FILE REFERENCE:	P1032731
REPORTING UNIT:	Co-ordination and Design
RESPONSIBLE DIRECTORATE:	Planning and Development
DATE:	22 November 2017
ATTACHMENT/S:	Confidential Attachment 6.2A – Consultation Results Summary Confidential Attachment 6.2B – Wellington Square Draft Masterplan

Council Role:

- | | | |
|-------------------------------------|----------------|---|
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Legislation / Strategic Plan / Policy:

Integrated Planning and Reporting Framework Implications

Strategic Community Plan

- Goal 1 - A city for people
- Goal 2 - An exceptionally well designed, functional and accessible city
- Goal 3 - A city connected to its natural beauty
- Goal 6 - A city that celebrates its diverse cultural identity
- Goal 7 - An open and engaged city
- Goal 8 - A city that delivers for its community

Purpose and Background:

This report presents feedback from the stakeholder consultation received on the Wellington Square Framework. The report also outlines the Draft Masterplan and proposed next steps in the development of the final masterplan.

Details:

The Framework for Wellington Square was informed by feedback and comments received via a range of activities since December 2016, including:

- stakeholder workshop;
- online Survey (via engage.perth.wa.gov.au);
- 'Map it' planning tool (via engage.perth.wa.gov.au);
- cultural Heritage Assessment; and
- community Reference Group.

An online survey was launched on 30 August 2017 and made available via the City's online platform, Engage Perth. Residents and businesses within a 400 metre radius were directly informed of the survey via a letter drop. The intent of the survey was to receive feedback on the Wellington Square Framework. The consultation was adjusted to suit the caretaker period and recommenced on 23 October 2017.

A total number of 17 responses (12 through Engage Perth, three phone calls, two emails) were received at the close of the survey on 6 November 2017. While this is down from 212 responses received in December 2016, the Engage Perth platform captured a total of 509 visits. These visits included:

- 13 'engaged' visitors who posted on the guestbook and placed pins on maps;
- 219 'informed' visitors, who viewed a photo, downloaded a document, visited an FAQ list page, visited multiple project pages, and contributed/engaged; and
- 336 'aware' visitors who visited at least one page.

Common themes raised in the responses were consistent with previous feedback including:

- current lack of community amenities and facilities;
- safety and security; and
- support for more active space and associated infrastructure.

A stakeholder workshop with representatives from Local and State Government Agencies, City of Perth staff, community, social services and organised sports groups was held on the 13 September 2017 to provide feedback on the Framework. Several themes emerged during the workshop including:

- the importance of acknowledging in a meaningful way the cultural heritage of Wellington Square;
- requirements for formal sporting codes; and
- the need to build in flexibility to maximise the space.

The first Community Reference Group (CRG) made up of local residents, property owners, business owners and community and sporting groups as well as representatives from the Whadjuk Working Party, was held on 25 October 2017. The group also met on 22 November 2017.

Many of the CRG's comments on the Framework related to the desire for more detail, rather than expressing a view that any significant considerations had been missed. When asked if the Framework had the right balance, the CRG provided the following comments:

- allocated event space was perceived as being quite small and should be expanded;
- location of entry points and pedestrian paths were supported;
- meeting places should be increased;
- noise impacts from activities need to be considered; and
- tree retention is important.

Wellington Square Enhancement - Draft Masterplan

All the consultation to date has highlighted the community's desire for a range of leisure, cultural and celebratory activities in Wellington Square. The Framework has provided a high level structure to inform the masterplan.

The Draft Masterplan aims to create a contemporary park for people with a range of activities at overlapping times of the day. Despite being one of the larger areas of green space in the city it currently also performs poorly in terms of biodiversity, largely because the majority of the site is covered with lawn and a fringe of trees. The current absence of diverse mid to low level structure planting reduces the habitat value of the space and this has been addressed in the Draft Masterplan.

Other key elements of the design include:

- Consolidation of the formal sports grounds to the west of the square;
- Creation of social spaces for respite and relaxation;
- Creation of event spaces and associated infrastructure;
- Creation of active spaces such as basketball;
- Creation of a play area for a range of ages;
- New network of paths to connect spaces;
- Future pedestrian priority to the north of the square;
- Stormwater capture to create a wetland;
- Increase tree diversity and canopy cover;
- New understorey planting to increase biodiversity;
- New lighting to paths, formal sports area and feature lighting to significant trees;
- Cultural heritage interpretation; and
- Improved sightlines at park edges.

