



City of Perth

Ordinary Council Meeting

Minutes

**14 February 2017
6.00pm**

**Council Chamber
Level 9
Council House**

Present

Lord Mayor, Lisa-M. Scaffidi
Deputy Lord Mayor, James Limnios
Councillor Jim Adamos
Councillor Janet Davidson
Councillor Jemma Green
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: *14 March 2017*

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 14 February 2017.

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

Councillors Present: **Adamos, Davidson, Green, 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
Erica Barrenger	- Acting Director City Planning and Development
Annaliese Battista	- Acting Director Economic Development and Activation
Margaret Smith	- Manager Development Approvals
Mark Ridgwell	- Manager Governance
Paul Anastas	- Personal Aide to the Lord Mayor
Cathryn Clayton	- Governance Electoral Officer

Observers:

Sixteen members of the public.

Two members of the press.

Three members of the staff.

1. Prayer

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

2. Declaration of Opening

6.01pm The Lord Mayor declared the meeting open.

3. Apologies

Cr Harley

4. Question Time for the Public

4.1 - Questions taken on Notice at the Council Meeting held 13 December 2016

The following questions were taken on notice at the meeting held **13 December 2016** and the response provided is outlined below:

Questions received from Dr Linton J Sharp, 99 Holmfirth St, COOLBINIA WA 6050. (TRIM 227978/16)

Question 1:	What would it cost the City to provide free parking to major inner city car parks, specifically Hay Street and Murray Street, on a weekend, a Saturday and Sunday?
Answer:	In 2015/16 the cost of operating City of Perth Parking and the 35 car parks was \$37,873,452. The specific cost associated with individual car parks is considered commercial in confidence information.
Emailed question	<p>I wish to ask at tonight's City of Perth meeting, questions about making free parking available to shoppers before Christmas.</p> <p>To ascertain what this would cost the City, I would be interested to know what parking fees the Hay St and Roe St car parks generate on a regular Saturday and Sunday?</p>
Answer:	<p>The specific revenue of individual car parks is considered commercial in confidence information.</p> <p>The fees charged on Saturday and Sunday in Roe Street and Hay Street (His Majesty's) are as follows:</p> <p>Roe Street Hourly Rate : 6am - 6pm \$3.50 Hourly Rate : 6pm - 6am \$3.70 Night Rate 6pm to 3am \$10.80 Weekend & Public Holiday Day Rate 10 hour maximum between 6am & 6pm \$13.30</p> <p>His Majesty's Car Park (Hay Street) Hourly Rate \$3.90 Night Rate 6pm to midnight \$11.20 Saturday Rate 10 hour maximum between 6am & 6pm \$15.10</p> <p>Sunday and Public Holiday Rate 10 hour maximum between 6am & 9pm \$7.80</p>

4.2 - Questions received

The Chief Executive Officer advised that questions were received from Mr Leslie Philip Sumner of Apartment 89, Adagio Apartments 90 Terrace Road, East Perth WA 6004 (TRIM 29271/17) in relation to Confidential Item 13.23 on the Agenda - Glory X-Press Pty Ltd Vs City of Perth (Sat Matter No. Dr 376 Of 2016) – Review of conditions of approval for the operation of a local shop at Unit 8/90 Terrace Road, East Perth.

Question :	1. Will the City of Perth be fully defending the decisions made by the Elected Members of the City of Perth who tabled their desire to maintain a reasonable balance and protect our unique residential amenity particularly the hours of trade?
Response:	The purpose of the confidential item is for the Council to consider the way forward and to provide ‘without prejudice’ instruction as to how to proceed with the matter through SAT. Once the Council has considered the item the recommendation will be required to remain confidential until the matter has been dealt with through SAT (as specified in the report/recommendation).
Question :	2. Can the City of Perth explain the deficiencies in planning and approval processes that have resulted in a further application to the State Administrative Tribunal?
Response:	The ability to seek a review by the SAT of a planning decision or conditions of approval is open to any applicant under the planning legislation and it is all part of due process. In this instance, the Council's attempts to strike a balance between residents' concerns and the legitimate operations of a business owner have resulted in quite stringent conditions being imposed on this local shop (compared to other similar approved businesses in the city), which, in the opinion of the applicant, are not reasonable and impact on the viability of his business. Therefore, the applicant is seeking a review of some of the conditions imposed by the Council and if a mediated outcome cannot be agreed upon, the matter will be determined by SAT under the current planning framework.
Question :	3. Is it still the view of the Councillors who went on the record at the Council meeting and who expressed their concerns in relation to Lot 8/90, that their concerns remain valid?
Response:	The Councillors will continue to strive to address the conflicting requirements voiced by some residents with those of the shop owners, while having due regard for the planning matters that they are required to take into account.

