

**5.4.1 LATE ITEM: The Urban Roller Club – Request to Use Frame Court Car Park, Leederville Town Centre**

<b>Ward:</b>	South	<b>Date:</b>	17 July 2015
<b>Precinct:</b>	Precinct 4 – Oxford Centre	<b>File Ref:</b>	SC1897
<b>Attachments:</b>	<a href="#">1</a> – Urban Roller Club Application <a href="#">2</a> – Frame Court Car Park Event Site Plan <a href="#">3</a> – Correspondence Leederville Connect		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	Y Coyne, Coordinator Arts & Creativity R Boardman, Director Community Services		
<b>Responsible Officer:</b>	R Boardman, Director Community Services		

**OFFICER RECOMMENDATION:**

**That Council:**

- 1 **AGREES IN PRINCIPLE** to The Event Agency Australia Pty Ltd holding The Urban Roller Club in a portion of the Frame Court Car Park and Oxford Reserve, subject to:
  - a) **Planning Approval** being sought and obtained for that activity from the City of Vincent; and
  - b) **The Event Agency Pty Ltd** entering into a licence agreement to use the space for a period not exceeding 22 days, on terms to be determined by Council.
- 2 **ADVISES** The Event Agency Pty Ltd that Council’s Agreement in principle does not guarantee that a Planning Approval will be issued for the proposed activity and will not prejudice Council’s decision in respect of the planning application or any future licence agreement for The Urban Roller Club proposal.

**PURPOSE OF REPORT:**

To consider and establish a position on a request from The Event Agency Australia Pty Ltd (the Organiser) to hold an event on a portion of No. 62 (Lots 26 & 27) Frame Court, Leederville (Frame Court Car Park).

**BACKGROUND:**

The Organiser submitted an application to hold the event in Frame Court Car Park on 5 May 2015. The Organiser is a successful events company which specialises in large scale public events such as the Beaufort Street Festival and the ice skating event, Winterland, to name a few.

**DETAILS:**

The Organiser has applied to the City to consider a proposal to hold a pop up roller skating rink in a portion of the Frame Court Car Park , as well as an associated bar/licensed area, food outlets and toilets on Oxford Reserve. The application received from the Organiser is included in **Attachment 1**. The Frame Court Car Park events site plan is included as **Attachment 2**. The proposed dates are Monday 21 September to Monday 12 October 2015, which includes days for setting up and packing down.

On page 4 of the application, the Organiser has stated that it is intended to use 64 bays at Frame Court Car Park; however the area of car park to be used for this purpose has since been reduced to cover 59 fee paying bays. The operating hours of the event are split into sessions during this time. Due to the nature of the equipment and set up, the area will be cordoned off for the full duration of the booking.

The proposed hours of operation are Monday to Sunday, with one hour sessions from 9am to 7pm, and then a three hour session each evening from 7pm to 10pm. The Urban Roller Club will be a ticketed event, with ticket prices ranging from \$7 to \$32 which can include roller-skate hire.

The Organiser has recently lodged a planning application to trigger Council's formal consideration of this matter. However, Administration is seeking Council's in-principle position on this proposal prior to progressing any further with that application and any consequential licence agreement to use the car park for this purpose.

### **Benefits of a Roller Skate Facility**

The Urban Roller Club aims to deliver a professional, engaging contemporary Community event, potentially bringing with it a range of economic, social, health and environmental benefits as it could:

- act as an important hub for the local community and a drawcard regionally;
- potentially increase footfall and exposure that the other surrounding businesses benefit from;
- rejuvenate the public perception of the roller disco bringing it out of the suburbs and into the City; and
- activate a public space with a unique recreational offering during school holidays.

### **Policy Framework**

The City does not currently have a policy or strategic framework by which to assess proposals for third parties to use City owned or managed land such as Car Parks or Reserves. Council must then address each request on a case by case basis.

### **Existing Use of Car Parks in Leederville**

The Frame Court Car Park has a total of 210 fee paying car-bays. The proposed event is seeking to use 59 bays (28%); 151 bays remain available in this car park for the duration of the event.

Parking available in Leederville, other than street parking, is detailed below:

**Table 1: Available Parking Facilities in Leederville Town Centre**

<b>LOCATION</b>	<b>BAYS</b>
The Avenue Car Park	360
Leederville Hotel Car Park	65
Leederville Village	52
Loftus Centre	385
Frame Court (Balance)	151
<b>Total:</b>	<b>1,013</b>

The above table indicates that even if The Urban Roller Club goes ahead, consuming the 59 parking bays proposed, there will still be approximately 1,000 off street parking bays available in Leederville. Whilst this (anecdotally) might be sufficient to cater for the parking demand for Leederville during the September school holiday period, Administration has not carried out a parking needs assessment to ascertain if the number of bays lost to The Urban Roller Club will cause an undersupply of parking in Leederville. This is particularly relevant when considering that The Urban Roller Club would itself act as an additional attractor for Leederville, thus potentially increasing visitor numbers and therefore car parking demand.

