



City of Perth

**Ordinary Council Meeting
Minutes**

**26 June 2018
6.00pm**

**Council Chamber
Level 9
Council House**

APPROVED FOR RELEASE

**MARTIN MILEHAM
CHIEF EXECUTIVE OFFICER**



City of Perth

**Ordinary Council Meeting
Minutes**

**26 June 2018
6.00pm**

**Council Chamber
Level 9
Council House**

Present

Commissioner Gaye McMath
Commissioner Andrew Hammond

Minutes to be confirmed at the next Ordinary Council meeting.

**THESE MINUTES ARE HEREBY CERTIFIED AS
CONFIRMED**

PRESIDING MEMBER'S SIGNATURE

DATE:-----

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, 26 June 2018.

Presiding: Deputy Chair of Commissioners, Ms Gaye McMath

Commissioners in Attendance:

Commissioner Andrew Hammond

Officers in Attendance:

Mr Mileham	Chief Executive Officer
Mr Mianich	Director Corporate Services
Ms Barrenger	Director Planning and Development
Ms Moore	Director Community and Commercial Services
Mr Fitzpatrick	Acting Director Economic Development and Activation
Mr Copeman	Acting Director Construction and Maintenance
Ms Smith	Manager Development Approvals
Mr Ridgwell	Manager Governance
Mr Anastas	Personal Aide
Ms Rutigliano	Governance Officer

Observers:

7 members of the public

6 members of staff

1. Prayer / Acknowledgment of Country

The Chief Executive Officer read the prayer.

The Deputy Chair of Commissioners read the Acknowledgement of Country.

2. Declaration of Opening

6.01pm The Deputy Chair of Commissioners declared the meeting open.

3. Apologies

Chair of Commissioners Mr Eric Lumsden

4. Question Time for the Public and Notification of Deputations

4.1 Question Time for the Public

Questions from Ms Anna Vanderbom, 10B Monash Avenue Nedlands 6009 (CM 158120/18).

Question 1:	Has the City of Perth received any applications for further building on the Matilda Bay foreshore, south of Forrest Hall? (and would they be approved?)
Answer:	While the City has been aware it has been the University's intention to always build a second stage to the Forrest Hall development, at this stage no

	applications have been received and we are unable to pre-empt the outcome of any such applications but also noting it is not the City’s decision, it is a Western Australian Planning Commission determination of that particular application. They could also opt that it be a Local Development Assessment Panel decision but either way it would not be the Council determination.
Question 2:	The land on which Forrest Hall has been built at Matilda Bay is zoned ‘Public Purposes (University)’ whereas the land between it and the river is zoned ‘Park and Recreation’. Does this mean that the public will have full access between Forrest Hall and the river’s edge?
Answer:	The Forrest Hall Development is constrained and restricted to land that is reserved for University purposes only under the Metropolitan Regional Scheme. None of the existing development nor what they are proposing for Stage 2 would encroach onto the Parks and Recreation reserve so the current public access to that reserve would be unaffected by any development.
Question 3:	The City of Perth’s P9 Precinct Residential Colleges reads ‘On site car parking facilities should be provided for all new development, to ensure vehicles are not forced onto nearby Crawley Residential Area or Kings Park. The number of bays to be provided may, however, be limited to encourage students to walk to university and use public transport.’ In light of this, why have 30 parking bays and permits been allocated to each of the University colleges for use on residential streets of Hollywood and Crawley when residents pay rates but the colleges do not.
Answer:	This question was taken on notice, however the Chief Executive Officer noted that the parking permits issued to the colleges is a long-standing arrangement and goes back into the deep history and a detailed response will be provided in writing to Ms Anna Vanderbom.

Questions from Ms Jane Boxall, 25 Hardy Road, Nedlands 6009 (CM 158124/18).

