



City of Perth

Ordinary Council Meeting

Minutes

**1 August 2017
6.00pm**

**Council Chamber
Level 9
Council House**

Present

Lord Mayor, Lisa-M. Scaffidi
Deputy Lord Mayor, James Limnios
Councillor Jim Adamos
Councillor Lily Chen
Councillor Janet Davidson
Councillor Reece Harley
Councillor Judy McEvoy
Councillor Keith Yong

Minutes to be confirmed at the next Ordinary Council meeting.

**THESE MINUTES ARE HEREBY CERTIFIED AS
CONFIRMED**

PRESIDING MEMBER'S SIGNATURE

Lisa M Scaffidi

DATE: *8.9.17*

Minutes of the Ordinary Meeting of the Council of the City of Perth held in the Council Chamber, Ninth Floor, Council House, 27 St Georges Terrace, Perth, on Tuesday 1 August 2017.

Presiding: **The Rt Hon Lord Mayor, Ms Lisa-M.Scaffidi**

Councillors Present: **Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong**

In Attendance:

Martin Mileham	Chief Executive Officer
Robert Mianich	Director Corporate Services
Paul Crosetta	Director Construction and Maintenance
Rebecca Moore	Director Community and Commercial Services
Annaliese Battista	Director Economic Development and Activation
Erica Barrenger	Director Planning and Development
Margaret Smith	Manager Development Approvals
Mark Ridgwell	Manager Governance
Paul Anastas	Personal Aide to the Lord Mayor
Siobhan Rippington	Governance and Electoral Officer

Observers:

Twelve members of the public.
One member of the press.
Two members of staff.

1. Prayer

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

2. Declaration of Opening

6.06pm The Lord Mayor declared the meeting open.

3. Apologies

Cr Green

4. Question Time for the Public

Question from Wayne Davey, 7 Altair Street, Dianella WA 6059, in relation to a complaint made to the Chief Executive Officer (TRIM 188324/17).

Question:	In the past six weeks I have sent numerous emails, texts and Facebook messages to the Chief Executive Officer (CEO) in relation to conduct issues with a number of staff and to date I have not received any response from the CEO. Can the CEO advise why he has not responded and what action he has taken to my complaint?
------------------	---

Answer:	These are matters related to former employees of the City of Perth who are currently using their rights through processes such as Fair Work and it would be inappropriate to comment at this time.
----------------	--

Question from Darren Clarke, 3 St Cloud Gardens, Connolly WA 6027, in relation to a complaint made to the Chief Executive Officer (TRIM 188352/17).

Question:	Since 4 May 2017 I have contacted the Chief Executive Officer on four occasions reading a complaint about misconduct of employees of the Community Amenity & Safety Unit. To date I have not received a response. Can you advise when I will receive a response?
Answer:	These are matters related to former employees of the City of Perth who are currently using their rights through processes such as Fair Work and it would be inappropriate to comment at this time.

5. Members on Leave of Absence and Applications for Leave of Absence

Nil

6. Confirmation of Minutes – 4 July 2017

Moved by Cr Davidson, seconded by Cr Harley

That the minutes of the Ordinary meeting of the Council held on 4 July 2017 be confirmed as a true and correct record.

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

7. Announcements by the Lord Mayor

On Friday 21 July 2017 the Australian Institute of Landscape Architects (Western Australia) Awards were announced with two City of Perth projects picking up the following awards:

Urban Forest Plan – Landscape Planning Landscape Architecture Award

The City of Perth Urban Forest Plan presents a crucial and vital strategic tool for the future planning of Perth. It addresses the overall liveability and integral landscape character of Perth, while addressing deficits, with the purpose of improving the overall environmental quality. The Jury believes this Plan is an aspirational approach to addressing the urbanisation of cities, and will leave a legacy for our future generations.

This is the third time that the City’s Urban Forest Plan has received industry recognition since it was adopted in September 2016.

Minor Urban Interventions Program – Small Projects Landscape Architecture Award

This innovative project identifies a variety of opportunities for minor interventions, each of which deliver outcomes that far exceed the input or investment involved.

Both projects will now go to the National Awards which will be announced in October 2017.