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

The Chief Executive Officer advised that a leave of absence had previously been granted to Cr Chen for the period 3 January to 10 March 2017, inclusive.

6. Confirmation of Minutes

The minutes of the Ordinary Meeting of the Council and the 2016 Annual General Meeting of Electors held on 13 December 2016 were submitted for consideration.

Moved by Cr Davidson, seconded by Cr Adamos

That the minutes of the Ordinary Meeting of the Council and the 2016 Annual General Meeting of Electors held on 13 December 2016 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, Green, Limnios, McEvoy and Yong

Against: Nil

7. Announcements by the Lord Mayor

Nil

8. Disclosures of Members' Interests

Nil

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 Item:

Item No.	Item Title	Reason
Confidential Item 13.23	Glory X-Press Pty Ltd Vs City of Perth (Sat Matter No. Dr 376 Of 2016) – Review of conditions of approval for the operation of a local shop at Unit 8/90 Terrace Road, East Perth	s5.23(2)(d)

In addition the Chief Executive Officer advised should an Elected Member wish to discuss the content of the confidential attachment/s listed below; it is recommended that Council resolve to close the meeting prior to their discussion.

Attachment No.	Item No. and Title	Reason
Confidential Attachment 13.21B	Agenda Item 13.21 – Tender 049-16/17 Hydrogeological Investigation and Feasibility Study – Alternative Water Source for Irrigation Sources	s5.23(2)(e)(iii)

13. Reports

Planning Committee Reports

13.1 - Perth Local Development Assessment Panel – Membership Nominations

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 7 February 2017.

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

Nominations:

The Lord Mayor called for nominations.

Cr Davidson nominated the Lord Mayor and Cr Adamos as the City of Perth local government members, and Deputy Lord Mayor Limnios and Cr Yong as the City of Perth local government alternate members.

The Lord Mayor, Deputy Lord Mayor Limnios, Cr Adamos and Cr Yong accepted the nominations.

There were no further nominations.

Moved by Cr Davidson, seconded by Cr McEvoy

That Council nominates for consideration by the Minister for Planning for appointment to the Perth Local Development Assessment Panel for a term starting 27 April 2017 until 26 April 2020:

- 1. the Lord Mayor and Cr Adamos as the City of Perth local government members;***

(Cont'd)

2. *Deputy Lord Mayor Limnios and Cr Yong as the City of Perth local government alternate members.*

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.2 - 43 (Lot 41) Arden Street, East Perth – Proposed Additions to the Second Floor and New Third Floor to the Existing Dwelling

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 7 February 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, Local Planning Scheme No. 26 and the Metropolitan Region Scheme, Council APPROVES the revised application for additions to the second floor and construction of a new third floor to the existing dwelling at 43 (Lot 41) Arden Street, East Perth as indicated on the Metropolitan Region Scheme Form One dated 16 August 2016 and as shown on the plans received on 4 January 2017 subject to:*
 - 1.1 *the applicant providing the City with an acceptable construction value for the proposed works based on the current market and reimburse the City the correct prescribed application fees prior to applying for a building permit;*
 - 1.2 *final details of the proposed finishes, design, colours and materials for the additions being submitted by the applicant and approved by the City prior to applying for the relevant building permit;*
 - 1.3 *any proposed external building plant, piping, ducting and air conditioning units being located so as to minimise any visual and noise impact on the adjacent developments and being screened from view of the street and rear laneway, with details of the location and screening of any proposed external building plant being submitted and approved prior to the submission of an application for the relevant building permit; and*

(Cont'd)

- 1.4 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. delivery of materials and equipment to the site;**
 - b. storage of materials and equipment on the site;**
 - c. parking arrangements for the contractors and subcontractors;**
 - d. maintaining access through the rear laneway throughout construction; and**
 - e. any other matters likely to impact on the surrounding properties,**
- 2. the City's Officers review the design guidelines for East Perth Area 21 Constitution Hill North to include the properties at 33 to 47 (Lots 40 to 45) Arden Street, East Perth, to provide more consistent guidelines for the future development of this area.**

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.3 - 28 (Lot 743) St Georges Terrace and 501 (Lots 563 And 744) Hay Street, Perth – Demolition of the Existing Anzac House and Club Building and the Construction of a 10-Level Mixed-Use Building for the RSLWA Club and Offices, Commercial Offices and Dining Tenancies