Question 1:	Can ratepayers make submissions to the City of Perth Inquiry? If so, how?
Answer:	I would first like to point out that this is not an inquiry by the City of Perth, but an inquiry by an independent panel with respect to issues with the City of Perth in the past. If there are public submissions, which I would expect there will be, it’s not the Commissioners decision but if public submissions are called then that would be the opportunity to participate in that process and we of course would be happy to put a reference to the ability to do so if that’s the case on our City of Perth website.
Question 2:	Do the Commissioners have direct access to the City of Perth Directors in the governance process. If not, why not?
Answer:	The Commissioners have full access to the City of Perth Directors and also to the appropriate Managers for specific issues where appropriate. The normal communication protocols apply where we do have a very open and transparent opportunity to ask questions and question answers. So yes, that is occurring.
Question 3:	Is there going to be performance review on the CEO Mr Mileham and if so, when will this occur?
Answer:	This is a process and it has commenced and is currently underway. I

	<p>shouldn't anticipate how long the process would take, but I would expect that it would be concluded sooner rather than later. A few months should be more than enough to conduct a process such as this.</p> <p>Ms Boxall: And that will be a public outcome? Is that something that we know will be completed?</p> <p>It is a requirement under the <i>Local Government Act 1995</i> to have a yearly review of the CEO performance, certainly the outcomes of the process is something between the Chair of Commissioners and the CEO so I would defer to the Chair of Commissioners as to whether he would be making it known that the process has officially ended or not.</p>
--	--

4.2 Notification of Deputations

Nil

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

Nil

6. Confirmation of Minutes

Moved Commissioner McMath, seconded Commissioner Hammond

That the minutes of the Ordinary Council Meeting held on 29 May 2018 are confirmed as a true and correct record.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

7. Announcements by the Deputy Chair of Commissioners

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 was recommended to be closed to the public prior to discussion of the following confidential attachments:

Attachment No.	Item No. and Title	Reason
Confidential Attachments 13.3B, 13.3C, 13.3D and 13.3E	Item 13.3 – Arts Sponsorship 2018/19	s 5.23(2)(e)(ii)
Confidential Attachments 13.4A and 13.4B	Item 13.4 – Principal Partnership Between Heritage Perth and City of Perth	s 5.23(2)(e)(ii)
Confidential Attachments 13.7A and 13.7C	Item 13.6 – Tender 137-17/18 – Design, Refurbishment and Supply of Christmas Decorations	s 5.23(2)(e)(ii)

13. Reports

Item 13.1 Mastercard Hopman Cup - Major Events and Festivals Sponsorship

Moved Commissioner Hammond, seconded Commissioner McMath

That Council, subject to adoption of the 2018/19 budget:

1. **APPROVES sponsorship of \$393,913 (excluding GST) over three years to Tennis Australia Limited for the Mastercard Hopman Cup including CPI of 1% for financial years 2019/20 and 2020/21;**
 - 1.1 **2018/19 - \$130,000 (excl GST);**
 - 1.2 **2019/20 - \$131,300 (excl GST); and**
 - 1.3 **2020/21 - \$132,613 (excl GST).**
2. **NOTES the provisional list of sponsorship benefits contained in the Detailed Officer Assessment in Attachment 13.1A;**
3. **AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the applicant, the final list of sponsorship benefits and key performance indicators for inclusion in the agreement, according to the Council approved funding amount; and**
4. **NOTES that a detailed acquittal report, including any supporting material, will be submitted to the City of Perth.**

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.2 Event Sponsorship 2018/19

Moved Commissioner Hammond, seconded Commissioner McMath

That Council, subject to adoption of the 2018/19 budget:

1. **APPROVES** sponsorship totalling \$300,000 (excl GST) to the following applicants:
 - 1.1. *Seven West Media for RAC Christmas Pageant (\$120,000);*
 - 1.2. *Chung Wah Association for Chinese New Year (\$65,000);*
 - 1.3. *Pride WA for PrideFEST (\$55,000);*
 - 1.4. *Variety WA for IGA Carols by Candlelight for Variety (\$60,000);*
2. **NOTES** the funding for Perth Heritage Weekend will be funded through existing operational budgets;
3. **NOTES** the provisional list of sponsorship benefits contained in the Detailed Officer Assessment in Attachment 13.2A;
4. **AUTHORISES** the Chief Executive Officer (or an appointed delegate) to negotiate with the applicant the final list of sponsorship benefits for inclusion in the agreement according to the Council approved funding amount; and
5. **NOTES** that a detailed acquittal report, including any supporting material, will be submitted to the City of Perth four months following the completion of each supported project.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.3 Arts Sponsorship 2018/19Officer Recommendation

That Council, subject to adoption of the 2018/19 budget:

1. APPROVES Biennial Arts Sponsorship of \$586,000 (\$293,000 p.a.), for the 2018/19 and 2019/20 Financial Years, to the following applicants:
 - 1.1 Performing Arts Centre Society Inc T/A The Blue Room Theatre for the 2019 and 2020 Artistic Program (\$58,000 p.a.), totalling \$116,000 for two years;
 - 1.2 Black Swan State Theatre Company for the 2019 and 2020 Sector Development Program (\$45,000 p.a.), totalling \$90,000 for two years;
 - 1.3 West Australian Symphony Orchestra for the 2018 and 2019 Symphony in the City events (\$100,000 p.a.), totalling \$200,000 for two years; and
 - 1.4 AWESOME Arts Australia Ltd for the 2018 and 2019 AWESOME International Arts Festival for Bright Young Things (\$90,000 p.a.), totalling \$180,000 for two years.
2. APPROVES Annual Arts Sponsorship of \$189,000 for the 2018/19 Financial Year to the following applicants:
 - 2.1 Perth Institute of Contemporary Arts for the Community Engagement and Artist Development Program of \$49,000 for one year;
 - 2.2 WA Music Industry Association for WAMFest 2018 of \$40,000 for one year; and
 - 2.3 WA Opera Company for Opera in the Park of \$100,000 for one year.
3. DECLINES Arts Sponsorship to the following applicants Revelation Film Festival for “Expanded Cinema” tailor made by Revelation Perth International Film Festival for City of Perth;
4. AUTHORISES the Chief Executive Officer (in consultation with Commissioners) to negotiate and approve additional sponsorship amounts for additional activities that align with the City of Perth’s strategic objectives;
 - 4.1 West Australian Symphony Orchestra for additional activities in 2018/19 and 2019/20 (up to \$50,000 p.a.), totalling a maximum of \$100,000 for two years;
 - 4.2 WA Opera Company for additional activities in 2018/19 of up to \$50,000 for one year;
5. NOTES the provisional list of sponsorship benefits for each application contained in the Detailed Officer Assessment in Attachment 13.3A;
6. AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the successful applicants the final list of sponsorship benefits for inclusion in the agreement according to the Council approved funding amount; and
7. NOTES that a detailed sponsorship acquittal report, including any supporting material, will be submitted to the City of Perth four months following the completion of each supported project.

MOVED WITH AMENDMENT

Moved Commissioner McMath, seconded Commissioner Hammond

That Council amend the Officer Recommendation as follows:

That Council, subject to adoption of the 2018/19 budget:

1. **APPROVES** *Biennial Arts Sponsorship of \$586,000 (\$293,000 p.a.), for the 2018/19 and 2019/20 Financial Years, to the following applicants:*
 - 1.1 *Performing Arts Centre Society Inc T/A The Blue Room Theatre for the 2019 and 2020 Artistic Program (\$58,000 p.a.), totalling \$116,000 for two years;*
 - 1.2 *Black Swan State Theatre Company for the 2019 and 2020 Sector Development Program (\$45,000 p.a.), totalling \$90,000 for two years;*
 - 1.3 *West Australian Symphony Orchestra for the 2018 and 2019 Symphony in the City events (~~\$100,000~~ \$150,000 p.a.), totalling ~~\$200,000~~ \$300,000 for two years; and*
 - 1.4 *AWESOME Arts Australia Ltd for the 2018 and 2019 AWESOME International Arts Festival for Bright Young Things (\$90,000 p.a.), totalling \$180,000 for two years.*
2. **APPROVES** *Annual Arts Sponsorship of \$189,000 for the 2018/19 Financial Year to the following applicants:*
 - 2.1 *Perth Institute of Contemporary Arts for the Community Engagement and Artist Development Program of \$49,000 for one year;*
 - 2.2 *WA Music Industry Association for WAMFest 2018 of \$40,000 for one year; and*
 - 2.3 *WA Opera Company for Opera in the Park of ~~\$100,000~~ \$120,000 for one year.*
3. **DECLINES** *Arts Sponsorship to the following applicants Revelation Film Festival for "Expanded Cinema" tailor made by Revelation Perth International Film Festival for City of Perth;*
4. **AUTHORISES** *the Chief Executive Officer (in consultation with Commissioners) to negotiate and approve additional sponsorship amounts for additional activities that align with the City of Perth's strategic objectives;*
 - 4.1 *West Australian Symphony Orchestra for additional activities in 2018/19 and 2019/20 (~~up to \$50,000 p.a.~~), totalling a maximum of ~~\$100,000~~ for two years;*
 - 4.2 *WA Opera Company for additional activities in 2018/19 ~~of up to \$50,000 for one year;~~*