8. Disclosures of Members' Interests

Member / Officer	Item No.	Item Title.	Nature / Extent of Interest
Cr Harley (TRIM 188621/17)	13.1	30 (Lot 50) Elder Street, Perth - Proposed Sculptural Tower Structure Including a Variable Content Third Party Advertising Sign and a Café and ‘Tourist Hub’ Facilities	Nature: Impartiality Interest Extent: Cr Harley is friends with the owners of Two Feet and a Heartbeat walking tours, who have submitted an expression of interest to occupy some office space at 30 Elder Street.
The Lord Mayor	13.3	East End – Application of Improvement Model	Nature: Proximity Interest Extent: The Lord Mayor owns property within/adjacent to the improvement area.
Cr Limnios (188610/17)	13.7	Business Event Sponsorship – Business News (40under40 and Success & Leadership Series)	Nature: Impartiality Interest Extent: Cr Limnios is a previous recipient of the 40under40 award.
Cr Harley (188619/17)	13.12	Annual Event Sponsorship – Perth Heritage Days	Nature: Impartiality Interest Extent: Cr Harley is a Director of Heritage Perth, which is an applicant for funding.
Cr Adamos (188607/17)	13.23	Perth Public Art Foundation Funding Review	Nature: Impartiality Interest Extent: Cr Adamos is a Board member of the Perth Public Art Foundation.

9. Questions by Members of which due notice has been given

Nil

10. Correspondence

Nil

11. Petitions

Nil

12. Matters for which the Meeting may be Closed

The Chief Executive Officer advised that in accordance with Section 5.23(2) of the *Local Government Act 1995*, the meeting will be required to be closed to the public prior to discussion of the following confidential items:

Item No.	Item Title	Reason
Confidential Item 13.23 and Attachments 13.23A and 13.23B	Perth Public Art Foundation Funding Review	s5.23(2)(e)(iii)

The Chief Executive Officer advised that in accordance with Section 5.23(2) of the *Local Government Act 1995*, should an Elected Member wish to discuss the content of the confidential attachments listed below, it is recommended that Council resolve to close the meeting to the public prior to their discussion.

Attachment No.	Item No. and Title	Reason
Confidential Attachment 13.3D	Item 13.3 - East End - Application of Improvement Model	s5.23(2)(e)(ii)
Confidential Attachment 13.5B	Item 13.5 - Amended Council Policy 9.2 - Heritage Rates Concession	s5.23(2)(e)(ii)
Confidential Attachments 13.17A and 13.17B	Item 13.17 - Tender 129-16/17 Lifts and Escalators Inspection – Preventative Maintenance and Repair	s5.23(2)(e)(ii)
Confidential Attachments 13.19C and 13.19D	Item 13.19 - Tender 171 16/17 – Wellington Street Stage 2B South and Median Island and Associated Works	s5.23(2)(e)(ii)
Confidential Attachments 13.20A and 13.20B	Item 13.20 - Tender 152–16/17 Ozone Reserve Groundwater Filtration System	s5.23(2)(e)(ii)
Confidential Attachments 13.21A and 13.21B	Item 13.21 - Tender 160–16/17 Supply of Irrigation Parts, Products and Equipment	s5.23(2)(e)(ii)
Confidential Attachments 13.22A and 13.22B	Item 13.22 - Tender 159–16/17 Turf Maintenance and Weed Control Services	s5.23(2)(e)(ii)

13. Reports**Planning Committee Reports**

13.1 30 (Lot 50) Elder Street, Perth - Proposed Sculptural Tower Structure Including a Variable Content Third Party Advertising Sign and a Café and 'Tourist Hub' Facilities

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 25 July 2017.

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

Moved by Cr McEvoy, seconded by Cr Adamos

That:

1. in accordance with the provisions of the City Planning Scheme No. 2 and the Planning and Development (Local Planning Schemes) Regulations 2015 - Deemed provisions for local planning schemes, Council APPROVES BY AN ABSOLUTE MAJORITY the application for the proposed sculptural tower structure providing various uses and facilities EXCEPT FOR AND EXCLUDING the proposed variable content third party sign at 30 (Lot 50) Elder Street, Perth as indicated on the Metropolitan Region Scheme Form One dated 2 May 2017 and as shown on the plans received on 4 May and 5 July 2017 subject to:
 - 1.1 final details of the design of the structure including design modifications to the elevation of the structure where the proposed sign is to be removed, and a sample board of the high quality and durable materials, colours and finishes for the development being submitted for approval by the City prior to applying for a building permit;
 - 1.2 any fitout and provision of services to the building being designed and installed to maintain the original design intent of providing predominantly 'transparent building' that does not detract from the architectural integrity of the structure;
 - 1.3 a lighting plan for the development including details of how the architectural elements will be illuminated to provide an attractive building at night and ensuring the lighting meets the relevant standards and does not result in any nuisance in terms of light spill with details being submitted for approval by the City prior to applying for a building permit;
 - 1.4 any proposed external building plant, piping, ducting, water tanks, transformers, air condensers and fire booster cabinets shall be located so as to minimise any visual and noise impact on the adjacent developments and being screened from view of the street, with details of the location and screening of such plant and services being submitted for approval by the City prior to the submission of an application for a building permit;

(Cont'd)

