



City of Perth

Ordinary Council Meeting

Minutes

**4 July 2017
6.00pm**

**Council Chamber
Level 9
Council House**

APPROVED FOR RELEASE

**MARTIN MILEHAM
CHIEF EXECUTIVE OFFICER**



City of Perth

Ordinary Council Meeting

Minutes

4 July 2017

6.00pm

Council Chamber

Level 9

Council House

Present

Lord Mayor, Lisa-M. Scaffidi

Councillor Jim Adamos

Councillor Janet Davidson

Councillor Jemma Green

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:-----
1.8.2017

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 Tuesday 4 July 2017.

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

Councillors Present: Adamos, Davidson, Green, Harley, McEvoy and Yong

In Attendance:

Martin Mileham	Chief Executive Officer
Paul Crosetta	Director Construction and Maintenance
Rebecca Moore	Director Community and Commercial Services
Annaliese Battista	Acting Director Economic Development and Activation
Cath Hewitt	Acting Director Planning and Development
Margaret Smith	Manager Development Approvals
Mark Ridgwell	Manager Governance
Kelly Pember	Acting Manager Human Resources
Paul Anastas	Personal Aide to the Lord Mayor
Siobhan Rippington	Governance and Electoral Officer

Observers:

Eleven members of the public.
Two members 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 Chen

4. Question Time for the Public

The following questions were taken on notice at the **6 June 2017** Ordinary Council Meeting and the responses provided are outlined below:

Questions from Mr Neill Alexandre for The Council of Owners of Panorama Luxury Apartments, in relation to the proposed development of the Hyatt Centre (TRIM 115557/17).

Question 1:	Can the Council explain why the residents of Perth, and in particular those close to the Hyatt development, were not given the chance to address the Design Advisory Committee (DAC)?
Answer:	The purpose of the Design Advisory Committee is to provide independent technical advice and recommendations to the Council in respect to applications requesting Bonus Plot Ratio and design issues on other applications referred to it for consideration. The Design Advisory Committee does not make any decisions or determinations in respect of any development applications. These meetings are closed to the public and it is not included as part of the Design Advisory Committee Terms of Reference to consider objections and submissions by third parties. Applicants are afforded the opportunity to make a 10 minute presentation and answer questions, however, they are not present during the Design Advisory Committee deliberation and formulating its advice.
Question 2:	Can the Council advise how the Design Advisory Committee can make an informed decision with only limited facts from the party proposing the development?
Answer:	For each application the Design Advisory Committee members receive copies of the plans and a report prepared by the City's Officers that sets out key information relevant to the Design Advisory Committee's Terms of Reference. In addition to any presentation given by the applicant, the City's Officers also provide an introduction to the proposal and raise issues for the Design Advisory Committee consideration. City Officers are also able to respond to any questions asked by the Design Advisory Committee throughout the meeting. This enables the Design Advisory Committee to come to an informed position and to then provide advice on each application. The Design Advisory Committee's does not make any decisions.
Question 3:	Can the Council advise why the Design Advisory Committee has included comments beyond their Terms of Reference, thus influencing the Council's report?
Answer:	In regard to the proposed additions and alterations to the Hyatt Hotel site, the Design Advisory Committee confined its advice to matters relating to the awarding of bonus plot ratio and the design of the additions and therefore, their advice is considered to be in accordance with the Design Advisory Committee's Terms of Reference.
Question 4:	Can the Council please advise why there has not been an independent report on: a. Traffic on Terrace Road? b. Pedestrian dangers posed by extra entrances and loading docks? c. Noise issues in a residential area? d. The vast non-conformance with the Terrace Road Design Policy? e. Reflection, heat, noise and light issues from the structure?
Answer:	It is the role of the City's Officers to provide specialist professional and objective

	<p>assessments of these matters rather than seeking other independent reports. Regarding both a and b the City’s traffic experts have provided comments and advice that has been incorporated into the Officers report to the Local Development Assessment Panel. Noise impacts have been addressed in the report and is the subject of conditions within the Officer’s recommendation, noting that the development and the proposed uses are required to comply with the Noise Regulations. In regard to compliance with the Terrace Road Design Policy, the report to the Local Development Assessment Panel addresses non-compliance issues with this and all relevant policies and scheme provisions. In regard to reflection, heat and light issues, comments by the Design Advisory Committee and the City Architect have been taken into account and the BCA and Health provisions will be applied to any approval in the building permit process.</p>
Question 5:	<p>Can the Council please confirm that the Council’s report to Local Development Assessment Panel will include an evidence based balanced evaluation of the interests of the developer compared with the interests of the neighbouring ratepayers with regards to the terms of the Terrace Road Design Policy?</p>
Answer:	<p>The purpose of the Local Development Assessment Panel report is to make a reasonable and objective planning assessment of the application. In preparing the report and when determining the application both the City’s Officers and the Local Development Assessment Panel are required to have regard for the matters set out in clause 67 of the Deemed Provisions, including:-</p> <ul style="list-style-type: none"> • the aims and provisions of the Scheme and the statement of intent set out in the relevant precinct plan; • the requirements of orderly and proper planning; • any local planning policy for the Scheme area; • the compatibility of the development with its setting including the relationship of the development to development on adjoining land and the likely effect of the height, bulk, scale, orientation and appearance of the development; • the adequacy of the proposed means of access to and egress from the site; and arrangements for the loading, unloading, maneuvering and parking of vehicles; • the amount of traffic likely to be generated by the development, particularly in relation to the probable effect on traffic flow and safety; • any submissions received on the application; and • the comments or submissions received from any authority.
Question 6:	<p>Can the Council advise how they intend to protect the value of the assets of the growing number of apartment owners in the CBD if the design policies intended to protect the quality of the apartments is going to be ignored?</p>
Answer:	<p>The consideration of any application aims to ensure an outcome which is consistent with the orderly and proper planning of the locality and the conservation of the amenities of the locality. Furthermore the Council’s discretion to vary any development standard can only be enacted if the Council is satisfied that any approval would not have any undue adverse effect on the occupiers or users of the development; the property in, or inhabitants of, the locality; or the likely future development of the locality.</p>

Questions from Mr Albert Thurgood, 15/110 Mounts Bay Road, West Perth WA 6000 (TRIM 117580/17).