(Cont'd)

5. ***NOTES*** the provisional list of sponsorship benefits for each application contained in the Detailed Officer Assessment in Attachment 13.3A;
6. ***AUTHORISES*** the Chief Executive Officer (or an appointed delegate) to negotiate with the successful applicants the final list of sponsorship benefits for inclusion in the agreement according to the Council approved funding amount; and
7. ***NOTES*** that a detailed sponsorship acquittal report, including any supporting material, will be submitted to the City of Perth four months following the completion of each supported project.

PRIMARY MOTION AS AMENDED

That Council, subject to adoption of the 2018/19 budget:

1. ***APPROVES*** Biennial Arts Sponsorship of \$586,000 (\$293,000 p.a.), for the 2018/19 and 2019/20 Financial Years, to the following applicants:
 - 1.1 ***Performing Arts Centre Society Inc T/A The Blue Room Theatre for the 2019 and 2020 Artistic Program (\$58,000 p.a.), totalling \$116,000 for two years;***
 - 1.2 ***Black Swan State Theatre Company for the 2019 and 2020 Sector Development Program (\$45,000 p.a.), totalling \$90,000 for two years;***
 - 1.3 ***West Australian Symphony Orchestra for the 2018 and 2019 Symphony in the City events (\$150,000 p.a.), totalling \$300,000 for two years; and***
 - 1.4 ***AWESOME Arts Australia Ltd for the 2018 and 2019 AWESOME International Arts Festival for Bright Young Things (\$90,000 p.a.), totalling \$180,000 for two years.***
2. ***APPROVES*** Annual Arts Sponsorship of \$189,000 for the 2018/19 Financial Year to the following applicants:
 - 2.1 ***Perth Institute of Contemporary Arts for the Community Engagement and Artist Development Program of \$49,000 for one year;***
 - 2.2 ***WA Music Industry Association for WAMFest 2018 of \$40,000 for one year; and***
 - 2.3 ***WA Opera Company for Opera in the Park of \$120,000 for one year.***
3. ***DECLINES*** Arts Sponsorship to the following applicants Revelation Film Festival for "Expanded Cinema" tailor made by Revelation Perth International Film Festival for City of Perth;

(Cont'd)

4. ***AUTHORISES the Chief Executive Officer (in consultation with Commissioners) to negotiate and approve additional sponsorship amounts for additional activities that align with the City of Perth's strategic objectives;***
 - 4.1 ***West Australian Symphony Orchestra for additional activities in 2018/19 and 2019/20;***
 - 4.2 ***WA Opera Company for additional activities in 2018/19;***
5. ***NOTES the provisional list of sponsorship benefits for each application contained in the Detailed Officer Assessment in Attachment 13.3A;***
6. ***AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate with the successful applicants the final list of sponsorship benefits for inclusion in the agreement according to the Council approved funding amount; and***
7. ***NOTES that a detailed sponsorship acquittal report, including any supporting material, will be submitted to the City of Perth four months following the completion of each supported project.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Reason: The ensure continuance with the previous year's funding amounts.

Item 13.4 Principal Partnership between Heritage Perth and City of Perth

Moved Commissioner McMath, seconded Commissioner Hammond

That Council:

1. ***APPROVES an extension of the Funding Agreement between the City of Perth and Heritage Perth Incorporated for a period of six months, noting that the existing Funding Agreement (Confidential Attachment 13.4A) expires on 30 June 2018, with the following conditions:***
 - 1.1 ***Heritage Perth Inc. will collaborate with City of Perth officers to complete a detailed evaluation of Heritage Perth's activities over the three years of the current funding agreement;***

(Cont'd)

- 1.2 *Heritage Perth Inc. will collaborate with City of Perth officers to complete a Heritage Strategy as per Council's resolution of 29 May 2018;*
 - 1.3 *Salary and benefits for the position of Executive Officer will no longer form part of the agreement; and*
 - 1.4 *Salary and benefits for the Executive Director will be extended in their current form for a further six months.*
2. **AUTHORISES the Chief Executive Officer to:**
- 2.1 *finalise the details of the Funding Agreement as at (1) above; and*
 - 2.2 *in accordance with Section 9.49A of the Local Government Act 1995, sign the revised Funding Agreement with Heritage Perth Incorporated on behalf of the City of Perth for a period of six months.*