- 1.5 the bin store being designed to be level with the external floor levels and the Waste Management Strategy received 5 July 2017 being modified to the City's satisfaction in accordance with the City's Waste Policy with final details being submitted for approval by the City prior to applying for a building permit;
- 1.6 public toilet facilities being provided in the development, with revised plans and a management plan detailing maintenance and accessible times being submitted for approval by the City prior to applying for a building permit;
- 1.7 a detailed disabled access report addressing the requirements of the Disability Discrimination Act 1992 and 'Access to Premises' standards being prepared at the applicant's cost with any modifications to the development being submitted for approval by the City and the development being certified to comply with the requirements of the legislation prior to the development being occupied and the sign becoming operational;
- 1.8 any other signage which are not exempt from approval under the City's Signs Policy 4.6 being integrated into the design of the building and requiring a separate application for approval;
- 1.9 any works shown outside the lot boundaries (with the exception of the architectural encroachment of the tower structure of no more than 250mm) not forming part of this approval;
- 1.10 a construction management plan for the proposal being submitted for approval by the City prior to applying for a building permit, detailing how it is proposed to manage:
 - a. the delivery of materials and equipment to the site;
 - b. the storage of materials and equipment on the site;
 - c. the parking arrangements for the contractors and subcontractors;
 - d. the protection of street trees and other City assets;
 - e. any dewatering of the site; and
 - f. other matters likely to impact on the surrounding properties
2. the proposed sign being excluded from this approval as the sign does not comply with City Planning Scheme No. 2 Policy 4.6 – Signs and therefore does not comply with City Planning Scheme No. 2 clause 36(3)(c)(i)(A) requiring the development to be consistent with the orderly and proper planning of the locality given that:
 - 2.1 the third party advertising content is contrary to clause 5.0 h) as it will potentially impact on traffic (including pedestrian) safety within the area;

(Cont'd)

- 2.2 the sign is contrary to clause 5.0 j) 'General Principles' and clause 6.3 e) 'Safety' as the sign has the potential to cause a distraction to road users;
 - 2.3 the sign is contrary to clause 6.6 c) i) A) 'Sign Content' as it is not facing or in a public space and is not located within the Entertainment Area, the Retail Core Area, a Town Centre Area or The Terraces Area (as identified in Figure 2) where the sign is oriented for viewing within the space and not from adjacent streets;
 - 2.4 the sign is contrary to clause 6.8 c) i) 'Variable Content' as the sign is not facing or in a public space and is not located within the Entertainment Area, the Retail Core Area or The Terraces Area (as identified in Figure 2) where the viewing area is designed and intended for pedestrians to linger for an extended period of time;
3. the application be referred to the Western Australian Planning Commission for determination under the Metropolitan Region Scheme as it is located within the Inner Precinct of the Parliament House Precinct Policy Area, and advising the Commission of the Council's determination.

Cr Harley foreshadowed that he would move an alternate motion to approve the proposed sign, should the motion under debate be lost.

The motion was put and lost

The votes were recorded as follows:

For: Crs Adamos, McEvoy and Yong

Against: The Lord Mayor, Crs Davidson, Chen, Harley and Limnios

ALTERNATE MOTION

Moved by Cr Harley, seconded by Cr Davidson

That:

- 1. in accordance with the provisions of the City Planning Scheme No. 2 and the Planning and Development (Local Planning Schemes) Regulations 2015 - Deemed provisions for local planning schemes, Council APPROVES BY AN ABSOLUTE MAJORITY the application for the proposed sculptural tower structure including a variable content third party advertising sign and a café and 'tourist hub' facilities at 30 (Lot 50) Elder Street, Perth as indicated on the Metropolitan Region Scheme Form One dated 2 May 2017 and as shown on the plans received on 4 May and 5 July 2017 subject to:**
 - 1.1 final details of the design of the structure including design modifications to the elevation of the structure where the proposed sign is to be removed, and a sample board of the high quality and durable materials, colours and finishes for the development being submitted for approval by the City prior to applying for a building permit;**
 - 1.2 any fitout and provision of services to the building being designed and installed to maintain the original design intent of providing predominantly 'transparent building' that does not detract from the architectural integrity of the structure;**
 - 1.3 a lighting plan for the development including details of how the architectural elements will be illuminated to provide an attractive building at night and ensuring the lighting meets the relevant standards and does not result in any nuisance in terms of light spill with details being submitted for approval by the City prior to applying for a building permit;**
 - 1.4 any proposed external building plant, piping, ducting, water tanks, transformers, air condensers and fire booster cabinets shall be located so as to minimise any visual and noise impact on the adjacent developments and being screened from view of the street, with details of the location and screening of such plant and services being submitted for approval by the City prior to the submission of an application for a building permit;**

(Cont'd)