Questions:	In her written statement dated 9/05/17 the Lord Mayor mentions in essence that; despite other colleagues and Councillors having made breaches of the Local Government Act the focus remains solely on herself. 1. Can she elaborate on who those other councillors are who have fallen short of the declaration requirements? 2. Or are they willing to own up to their inadvertent wrong doings?
Answer:	The Lord Mayor advised that comments would not be made on behalf of other Elected Members and that it is appropriate to await the necessary determinations related to this matter prior to making any further comment.

Questions received at the **4 July 2017** Ordinary Council Meeting.

Questions from Ms Chrystle Hay, 14 Hillway, Nedlands WA 6009, in relation to proposed traffic calming, The Avenue, Crawley (TRIM 135982/17).

Question 1:	Can the Council provide data on the modelling of the impact on neighbouring streets that will absorb these motor vehicles?
Answer:	Yes, the maximum increase on Princess Road (between The Avenue street and Fairway street) is estimated at 230-240 vehicles in the PM peak hour, this road has capacity for 6000 vehicles per hour as a significant urban distributor road (Distributor B).
Question 2:	Has there been an analysis of the neighbouring streets to see if they can cope with the proposal?
Answer:	Princess Road and Broadway have capacity to absorb the additional traffic volumes.
Question 3:	Why were the residents of the neighbouring streets that would be impacted not contacted to provide feedback?
Answer:	This public consultation was an initial evaluation. Wider consultation would be taken if the project was positively received in the initial evaluation.
Question 4:	Why is this proposal being considered in the first place? Has there been an increase in accidents, etc?
Answer:	There is a safety issue at the location with 16 crashes between 2012-2016, nine of which involved cyclists.
Question 5:	Has the City of Nedlands been contacted in relation to this proposal?
Answer:	Contact has been made with Nedlands City Council and a meeting arrange at the end of July to discuss the initial community consultation.

Questions from Dr Coralyn Williams, in relation to proposed traffic calming, The Avenue, Crawley (TRIM 143452/17).

Question 1:	Any evidence you can provide of 'rat running'?
Answer:	A traffic impact assessment was undertaken and included vehicle trip generation analysis. General conclusions were reached from this analysis which indicated that some 'rat-running' is occurring. It is acknowledged that the traffic generation calculations are based on a number of assumptions and is by no means an exact science, although, it does provide a general basis for the initial traffic assessment. Given the preliminary nature of the project, the initial assessments are sufficient for the current general level of analysis. Furthermore, in addition to 'rat-running' it is important to note the crash history for the intersections within the study area. Eleven crashes were recorded at the intersection of Broadway / The Avenue 2012-2016, with six involving cyclists. At the Princess Road / The Avenue / Hackett Drive intersection, there were five crashes for the same period of time (note: this intersection was changed to a roundabout in 2012).
Question 2:	Any evidence of you consulting local and through traffic residents such as myself who frequently use The Avenue?
Answer:	Given that the scheme is a draft preliminary concept only, it was the intention to conduct localised consultation at this initial stage only. The scheme has not been presented to Council, given the preliminary nature of the project. Local consultation has been undertaken for the area indicated in the attached map. (Attachment 4A).
Question 3:	The numbers of local residents, if any, consulted?
Answer:	A consultation map will be attached to the Minutes of this meeting.
Question 4:	The numbers of through traffic residents, if any, consulted?
Answer:	The concept design is preliminary only and as such, the City intended to undertake initial consultation primarily with local residents in the first instance.
Question 5:	The objections, if any, to declare The Avenue section a 'no parking' area at NO cost – and thus remove current road width problems for cyclists?
Answer:	Restrictions to parking on The Avenue would be subject to consideration by the City of Perth Parking Unit. In terms of traffic engineering considerations, it should be noted that removal of parking could have the negative effect of inducing higher speeds to the detriment of pedestrian crossings and cyclists using the road. Given that The Avenue is a key connection for cyclists accessing 'river routes', cyclist safety is a significant consideration. Also, it should be noted that parking removal would negatively affect local residents and their visitors, and this would need to be considered in any future parking assessment.
Question 6:	(Question directed to all Elected Members) Whether you have any personal/business The Avenue closure section properties?
Answer:	The Elected Members present advised that they did not have any personal/business The Avenue closure section.
Question 7:	Whether you have any personal/business interests in the 'GHD' engineering firm employed to conduct the closure?
Answer:	The Chief Executive Officer clarified that GHD are not conducting a closure. GHD were the consultants asked to prepare initial designs for the community consultation.

	The Elected Members present advised that they did not have any interests in GHD.
--	----------------------------------------------------------------------------------

Questions from Mr Neill Alexandre for The Council of Owners of Panorama Luxury Apartments in relation to the proposed development of the Hyatt Centre (TRIM 141006/17).

Question 1:	Can the City advise why it is unreservedly supporting the Hyatt development despite it not being in the best interests of the residents of East Perth as the City has an obligation to protect the interests of all residents?
Answer:	The City’s recommendation to the City of Perth Local Development Assessment Panel is not considered to be unreserved, given that it is subject to the imposition of 30 conditions that require the applicant to address final design and on-going operational details of the development to minimise impacts on the locality and neighbours in particular. The City’s officers are required to take into consideration a number of matters as listed in clause 67 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed Provisions</i> . In doing so, the development should be assessed in terms of the city’s future needs as a viable world class city and the needs of visitors and workers in the city in addition to the interests of the city’s residents.
Question 2:	Has the Council read it’s own publication “Shaping our Capital City” especially pages 153, 154 & 155 when supporting this development without due regard to the residents?
Answer:	The report prepared for the Local Development Assessment Panel has had due regard to the surrounding residents. In response to comments made by neighbouring residents the City’s officers have negotiated changes to the original proposal in an attempt to directly address the issues raised. In addition to seeking submissions from residents, the City’s officers have met with residents on-site and at Council House, and additional information and updates have been provided to the objectors and late submissions have been received and incorporated in to the Development Assessment Panel report. Copies of the full submissions have been attached to the Development Assessment Panel report as well as a summary of issues and the responses to these matters contained in the report.
Question 3:	Is the City aware that the development includes two convention/expo areas, capable of accommodating more than 2000 people, in a residential area, and is it aware of the impact that the associated street activities and noise outbreak will have on the quality of life and rights to quiet enjoyment for residents that the City is entrusted to protect, plus traffic and anti-social behaviour associated with a facility of this magnitude?
Answer:	Yes, the City is aware of the facilities being proposed. Access/exit to and from the function facilities can be gained from a number of locations, including directly from the basement public car park, from within the Hyatt Hotel approaching from Adelaide Terrace, as well as from Terrace Road. It is considered that only those function patrons that have parked in Terrace Road would exit onto this street with many more leaving via alternative routes, thereby reducing any impact that could occur. It is also noted that the different function spaces can operate at different times and be used for different purposes or events and that not all spaces will operate at capacity at all times. This further reduces the potential for any anti-social behaviour in the locality.

