



City of Perth

**Ordinary Council Meeting
Minutes**

**26 February 2019
6.00pm**

**Council Chamber
Level 9
Council House**

APPROVED FOR RELEASE

**MURRAY JORGENSEN
CHIEF EXECUTIVE OFFICER**



City of Perth

**Ordinary Council Meeting
Minutes**

**26 February 2019
6.00pm**

**Council Chamber
Level 9
Council House**

Present

Deputy Chair 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 February 2019.

Presiding: Deputy Chair Commissioner, Gaye McMath

Commissioners in Attendance:

Commissioner Andrew Hammond

Officers in Attendance:

Mr Jorgensen	Chief Executive Officer
Mr Mianich	Director Corporate Services
Mr Farley	Acting Director Planning and Development
Mr High	Acting Director Economic Development and Activation
Mr Ahern	Manager Waste and Cleansing
Ms Smith	Manager Development Approvals
Mr Ridgwell	Manager Governance
Mr Anastas	Personal Aide
Ms Rutigliano	Governance Officer

Observers:

Three members of the public

Six members of staff

One member of the media

1. Prayer / Acknowledgment of Country

The Chief Executive Officer read the prayer.

The Deputy Chair Commissioner read the Acknowledgement of Country.

2. Declaration of Opening

6.00pm The Deputy Chair Commissioner declared the meeting open.

3. Apologies

Chair Commissioner, Eric Lumsden

Director Construction and Maintenance, Mr Crosetta

Director Community and Commercial Services, Ms Moore

4. Question Time for the Public and Notification of Deputations

4.1 Question Time for the Public

Nil

4.2 Notification of Deputations

Nil

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

Chair Commissioner Eric Lumsden (Leave of Absence)

6. Confirmation of Minutes

Moved Commissioner Hammond, seconded Commissioner McMath

That Council CONFIRM the minutes of the Ordinary Council Meeting held 18 December 2018, Special Council Meeting held on 15 January 2019, Annual General Meeting of Electors held on 15 January 2019 and Agenda Briefing Session held on 19 February 2019 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 Chair Commissioner

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 in accordance with Section 5.23(2) of the *Local Government Act 1995*, should a Commissioner wish to discuss the content of the confidential attachments in relation to Items **13.6, 13.7 and 13.15**, it is recommended that Council resolve to close the meeting to the public prior to discussion of the Item.

Attachment No.	Item No. and Title	Reason
Confidential Attachment 13.6A, 13.6B, 13.6C, 13.6D, 13.6E and 13.6F	Item 13.6 - Tender 050-18/19 – Maintenance and Construction of Footpaths and Associated Works	s5.23(2)(e)(ii)
Confidential Attachment 13.7A	Item 13.7 - Tender 054-18/19 – Council House Lighting Upgrade – Design and Installation	s5.23(2)(e)(ii)
Confidential Attachment 13.15B	Item 13.15 – Risk Management Quarterly Update	s5.23(2)(c), s5.23(2)(f)(ii) and s5.23(2)(f)(iii)

The Deputy Chair Commissioner noted that confidentiality of Confidential Attachment 13.18A has been lifted.

13. Reports

En Bloc Motion

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

- 1. ADOPTS the Officer and Committee Recommendations for items 13.1, 13.2, 13.3, 13.6, 13.7, 13.9, 13.10, 13.11, 13.13, 13.15; and***
- 2. CONSIDERS items 13.4, 13.5, 13.8, 13.12, 13.14, 13.16, 13.17, 13.18 separately.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.1 60 (Lot 6) Thomas Street, West Perth – Proposed Demolition of All Buildings and Structures

Moved Commissioner Hammond, seconded Commissioner McMath

That:

1. *in accordance with the provisions of the City Planning Scheme No. 2, the Metropolitan Region Scheme and the Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed provisions for local planning schemes, Council **APPROVES** the application for the demolition of all buildings and structures at 60 (Lot 6) Thomas Street, West Perth as indicated on the Metropolitan Region Scheme Form One dated 16 February 2016 and as shown on the plans and details received on 20 November 2018, subject to:*

1.1 the site being:

- a. stabilised and maintained dust free; and*
- b. landscaped and secured with appropriate perimeter bollards consistent with the adjoining site at 58 Thomas Street;*

to the City's satisfaction within 60 days of the completion of the demolition of the buildings on-site, with final details of the above aesthetic treatment and security measures to prevent unauthorised vehicle access being submitted to the City for approval prior to being installed and maintained thereafter by the landowner;

1.2 a demolition management plan for the proposal being submitted prior to any demolition works occurring on site detailing:

- a. dust and noise control/monitoring;*
- b. demolition methods;*
- c. removal of materials from the site, including hazardous and asbestos materials, and resource recovery;*
- d. the proximity of services and utilities, including high pressure gas lines;*
- e. impact on surrounding streets and footpaths; and*
- f. other matters likely to impact on the surrounding properties;*

1.3 an archive and photographic record of the building proposed to be demolished being submitted to the City within 60 days of the completion of the demolition of the building on-site, with the record being prepared in accordance with the Department of Planning, Lands and Heritage's 'Guide to Preparing an Archival Record', to the City's satisfaction;

(Cont'd)

- 1.4 *all stormwater being contained on-site; and*
- 1.5 *no vehicle parking being permitted on the site.*
2. *as the site partially falls within an Other Regional Roads reserve under the Metropolitan Region Scheme, the Western Australian Planning Commission be advised of Council's conditional approval of the application under City Planning Scheme No. 2 for consideration as part of its separate determination under the Metropolitan Region Scheme.*

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.2 Key Sector Development Sponsorship – Forum Advocating Cultural and Eco-Tourism (FACET)

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

1. ***APPROVES*** a Key Sector Development sponsorship to the Forum Advocating Cultural and Eco-Tourism (FACET) for the 2019, 2020 and 2021 Annual Professional Development Events Program (\$9,000 p.a) totalling \$27,000 (excluding GST) for three years;
2. ***NOTES*** the provisional list of sponsorship benefits contained within this report;
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 any supporting material, will be submitted to the City of Perth within three months of the conclusion of each events program.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.3 Key Sector Development Sponsorship – Western Australian Indigenous Tourism Operators Council (WAITOC)

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

1. **APPROVES** a Key Sector Development sponsorship of \$30,000 (excluding GST) to WAITOC Association Incorporated (Western Australian Indigenous Tourism Operators Council) for the 'Aboriginal Tourism Export Initiative - Perth 2019';
2. **NOTES** the provisional list of sponsorship benefits contained within this report;
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 supporting material, will be submitted to the City of Perth within three months of the conclusion of the program.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.4 Strategic Event Sponsorship – WA Day 2019Officer Recommendation

That Council:

1. APPROVES a Strategic Event Sponsorship of \$45,000 (excluding GST) to Celebrate Western Australia (inc) for the 2019 WA Day Festival;
2. NOTES the provisional list of sponsorship benefits contained within this report;
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 within three months of the conclusion of the event.

MOVED WITH AMENDMENT

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

1. ***APPROVES a Strategic Event Sponsorship of \$45,000 (excluding GST) to Celebrate Western Australia (inc) for the 2019 WA Day Festival;***
2. ***NOTES the provisional list of sponsorship benefits contained within this report;***
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 within three months of the conclusion of the event; and***
5. ***REQUESTS a report to be prepared for future Commissioner consideration detailing the necessary infrastructure and works that would be required to maximise the capacity of the Supreme Court Gardens in accommodating major events.***

PRIMARY MOTION AS AMENDED

That Council:

- 1. APPROVES a Strategic Event Sponsorship of \$45,000 (excluding GST) to Celebrate Western Australia (inc) for the 2019 WA Day Festival;***
- 2. NOTES the provisional list of sponsorship benefits contained within this report;***
- 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;***
- 4. NOTES that a detailed acquittal report, including all supporting material, will be submitted to the City of Perth within three months of the conclusion of the event; and***
- 5. REQUESTS a report to be prepared for future Commissioner consideration detailing the necessary infrastructure and works that would be required to maximise the capacity of the Supreme Court Gardens in accommodating major events.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Reason: The Supreme Court Gardens are strategically located adjacent to the City Centre, Elizabeth Quay and Transperth public transport hubs therefore providing an excellent opportunity for activation and economic stimulation to local businesses, particularly on weekends and after hours. Importantly the Supreme Court Gardens are also situated much further away from high density residential areas as is the case with Langley Park and the significant tower developments on our close to Terrace Road. Any opportunity to conduct as many major events as is practicable at the Supreme Court Gardens should therefore be explored.

MOTION TO RESCIND EN BLOC MOTION

Moved Commissioner Hammond, seconded Commissioner McMath

That Council BY AN ABOSLUTE MAJORITY DECISION, RESCIND the en bloc motion previously carried.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Reason: To consider Item 13.6 - Tender 050-18/19 – Maintenance and Construction of Footpaths and Associated Works separately.

EN BLOC MOTION

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

- 1. ADOPTS the Officer and Committee Recommendations for items 13.1, 13.2, 13.3, 13.7, 13.9, 13.10, 13.11, 13.13, 13.15; and***
- 2. CONSIDERS items 13.4, 13.5, 13.6, 13.8, 13.12, 13.14, 13.16, 13.17, 13.18 separately.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

Item 13.5 2018/19 East End Improvement Grants – Year 2 ApplicationsOfficer Recommendation

1. APPROVES East End Improvement Grants totalling \$40,000 (excluding GST) relating to the property at 116 Murray Street as follows:
 - 1.1 \$20,000 to Lukman Enterprises Pty Ltd to assist with building system upgrades; and
 - 1.2 \$20,000 to Ang Lim and Cie Pty Ltd to assist with the refurbishment and activation of the first floor of the property.
2. NOTES that the capital works assisted by the City's grant funding above form part of the desired enhancements of the Stage 1 East End Improvement Model approved by Council at its meeting held 1 August 2017.

MOVED WITH AMENDMENT

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

1. ***APPROVES East End Improvement Grants totalling \$40,000 (excluding GST) relating to the property at 116 Murray Street as follows:***
 - 1.3 ***\$20,000 to Lukman Enterprises Pty Ltd to assist with building system upgrades; and***
 - 1.4 ***\$20,000 to Ang Lim and Cie Pty Ltd to assist with the refurbishment and activation of the first floor of the property.***
2. ***NOTES that the capital works assisted by the City's grant funding above form part of the desired enhancements of the Stage 1 East End Improvement Model approved by Council at its meeting held 1 August 2017; and***
3. ***REQUESTS the policy framework associated with this program be reviewed and a discussion paper be brought back to the Commissioners for further consideration.***

PRIMARY MOTION AS AMENDED***That Council:***

1. ***APPROVES East End Improvement Grants totalling \$40,000 (excluding GST) relating to the property at 116 Murray Street as follows:***

(Cont'd)

- 1.1 *\$20,000 to Lukman Enterprises Pty Ltd to assist with building system upgrades; and*
- 1.2 *\$20,000 to Ang Lim and Cie Pty Ltd to assist with the refurbishment and activation of the first floor of the property.*

2. ***NOTES*** that the capital works assisted by the City's grant funding above form part of the desired enhancements of the Stage 1 East End Improvement Model approved by Council at its meeting held 1 August 2017; ***and***

3. ***REQUESTS*** the policy framework associated with this program be reviewed and a discussion paper be brought back to the Commissioners for further consideration.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Reason: To allow further discussion and research for applications going forward.