- 1.5 *the bin store being designed to be level with the external floor levels and the Waste Management Strategy received 5 July 2017 being modified to the City's satisfaction in accordance with the City's Waste Policy with final details being submitted for approval by the City prior to applying for a building permit;*
- 1.6 *public toilet facilities being provided in the development, with revised plans and a management plan detailing maintenance and accessible times being submitted for approval by the City prior to applying for a building permit;*
- 1.7 *a detailed disabled access report addressing the requirements of the Disability Discrimination Act 1992 and 'Access to Premises' standards being prepared at the applicant's cost with any modifications to the development being submitted for approval by the City and the development being certified to comply with the requirements of the legislation prior to the development being occupied and the sign becoming operational;*
- 1.8 *any other signs which are not exempt from approval under the City's Signs Policy 4.6 being integrated into the design of the building and requiring a separate application for approval;*
- 1.9 *any works shown outside the lot boundaries (with the exception of the architectural encroachment of the tower structure of no more than 250mm) not forming part of this approval;*
- 1.10 *a construction management plan for the proposal being submitted for approval by the City prior to applying for a building permit, detailing how it is proposed to manage:*
 - a. the delivery of materials and equipment to the site;*
 - b. the storage of materials and equipment on the site;*
 - c. the parking arrangements for the contractors and subcontractors;*
 - d. the protection of street trees and other City assets;*
 - e. any dewatering of the site; and*
 - f. other matters likely to impact on the surrounding properties*
- 1.11 *the variable content third party advertising sign being appropriately framed and all wiring and ducting being concealed from view from the street and surrounding properties with final details of these elements being submitted to the City prior to the sign being installed;*
- 1.12 *the advertisements displayed on the sign being restricted to static displays:*
 - (a) that contain only one advertised message at any one time;*
 - (b) that do not require or encourage the viewer to wait until the next advertised message is displayed for more information;*

(Cont'd)

- (c) that have a dwell duration of not less than 45 seconds;*
- (d) where the duration of transition between the full display of one message and the full display of the next message must not exceed 0.1 seconds; and*
- (e) where the transition between messages does not contain any transitional effects such as fly-in, fade-out and scrolling;*

1.13 *The sign content excluding:*

- (a) symbols, graphics or text that could be mistaken for an instruction to road users or pedestrians;*
- (b) colours, shapes or lighting that could be mistaken for a traffic sign or traffic control signal; or*
- (c) any format normally used for traffic control, traffic warnings, traffic incidents, traffic management, road safety messages or driver information messages,*
- (d) website and social media addresses or text messaging instructions; except where required by a public authority.*

1.14 *the letter size and legibility of text generally conforming to the guidelines set out in Austroads Guide to Traffic Management Part 10 – Traffic Control and Communication Devices with advertising content excluding website and social media addresses or text message instructions;*

1.15 *the sign being in accordance of the relevant requirements of the Australian Standards; Control of the Obtrusive Effects of Outdoor Lighting (AZ4282-1997) with details of the proposed maximum luminance levels of the sign being submitted to the City for approval prior to the installation of the sign;*

1.16 *the sign having a default setting that will display an entirely black screen when no content or unauthorised content is being displayed or malfunction occurs;*

1.17 *a comprehensive advertising strategy for the sign detailing the control of content, illumination levels, management and maintenance of the sign being submitted to the City for approval prior to the installation of the sign;*

1.18 *the owner of the variable content third party advertising sign must, through the execution of a Deed of Indemnity with the City (prepared at the owner's cost and to the City's satisfaction), indemnify and release the City against all liability in the event of any claim made as a result of any damage or alleged damage caused by or associated with road user or pedestrian distraction caused or allegedly caused by the sign; and*

(Cont'd)

- 1.19** *the content displayed by the variable content third party advertising sign must not directly or by implication unduly undermine the Perth CBD as the primary destination for retail and commerce, and/or compare the city unfavourably to the location the subject of the advertisement, with any sign content the City considers to be in conflict with this being removed from display within 24 hours of being required by the City.*
- 2.** *the application be referred to the Western Australian Planning Commission for determination under the Metropolitan Region Scheme as it is located within the Inner Precinct of the Parliament House Precinct Policy Area, and advising the Commission of the Council's determination.*

Reason: Permitting a variable content sign is a reasonable request that will assist with activation of the site.

The votes were recorded as follows:

For: The Lord Mayor, Davidson, Chen, Harley and Limnios

Against: Crs Adamos, McEvoy and Yong

13.2 35 (Lot 88) Megalong Street, Nedlands - Two 2 Storey Grouped Dwellings

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 25 July 2017.