Question 4:	Will the City please explain why the potential commercial traffic, customer traffic, parking, street behaviour and noise issues that will inevitably flow from the use of the full capacity of these function rooms/expo areas has not been addressed in either the applicants proposal or the City’s report?
Answer:	The Traffic Impact Statement submitted with the application took into account the traffic generated by the function room facilities. Since this report was submitted the proposed function space has been reduced. While these proposed facilities will represent an increase in function space compared to the current facilities at the Hyatt Hotel, for the reasons explained in answer to question three, these facilities are not considered to have a significant adverse impact on traffic, parking, or anti-social behaviour.
Question 5:	Can the City please advise why this Project has been in discussion for more than two years and the residents given very limited time and information about the project?
Answer:	<p>As with all concepts, the City must have regard for commercial confidentiality prior to any formal application being submitted. The initial high level discussions held over a year ago were in relation to broader planning objectives for the precinct and none of these ideas have been incorporated into the current application and have not been pursued. Once an application is submitted, then the City can provide plans and details of a specific project to those who might be impacted by it.</p> <p>It is also noted that the adjoining residents had access to all of the information submitted with the application and that the advertising period for this application was extended at the request of adjoining owners and late submissions were received and incorporated into the Officer’s report right up to the day the report was due to be submitted to the Local Development Assessment Panel secretariat.</p>
Question 6:	Our question the at the 6 June 2017 meeting was <i>“Can the council advise why the Design Advisory Committee has included comments beyond their Terms of Reference, thus influencing the Council’s report?”</i> your reply states they remind within their terms of reference but there report states in there minutes of the 6 April 2017 <i>“1. commends the ambition of the owners and their willingness to make a substantial investment in the site, noting the proposed master plan and intended staged redevelopment of the site;”</i> Please advise why this is allowed as it would undoubtedly sway the City’s report?
Answer:	The Design Advisory Committee occasionally commends applicants on projects where they consider a concept has particular merit and is taken as a comment. As this application deals only with Stage One of the Hyatt redevelopment, and the City is not bound by the Design Advisory Committee’s comments or advice, this particular comment has had no sway on the City Officer’s assessment of the application.
Question 7:	Can the City advise why it is in support of the Development Assessment Panel process when there is a growing swell of community concern as to its operation?
Answer:	The Development Assessment Panel process was established by the State Government The City is bound by the Development Assessment Panel legislation and must abide by it. It is also noted that the City of Perth Local Development Assessment Panel has not been the subject of any controversy or community opposition to date.

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

Deputy Lord Mayor James Limnios is currently on leave of absence.

Cr Yong requested leave of absence for the period 10 July 2017 to 14 July 2017 inclusive.

The Lord Mayor requested leave of absence for the period 20 July 2017 to 2 August 2017 inclusive.

Moved by Cr Davidson, seconded by Cr Adamos

That the request for leave of absence from Cr Yong for the period 10 July 2017 to 14 July 2017 inclusive and the request for leave of absence from the Lord Mayor for the period 20 July 2017 to 2 August 2017 inclusive be approved.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

6. Confirmation of Minutes – 6 June 2017 and 28 June 2017

Moved by Cr Davidson, seconded by Cr Adamos

That the minutes of the Ordinary meeting of the Council held on 6 June 2017 and the Special meeting of the Council held on 28 June 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, Green, Harley, McEvoy and Yong

Against: Nil

7. Announcements by the Lord Mayor

The Library Wins a National Award

The City of Perth Library has won the public library category in the Australian Library and Information Association's (ALIA) inaugural Library Design Awards. The libraries were judged by an expert panel of six judges.

The judges' commented that *"The design of the library also considers how the role of a capital city library is different from a local library. This is obviously a major inner city development project in which the library successfully plays a key role."*

Urban Forest Plan – Award of Excellence in Leisure and Open Space Planning

On Friday 16 June 2017 the City's Urban Forest Plan received a Parks & Leisure Australia (WA) Award of Excellence in the category of Leisure and Open Space Planning. The National Awards will be announced in October 2017. This is the second time that the City's Urban Forest Plan has received industry recognition since it was adopted in September 2016.

The Annual International Design Awards (IDA) Winners Officially Announced

The official ceremony took place in Los Angeles on 29 June 2017. IDA honorary juries examined over 1000 entries submitted by architects and designers of interiors, fashion, products, and graphics from 52 countries throughout the world. After final decisions had been made, the jury rewarded the best professional and emerging designers for their achievements in terms of design, creativity, usability and innovation.

The City of Perth, was awarded: Second Prize in Other Products designs competition for the Urban Elements, Next Generation Creation of a New Suite of Furniture project.

8. Disclosures of Members' Interests

Member / Officer	Item No.	Item Title.	Nature / Extent of Interest
Cr Harley (TRIM 144358/17)	13.2	9 and 15 (Lots 5 and 6) The Esplanade, Perth – 'In Principle' Approval for a Proposed 19 and 54 Storey Mixed-Use Development at Elizabeth Quay	Nature: Impartiality Interest Extent: Cr Harley runs a not for profit organisation which leases premises at 8-10 The Esplanade, opposite the site subject to development.
Cr Adamos (TRIM 144349/17)	13.4	621 (Lot 1) Wellington Street, Perth – Installation of a Wall Sign Displaying Third Party Advertising Content	Nature: Impartiality Interest Extent: Cr Adamos is a close personal friend of the manager of Peppers Hotel, that occupies the building upon which approval is sought.
Cr Adamos (TRIM 144348/17)	13.5	Annual Arts Sponsorship – AWESOME International Arts Festival	Nature: Direct Financial Interest Extent: In the past, Cr Adamos has received tickets to AWESOME events.
Annaliese Battista (Acting Director Economic Development)	13.11	Third Party Travel Contribution – Speaking Invitation for 2017 Australia Day National Conference	Nature: Direct Financial Interest Extent: The item relates to a third party travel contribution for Ms Battista to speak at the 2017 Australia Day National Conference.