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 7 February 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, in accordance with the provisions of the City Planning Scheme No. 2, the Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed Provisions for Local Planning Schemes and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY, the application for the demolition of the existing ANZAC House and Club building and the construction of a 10-level mixed-use building for the RSLWA Club and Offices as well as commercial offices and dining tenancies at 28 (Lot 743) St Georges Terrace and 501 (Lots 563 and 744) Hay Street, Perth subject to:

(Cont'd)

1. *the amalgamation and re-subdivision of the subject lots into two separate lots on two Certificates of Titles to accommodate the new RSLWA Club building and Central Law Courts building, in compliance with the City's maximum plot ratio and car parking requirements, as well as any required vehicle access and servicing easements prior to occupancy of the new RSLWA Club building;*
2. *an interpretation strategy and archival record of the existing ANZAC House building being prepared in consultation with the State Heritage Office and being submitted for approval by the City prior to applying for a demolition permit;*
3. *an archaeological management strategy being prepared by a suitably qualified historical archaeologist, to inform demolition and redevelopment works at the site, in consultation with the State Heritage Office and being submitted to the City for approval prior to applying for a demolition permit;*
4. *final details of the design and a sample board of the high quality and durable materials, colours and finishes for the building, including the treatment to the vehicle entrance on Irwin Street, being submitted for approval by the City prior to applying for a building permit;*
5. *final details of the design and finishes to the western courtyard and display space, including security and surveillance measures to ensure the area is safe during and after operating hours, being submitted for approval by the City prior to its installation;*
6. *any proposed external building plant, lift overruns, 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, including any such plant or services located within the vehicle entrance of the development, 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;*
7. *a final Waste Management Plan, identifying a permanent storage and wash down facility for bins both recyclables and general waste and including a waste disposal/collection strategy demonstrating how these facilities will be serviced by the City or a private operator, being submitted for approval by the City prior to applying for a building permit;*
8. *details of on-site stormwater disposal/management being to the City's specifications and being submitted for approval by the City prior to applying for a building permit;*
9. *the proposed floor levels of the pedestrian and vehicle entrances into the building being designed to match the current levels of the adjacent footpaths, to the City's satisfaction, with details being submitted for approval by the City prior to applying for a building permit;*

(Cont'd)

10. *thirteen car parking bays (including one universal access car parking bay) being provided on-site within the new RSLWA Club and Offices building, with all on-site parking being for the exclusive use of the tenants of the development and their customers/guests;*
11. *in the event that the approved development has not been substantially commenced within six months of the demolition of the existing building on site, the site is to be landscaped and aesthetically screened at the owner's cost, with details being submitted for approval by the City prior to installation, in order to preserve the amenity of the area and to prevent dust and sand being blown from the site, with the site being maintained in a clean and tidy state to the City's satisfaction;*
12. *the works referred to in Condition 11, shall be secured by a bond/deed of agreement between the applicant and the City, to the value of the proposed works, with the cost of the deed to be borne by the applicant;*
13. *any signage for the development being integrated into the design of the building and any signs which are not exempt from approval under the City's Signs Policy 4.6 requiring a separate application;*
14. *the ground floor commercial tenancies being restricted to 'Dining' (café or restaurant), 'Office' or 'Retail (General)' uses with any other proposed uses not listed above or any external alterations to the tenancies requiring a separate application for approval;*
15. *a construction management plan for the development being submitted to the City for approval prior to applying for a building permit, detailing how it is proposed to manage:*
 - 15.1 *the delivery of materials and equipment to the site;*
 - 15.2 *the storage of materials and equipment on the site;*
 - 15.3 *the parking arrangements for the contractors and subcontractors;*
 - 15.4 *any dewatering of the site;*
 - 15.5 *any impacts on city infrastructure and street trees in the surrounding streets and footpaths; and*
 - 15.6 *other matters likely to impact on the Central Law Courts and surrounding properties.*

The motion was put and carried by an absolute majority

The votes were recorded as follows:

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

Against: Nil

13.4 - 18 (Lot E105) Wickham Street, East Perth – Proposed Seven Storey Mixed-Use Development Comprising 27 Multiple Dwellings, One Office Tenancy and 29 Car Parking Bays

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 7 February 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 City Planning Scheme No. 2, the Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed Provisions for Local Planning Schemes and the Metropolitan Region Scheme, Council APPROVES BY AN ABSOLUTE MAJORITY the application for demolition of the existing single storey building and the construction of a seven storey mixed-use development comprising 27 multiple dwellings, one office tenancy and 29 car parking bays at 18 (Lot E105) Wickham Street, East Perth, as detailed on the Metropolitan Region Scheme Form One dated 11 October 2016, and as shown on the plans received 20 October 2016 and 19 December 2016 subject to:

- 1. final details of the design and a sample board of the high quality and durable materials, colours and finishes for the proposed building being submitted for approval by the City prior to applying for a building permit;*
- 2. air conditioner condensers and any proposed external building plant, lift overruns, piping, ducting, water tanks, transformers, and fire booster cabinets shall be located so as to minimise any visual and noise impact on the occupants of adjacent properties and being screened from view of the street, including any such plant or services located within the vehicle entrance of the development, with details of the location and screening of such plant and services and specifically effective screening of air-conditioning on balconies being submitted for approval by the City prior to applying for a building permit;*
- 3. a Waste Management Plan, identifying a permanent storage and wash down facility for bins for both recyclables and general waste and including a waste disposal/collection strategy demonstrating how these facilities will be serviced by either the City or by private contractors, being submitted for approval by the City prior to applying for a building permit;*

(Cont'd)

4. *the proposed floor levels of the pedestrian and vehicle entrances to the building being designed to match the current levels of the immediately adjacent footpaths, to the City's satisfaction;*
5. *on-site stormwater disposal/management being to the City's specifications with details being submitted to the City for approval prior to applying for a building permit;*
6. *the two tenant car parking bays provided on site being for the exclusive use of the tenants or occupants of the commercial tenancies within the development and not being leased or otherwise reserved for use of the tenants or occupants of other buildings or sites;*
7. *a minimum of 27 residential car bays being provided on site, with a minimum of one residential car bay being allocated to each multiple dwelling within the development and with all on-site residential car bays being for the exclusive use of the residents of the development or their visitors;*
8. *the dimensions of all car parking bays, aisle widths and circulation areas complying with the Australian Standard AS2890.1, ensuring that vehicles can enter and exit the building in forward gear;*
9. *a minimum of one secure bicycle parking bay being provided for the commercial tenancies within the development in accordance with the requirements of the City Planning Scheme No. 2 Policy 5.3 Bicycle Parking and End of Journey Facilities;*
10. *any signage for the development being integrated with the design of the building with any signs not exempt under Policy 4.6 Signs being subject to a separate application for approval by the City; and*
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:*
 - 11.1 *the delivery of materials and equipment to the site;*
 - 11.2 *the storage of materials and equipment on the site;*
 - 11.3 *the parking arrangements for the contractors and subcontractors;*
 - 11.4 *any dewatering of the site;*
 - 11.5 *other matters likely to impact on the surrounding properties; and*
 - 11.6 *construction of the crossover and any impacts on City infrastructure and street trees.*

The motion was put and carried by an absolute majority

The votes were recorded as follows:

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

Against: Nil

13.5 - 75 and 93 (Lots 21 and 30) William Street, Perth – Proposed Single Storey Structure for use as a Coffee Kiosk ('Mixed Commercial') and Associated Signage

At the Planning Committee meeting held on 7 February 2017 the Committee agreed to amend the Officer recommendation by including an additional part 14 as follows:

14. the applicant being responsible for any costs associated with the relocation or other modifications required to the City's existing surveillance cameras in the locality should the proposed development create any impediment to the City's current surveillance coverage within the precinct.

Reason: The Planning Committee considered it appropriate to amend the Officer recommendation to ensure adequate CCTV surveillance is not diminished by the development within the precinct.

Moved by Cr Adamos, seconded by Cr McEvoy

That in accordance with the City Planning Scheme No. 2 and the Metropolitan Region Scheme, Council APPROVES the proposed single storey structure for use as a coffee kiosk ('Mixed Commercial' use) and associated signage at 75 and 93 (Lots 21 and 30) William Street, Perth as detailed on the application form dated 1 September 2015 and as shown on the plans received on 30 November 2016 and 20 January 2017 subject to:

- 1. final details of the design, external materials and finishes for the structure/building, including a sample board demonstrating the use of high quality, robust materials, being submitted for approval by the City prior to applying for the a building permit;*
- 2. any proposed external building plant, piping, ducting and air condensers shall be located so as to minimise any visual and noise impact on the adjacent developments and being screened from view, with details of the location and screening of such plant and services being submitted for approval by the City prior to the applying for a building permit;*
- 3. should either lot be sold in to separate ownership the kiosk is to be removed prior to settlement, with relevant permits being obtained from the City and the site being reinstated to the satisfaction of the City;*
- 4. a Waste Management Plan, identifying a permanent storage and wash down facility for bins for both recyclables and general waste and including a waste disposal/collection strategy demonstrating how these facilities will be serviced by the City, being submitted for approval by the City prior to applying for a building permit;*
- 5. a management plan addressing servicing and delivery of goods to the coffee kiosk being submitted for approval by the City prior to applying for a building permit;*
- 6. all stormwater being contained on-site with details of the stormwater drainage being submitted to the City for approval prior to applying for a building permit;*