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.5 Delegated Authority Review 2018/19

Moved Commissioner McMath, seconded Commissioner Hammond

That Council:

1. **REVIEWS the currently existing delegations made by Council to Committees, the Chief Executive Officer and officers in accordance with Sections 5.18 and 5.46(2) of the Local Government Act 1995 (Act); and**
2. **ADOPTS BY ABSOLUTE MAJORITY the Delegated Authority Register 2018/19 (Attachment 13.5A).**

The motion was put and carried

The votes were recorded as follows:

For: Commissioners McMath and Hammond

Against: Nil

Item 13.6 Nomination of Commissioners to the Mindarie Regional CouncilOfficer Recommendation

That Council:

1. NOMINATES one Commissioner as the City of Perth's representative to the Mindarie Regional Council for the period 1 July 2018 to 30 June 2019; and
2. NOMINATES one Commissioner as the City of Perth's deputy representative to the Mindarie Regional Council for the period 1 July 2018 to 30 June 2019.

MOVED WITH AMENDMENT

Moved Commissioner McMath, seconded Commissioner Hammond

That Council amend the Officer Recommendation as follows:

That Council:

1. ***NOMINATES ~~one Commissioner~~ Commissioner Eric Lumsden as the City of Perth's representative to the Mindarie Regional Council for the period 1 July 2018 to 30 June 2019; and***
2. ***NOMINATES ~~one Commissioner~~ Commissioner Andrew Hammond as the City of Perth's deputy representative to the Mindarie Regional Council for the period 1 July 2018 to 30 June 2019.***

PRIMARY MOTION AS AMENDED

That Council:

1. ***NOMINATES Commissioner Eric Lumsden as the City of Perth's representative to the Mindarie Regional Council for the period 1 July 2018 to 30 June 2019; and***
2. ***NOMINATES Commissioner Andrew Hammond as the City of Perth's deputy representative to the Mindarie Regional Council for the period 1 July 2018 to 30 June 2019.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners McMath and Hammond

Against: Nil

Item 13.7 Tender 137-17/18 – Design, Refurbishment and Supply of Christmas Decorations

Moved Commissioner McMath, seconded Commissioner Hammond

*That Council **ACCEPTS** the most suitable submissions, being those submitted by the following, to supply the services and decorations specified and in accordance with the rates indicated in Attachment 13.7A – Comparative Schedule of Rates:*

- 1. Mark One Visual Promotions Pty Ltd;**
 - 1.1 St Georges Terrace – refurbishment of Angels – Option 1;**
 - 1.2 Lake Street – refurbishment of Trees - Option 1;**
 - 1.3 City of Perth Library – Option 1;**
 - 1.4 William Street – Option 1; and**
 - 1.5 King Street Protective Covers.**

- 2. Visual Inspirations Australia Pty Ltd;**
 - 2.1 Howard Street, Sherwood Court and The Esplanade (north side) – Option 1;**
 - 2.2 Claisebrook Cove - Option 1;**
 - 2.3 Council House Giant Kangaroos – Option 2; and**
 - 2.4 King Street – Option 3.**

The motion was put and carried

The votes were recorded as follows:

For: Commissioners McMath and Hammond

Against: Nil

Item 13.8 Financial Statements and Financial Activity Statement for the Period Ended 30 April 2018

Moved Commissioner McMath, seconded Commissioner Hammond

*That Council **RECEIVES** the Financial Statements and the Financial Activity Statement for the period ended 30 April 2018, as detailed in Attachment 13.8A of this Report.*

The motion was put and carried

The votes were recorded as follows:

For: Commissioners McMath and Hammond

Against: Nil

14. Motions of which Previous Notice has been given

Nil

15. Urgent Business

Commissioner Hammond sought Council approval to attend the Mindarie Regional Council meeting to be held on 5 July 2018 as deputy for Commissioner Lumsden.

Moved Commissioner Hammond, seconded Commissioner McMath

That Council appoints Commissioner Hammond as a deputy to the Mindarie Regional Council meeting to be held on 5 July 2018.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

16. Closure

6.25pm The Deputy Chair of Commissioners declared the meeting closed.