Member / Officer	Item No.	Item Title.	Nature / Extent of Interest
and Activation)			
Cr Green (TRIM 144365/17)	13.12	Third Party Travel Contribution – Cr Green – Appointment as Independent Chair – KIC Australia Ltd	Nature: Direct Financial Interest Extent: The item relates to a third party travel contribution for Cr Green’s appointment as independent chair to KIC Australia Ltd.
Cr Adamos (TRIM 144348/17)	13.13	Energy from Waste Tender Consideration	Nature: Impartiality Interest Extent: Cr Adamos of the City’s representative on the Mindarie Regional Council.
Annaliese Battista (Acting Director Economic Development and Activation)	13.14	Confidential Item - Appointment of Designated Senior Employee - Director Economic Development and Activation	Nature: Direct Financial Interest Extent: The item relates to the appointment of the Director Economic Development and Activation, a role in which Ms Battista is currently acting.
Martin Mileham (Chief Executive Officer)(TRIM 14800/17)	13.16	Confirmation of Interim Key Performance Indicators for the Chief Executive Officer	Nature: Direct Financial Interest Extent: The item related to Mr Mileham’s employment.

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 13.13 and Attachments 134E and F	Energy from Waste Tender Consideration	s5.23(2)(e)(ii)
Confidential Item 13.14 and Attachment 13.14B	Confidential Item - Appointment of Designated Senior Employee - Director Economic Development and Activation	s5.23(2)(b)
Confidential Item – 13.15 and Attachment 13.15B	Appointment of Designated Senior Employee - Director Planning and Development	s5.23(2)(b)
Confidential Item – 13.16 and Attachment 13.16A	Confirmation of Interim Key Performance Indicators for the Chief Executive Officer	s5.23(2)(b)

13. Reports

Planning Committee Reports

13.1 24 – 28 (Lots 19 and 20) Coolgardie Street, West Perth – Proposed demolition of existing two storey brick and iron commercial building

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 27 June 2017.

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

Moved by Cr McEvoy, seconded by Cr Harley

*That: in accordance with Clause 37 of the City Planning Scheme No. 2 and Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions) the Council **REFUSES** the request for the demolition of the existing two storey brick and iron commercial building at 24 – 28 (Lots 19 and 20) Coolgardie Street, West Perth received on the 12 April 2017 for the following reasons:*

- 1. the demolition of the existing commercial building will result in the site remaining vacant for an extended period of time, noting that Council has not granted development approval for the subsequent development of the site and that this would have a detrimental impact upon the environment, character, streetscape and amenity of the area having regard for Clause 67(n) of the Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions);*

(Cont'd)

2. *the demolition of the building will be contrary to the general objectives of City Planning Scheme No. 2 whereby the resulting vacant site will not enhance the physical environment of the area); and*
3. *the demolition of the building will be contrary to the orderly and proper planning of the locality).*

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

Meeting Note: Cr Green requested that the administration evaluate the subject site for its heritage listing potential.

13.2 9 and 15 (Lots 5 and 6) The Esplanade, Perth – ‘In Principle’ Approval for a Proposed 19 and 54 Storey Mixed-Use Development at Elizabeth Quay

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 27 June 2017.

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

Recommendation (Advice to Metropolitan Redevelopment Authority):

That Council advises the Metropolitan Redevelopment Authority that it notes that the proposed 19 and 54 storey mixed-use development at 9 and 15 (Lots 5 and 6) The Esplanade, Perth, within the Elizabeth Quay Project Area proposes significant variations to the development standards under the Elizabeth Quay Design Guidelines with respect to the maximum building height and required podium and tower form, however Council is generally supportive of recommending ‘in principle’ approval for the 19 and 54 storey mixed-use development and provides the following comments:

1. The architect is commended on the high standard of design and architectural expression, noting the importance of the final materials and detailing to the external facades which will be crucial to the quality and success of the overall outcome for the development.
2. The impact of the significant variations to the height and setback requirements of the buildings on Lots 5 and 6 including the lack of any podium element is generally offset by the design providing the following:

(Cont’d)

- 2.1 the 19 storey tower on Lot 6 is one storey less than the minimum height requirement;
 - 2.2 the overall development is considered to demonstrate design excellence;
 - 2.3 the development will provide a positive contribution to the city in terms of providing significant public open space between the towers and to the south adjacent to The Landing; and
 - 2.4 the development will provide improved pedestrian connectivity/permeability between the towers on Lots 5 and 6 and vistas through the site, between Elizabeth Quay and The Esplanade;
3. Further investigation/modelling is required in terms of the final location of the towers, the design of the 'Plus' element and the design and location of the canopies/awnings at the ground floor level to increase access to sunlight on The Landing, noting the extent of non-compliance with the solar access requirements of the Elizabeth Quay Design Guidelines, and to ensure any existing and proposed vegetation is not adversely impacted in terms of the overshadowing, wind or radiated heat impacts of the development;
 4. The design of the ground floor level lacks clarity and detailing in terms of the pedestrian environment/experience. Further details of the ground floor should be provided in order to ensure the 'tower to ground' response achieves adequate levels of ground floor activation, human scale and creates a comfortable pedestrian environment, particularly in terms of wind impact and solar access;
 5. Vehicle access to the building should be modified to provide a single vehicle access point from either Duchess or Enchantress Way to a combined basement carpark, in compliance with the Elizabeth Quay Design Guidelines. The carpark for Lots 5 and 6 should be designed to service both buildings and allow for sufficient height clearance and space for large waste collection and delivery vehicles to enter and exit in forward gear, noting that no details of the basement level carpark have been provided at this preliminary stage;
 6. The quantum and allocation of car parking within the development should be provided in accordance with the Elizabeth Quay Design Guidelines and Perth Parking Policy, noting the site's immediate proximity to various modes of public transport;
 7. The design of the internal office space with generous lobbies and efficient floor plates is generally supported however further consideration should be given to the internal configuration of these large spaces;
 8. The design of the hotel rooms and residential apartments is generally supported however further consideration should be given to providing natural light into the internal corridors; and

(Cont'd)

9. Council supports the proposed mix of land uses, comprising of retail, office, hotel and residential land uses within the building on Lot 5 and retail and offices in the building Lot 6, noting that the land uses proposed as part of the 'in principle' approval are indicative only and will be subject to finding appropriate tenants/operators at a later stage. The final design of the building must ensure that measures are taken to ameliorate any potential conflict between land uses, with particular attention to adequate noise attenuation for all residential apartments and hotel rooms.
10. The formal development application will be required to include:
 - 10.1 A waste and servicing management plan;
 - 10.2 An acoustic report demonstrating proposed measures to mitigate noise impacts within and external to the development;
 - 10.3 A detailed transport impact assessment addressing all matters related to traffic management, vehicular and pedestrian access to and from the site;
 - 10.4 A wind impact assessment that informs the final wind amelioration canopy design; and
 - 10.5 Preliminary consideration of construction management that specifically addresses the constrained access to the sites and the risks associated with constructing basements in relation to dewatering the site and the management of associated environmental impacts;
11. Noting that the development is proposed to be built in stages, any portion of the site that is left temporarily vacant must be appropriately landscaped and maintained by the owner(s) of the land and be made available to the public as a passive or active recreational and/or entertainment space consistent with the current use of Lots 5 and 6 and that any revisions to the later stage of the development must reflect the form, massing and architectural intent of the 'completed development'.