(Cont'd)

7. *the proposed furniture for the alfresco seating area being of high quality with final details of the furniture being submitted for approval by the City prior to the installation of the outdoor furniture;*
8. *all outdoor furniture being stored within the subject tenancy or to the City's satisfaction at close of business each day;*
9. *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;*
10. *the content of any signs to be restricted to advertising for the kiosk only to the City's satisfaction;*
11. *the proposed synthetic turf being excluded from this approval, with final details of the treatment and any modifications to the dais being submitted for approval by the City prior to applying for a building permit;*
12. *a maximum total of twenty patron seats being provided or alternatively details being provided to the City's satisfaction demonstrating an appropriate toilet location on site to service the kiosk; and*
13. *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:*
 - 13.1 *the delivery of materials and equipment to the site;*
 - 13.2 *the storage of materials and equipment on the site;*
 - 13.3 *the parking arrangements for the contractors and subcontractors; and*
 - 13.4 *other matters likely to impact on the church and surrounding properties;*
14. *the applicant being responsible for any costs associated with the relocation or other modifications required to the City's existing surveillance cameras in the locality should the proposed development create any impediment to the City's current surveillance coverage within the precinct.*

The motion was put and carried

The votes were recorded as follows:

For: Crs Adamos, Davidson, Green, Limnios, McEvoy and Yong

Against: The Lord Mayor

13.6 - 76 (Lot 5) Wittenoom Street, East Perth – Request for approval as a donor site for additional transfer of Plot Ratio

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 7 February 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 Clause 34 of the City Planning Scheme No. 2 the Council REFUSES the request for further approval of transferable plot ratio from 76 (Lot 5) Wittenoom Street, East Perth to the City's Register of Transfer of Plot Ratio in accordance with the application for 'Transfer Plot Ratio – Donor Site Approval' received on 5 October 2016, for the following reasons:***
 - 1.1 the City has no discretion to increase the maximum plot ratio of the site above 1.5:1 to 2.5:1 in the absence of a development application proposing a development or 2.5:1 on Lot 5 with 50% of the plot ratio above 1.5:1 being for residential development;***
 - 1.2 under clause 34 of the Scheme the maximum plot ratio considered for any transfer of plot ratio refers to the plot ratio specified on the Plot Ratio Plan and the Plot Ratio Plan under City Planning Scheme No 2 does not specify any plot ratio for Lot 5; and***
 - 1.3 the City's Policy 4.5.2 Transfer of Plot ratio requires a minimum of 10% unused plot ratio shall be retained on the donor site and there is no planning justification that has been provided or exceptional circumstances applicable to the site to warrant any variation to the policy provision;***
- 2. the administration investigates modifications to the Scheme and relevant Policy to clarify and remove all doubt regarding the maximum transferable plot ratio and inclusion of normalised areas.***

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

Marketing, Sponsorship and International Engagement Committee Reports**13.7 - Donation - The Returned and Services League of Australia WA Branch Incorporated (RSLWA) Anzac Day 2017 Commemorations**

At the Marketing, Sponsorship and International Engagement Committee meeting held on 31 January 2017 the Committee agreed to amend the Officer recommendation as follows:

That Council approves a ~~cash~~ donation of ~~\$65,000~~ \$70,948.43 (excluding GST) to the RSLWA to assist with the costs associated with presenting the ANZAC Day Commemorations - Perth 2017 to be held in the City on Tuesday, 25 April 2017.

Meeting Note: The Acting Director Economic Development and Activation advised that an additional amount of \$5,948.43 to assist with parking fees would be included in the proposed donation to the RSLWA.

Reason: The Marketing, Sponsorship and International Engagement Committee considered it appropriate to amend the Officer Recommendation to increase the proposed donation to the RSLWA for the presentation of the ANZAC Day Commemorations.