Financial Implications:

There are no direct financial implications with this report.

There will be financial implications associated with the adoption of the final masterplan and the associated implementation plan.

Comments:

Several consultation activities for the Wellington Square Enhancement Draft Masterplan are planned from 29 January - 13 February 2018 to ensure continued stakeholder and community participation in the design process. By delaying the consultation until late January will ensure a larger audience is captured outside of the Christmas and New Year holiday period. To increase participation a number of additional consultation activities are proposed including pop up events in Wellington Square.

The Community Reference Group will continue to meet monthly in 2018 until the masterplan has been finalised.

The feedback generated during these ongoing activities will be consolidated into a report, which will be referenced by the project team during refinement of the masterplan for Wellington Square.

CONFIDENTIAL ATTACHMENT 6.2A & 6.2B
ITEM 6.2 – WELLINGTON SQUARE ENHANCEMENT – DRAFT
MASTERPLAN

FOR THE WORKS & URBAN DEVELOPMENT MEETING

5 DECEMBER 2017

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Recommendation:

That Council:

1. ***NOTES the details of the agreement reached with 480 Hay Street Pty Ltd (BGC Development) to fund and build the footpath and roadway of Irwin Street North and the footpaths of Murray and Hay Street fronting the Westin Hotel site; and***
2. ***AUTHORISES the Chief Executive Officer to provide in principle variation costs as outlined in the Public Area Improvement Agreement subject to final Council endorsement.***

FILE REFERENCE:	P1033804
REPORTING UNIT:	Construction
RESPONSIBLE DIRECTORATE:	Construction and Maintenance
DATE:	24 November 2017
ATTACHMENT/S:	Confidential Attachment 6.3A – Public Area Improvement Agreement and Scope of Works Attachment 6.3B – Concept Design Details

Council Role:

- | | | |
|-------------------------------------|----------------|---|
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| <input checked="" type="checkbox"/> | Information | <i>For the Council/Committee to note.</i> |

Legislation / Strategic Plan / Policy:

Legislation

Section 6.8: Expenditure from municipal fund not included in annual budget of the *Local Government Act 1995*

Integrated Planning and Reporting Framework Implications

Strategic Community Plan

Goal 2 An exceptionally well designed, functional and accessible city

Goal 7 An open and engaged City

Goal 8 A City that delivers for its community

Policy

Policy No and Name: 9.6 – Budget Variations

Purpose and Background:

At the Council Meeting of **26 September 2017**, it was resolved:

“That Council:

1. RECOGNISES the opportunity for the City to work with the developer of the Westin Hotel Site (BGC Development) to fund and build the footpath and roadway of Irwin Street North and the footpaths of Murray and Hay Street fronting the Westin site;
2. AUTHORISES the Chief Executive Officer to negotiate and execute a final agreement between the City and BGC Development, to achieve a suitable outcome on behalf of the City of Perth;
3. is satisfied, within the terms of regulation 11(2)(f) of the Local Government (Functions and General) Regulations 1996, that because of the reasons set out in the report, it is unlikely that there is more than one potential supplier who can execute the works to the footpaths around the Westin Hotel site, prior to practical completion;
4. AGREES to bring forward \$1,507,650 to the 2017/2018 financial year to enable implementation of part 1 above; and
5. NOTES funding will be allocated as part of the January 2018 budget review process.”

That agreement has now been negotiated and signed and this report is for Council visibility.

Details:

The agreement and related scope document is in Attachment 6.3A. Attachment 6.3B details the concept design for the works.

The BGC price is \$1,535,611. With the allowance for reinstatement deducted this becomes a net amount of \$1,418,066. This leaves \$117,545 to cover contingency and any remaining City costs (staff and consultants).

The City's intention was for 480 Hay Pty Ltd (BGC Development) to engage, procure and deliver the works at their cost, which would then be claimed back from the City up to the maximum amount approved by Council. This was put to BGC, however BGC were not open to an agreement of this form as they advised they considered that the price limit represented an unacceptable level of risk. A fixed lump sum therefore could not be agreed. The City then requested to limit prolongation risks as a result of delays caused by variations due to unforeseen circumstances via an agreed rate and cap. BGC have provided a weekly rate for prolongation of \$27,135 but were not open to capping this rate.

