



City of **Perth**

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# Notes

Agenda Briefing Session

27 October 2020

Approved for release

Michelle Reynolds

Chief Executive Officer

30 October 2020

Minutes to be confirmed at the next Ordinary Council Meeting

These minutes are hereby certified as confirmed.

Presiding member's signature \_\_\_\_\_

Date \_\_\_\_\_

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## 1. Declaration of opening

The Lord Mayor declared the meeting open at 5.00pm.

## 2. Acknowledgement of Country/Prayer

### Acknowledgement of Country

The Lord Mayor read the acknowledgement of country:

*I respectfully acknowledge the Traditional Owners of the land on which we meet, the Whadjuk Nyoongar people of Western Australia and pay my respects to Elders past and present. It is a privilege to be standing on Whadjuk Nyoongar country.*

### Prayer

The Chief Executive Officer read the prayer:

*Almighty God, under whose providence we hold responsibility for this City grant us wisdom to understand its present needs, foresight to anticipate its future growth, and grace to serve our fellow citizens with integrity and selfless devotion. And to Thee, be all blessing and glory forever. Amen.*

### 3. Attendance

#### Elected members in attendance

Lord Mayor	Basil Zempilas (Presiding Member)
Deputy Lord Mayor	Sandy Anghie
Councillors	Liam Gobbert
	Brent Fleeton
	Catherine Lezer
	Rebecca Gordon
	Di Bain
	Viktor Ko
	Clyde Bevan

#### Officers in attendance

Chief Executive Officer	Michelle Reynolds
General Manager Corporate Services	Bill Parker
General Manager Planning and Economic Development	Jayson Miragliotta
General Manager Community Development	Anne Banks-McAllister
General Manager Infrastructure and Operations	Chris Kopec
Alliance Manager Governance	Danielle Uniza
Governance Officer	Ashlee Rutigliano

#### 3.1 Apologies

Nil

#### 3.2 Leave of absence

Nil

#### 3.3 Applications for leave of absence

Applications for leave of absence will be dealt with at the next Ordinary Council Meeting.

## 4. Announcements by the Lord Mayor

The Lord Mayor made the following announcements:

*It was only a week ago we were in this Chamber to elect the Deputy Lord Mayor, and I'm delighted that in the time since the new Council have had opportunity to attend a number of briefings and meet with the senior Administration staff. Council has also had the opportunity to reaffirm our commitment and priorities.*

*Our top priority remains finding the right way for the City of Perth to play an active role in helping people who are homeless. It's a shared responsibility, but it is not a responsibility we intend to shirk. It is an issue I hope to raise with the Premier tomorrow.*

*On that, I'd like to thank Councillors Gobbert, Bevan, Fleeton and Ko who last night joined with the City's CEO and General Manager Community Development for the rough sleeper count. You are to be commended for doing your bit and stepping up. That is exactly the kind of leadership and commitment that we want our City of Perth to be known for.*

*There's a terrific spirit and unity developing within our group already, and it's a privilege for us to be here to serve the residents, ratepayers and other key stakeholders of the City of Perth. It is a responsibility we are all relishing.*

*Yesterday, I gave a Notice of Motion for consideration at the next Ordinary Council Meeting to provide free parking across City carparks in December 2020 and January 2021. It's been a challenging year for all West Australians, and the Council is in full agreement that we need to support our community, residents, city businesses and visitors in celebrating Christmas. We want to help revitalise our city and invite everyone to visit. Three-hours free parking is just one initiative to celebrate our city.*

*A paper will be developed by the Administration in response to this Motion. I am looking forward to receiving advice on how this initiative might be progressed and am most hopeful it will be cost neutral.*

*The new Council are excited to be working for our city and all West Australians.*

## 5. Public Participation

### 5.1 Public Questions

Public questions will be dealt with at the next Ordinary Council Meeting.

### 5.2 Deputations

Item 11.1 – Final Adoption of Amendment No. 43 to City Planning Scheme No. 2 to Introduce Additional Uses and a Special Control Area over 707 (Lot 500) Murray Street, West Perth

Sean Morrison from Urbis outlined support for the officer recommendation, provided a brief outline of the Scheme Amendment's purpose and the intended development outcome.