Item 13.6 Tender 050-18/19 – Maintenance and Construction of Footpaths and Associated Works

Officer Recommendation

That Council **ACCEPTS** the most suitable tender, being that submitted by MXMLXX Pty Ltd as trustee for the PaveWA Holding Family Trust trading as Access Brick Paving and PaveWA, for the maintenance and construction of footpaths and associated works for a period of three years commencing 15 March 2019 with the option to extend for a further two years in accordance with:

1. Confidential Attachment 13.6A – Rates – Normal Hours;
2. Confidential Attachment 13.6B – Rates – Outside Normal Hours;
3. Confidential Attachment 13.6C – Rates – Road Traffic Management; and
4. Confidential Attachment 13.6D – Additional Costs for the first year with each subsequent year increase based upon the Consumer Price Index for the preceding year.

MOTION TO DEFER

Moved Commissioner McMath, seconded Commissioner Hammond

That Council DEFER consideration of the report titled Tender 050-18/19 – Maintenance and Construction of Footpaths and Associated Works to a later meeting.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Reason: To allow further consideration of this tender.

Item 13.7 Tender 054-18/19 – Council House Lighting Upgrade – Design and Installation

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

- 1. ACCEPTS the most suitable tender, being that submitted by Insight Electrical Technology for Council House Lighting Upgrade – Design and Installation (Tender 054 2018/19) at a lump sum price of \$1,914,543.00 (excluding GST) PLUS the Entrance Lighting Program of Works at a lump sum price of \$61,190.00 (excluding GST);***
- 2. NOTES that the amount of \$967,450.50 (excluding GST) will be allocated within the 2018/19 financial year and the amount of \$1,008,282.50 (excluding GST) will be allocated within the 2019/20 financial year;***
- 3. NOTES that the installation is anticipated to commence in July 2019 with anticipated completion by end of November 2019; and***
- 4. NOTES that the project funding of \$1,280,420.00 is to be allocated in the budget for 2019/20 for the installation phase with funds drawn from the Asset Enhancement Reserve.***

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.8 Draft Mount Street Concept Plan

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

- 1. APPROVES the Draft Mount Street Concept Plan as detailed in this report and Attachments 13.8A and 13.8B for consultation purposes; and**
- 2. NOTES that the results of the consultation will be used to inform the Final Concept Plan which will be presented to Council at a future meeting.**

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.9 Financial Statements and Financial Activity Statement for the Period Ended 31 December 2018

Moved Commissioner Hammond, seconded Commissioner McMath

That Council RECEIVES the Financial Statements and the Financial Activity Statement for the period ended 31 December 2018 as detailed in Attachment 13.9A of this report.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.10 Payments from Municipal and Trust Funds – December 2018

Moved Commissioner Hammond, seconded Commissioner McMath

That in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended 31 December 2018 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>\$ 23,708,760.68</i>
<i>Trust Fund</i>	<i>\$ 152,202.90</i>
<i>TOTAL:</i>	<i>\$ 23,860,963.58</i>

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.11 Payments from Municipal and Trust Funds – January 2019

Moved Commissioner Hammond, seconded Commissioner McMath

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 January 2019 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>\$ 15,026,852.73</i>
<i>Trust Fund</i>	<i>\$ 190,618.28</i>
<i>TOTAL:</i>	<i>\$ 15,217,471.01</i>

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.12 2018/19 Budget Review 2 – December 2018 – Forecast of the Operating and Capital Budgets for the year ending 30 June 2019

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

1. in accordance with Regulation 33A(3) of the Local Government (Financial Management) Regulations 1996 (as amended) APPROVES BY AN ABSOLUTE MAJORITY:

1.1 the Budget Review 2018/19 December 2018 as detailed in Attachments 13.12A, 13.12B, and 13.12C, noting the impact of increased revenue and a decrease in operating expenditure;

1.2 net capital expenditure reduction of \$7,696,494 as listed in Attachment 13.12C; and

1.3 the decrease in transfers from reserves of \$4,960,897 related to changes in the capital works program.