Moved by Cr Limnios, seconded by Cr Yong

That Council approves a donation of \$70,948.43 (excluding GST) to the RSLWA to assist with the costs associated with presenting the ANZAC Day Commemorations - Perth 2017 to be held in the City on Tuesday 25 April 2017.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.8 - Business Event Sponsorship – Festival of the Web 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 31 January 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 cash Business Event Sponsorship of \$20,000 (excluding GST) and in-kind Business Event Sponsorship of \$5,000 (excluding GST) to W3Events Pty Ltd to present the 2017 Festival of the Web from Sunday, 2 April 2017 to Saturday, 8 April 2017;***
- 2. *notes that the event organisers will provide the following sponsorship benefits to the City of Perth:***
 - 2.1 *the City of Perth crest and listing to be included in the conference guide, mobile application, website, and marketing materials (one A4 multiple page brochure for conference satchel, one sponsored door prize at key point in the WWW2017 program, and access for sponsor banners and signage and media wall presence);***
 - 2.2 *one three metre by three metre City of Perth booth at the expo, including the opportunity to distribute City of Perth collateral;***
 - 2.3 *an opportunity for the Lord Mayor, or City of Perth representative, to present at the Welcome Function on Monday, 3 April 2017;***
 - 2.4 *an opportunity for the Lord Mayor, or City of Perth representative, to present at an additional event;***
 - 2.5 *verbal recognition of the City of Perth's support and of the Elected Members in attendance at the various events;***
 - 2.6 *provision of a confirmed attendee list prior to the event;***
 - 2.7 *mainstream media coverage of the event where possible through newspaper, radio, and promotional materials;***
 - 2.8 *digital media coverage of the event, acknowledging the City of Perth's sponsorship, through Facebook, Twitter, Instagram, and the WWW2017 website; and***
 - 2.9 *provision of reports, data and associated information regarding the event to the City of Perth.***
- 3. *notes that a detailed acquittal report, including all media coverage obtained, will be submitted to the City of Perth by 31 May 2017.***

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.9 - Industry / Sector Development Sponsorship – Studio Startup

The Committee recommendation to the Council for this report was resolved by the Marketing, Sponsorship and International Engagement Committee at its meeting held on 31 January 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 cash sponsorship of \$25,000 to be distributed annually over three years for a total of \$75,000, to Innovation Cluster to assist with the establishment of Studio StartUp incubator space located at 143 Barrack Street, Perth;***
- 2. *notes that Studio StartUp will provide the following sponsorship benefits to the City of Perth:***
 - 2.1 *naming rights on the sponsorship initiative;***
 - 2.2 *the City of Perth to be acknowledged on the Studio StartUp website and on relevant promotional and advertising material (physical and electronic);***
 - 2.3 *the City of Perth to be acknowledged at any event or activity held at Studio StartUp;***
 - 2.4 *City of Perth signage to be displayed in the studio for the length of the sponsorship;***
 - 2.5 *the provision of quarterly reports, data and associated information on success stories and industry growth to the City of Perth as a result of Studio Startup programs and startup businesses;***
 - 2.6 *an opportunity for the Lord Mayor, or a City of Perth representative, to present at the Studio Startup official launch event;***
 - 2.7 *the opportunity to distribute City of Perth collateral at any event or activity held at Studio Startup;***

(Cont'd)

- 2.8** *access to the 60sqm basement event space within the studio to hold one City of Perth event, meeting or engagement opportunity per quarter;*
- 3.** *notes that a detailed acquittal report, including all media coverage obtained, will be submitted to the City of Perth annually, prior to each funding instalment being paid.*

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

Finance and Administration Committee Reports

13.10 - Financial Statements and Financial Activity Statement for the Period Ended 31 December 2016

The Committee recommendation to the Council for this report was resolved by the Finance Committee at its meeting held on 7 February 2017.

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

Moved by Cr Davidson, seconded by Cr Yong

That Council approves the Financial Statements and the Financial Activity Statement for the period ended 31 December 2016 as detailed in Attachment 13.10A of this Report.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.11 - Payments from Municipal and Trust Funds – November 2016

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 7 February 2017.

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

Moved by Cr Davidson, seconded by Cr Yong

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 NOVEMBER 2016, be received and recorded in the Minutes of the Council, the summary of which is as follows:

<i>FUND</i>	<i>PAID</i>
<i>Municipal Fund</i>	<i>\$ 16,226,721.67</i>
<i>Trust Fund</i>	<i>\$ 247,104.77</i>
<i>TOTAL:</i>	<i>\$ 16,473,826.44</i>

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.12 - Payments from Municipal and Trust Funds – December 2016

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 7 February 2017.