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

Moved by Cr Adamos, seconded by Cr McEvoy

That in accordance with the provisions of the City of Subiaco Town Planning Scheme No. 4, the Metropolitan Region Scheme and the Planning and Development (Local Planning Schemes) Regulations 2015 - Deemed provisions for local planning schemes, the Council APPROVES BY AN ABSOLUTE MAJORITY the application for two 2 storey grouped dwellings as indicated on the Metropolitan Region Scheme Form One dated 11 January 2017 and as shown on the plans received on 28 June and 6 July 2017 subject to:-

- 1. the development being constructed with high quality and durable materials and finishes and to a level of detailing that is consistent with the elevations received on 28 June 2017, with the final details of the materials, colours and finishes being submitted for approval by the City prior to applying for a building permit;***
- 2. The lot being subdivided in accordance with the proposed indicative subdivision plan, prior to occupancy of the development.***

(Cont'd)

3. *air conditioner condensers not being permitted on the balconies, or where they can be viewed from the street and right of way and any proposed external building plant, piping and ducting being located or screened so that they cannot be viewed from the street and to minimise any visual and noise impact on the adjacent developments, with details of the location and screening of such plant and services being submitted for approval by the City prior to applying for a building permit;*
4. *visual privacy screening being provided to a minimum height of 1.6 metres along the entire southern side of the proposed unit 1 balcony;*
5. *all stormwater being contained on-site with details of the stormwater drainage being submitted for approval by the City prior to applying for a building permit;*
6. *in the event of the development not proceeding within six months of the demolition of the existing building on the site, the site is to be aesthetically fenced or landscaped in order to preserve the amenity of the area, prevent unauthorised car parking and reduce dust and sand being blown from the site and maintained in a clean and tidy state to the satisfaction of the City;*
7. *prior to the demolition of the existing buildings the works referred to in Condition 5, being secured by a bond/deed of agreement between the landowner/applicant and the City, to the value of the proposed works, with the cost of the deed to be borne by the applicant;*
8. *the existing mature street trees located in the road verge abutting or adjacent to the subject site not being damaged or removed as a result of demolition or development works. If, during the course of the development, any existing street tree is damaged or destroyed, the owner/applicant shall repair or replace the street tree at their cost to the satisfaction of the City with reference to the City's 'Policy No. 20.8 – Street Trees – Planting, Pruning and Removal'.*
9. *a detailed landscaping and reticulation plan being submitted by the applicant to the City for approval prior to applying for a building permit, with the approved landscaping being installed prior to the occupation of the development and thereafter maintained to a high standard;*
10. *the approved side and rear parapet walls and footings abutting the adjacent boundaries being constructed wholly within the subject site, with the external surface of the parapet walls being finished to a high quality standard with details being submitted for approval by the City prior to applying for a building permit; and*

(Cont'd)

11. *a construction management plan for the proposal being submitted for approval by the City prior to applying for a building permit, detailing how it is proposed to manage:*
- a) the delivery of materials and equipment to the site;*
 - b) the storage of materials and equipment on the site;*
 - c) the parking arrangements for the contractors and subcontractors;*
 - d) the protection of street trees and other City assets; and*
 - e) other matters likely to impact on the surrounding properties.*

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

6.27pm The Lord Mayor declared a proximity interest in Item 13.3 (as detailed in Item 8) and departed the meeting.

6.27pm The Deputy Lord Mayor Cr Limnios assumed the Chair.

13.3 East End – Application of Improvement Model

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 25 July 2017.

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

Moved by Cr Harley, seconded by Cr Adamos

That Council:

1. **APPROVES the extension of the Trial Improvement Model applied to Barrack Street (2014 – 2017) to the areas of Barrack Street, Hay Street, Murray Street and Pier Street identified in Attachment A and Confidential Attachment 13.3D;**

(Cont'd)

2. *provides APPROVAL for the grants and improvements shown in the Preliminary Improvement Snapshot (Confidential Attachment 13.3D), to commence formal negotiation, grants, incentives and compliance activities in the 2017/18 financial year; and*
3. *NOTES that the grants identified under the Preliminary Improvement Snapshot (Confidential Attachment 13.3D) will require separate application to and consideration of Council, in accordance with Council Policy and Guidelines.*

The motion was put and carried

The votes were recorded as follows:

For: Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

6.33 pm The Lord Mayor returned to the meeting and resumed the Chair.

13.4 Exemption to Policy 1.6 – Commemorative Works

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 25 July 2017.

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

Moved by Cr McEvoy, seconded by Cr Adamos

That Council APPROVES an exemption to Policy 1.6 – Commemorative Works, to allow an additional star to be added to the Fashion Walk of Fame in King Street, Perth.

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

13.5 Amended Council Policy 9.2 - Heritage Rates Concession

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 25 July 2017.