## 6. Disclosures of Interests

The following disclosures of interest have been received:

Name	Councillor Bain
Item number and title	12.3 – Business Improvement Grants 2020/21
Nature of interest	Direct Financial Interest
Interest description	Councillor Bain has received an electoral gift from Jeff Leach

Name	Councillor Bain
Item number and title	12.3 – Business Improvement Grants 2020/21
Nature of interest	Impartiality Interest
Interest description	Councillor Bain was photographed with Christian Watters in her electoral campaign material

Name	Councillor Bain
Item number and title	15.1 – Appointment of elected members to committees of Council and external bodies
Nature of interest	Direct Financial Interest
Interest description	Relating to the City Amenity Advisory Committee, Councillor Bain received an electoral gift from Les Wilson

Name	Councillor Bain
Item number and title	15.1 – Appointment of elected members to committees of Council and external bodies
Nature of interest	Impartiality Interest
Interest description	Relating to the City Amenity Advisory Committee, Anne-Maree Ferguson was the former contractor for Activate Perth when Cr Bain was Chair in 2018/19

Name	Councillor Bain
Item number and title	15.1 – Appointment of elected members to committees of Council and external bodies
Nature of interest	Impartiality Interest
Interest description	Relating to the Marketing and Promotions Committee, Kylie Taylor was an employee of Activate Perth when Cr Bain was Chair in 2018/19

Name	Councillor Lezer
Item number and title	12.3 – Business Improvement Grants 2020/21
Nature of interest	Impartiality Interest

Interest description	Councillor Lezer met with the owner of the Mustang Bar several times during her election campaign
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Name	Deputy Lord Mayor Anghie
Item number and title	15.1 – Appointment of elected members to committees of Council and external bodies
Nature of interest	Impartiality Interest
Interest description	Deputy Lord Mayor Anghie was a former committee member of the Events, Culture and Arts Advisory Committee

Name	Lord Mayor Zempilas
Item number and title	12.3 – Business Improvement Grants 2020/21
Nature of interest	Impartiality Interest
Interest description	Lord Mayor Zempilas met with the owner of the Mustang Bar, Michael Keiller, during his election campaign

Name	Councillor Bevan
Item number and title	12.3 – Business Improvement Grants 2020/21
Nature of interest	Impartiality Interest
Interest description	Councillor Bevan met with the owner of the Mustang Bar, Michael Keiller, during his election campaign

Name	Councillor Gobbert
Item number and title	11.2 – Final Adoption of Amendment No. 44 to City Planning Scheme No. 2 to introduce a Special Control Area over 707 (Lot 14) and 725 (Lot 101) Wellington Street and 482-484 (Lot 2), 486-488 (Lot 1) and Lot 66 Murray Street, Perth
Nature of interest	Impartiality Interest
Interest description	The proponent is known to Councillor Gobbert through a former Committee they served on together, namely Future Perth, where he was the secretary and the proponent was the Chairman

**7. Confirmation of minutes**

This item will be dealt with at the Ordinary Council Meeting.

**8. Questions by members which due notice has been given**

This item will be dealt with at the Ordinary Council Meeting.

**9. Correspondence**

This item will be dealt with at the Ordinary Council Meeting.

**10. Petitions**

This item will be dealt with at the Ordinary Council Meeting.

**11. Planning and Economic Development Alliance Reports**

Item number and title	11.1 – Final Adoption of Amendment No. 43 to City Planning Scheme No. 2 to introduce Additional Uses and a Special Control Area over 707 (Lot 500) Murray Street, West Perth
Presentation requested	Nil.
Questions raised	Nil.

Item number and title	11.2 – Final Adoption of Amendment No. 44 to City Planning Scheme No. 2 to introduce a Special Control Area over 707 (Lot 14) and 725 (Lot 101) Wellington Street and 482-484 (Lot2), 486-488 (Lot 1) and Lot 66 Murray Street
Presentation requested	Nil.
Questions raised	Nil.

## 12. Community Development Alliance Reports

Item number and title	12.1 – Christmas Lights Trail Budget Variation
Presentation requested	Nil.
Questions raised	Nil.

Item number and title	12.2 – COVID-19 Rebound Economic Development Sponsorship – StudyPerth
Presentation requested	Nil.
Questions raised	Nil.

As Councillor Bain declared a direct financial interest relating to recommendation point 1.1 (Arundel Nominees and JJ Leach), she left the chamber for discussion of that item.

Item number and title	12.3 – Business Improvement Grants 2020/21
Presentation requested	Nil.

Following discussion of recommendation point 1.1, Councillor Bain returned to the meeting.