MOVED WITH AMENDMENT

Moved by Cr Adamos, seconded by Cr Harley

That Council amend the Officer and Committee recommendation as follows:

Recommendation (Advice to Metropolitan Redevelopment Authority):

That Council advises the Metropolitan Redevelopment Authority that it notes that the proposed 19 and 54 storey mixed-use development at 9 and 15 (Lots 5 and 6) The Esplanade, Perth, within the Elizabeth Quay Project Area proposes significant variations to the development standards under the Elizabeth Quay Design Guidelines with respect to the maximum building height and required podium and tower form, however Council is generally supportive of recommending 'in principle' approval for the 19 and 54 storey mixed-use development and provides the following comments:

(Cont'd)

1. *The architect is commended on the high standard of design and architectural expression, noting the importance of the final materials and detailing to the external facades which will be crucial to the quality and success of the overall outcome for the development.*
2. *The impact of the significant variations to the height and setback requirements of the buildings on Lots 5 and 6 including the lack of any podium element is generally offset by the design providing the following:*
 - 2.1 *the 19 storey tower on Lot 6 is one storey less than the minimum height requirement;*
 - 2.2 *the overall development is considered to demonstrate design excellence;*
 - 2.3 *the development will provide a positive contribution to the city in terms of providing significant public open space between the towers and to the south adjacent to The Landing; and*
 - 2.4 *the development will provide improved pedestrian connectivity/permeability between the towers on Lots 5 and 6 and vistas through the site, between Elizabeth Quay and The Esplanade;*
3. *Further investigation/modelling is required in terms of the final location of the towers, the design of the 'Plus' element and the design and location of the canopies/awnings at the ground floor level to increase access to sunlight on The Landing, noting the extent of non-compliance with the solar access requirements of the Elizabeth Quay Design Guidelines, and to ensure any existing and proposed vegetation is not adversely impacted in terms of the overshadowing, wind or radiated heat impacts of the development;*
4. *The design of the ground floor level lacks clarity and detailing in terms of the pedestrian environment/experience. Further details of the ground floor should be provided in order to ensure the 'tower to ground' response achieves adequate levels of ground floor activation, human scale and creates a comfortable pedestrian environment, particularly in terms of wind impact and solar access;*
5. *Vehicle access to the building should be modified to provide a single vehicle access point from either Duchess or Enchantress Way to a combined basement carpark, in compliance with the Elizabeth Quay Design Guidelines. The carpark for Lots 5 and 6 should be designed to service both buildings and allow for sufficient height clearance and space for large waste collection and delivery vehicles to enter and exit in forward gear, noting that no details of the basement level carpark have been provided at this preliminary stage;*

(Cont'd)

6. *The quantum and allocation of car parking within the development should be provided in accordance with the Elizabeth Quay Design Guidelines and Perth Parking Policy, noting the site's immediate proximity to various modes of public transport;*
7. *The design of the internal office space with generous lobbies and efficient floor plates is generally supported however further consideration should be given to the internal configuration of these large spaces;*
8. *The design of the hotel rooms and residential apartments is generally supported however further consideration should be given to providing natural light into the internal corridors; and*
9. *Council supports the proposed mix of land uses, comprising of retail, office, hotel and residential land uses within the building on Lot 5 and retail and offices in the building Lot 6, noting that the land uses proposed as part of the 'in principle' approval are indicative only and will be subject to finding appropriate tenants/operators at a later stage. The final design of the building must ensure that measures are taken to ameliorate any potential conflict between land uses, with particular attention to adequate noise attenuation for all residential apartments and hotel rooms.*
10. *The formal development application will be required to include:*
 - 10.1 *A waste and servicing management plan;*
 - 10.2 *An acoustic report demonstrating proposed measures to mitigate noise impacts within and external to the development;*
 - 10.3 *A detailed transport impact assessment addressing all matters related to traffic management, vehicular and pedestrian access to and from the site;*
 - 10.4 *A wind impact assessment that informs the final wind amelioration canopy design; and*
 - 10.5 *Preliminary consideration of construction management that specifically addresses the constrained access to the sites and the risks associated with constructing basements in relation to dewatering the site and the management of associated environmental impacts;*
11. *Noting that the development is proposed to be built in stages, any portion of the site that is left temporarily vacant must be appropriately landscaped and maintained by the owner(s) of the land and be made available to the public as a passive or active recreational and/or entertainment space consistent with the current use of Lots 5 and 6 and that any revisions to the later stage of the development must reflect the form, massing and architectural intent of the 'completed development'.*

(Cont'd)

12. *Given the significance of the site within the context of the city and that the proposal is not compliant with the solar access provisions of the Elizabeth Quay Design Guidelines, that consideration be given to reducing the height of the proposed office building on Lot 6 to a low rise building (with the balance of the floor space potentially being allocated to the taller 'Plus' tower) in order to give greater prominence and distinction to the 'Plus' tower on Lot 5 and to create a truly memorable development. A re-examination of both the setbacks and floor plates of the taller tower should also be undertaken to improve solar access to the public realm.*

PRIMARY MOTION AS AMENDED

Recommendation (Advice to Metropolitan Redevelopment Authority):

That Council advises the Metropolitan Redevelopment Authority that it notes that the proposed 19 and 54 storey mixed-use development at 9 and 15 (Lots 5 and 6) The Esplanade, Perth, within the Elizabeth Quay Project Area proposes significant variations to the development standards under the Elizabeth Quay Design Guidelines with respect to the maximum building height and required podium and tower form, however Council is generally supportive of recommending 'in principle' approval for the 19 and 54 storey mixed-use development and provides the following comments:

1. *The architect is commended on the high standard of design and architectural expression, noting the importance of the final materials and detailing to the external facades which will be crucial to the quality and success of the overall outcome for the development.*
2. *The impact of the significant variations to the height and setback requirements of the buildings on Lots 5 and 6 including the lack of any podium element is generally offset by the design providing the following:*
 - 2.1 *the 19 storey tower on Lot 6 is one storey less than the minimum height requirement;*
 - 2.2 *the overall development is considered to demonstrate design excellence;*
 - 2.3 *the development will provide a positive contribution to the city in terms of providing significant public open space between the towers and to the south adjacent to The Landing; and*
 - 2.4 *the development will provide improved pedestrian connectivity/permeability between the towers on Lots 5 and 6 and vistas through the site, between Elizabeth Quay and The Esplanade;*

(Cont'd)

3. *Further investigation/modelling is required in terms of the final location of the towers, the design of the 'Plus' element and the design and location of the canopies/awnings at the ground floor level to increase access to sunlight on The Landing, noting the extent of non-compliance with the solar access requirements of the Elizabeth Quay Design Guidelines, and to ensure any existing and proposed vegetation is not adversely impacted in terms of the overshadowing, wind or radiated heat impacts of the development;*
4. *The design of the ground floor level lacks clarity and detailing in terms of the pedestrian environment/experience. Further details of the ground floor should be provided in order to ensure the 'tower to ground' response achieves adequate levels of ground floor activation, human scale and creates a comfortable pedestrian environment, particularly in terms of wind impact and solar access;*
5. *Vehicle access to the building should be modified to provide a single vehicle access point from either Duchess or Enchantress Way to a combined basement carpark, in compliance with the Elizabeth Quay Design Guidelines. The carpark for Lots 5 and 6 should be designed to service both buildings and allow for sufficient height clearance and space for large waste collection and delivery vehicles to enter and exit in forward gear, noting that no details of the basement level carpark have been provided at this preliminary stage;*
6. *The quantum and allocation of car parking within the development should be provided in accordance with the Elizabeth Quay Design Guidelines and Perth Parking Policy, noting the site's immediate proximity to various modes of public transport;*
7. *The design of the internal office space with generous lobbies and efficient floor plates is generally supported however further consideration should be given to the internal configuration of these large spaces;*
8. *The design of the hotel rooms and residential apartments is generally supported however further consideration should be given to providing natural light into the internal corridors; and*

(Cont'd)

9. *Council supports the proposed mix of land uses, comprising of retail, office, hotel and residential land uses within the building on Lot 5 and retail and offices in the building Lot 6, noting that the land uses proposed as part of the 'in principle' approval are indicative only and will be subject to finding appropriate tenants/operators at a later stage. The final design of the building must ensure that measures are taken to ameliorate any potential conflict between land uses, with particular attention to adequate noise attenuation for all residential apartments and hotel rooms.*
10. *The formal development application will be required to include:*
 - 10.1 *A waste and servicing management plan;*
 - 10.2 *An acoustic report demonstrating proposed measures to mitigate noise impacts within and external to the development;*
 - 10.3 *A detailed transport impact assessment addressing all matters related to traffic management, vehicular and pedestrian access to and from the site;*
 - 10.4 *A wind impact assessment that informs the final wind amelioration canopy design; and*
 - 10.5 *Preliminary consideration of construction management that specifically addresses the constrained access to the sites and the risks associated with constructing basements in relation to dewatering the site and the management of associated environmental impacts;*
11. *Noting that the development is proposed to be built in stages, any portion of the site that is left temporarily vacant must be appropriately landscaped and maintained by the owner(s) of the land and be made available to the public as a passive or active recreational and/or entertainment space consistent with the current use of Lots 5 and 6 and that any revisions to the later stage of the development must reflect the form, massing and architectural intent of the 'completed development'.*
12. *Given the significance of the site within the context of the city and that the proposal is not compliant with the solar access provisions of the Elizabeth Quay Design Guidelines, that consideration be given to reducing the height of the proposed office building on Lot 6 to a low rise building (with the balance of the floor space potentially being allocated to the taller 'Plus' tower) in order to give greater prominence and distinction to the 'Plus' tower on Lot 5 and to create a truly memorable development. A re-examination of both the setbacks and floor plates of the taller tower should also be undertaken to improve solar access to the public realm.*

The motion was put and carried

The votes were recorded as follows:

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

Against: Cr Green

13.3 28 (Lot 743) St Georges Terrace and 501 (Lots 563 and 744) Hay Street, Perth – Amended Application for the Construction of a 13-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 27 June 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 Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY, an amended application for the construction of a 13-level mixed-use building for the RSLWA Club and Offices as well as commercial offices, dining and retail tenancies at 28 (Lot 743) St Georges Terrace and 501 (Lots 563 and 744) Hay Street, Perth subject to Conditions 1, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15 as detailed on the approval letter dated 20 February 2017 remaining.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.4 621 (Lot 1) Wellington Street, Perth – Installation of a Wall Sign Displaying Third Party Advertising Content

The Committee recommendation to the Council for this report was resolved by the Planning Committee at its meeting held on 27 June 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 REFUSES, the application for the installation of a wall sign displaying third party advertising content at 621 (Lot 1) Wellington Street, Perth, as indicated on the Local Planning Scheme Form and Metropolitan Region Scheme Form One dated 14 March 2017 and the plans received on 19 April 2017 for the following reasons:

- 1. The proposed sign does not comply with City Planning Scheme No. 2 Policy 4.6 – Signs given that:*
 - 1.1 the sign is contrary to clause 6.6 c) i) as it is not located within or facing onto a public space where it is oriented for viewing within the space and not from adjacent streets;*
 - 1.2 the sign is contrary to clauses 5.0 c), 6.6 c) i) b) and 7.12 b) as it is not designed as an integral element of building and is out of proportion with the building's eastern façade, detrimentally impacting on the character and appearance of the existing building and the streetscape;*
 - 1.3 the third party advertising content is contrary to clause 5.0 h) as it will not enhance or make a positive contribution to the visual quality, amenity and vibrancy of the area;*
 - 1.4 the sign is contrary to clause 6.6 c) iv) as the third party advertising content of the sign is not limited to products, brands and events within the local government boundaries; and*
 - 1.5 noting 1.1, 1.2, 1.3 and 1.4 above, the sign is considered to be contrary to orderly and proper planning.*

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

Marketing, Sponsorship and International Engagement Committee Reports

6.42pm Cr Adamos declared a direct financial interest in Item 13.5 (as detailed in Item 8) and departed the meeting.