Known risks that are not fully priced that have already been established are: issues in achieving the required building levels with the footpaths due to insufficient existing kerb heights; requirements for modifications of drainage pits (price only allows for lid modifications); concrete pavement with evidence of structural failure in Irwin Street; fibre optic cable in Irwin Street for City CCTV; potential service relocations.

The agreement details the requirements for pricing of variations and specifically requires that the City be informed should they exceed 10%. This is the City's limit for variation before further Council decisions are required. In order to ensure that Council remain informed of any escalation in costs the City has agreed that BGC will provide weekly updates on the financial status of the project. These will be circulated to Council.

Due to the contractual time limits on agreeing variations (14 days) before escalation to an independent Quantity Surveyor determination, it is recommended that the CEO be given delegated authority to agree the costs of variations in principle, for subsequent ratification by Council. This is to avoid any escalating costs due to a dispute arising, requiring independent QS determination, solely due to the City not being able to meet the time limits imposed by the contract.

Financial Implications:

ACCOUNT NO:	CW2194 (Irwin Street) CW1984 (Hay Street)
BUDGET ITEM:	
BUDGETED AMOUNT:	\$ 1,507,650
AMOUNT SPENT TO DATE:	\$ 0
PROPOSED COST:	\$ 1,418,066
BALANCE REMAINING:	\$ 89,584
ANNUAL MAINTENANCE:	N/A
ESTIMATED WHOLE OF LIFE COST:	

All figures quoted in this report are exclusive of GST.

Comments:

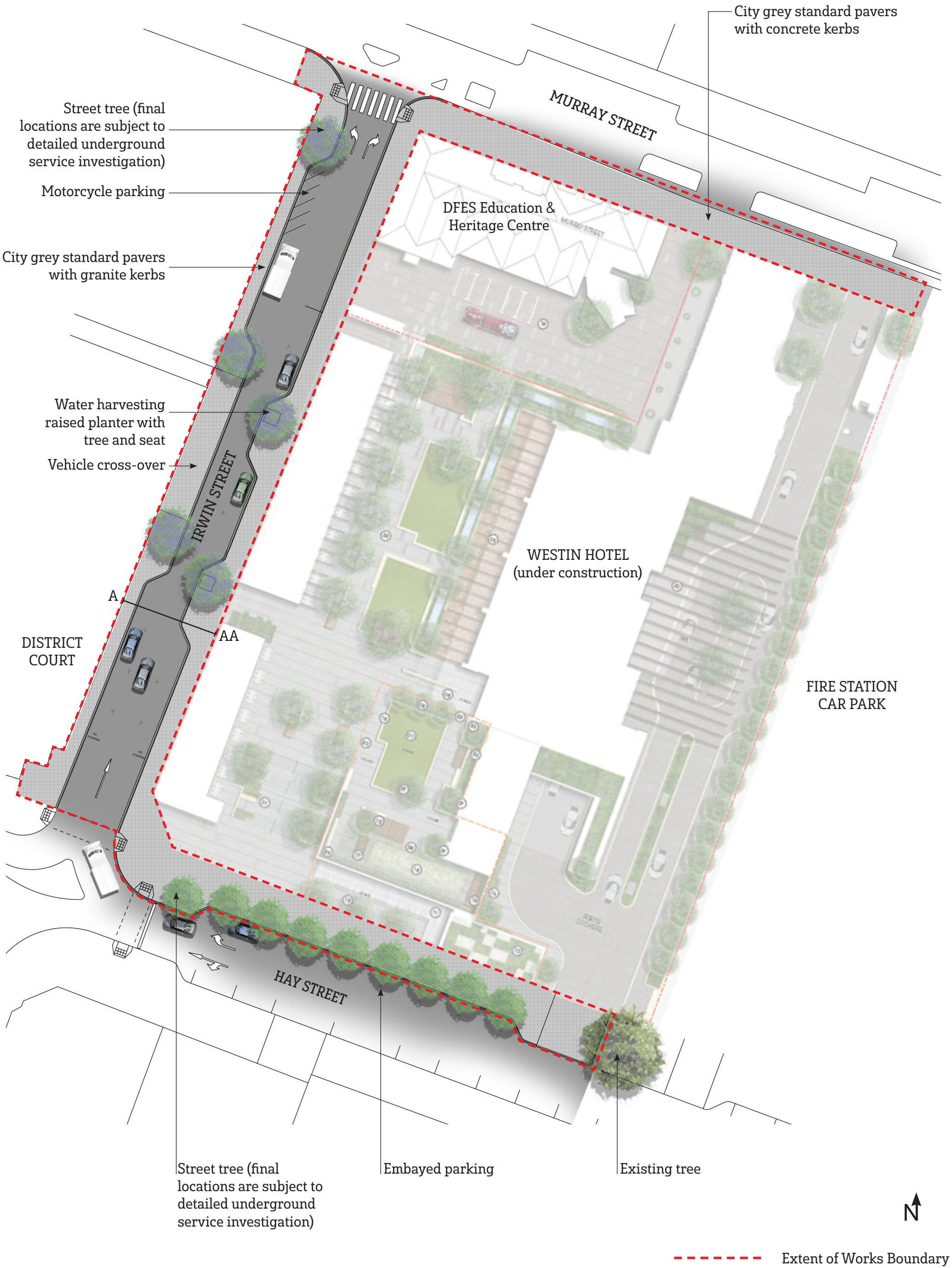
This report is to provide details of the agreement reached, and to request CEO Authority to agree the cost of variations in principle where a decision is required contractually within a timescale impractical for formal Council Approval to be ratified.