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

Moved by Cr McEvoy, seconded by Cr Adamos

That Council:

1. *pursuant to Section 2.7(2)(b) of the Local Government Act 1995, APPROVES the amended Council Policy 9.2 – Heritage Rates Concessions, as detailed in Attachment 13.5A;*
2. *NOTES that amended Council Policy 9.2 – Heritage Rates Concessions includes provisions to apply a five year rates concession on the adaptive reuse of heritage buildings principally located with the Malls area of the city, and particularly those with vacant upper floors and underutilised spaces, via a five year rolling concession (reduction) of the base general rates applicable to the subject property, based on the GRV immediately prior to any improvements, whereby the City will continue to receive general rates during the five year concession based on the Gross Rental Value (GRV) uplift (above the original base) resulting from the adaptive reuse works; and*
3. *NOTES the ‘Business Case Heritage Concession – Adaptive Reuse’ as detailed in Confidential Attachment 13.5B, which provides the rationale and justification for ‘Heritage Rates Concessions – Adaptive Reuse’, as an incentive for the activation of upper floors and underutilised spaces around the Malls, pursuant to Council’s resolution of 14 February 2017, including delivery of Council’s sought net benefit to the City and the community.*

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

13.6 Heritage Rates Concession – Adaptive Reuse of Piccadilly Theatre and Arcade at 700 – 704 Hay Street Mall, Perth

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 25 July 2017.

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

Moved by Cr Adamos, seconded by Cr Harley

That Council, pursuant to Section 6.47 of the Local Government Act 1995, provides ‘in-principle’ APPROVAL for a maximum rates concession of \$665,575 (being \$133,114 the current general rates levied for five years) for Piccadilly Arcade and Theatre at 700-704 Hay Street Mall, Perth, spread over five rates years, subject to formal application and signed heritage agreement in compliance with amended Council Policy 9.2 – Heritage Rates Concessions.

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

Marketing, Sponsorship and International Engagement Committee Reports

13.7 Business Event Sponsorship – Business News (40under40 and Success & Leadership Series)

The Committee recommendation to the Council for this report was resolved by the Marketing, Sponsorship and International Engagement Committee at its meeting held on 18 July 2017.

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

Moved by Cr Chen, seconded by Cr Yong

That Council:

1. APPROVES Business Event Sponsorship of \$20,000 (excluding GST) to Business News Pty Ltd for sponsorship of the ‘Success & Leadership Series’ event program;

(Cont’d)

2. **APPROVES Business Event Sponsorship of \$19,000 (excluding GST) to Business News Pty Ltd for sponsorship of the '40under40' event program;**
3. **NOTES the provisional list of sponsorship benefits contained in the Detailed Officer Assessment in Attachments 13.7A and 13.7B;**
4. **AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the applicant the final list of sponsorship benefits and key performance indicators for inclusion in the agreement according to the Council approved funding amount; and**
5. **NOTES that a detailed annual acquittal report, including any supporting material, will be submitted to the City of Perth.**

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

13.8 Annual Event Sponsorship – Swan Festival of Lights 2017

At the Marketing, Sponsorship and International Engagement Committee held on 18 July 2017, the Committee agreed to amend the officer recommendation, as follows:

1. **APPROVES cash sponsorship of ~~\$20,000~~ \$25,000 (excluding GST) to Saraswati Mahavidyalaya Institute Incorporated to present the 2017 Swan Festival of Lights from Friday, 13 to Sunday, 15 October 2017;**

Reason: The Marketing, Sponsorship and International Engagement Committee considered that an increase of funding by \$5,000 was more suitable due to both the increased number of people expected to attend and to support the event's return to the Supreme Court Gardens.

Moved by Cr Chen, seconded by Cr Yong

That Council:

1. **APPROVES cash sponsorship of \$25,000 (excluding GST) to Saraswati Mahavidyalaya Institute Incorporated to present the 2017 Swan Festival of Lights from Friday, 13 to Sunday, 15 October 2017;**

(Cont'd)

2. ***NOTES the provisional list of sponsorship benefits contained within the Detailed Officer Assessment in Attachment 13.8A;***
3. ***AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the applicant the final list of sponsorship benefits according to the Council-approved funding amount; and***
4. ***NOTES that a detailed acquittal report, including all supporting material, will be submitted to the City of Perth by 31 January 2018.***

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

13.9 Annual Arts Sponsorship – Opera in the Park

The Committee recommendation to the Council for this report was resolved by the Marketing, Sponsorship and International Engagement Committee at its meeting held on 18 July 2017.

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

Moved by Cr Chen, seconded by Cr Yong

That Council:

1. ***APPROVES cash sponsorship of \$120,000 (excluding GST) to the West Australian Opera for sponsorship of the 2018 Opera in the Park;***
2. ***NOTES the provisional list of sponsorship benefits contained in the Detailed Officer Assessment in Attachment 13.9A;***
3. ***AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the applicant the final list of sponsorship benefits and key performance indicators for inclusion in the agreement according to the Council approved funding amount; and***
4. ***NOTES that a detailed annual acquittal report, including any supporting material, will be submitted to the City of Perth by 31 May 2018.***

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

13.10 Annual Arts Sponsorship – Symphony in the City

The Committee recommendation to the Council for this report was resolved by the Marketing, Sponsorship and International Engagement Committee at its meeting held on 18 July 2017.