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

Moved by Cr Davidson, seconded by Cr Yong

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 31 DECEMBER 2016, be received and recorded in the Minutes of the Council, the summary of which is as follows:

<i>FUND</i>	<i>PAID</i>
<i>Municipal Fund</i>	<i>\$ 24,827,777.12</i>
<i>Trust Fund</i>	<i>\$ 66,911.16</i>
<i>TOTAL:</i>	<i>\$ 24,894,688.28</i>

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.13 - Public Art Advisory Panel Nominations

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 7 February 2017.

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

Moved by Cr Davidson, seconded by Cr Adamos

That Council approve John Barrett-Lennard for membership of the City of Perth Public Art Advisory Panel in the role of art critic.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.14 - Review Policy 9.2 Heritage Rate Concession

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 7 February 2017.

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

Moved by Cr Davidson, seconded by Cr Yong

That Council:

1. approves an amendment to the City of Perth Policy 9.2 Heritage Rate Concession eligibility criteria to:

1.1 require Council approval for the granting of a Heritage Rate Concession to owners of non-strata places, where original heritage floor space comprises less than 50% of the total development's floor space;

(Cont'd)

- 1.2 only apply to grouped rates for that portion of the group that is heritage listed;*
- 1.3 require owners to provide a copy of an annual pest inspection report in place of a pest control contract;*
- 2. agrees to the continuation of the Heritage Rate Concession Program for a further five financial years;*
- 3. notes that Policy 9.2 Heritage Rate Concession will be reviewed in five years;*
- 4. in accordance with Section 2.7(2)(b) of the Local Government Act 1995, approves the City of Perth Policy 9.2 Heritage Rate Concession as detailed in Attachment 13.14A; and*
- 5. notes that a business case for a trial project offering Heritage Rate Concession as an incentive for the activation of upper floors / underutilised spaces is to be developed by the City as part of the Hay Street Mall Activation Plan, and that a further report on this matter will be presented to Council.*

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.15 - Adoption - City of Perth Parking Local Law 2017

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 7 February 2017.

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

Moved by Cr Davidson, seconded by Cr Yong

That Council:

- 1. notes that no submissions were received in response to the public notice period for the proposed City of Perth Parking Local Law 2017;*
- 2. notes the comments received from the Department of Local Government and Communities and the Department of Transport in response to the public notice period and amendments made to the local law as detailed within this report titled "Adoption – City of Perth Parking Local Law 2017";*

(Cont'd)

3. *in accordance with Section 3.12(4) of the Local Government Act 1995, BY AN ABSOLUTE MAJORITY makes the City of Perth Parking Local Law 2017 as detailed in Attachment 13.15A; and*
4. *in accordance with Section 3.12(6) of the Local Government Act 1995, gives local public notice of the City of Perth Parking Local Law 2017.*

The motion was put and carried by an absolute majority

The votes were recorded as follows:

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

Against: Nil

13.16 - 2017 Local Government Elections

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 7 February 2017.

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

Moved by Cr Davidson, seconded by Cr Yong

That Council, BY AN ABSOLUTE MAJORITY DECISION:

1. *in accordance with section 4.20(4) of the Local Government Act 1995, declares the Electoral Commissioner responsible for the conduct of the 2017 City of Perth ordinary election together with any other elections or polls which may be required; and*
2. *in accordance with section 4.61(2) of the Local Government Act 1995, decides to conduct the City of Perth's 2017 ordinary election as a postal election.*

The motion was put and carried by an absolute majority

The votes were recorded as follows:

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

Against: Nil

13.17 - Open Government - Accountability and Transparency

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 7 February 2017.

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

Moved by Cr Limnios, seconded by Cr Green

That Council:

- 1. notes the report "Local Government Accountability and Transparency - Opening the Door to International Best Practice" detailed in Attachment 13.17A; and*
- 2. approves in principle support for the development of an "open government" approach to achieve its goal to be a leader in transparency and accountability to be developed through the process to review the City of Perth Community Strategic Plan and Corporate Business Plan.*

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.18 - Third Party Travel Contribution – Participation in International Exchange Program

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 7 February 2017.