2. NOTES that:

2.1 the budgeted net result from operations has improved by \$560,517; and

2.2 the net reduction of \$7,696,494 on capital projects; reduced funding required from reserves of \$4,960,897 and Municipal funds of \$2,735,597.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.13 Annual General Meeting of Electors'

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

1. **RECEIVES the minutes of the Annual General Meeting of Electors' held on 15 January 2019 as detailed in Attachment 13.13A; and**
2. **RESOLVES:**
 - 2.1. ***Motion No. 1: Not to support the motion and encourages the West Australian Ratepayers and Residents Association Incorporated to consider applying under the City of Perth Grants Program.***
 - 2.2. ***Motion No. 2: To reaffirm the legislative authority of Commissioners as is outlined in s2.38 of the Local Government Act 1995.***
 - 2.3. ***Motion No. 3: To note the motion will be included as part of a formal submission process of the City of Perth Parking Local Law 2017 Review currently underway.***
 - 2.4. ***Motion No. 4: To note that a detailed officer report will be prepared for the July 2019 Ordinary Council Meeting.***

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.14 Nomination of Commissioners to the Metropolitan Redevelopment Authority Central Perth Land Redevelopment Committee**Officer Recommendation**

That Council **NOMINATES** three members for the consideration of the Minister for Planning to appoint one member to the Metropolitan Redevelopment Authority Central Perth Land Redevelopment Committee.

MOVED WITH AMENDMENT

Moved Commissioner Hammond, seconded Commissioner Lumsden

That Council NOMINATES ~~three members~~ Chair Commissioner Lumsden for the consideration of the Minister for Planning to appoint one member to the Metropolitan Redevelopment Authority Central Perth Land Redevelopment Committee.

PRIMARY MOTION AS AMENDED

That Council NOMINATES Chair Commissioner Lumsden for the consideration of the Minister for Planning to appoint one member to the Metropolitan Redevelopment Authority Central Perth Land Redevelopment Committee.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.15 Risk Management Quarterly Update

Moved Commissioner Hammond, seconded Commissioner McMath

That Council RECEIVES the Risk Management Quarterly Update for February 2019.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.16 Compliance Audit Return 2018

Moved Commissioner Hammond, seconded Commissioner McMath

That Council ADOPTS the completed 2018 Compliance Audit Return as detailed in Attachment 13.16A for certification by the Chair Commissioner and the Chief Executive Officer in accordance with Regulation 15(2) of the Local Government (Audit) Regulations 1996.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.17 Validation of Critical/Major Risk Mitigation Strategies Review – January 2019

Moved Commissioner McMath, seconded Commissioner Hammond

That Council APPROVES the Validation of Critical/Major Risk Mitigation Strategies Review – January 2019 as part of the Internal Audit Plan 2018/19 as detailed in Attachment 13.17A and 13.17B.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.18 Memorandum of Understanding – Inner City Councils

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

- 1. ENDORSES in principle the draft Memorandum of Understanding for the Inner-City Mayors group, covering the Cities of Perth, South Perth, Subiaco, Vincent and the Town of Victoria Park; and*

(Cont'd)

2. ***AUTHORISES*** the Chair Commissioner and the Chief Executive Officer to negotiate with the other parties on the final terms of the Memorandum of Understanding and for the Chair Commissioner to execute the final document on behalf of the City.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

14. Motions of which Previous Notice has been given

Nil

15. Urgent Business

A motion was received from Commissioner Hammond.

MOTION

That Council remove the designation of senior employee in accordance with Section 5.37 of the Local Government Act 1995 to all positions so designated.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

16. Closure

6.31pm The Deputy Chair Commissioner declared the meeting closed.