## Approvals Processes and Implications

### 1. Disposal of land

Under the *Local Government Act 1995* Council is able to dispose of Council owned land which includes selling, leasing or permitting property to be used under a licence or rental agreement. The relevant processes in each instance are prescribed by the legislation, and require among other things, advertising of the City's intention to dispose of the land.

Among these provisions is an exemption from consultation where the disposition is for a period of less than two years and the other party to the agreement does not have exclusive use of the land. This provision is ideal for circumstances such as The Urban Roller Club event as it streamlines the approvals process.

### 2. Planning approvals process to authorise the use on this land

The land is zoned 'District Centre' under Town Planning Scheme No. 1 and the proposed event is classified as a 'Use Not Listed' as it is not identified by the Zoning Table. As such, the planning application must be determined by Council who must approve the use 'By Absolute Majority'.

## CONSULTATION/ADVERTISING:

As the period of use of the land for The Urban Roller Club event is three weeks, no consultation is required for the disposal arrangement between the parties.

The planning application will be subjected to public consultation, which will provide Council with community feedback on the appropriateness of the proposed activity and the associated (temporary) loss of 59 car bays and use of Oxford Reserve.

The applicant has had discussions with Leederville Connect which has indicated that it is in favour of this proposal (Refer **Attachment 3**). The Organiser and the Leederville Farmers Market are also prepared to cooperate and coordinate their activities in the car park so that both uses can occur (subject to Council approvals being obtained).

## LEGAL/POLICY:

- *Local Government Act 1995* – Section 3.58: Clause 3; and
- Local Government (Functions and General) Regulations 1996 – Section 30.

## STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013 – 2023 states:

*“Community Development and Wellbeing*

*3.1 Enhance and promote community development and wellbeing;*

*3.1.3 Promote and provide a range of community events to bring people together and to foster a community way of life.*

*Leadership, Governance and Management*

*4.1 Provide good strategic decision-making, governance, leadership and professional management*

*4.1.2 Manage the organisation in a responsible, efficient and accountable manner;*

*4.1.4 Plan effectively for the future.”*

## SUSTAINABILITY IMPLICATIONS:

The Urban Roller Club will contribute to the Leederville Town Centre as a vibrant urban village and will attract local and regional visitors to the event

**FINANCIAL/BUDGET IMPLICATIONS:**

A fee is payable in this carpark between the hours of 7.00am and midnight at a cost of \$2.50 per hour. The 59 bays generate a maximum revenue of \$147.50 per hour or \$2,507.50 per day, equating to **\$55,165** for the 22 day period.

The following alternative options can be considered to calculate the lost revenue:

1. At an occupancy rate of 75%, the revenue lost from paid parking is **\$41,373.75**. (\$2.50 per hour x 59 bays x 17 hours x 22 days x 0.75).
2. All day parking (7.00am to 7.00pm) is available at \$17.00 per day in the car park. A loss of car parking revenue calculated on a daily rate of \$17.00 x 59 bays x 22 days, equates to **\$22,066**.

As the 'all day parking fee' is only valid to 7.00pm, the remaining five hours to midnight would incur a fee of \$737.50 per day equating to \$16,225 for the 22 day period. Adding this to the \$22,066 'all day parking fee', this totals **\$38,291**.

Health (Food and Public Building) and Waste Management fees will be additional to the above initial cost, and will be assessed on requirements identified by Administration. A planning application fee of \$147 is also payable

The Organiser is aware of the initial costs and is prepared to absorb these to hold the event in Leederville.

As this report is being presented to Council for in-principle consideration of this proposal, Administration is yet to form a view on the preferred fee structure at this stage. If Council is prepared to support the proposal in-principle, then a recommended fee structure will be provided via a separate report to Council at or around the time that the planning application is presented to Council. Additional consideration will need to be given to charging for any approved use of the Oxford Reserve.

**COMMENT:**

The proposed use of 59 bays in the Frame Court car park is generally supported by Administration from a community development and place activation perspective. However, Administration has some reservation about the appropriateness of the proposed use of a portion of Oxford Reserve for a cordoned-off food and beverage (licenced) area and toilet storage, as that will prevent that open space being used by other visitors to Leederville and the Vincent community more broadly and may not be in keeping with the family-friendly feel of the Reserve.

As the owner of land that generates a financial return, it is considered appropriate that the City does not suffer a loss of revenue as a result of this proposal.

With the high demand for events, markets and other uses on City owned land, particularly over the summer months, a strategy is required to allow each request to be considered on merit in the overall context of these requests. This matter has been addressed in Item 5.1.4 on this Agenda for the Leederville Farmers' Market.

**CONCLUSION:**

Administration recommends that Council agrees in-principle to The Urban Roller Club, subject to (through separate decisions of Council) planning approval being granted and the Organiser entering into a licence agreement on terms to be determined by Council.