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

Moved by Cr Yong, seconded by Cr Davidson

That Council:

- 1. notes that a City of Perth Officer has been selected by the US Department of State to participate in an International Visitor Leadership Program in the United States from Monday, 17 July 2017 until Friday, 4 August 2017; and*

(Cont'd)

- 2. approves acceptance of third party contribution to travel to enable participation in the program.*

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

Works and Urban Development Committee Reports

13.19 - Blackspot Project - Aberdeen Street / Pier Street Intersection Upgrade

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 31 January 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 approves:

- 1. the removal of the Aberdeen Street and Pier Street roundabout to install a new 4-way intersection in order to improve safety;*
- 2. \$300,000 to be spent from the Blackspot budget under Capital Works project number CW 2081;*
- 3. investigation of options to relocate a Tipuana tree, currently situated on the roundabout, as part of the detailed design process.*

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.20 - Transfer of Care, Control and Management of Proposed Jetty – Riverside, Waterbank

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 31 January 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:

- 1. approves the acceptance of the future transfer of care, control and management of the jetty as shown for Stage One based on the Jetty not facilitating a Public Ferry Terminal, constructed from the materials that the City of Perth and MRA agree to in the final detailed design package;*
- 2. approves the deletion of Stage Two – Pontoon Structure/Gangway and proposed Ferry Terminal from the Stage 1 Jetty works; and*
- 3. advises the Metropolitan Redevelopment Authority that all negotiations pertaining to Stage 2 of the Jetty works (Proposed Public Ferry Terminal) is to be with the City of Perth (Asset owner Stage 1 Jetty and public realm).*

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.21 - Tender 049-16/17 – Hydrogeological Investigation and Feasibility Study – Alternative Water Source For Irrigation Purposes

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 31 January 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:

- 1. accepts the most suitable tender, being that submitted by W&G Engineers (WA) Pty Ltd, for the provision of hydrogeological investigation and feasibility study for alternative water source for irrigation purposes (Tender 049-16/17) at a lump sum price of \$164,370 (excluding GST);*
- 2. approves budget consolidation of CW2008 (Investigate Alternate Water Supply For Perth Foreshore Irrigation Network) and CW2011 (Stormwater Reuse Improvement - Waterwise Council Co-contribution);*
- 3. notes that the allocated budget amounts in CW2008 and CW2011, noted in part 2 above, are insufficient and APPROVES BY AN ABSOLUTE MAJORITY the transfer of additional funds of \$88,829 budget from account number CW2019 (Belvidere Promenade), which identified as having surplus funds;*
- 4. notes that the project is anticipated to commence mid-February 2017 and will be completed by 30 June 2017.*

The motion was put and carried by an absolute majority

The votes were recorded as follows:

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

Against: Nil

13.22 - Unbudgeted Expenditure – Southern Cross Fountain Pump Replacement

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 31 January 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 APPROVES BY AN ABSOLUTE MAJORITY:

- 1. unbudgeted expenditure of \$29,175 excluding GST for the Southern Cross Fountain Pump Replacement;*

(Cont'd)

2. *the reallocation of \$29,175 surplus funds from CW2019 (Belvedere Promenade) to the Southern Cross Fountain Pump Replacement.*

The motion was put and carried by an absolute majority

The votes were recorded as follows:

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

Against: Nil

Motion to close the meeting to the public

Moved by Cr Davidson seconded by Cr Adamos

That Council resolves to close the meeting to the public to consider Confidential matters in accordance with Section 5.23(2)(d) of the Local Government Act 1995.

The motion to close the meeting was put and carried

The votes were recorded as follows:

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

Against: Nil

6.33pm The meeting was closed to the public.

Other Reports

Confidential Item 13.23 - Glory X-Press Pty Ltd Vs City of Perth (Sat Matter No. Dr 376 of 2016) – Review of conditions of approval for the operation of a local shop at Unit 8/90 Terrace Road, East Perth

This report is submitted direct to Council due to the matter forming part of a mediated outcome of the State Administrative Tribunal as detailed in Section 252(1) of the *Planning and Development Act 2005*.

In accordance with Section 5.23 (2)(d) of the *Local Government Act 1995*, this item is confidential and has been distributed to the Elected Members under separate cover.

Confidential Item 13.23 is bound in Confidential Council Minute Book Volume 1 2017.

Moved by Cr Adamos, seconded by Cr McEvoy

That Council endorse the authorised mediation position as outlined within the report dated 7 February 2017, and that the confidentiality of this report be lifted upon the satisfactory conclusion of the State Administrative Tribunal Matter.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

Motion to re-open the meeting to the public

Moved by Cr Adamos, seconded by Cr Green

That the Council re-opens the meeting to members of the public.

The motion to re-open the meeting was put and carried

The votes were recorded as follows:

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

Against: Nil

6.35pm The meeting was re-opened to the public. The Chief Executive Officer advised the public gallery of the decision made on Item 13.23 as detailed above.

14. Motions of which Previous Notice has been given

Nil

15. Urgent Business

Nil

16. Closure

6.36pm The Lord Mayor declared the meeting closed.