<b>Questions and responses</b>
<p><b>Councillor Bain</b></p> <p>Q1 How the assessment was conducted, as to who got grants and who didn't?</p> <p>Q2 Who made the assessment scorecard?</p> <p>A General Manager Community Development:</p> <p>The assessment is undertaken against the assessment criteria associated with that grant program. The criteria are outline in the attachment for each Item. The criteria are assessed by a panel of staff, currently consisting of four people. Staff are from the Economic Development unit, Activities Approval area, Urban Design area, and Planning. The panel members independently rate the applications against the criteria. The rating is then averaged across the panel members, and all applications then ranked highest to lowest. The amount of budget allocated does determine the percentage of against which the Administration decides whether an application is approved or declined.</p>

### 13. Infrastructure and Operations Alliance Reports

'Tender EXM000036-19/20 – Roe Street Masterplan Works' was presented under Item 17, as it contains a confidential attachment.

### 14. Corporate Services Alliance Reports

Nil.

### 15. Chief Executive Officer Alliance Reports

Councillor Bain declared three interests relating to the Marketing and Promotions Committee and City Amenity Advisory Committee. However, as neither Committee was listed for elected member appointments, Councillor Bain was not required to leave the room and stayed for the discussion of the item.

Item number and title	15.1 – Appointment of elected members to committees of Council and external bodies.
Presentation requested	Nil

#### Questions and responses

Nil.

### 16. Committee Reports

Nil.

### 17. Matters for which the meeting may be closed

Item number and title	17.1 – Roe Street Masterplan Works
Reason for Confidentiality	<p>The Chief Executive Officer advised that:</p> <p>As Confidential Attachment 17.1A – Tender Evaluation Matrix contains the precise weighting of each tender submission against the selection criteria, referee comments, a tenderer's financial assessment and commentary against the selection criteria, it is recommended that the meeting be closed for the discussion of this attachment.</p> <p>This is in accordance with Section 5.23(2)(e)(ii) of the <i>Local Government Act 1995</i> which deals with information that has commercial value to a person, and Section 5.23(2)(c) which deals with contracts which may be entered into by the local government.</p>
Presentation requested	Nil

## Questions and responses

### Deputy Lord Mayor Anghie

Q1 What changes, if any, were conveyed to design considering the announcement of the Perth City Deal in September 2020?

Q2 If there are changes to be made, what are the budget implications?

A General Manager Infrastructure and Operations:

No changes have been made to date. The Administration has had meeting with Main Roads WA, the Department of Transport and Development WA regarding pros and cons of any change that might be made.

These agencies do not believe any changes are needed in the short term. The pro of getting the project started outweighs the cons.

This project being partially funded in the Perth City Deal, Administration is meeting with ECU shortly and will work out with them if there are any specific changes that make sense.

Any changes can be included in the detailed design due at the end of December 2020, or into the construction program works.

### Councillor Bain

Q1 Would there be any financial implications for the City if Council deferred decision-making to a later date?

A Project Director – Strategic Finance (CFO):

The financial implications of this project are such that we have prudently provided around half the cost of the money in a cash-back reserve now, and with the addition of the \$10million grant funding – which comes through the Perth City Deal – the project is essentially fully funded at this stage.

If the project were not to proceed at this time, then the potential financial implication could be failure to complete the obligations that come with the \$10million grant funding.

Q2 Where's the trigger point where our contract may be in breach?

A General Manager Infrastructure and Operations:

Clarification was sought whether the intent is to understand if there is a financial implication if the Council deferred the project from the point of view of:

- The tender being delayed, and therefore there being extra costs from the contractor for delaying the project?

OR

- From potentially missing out on the Perth City Deal funding?

A Councillor Bain:

It was in relation to the Perth City Deal funding. Having raised the tender issue, an answer to both questions is requested.

A General Manager Infrastructure and Operations:

There is no indication at this point from the Department of Transport, who are administering the funds, that the funding would disappear – however, the funds are allocated to this project specifically. If this project was deferred beyond the Perth City Deal timeframe, then trying to get this body of work done in the next two and a half years, the Administration would need to discuss with the Department of Transport whether that funding lapses or can be moved to a different project potentially.

### **Councillor Gordon**

Q1 How was the weighting of the criteria was determined?

A General Manager Infrastructure and Operations

As standard procurement practice, the City's major capital works projects typically have these weightings.

Q2 Is there any WALGA or legislative guideline to what weighting should be utilised for tenders?

A Chief Executive Officer

The Administration will take this question on notice.

## **18. Motions of which notice has been given**

This item will be dealt with at the Ordinary Council Meeting.

## **19. Urgent Business**

Nil.

## **20. Closure**

There being no further business, the Lord Mayor declared the meeting closed at 5.27pm.