13.5 Annual Arts Sponsorship – AWESOME International Arts Festival

The Committee recommendation to the Council for this report was resolved by the Marketing, Sponsorship and International Engagement Committee at its meeting held on 20 June 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 ABSOLUTE MAJORITY decision and subject to the approval of the 2017/18 budget:

- 1. approves cash sponsorship of \$100,000 (excluding GST) to Awesome Arts Australia Ltd to support the 2017 AWESOME International Arts Festival from Saturday, 30 September to Friday, 13 October 2017;*
- 2. notes the provisional list of sponsorship benefits contained within the Detailed Officer Assessment in Attachment 13.5A;*
- 3. notes the provisional benefits offered in Attachment 13.5A and 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 Davidson, Green, Harley, McEvoy and Yong

Against: Nil

6.43pm Cr Adamos returned to the meeting.

13.6 Annual Arts Sponsorship – WAM 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 20 June 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 ABSOLUTE MAJORITY decision and subject to the approval of the 2017/18 budget:

- 1. approves cash sponsorship of \$40,000 (excluding GST) to the West Australian Music Industry Association Incorporated to support the WAM Festival 2017 from Wednesday, 1 November to Sunday, 5 November 2017.*
- 2. notes the provisional list of sponsorship benefits contained within the Detailed Officer Assessment in Attachment 13.6A;*
- 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 28 February 2018.*

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

Finance and Administration Committee Reports

13.7 Payments from Municipal and Trust Funds – May 2017

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 27 June 2017.

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

Moved by Cr Davidson, seconded by Cr Harley

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 May 2017, 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>\$ 14,689,471.61</i>
<i>Trust Fund</i>	<i>\$ 34,958.51</i>
<i>TOTAL:</i>	<i>\$ 14,724,430.12</i>

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.8 Financial Statements and Financial Activity Statement for the Period Ended 31 May 2017

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 27 June 2017.

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

Moved by Cr Davidson, seconded by Cr Harley

That Council approves the Financial Statements and the Financial Activity Statement for the period ended 31 May 2017, as detailed in Attachment 13.8A of this Report.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.9 Nomination of Elected Member Representative and Deputy to the Mindarie Regional Council

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 27 June 2017.

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

That Council considers nominations for an Elected Member and a Deputy as the City of Perth's representative(s) to the Mindarie Regional Council for the period 30 June 2017 to 20 October 2017.

MOVED WITH AMENDMENT

Moved by Cr Harley, seconded by Cr Davidson

That Council ~~considers nominations for an Elected Member and a Deputy~~ nominates Cr Adamos as the City of Perth's representative(s) and Cr Davidson as the deputy representative to the Mindarie Regional Council for the period 30 June 2017 to 20 October 2017.

PRIMARY MOTION AS AMENDED

That Council nominates Cr Adamos as the City of Perth's representative and Cr Davidson as the deputy representative to the Mindarie Regional Council for the period 30 June 2017 to 20 October 2017.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

13.10 Amended Council Policy 1.9 – Media Policy – Media Statements, Press Releases and Social Media

The Committee recommendation to the Council for this report was resolved by the Finance and Administration Committee at its meeting held on 27 June 2017.

Moved by Cr Harley, seconded by Cr Davidson

That Council adopts amended Council Policy 1.9 – “Media Policy – Media Statements, Press Releases and Social Media” as amended in the revised Attachment 13.10A.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

Reports to the Ordinary Meeting of Council

7.01pm Acting Director Economic Development and Activation declared a direct financial interest in Item 13.11 (as detailed in Item 8) and departed the meeting.

13.11 Third Party Travel Contribution – Speaking Invitation for 2017 Australia Day National Conference

Moved by Cr Harley, seconded by Cr Davidson

That Council:

- 1. notes that the Acting Director Economic Development and Activation has been invited to present about the 2017 Skyworks emergency to the 2017 Australia Day National Conference, being held in Adelaide, South Australia from Tuesday, 25 – Wednesday 26, July 2017.*
- 2. notes acceptance of a third party contribution to facilitate the presentation on Wednesday, 26 July 2017 at 2.00pm.*

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

7.02pm Acting Director Economic Development and Activation returned to the meeting.

7.02pm Cr Green declared a direct financial interest in Item 13.12 (as detailed in Item 8) and departed the meeting.

13.12 Third Party Travel Contribution – Cr Green – Appointment as Independent Chair – KIC Australia Ltd

Moved by Cr Davidson, seconded by Cr Harley

That Council confirms approval of Third Party Travel Contribution to Cr Green by the Climate – KIC Australia as detailed in Attachment 13.12A.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

7.08 pm Cr Green returned to the meeting.

Confidential Works and Urban Development Committee Report

13.13 Energy from Waste Tender Consideration

The Committee recommendation to the Council for this report was resolved by the Works and Urban Development Committee at its meeting held on 20 June 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. notes the resolution of the Mindarie Regional Council at its Special Council Meeting of 18 May 2017, including the nomination of Tenderer A and Tenderer B as the first and second preferred bidders for the Energy from Waste Tender respectively;*
- 2. endorses the Energy from Waste technology being proposed in the preferred bidders' submissions;*
- 3. confirms that pursuant to clause 5.1(a) of the Mindarie Regional Council Constitution (as amended 3 April 2017), it provides its agreement for the orderly and efficient treatment and/or disposal of waste delivered to such buildings or places as are specified in the tender submission of the preferred bidder, if any, that is awarded the tender by the Mindarie Regional Council;*

(Cont'd)

4. *acknowledges that, subject to a Waste Supply Agreement being finalised in an acceptable form and the matter of any risk associated with the calorific value of the waste being delivered to the facility being resolved to its satisfaction, the Mindarie Regional Council may choose to award the tender; and*
5. *acknowledges that if the Mindarie Regional Council chooses to award the tender, the Council will be required to enter into a Participant's Agreement with the successful tenderer, as will the Mindarie Regional Council's other member councils, that guarantees the Mindarie Regional Council's ability to meet its obligations under the Waste Supply Agreement with the successful tenderer.*

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

7.10pm Acting Director Economic Development and Activation declared a direct financial interest in Item 13.14 (as detailed in Item 8) and departed the meeting.