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

Moved by Cr Chen, seconded by Cr Yong

That Council:

1. ***APPROVES cash sponsorship of \$150,000 (excluding GST) to the West Australian Symphony Orchestra for sponsorship of the 2017 Symphony in the City;***
2. ***NOTES the provisional list of sponsorship benefits contained in the Detailed Officer Assessment in Attachment 13.10A;***
3. ***AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the applicant the final list of sponsorship benefits and key performance indicators for inclusion in the agreement according to the Council approved funding amount; and***
4. ***NOTES that a detailed annual acquittal report, including any supporting material, will be submitted to the City of Perth by 31 March 2018.***

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

13.11 Annual Arts Sponsorship – Perth International Arts Festival 2017

The Committee recommendation to the Council for this report was resolved by the Marketing, Sponsorship and International Engagement Committee at its meeting held on 18 July 2017.

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

Moved by Cr Chen, seconded by Cr Yong

That Council:

1. ***APPROVES*** cash sponsorship totalling \$900,000 (\$300,000 p.a.) for a three year agreement covering the period July 2017 – June 2020;
2. ***NOTES*** the provisional list of sponsorship benefits contained within the Detailed Officer Assessment in Attachment 13.11A;
3. ***AUTHORISES*** the Chief Executive Officer (or an appointed delegate) to negotiate with the applicant the final list of sponsorship benefits and key performance indicators for inclusion in the agreement according to the Council approved funding amount; and
4. ***NOTES*** that a detailed acquittal report, including all supporting material, will be submitted annually to the City of Perth for each year of the agreement.

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

13.12 Annual Event Sponsorship – Perth Heritage Days

The Committee recommendation to the Council for this report was resolved by the Marketing, Sponsorship and International Engagement Committee at its meeting held on 18 July 2017.

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

Moved by Cr Chen, seconded by Cr Yong

That Council:

1. ***APPROVES*** cash sponsorship of \$62,100 (excluding GST) to Heritage Perth Inc. to support the 2017 Perth Heritage Days from Saturday 14 October to Sunday 15 October 2017;

(Cont'd)

2. ***NOTES*** the provisional list of sponsorship benefits contained within the Detailed Officer Assessment in Attachment 13.12A;
3. ***AUTHORISES*** the Chief Executive Officer (or an appointed delegate) to negotiate with the applicant the final list of sponsorship benefits according to the Council approved funding amount; and
4. ***NOTES*** that a detailed acquittal report, including all supporting material, will be submitted to the City of Perth by 31 January 2018.

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

Finance and Administration Committee Reports

13.13 Payments from Municipal and Trust Funds – June 2017

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 25 July 2017.

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

Moved by Cr Davidson, seconded by Cr Chen

That in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended 30 June 2017, be RECEIVED and recorded in the Minutes of the Council, the summary of which is as follows:

FUND	PAID
Municipal Fund	\$ 21,038,030.03
Trust Fund	\$ 264,973.69
TOTAL:	\$ 21,303,003.72

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

13.14 2017/18 Delegated Authority Review

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 25 July 2017.

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

Moved by Cr Chen, seconded by Cr Adamos

That Council, in accordance with Sections 5.18 and 5.46(2) of the Local Government Act 1995, APPROVES BY ABSOLUTE MAJORITY the delegations made to Committees and the Chief Executive Officer including amendments and new delegations, as detailed in the Delegated Authority Register 2017/18.

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

13.15 Reduction of Single-Use Plastic Bags in the City

At the Finance and Administration Committee meeting, held on 25 July 2017, the Committee agreed to amend the officer recommendation by removing point three which read as follows:

~~1. *DEVELOPS a community education and awareness program, in consultation with stakeholders, to reduce the use of single-use plastic bags in the City.*~~

Reason: The Finance and Administration Committee agreed that given there has since been external discussions in relation to this matter from ALGA, WALGA and relevant Ministers on a proposed state wide change to the use of plastic bags, it is suggested we wait until those are positions are formalised before initiating an education / awareness program.

Moved by Cr Davidson, seconded by Cr Yong

That Council:

- 1. NOTES that a state-wide prohibition on single-use plastic bags is supported by businesses in the City and that the majority of businesses surveyed oppose a local law prohibition due to the potential impediment on trade in the City; and*
- 2. SUPPORTS a state-wide legislated prohibition on single-use plastic bags and requests the CEO to write to the Minister for the Environment, Hon Stephen Dawson MLC, advocating for a state-wide prohibition.*

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

13.16 Migrant Pavilion at Lake Vasto, Ozone Reserve - Discounted Hire Fees to West Australian Multicultural Association

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 25 July 2017.