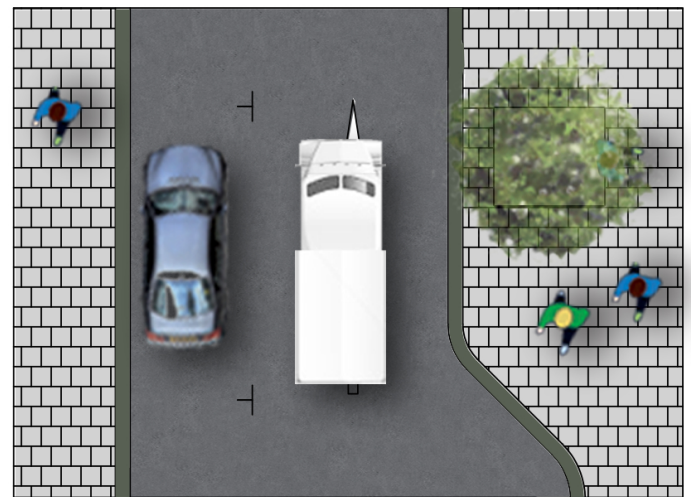
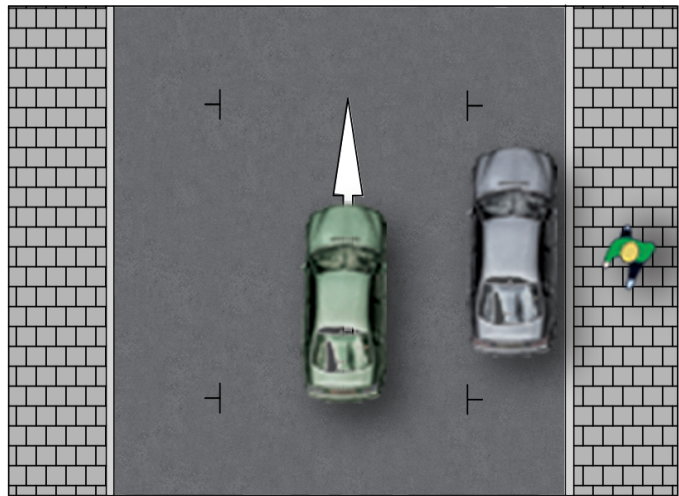
CONFIDENTIAL ATTACHMENT 6.3A
ITEM 6.3 – AGREEMENT WITH 480 HAY STREET PTY LTD

FOR THE WORKS & URBAN DEVELOPMENT MEETING

5 DECEMBER 2017

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2.2 2.3 4.6 2.3 2.2
 footpath parking carriageway north-bound parking footpath

2.3 2.5 4.0 2.5 2.3
 footpath parking carriageway north-bound parking/ footpath footpath

Section A - Existing

Section A - Typical proposed



View looking south - existing



View looking south - proposed