

ITEM NO: 2

TEMPORARY LICENCE TO OCCUPY PORTION OF THE TURF ON THE SOUTHERN SIDE OF THE PERTH TOWN HALL

RECOMMENDATION:

(APPROVAL)

That, subject to the approval of the Building Management and Works Division of the Department of Treasury and Finance, the Council grants approval for post graduate architectural student Kukame McKenzie to occupy a portion of Crown Reserve 28476, Barrack Street, Perth, from 14 May 2009 to 26 May 2009 to install a small pavilion to conduct an architectural workshop and to display historical photographs of the urban environment in the City of Perth, on the following terms and conditions:-

1. Licence Area;

The licence area shall be approximately 20m² of the grassed area on the southern side of the Perth Town Hall;

2. Licence Fee;

The Licence fee shall be the nominal sum of \$1.00 per annum, exclusive of GST, payable on demand;

3. Use and Quality of Structure;

The site shall be used to accommodate a temporary exhibition pavilion, built to a professional industry standard, to conduct an architectural workshop and to house a photographic display of images of the City, historically, present and proposed;

4. Access and Liaison;

The Licensee is to liaise with the City's Manager Parks and Landscapes for location of the reticulation system and agree the method of fixing the structure, and allow the City of Perth (and its officers, employees, agents and contractors) access to the site at all reasonable times for the purpose of inspection;

(Cont'd)

5. Cleaning and Maintenance;

This site shall be maintained in a clean and tidy condition at all times;

6. Nuisance;

The Licensee will not allow anything to be done in or near the site which is or is deemed to be a nuisance under any law;

7. Insurance;

The Licensee will:-

7.1 effect and maintain with a reputable insurance company acceptable to the City of Perth in respect of the Site, adequate public liability insurance for an amount not less than \$10,000,000 or such greater amount as the City of Perth may reasonably require;

7.2 provide evidence of the currency of these insurances and copies of the policies to the City of Perth prior to taking possession;

7.3 not do, or allow, anything to occur which could cause the City of Perth's insurance to become void or voidable;

8. Indemnity;

The Licensee shall indemnify the City against any claims, losses, costs or damages arising from the Licensee's use of the Site, unless the loss or injury was caused by any action or omission by the City of Perth;

9. Signs;

The Licensee will not allow any sign or advertisement to be placed on any part of the Site without the prior written consent of the City of Perth. Any approved signs or advertising material must be removed on termination of this agreement, and will underwrite the make good any damage caused by the removal;

(Cont'd)

10. Make Good;

On 26 May 2009, the Licensee shall vacate the Site and deliver up possession to the City in good order and condition. On that date, the Licensee must remove all fixtures, fittings, plant, equipment, signs or other articles which are on the Site;

If the Licensee does not comply with that obligation the City of Perth may carry out the work required to make good the Site and the Licensee must pay the costs of the work on demand;

11. Access to Research Paper;

The Licensee shall submit a copy of the paper to be written on this workshop to the City.

BACKGROUND:

FILE REFERENCE: P1000593-6
REPORTING OFFICER: Vic Fuller
RESPONSIBLE DIRECTOR: Garry Dunne, Director Service Units
DATE: 9 March 2009
MAP / SCHEDULE: Map - Proposed Licence Area
Schedule 1 - The Receptacle

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Local Government Act 1995

Strategic Plan
Key Result Area: Liveable City
Strategy: Outdoor City Strategy

DETAILS:

Kukame McKenzie, a Bachelor of Architecture, UWA Graduate 2008, has submitted a proposal to install a small, temporary exhibition pavilion in the public space directly adjacent to the Perth Town Hall for 11 days in May 2009 for the purpose of conducting an architectural workshop and exhibiting a display of historical photographs of the urban environment in the City of Perth.

A copy of the applicant's proposal can be found in Schedule 1.

It is considered that this proposal can be supported on the conditions set out in the recommendation section of this report, as it is unlikely to impact on the Perth Town Hall to any appreciable degree and the paper coming from this workshop may be of interest to the local history collection at the City's Library.

The City currently occupies a portion of Crown Reserve 24876 (Old R&I Bank site) Barrack Street, Perth, for landscaping purposes, under a licence from the Building Management and Works Division of the Department of Treasury and Finance.

Approval of this proposal will ultimately be required from the Building Management and Works Division of the Department of Treasury and Finance, as it is the holder of the Management Order for Care, Control and Management of the reserve.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.