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

Moved by Cr Davidson, seconded by Cr Chen

That Council APPROVES the offer of discounted hire fees made to the West Australian Multicultural Association (WAMA) for the ongoing hire and use of the Migrant Pavilion at Lake Vasto, Ozone Reserve, Perth.

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

13.17 Tender 129-16/17 Lifts and Escalators Inspection – Preventative Maintenance and Repair

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 25 July 2017.

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

Moved by Cr Davidson, seconded by Cr Chen

That Council:

1. ***ACCEPTS*** the most suitable tender, being that submitted by ThyssenKrupp Elevator Australia Pty Ltd for Lifts and Escalators Inspection – Preventative Maintenance and Repair (Tender 129-16/17) for a lump sum cost of \$82,218.00 (excluding GST) per year for a three year term with a further two year option subject to satisfactory performance at the end of the first three years with annual indexation (CPI); and
2. ***ACCEPTS*** the rates and charges detailed in Attachment 13.17A for repairs.

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

13.18 New Lease – “Marketta” Tavern Alfresco Lease, KS3 Kings Square, 10 Telethon Avenue, Perth

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 25 July 2017.

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

Moved by Cr Davidson, seconded by Cr Chen

That Council:

1. ***AGREES*** to a lease between the City of Perth and Kapinkoff Nominess Pty Ltd over the Alfresco Area KS3 Kings Square, Perth in accordance with the commercial terms and conditions detailed in Attachment 13.18A;

(Cont'd)

2. *in accordance with Section 3.58 of the Local Government Act 1995, APPROVES the advertising of the new lease under the commercial terms and conditions detailed in Attachment 13.18A;*
3. *NOTES that in the event that no submissions are received, authorises the Chief Executive Officer to finalise the Lease Agreement without further reference to Council.*

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

Works and Urban Development Committee Reports

13.19 Tender 171 16/17 – Wellington Street Stage 2B South and Median Island and Associated Works

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 18 July 2017.

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

Moved by Cr Limnios, seconded by Cr Yong

That Council BY AN ABSOLUTE MAJORITY:

1. *ACCEPTS the most suitable tender, being that submitted by Civcon Civil Pty Ltd for the Wellington Street Stage 2B South and Median Island and Associated Works (Tender no 171 16/17) at a lump sum price of \$2,156,092.23(excluding GST); and*
2. *NOTES that the construction is anticipated to commence in late August 2017 with anticipated completion by end of November 2017.*

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

13.20 Tender 152–16/17 Ozone Reserve Groundwater Filtration System

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 18 July 2017.

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

Moved by Cr Limnios, seconded by Cr Yong

That Council:

1. ***APPROVES*** by AN ABSOLUTE MAJORITY an additional \$245,890.00 budget allocation from account number CW2012 (Russell Square Resurfacing of Pavement); and
2. ***ACCEPTS*** the most suitable tender from Novatron Australia to replace the groundwater filtration system at Ozone Reserve Tender 152 – 16/17 for the lump sum price of \$545,890.00 (Ex GST).

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

13.21 Tender 160–16/17 Supply of Irrigation Parts, Products and Equipment

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 18 July 2017.

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

Moved by Cr Limnios, seconded by Cr McEvoy

*That Council **ACCEPTS** the most suitable tender, being that submitted by Total Eden Pty Ltd to supply irrigation parts, products and equipment (Tender 160-16/17) on an as required basis for a period of three years with the option of two single year extension periods, exercisable at the sole discretion of the City as per the Schedule of Rates detailed in Confidential Attachment 13.21A, with annual CPI increases.*

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

13.22 Tender 159–16/17 Turf Maintenance and Weed Control Services

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 18 July 2017.

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

Moved by Cr Limnios, seconded by Cr Adamos

*That Council **ACCEPTS** the most suitable tender, being that submitted by Turfcare WA Pty Ltd to provide turf maintenance and weed control services (Tender 159-16/17) on an as required basis for a period of three years with the option of two single year extension periods as per the Schedule of Rates detailed in Confidential Attachment 13.22A, with annual CPI increases.*

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

Confidential Finance and Administration Committee Report

13.23 Perth Public Art Foundation Funding Review

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 25 July 2017.

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

Moved by Cr Davidson, seconded by Cr Chen

*That Council **APPROVES** the revised funding for the Perth Public Art Foundation, in the form of salary and benefits for the Executive Director.*

The motion was put and carried

The votes were recorded as follows:

For: The Lord Mayor, Crs Adamos, Davidson, Chen, Harley, Limnios, McEvoy and Yong

Against: Nil

14. Motions of which Previous Notice has been given

Nil

15. Urgent Business

Nil

16. Closure

7.00pm The Lord Mayor declared the meeting closed.