Confidential Reports to the Ordinary Council Meeting

13.14 Confidential Item - Appointment of Designated Senior Employee – Director Economic Development and Activation

Moved by Cr Davidson, seconded by Cr Adamos

That Council, in accordance with Section 5.37(2) of the Local Government Act 1995, accepts the Chief Executive Officer's recommendation to appoint the recommended applicant as detailed in this report to the position of Director Economic Development and Activation for a period of five years under the standard contract of employment for Directors.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

7.10pm Acting Director Economic Development and Activation returned to the meeting.

13.15 Confidential Item - Appointment of Designated Senior Employee – Director Planning and Development

Moved by Cr Davidson, seconded by Cr Adamos

That Council, in accordance with Section 5.37(2) of the Local Government Act 1995, accepts the Chief Executive Officer's recommendation to appoint the recommended applicant as detailed in this report to the position of Director Planning and Development for a period of five years under the standard contract of employment for Directors.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

7.11pm The Chief Executive Officer declared a direct financial interest in Item 13.16 (as detailed in Item 8) and departed the meeting.

MOTION TO CLOSE THE MEETING TO CLOSE THE MEETING TO THE PUBLIC

Moved by Cr Adamos, seconded by Cr Harley

That Council resolves to close the meeting to the public to consider confidential item 13.16 in accordance with section 5.23(2)(e)(b) of the Local Government Act 1995.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

7.12pm The meeting was closed to the public and staff, with the exception of Manager Governance.

13.16 Confirmation of Interim Key Performance Indicators for the Chief Executive Officer

Moved by Cr Davidson, seconded by Cr Green

That Council:

That Council notes the CEO Performance Review Committees' Interim Key Performance Indicators for the Chief Executive Officer up to and including October 2017.

The motion was put and carried

The votes were recorded as follows:

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

Against: Cr Green

Motion to reopen the meeting to the public.

Moved by Cr Adamos, seconded by Cr Davidson

That Council reopen the meeting to members of the public.

The motion was put and carried

The votes were recorded as follows:

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

Against: Nil

7.30pm The meeting was reopened to the public and staff. The Manager Governance advised the public gallery of the decision made on Item 13.16, as detailed above.

14. Motions of which Previous Notice has been given

Nil

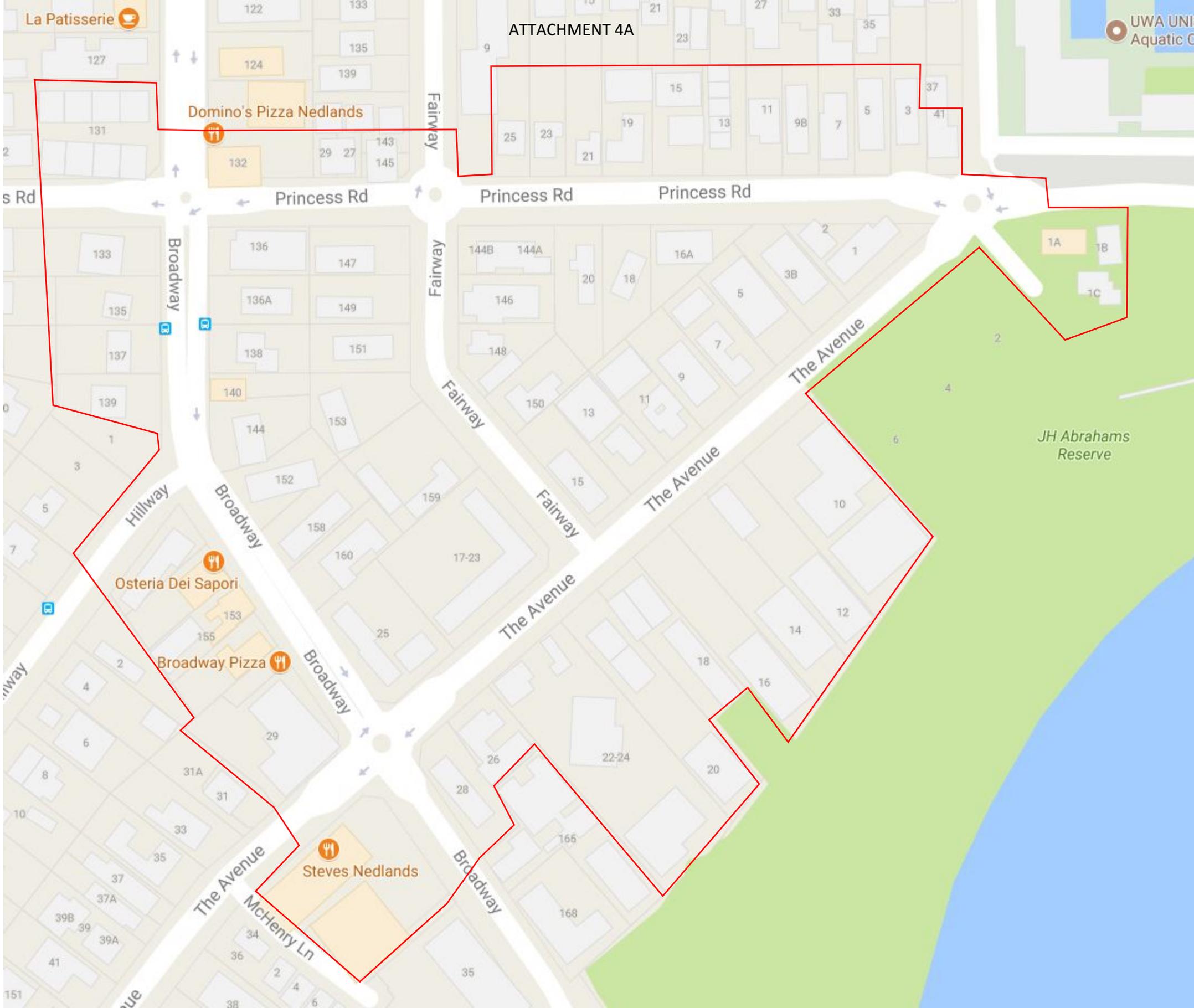
15. Urgent Business

Nil

16. Closure

7.30pm The Lord Mayor declared the meeting closed.

ATTACHMENT 4A



La Patisserie

Domino's Pizza Nedlands

Osteria Dei Saporì

Broadway Pizza

Steves Nedlands

JH Abrahams Reserve

UWA UNI
Aquatic C