



City of Perth

**Ordinary Council Meeting
Minutes**

**26 March 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 March 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 March 2019.

Presiding: Deputy Chair Commissioner, Gaye McMath

Commissioners in Attendance:

Commissioner Andrew Hammond

Officers in Attendance:

Mr Jorgensen	Chief Executive Officer
Mr Crosetta	Director Construction and Maintenance
Mr Farley	Acting Director Planning and Development
Mr High	Acting Director Economic Development and Activation
Mr Ridgwell	Acting Director Corporate Services
Ms Smith	Manager Development Approvals
Mr Corke	Acting Manager Governance
Mr Anastas	Personal Aide
Ms Rippington	Governance Coordinator

Observers:

Five members of the public

Four 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

Ms Moore, Director Community and Commercial Services

4. Question Time for the Public and Notification of Deputations

4.1 Question Time for the Public

Question from Mr Paul Turner of 11-55 Haig Park Circle, East Perth WA 6005, in relation to homeless building for accommodation in the City of Perth - Jewell House, Goderich Street (CM 79816/19).

Question:	Is Jewell House available for restoration for accommodation?
Answer:	This question was taken on notice. The response will be provided in writing to the questioner and included in the Agenda of the April 2019 Ordinary Council meeting.

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 Hammond, seconded Commissioner McMath

*That Council **CONFIRM** the minutes of the Special Council Meeting held on 20 December 2018, Ordinary Council Meeting held on 26 February 2019, and the Agenda Briefing Session held on 19 March 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

Commissioner/Officer	Item No. and Title	Nature/Extent of Interest
Deputy Chair Commissioner McMath (CM72023/19)	13.3 Key Sector Development Sponsorship – Chamber of Arts and Culture WA	Nature: Impartiality Interest. Deputy Chair Commissioner McMath is a board member of the Chamber of Arts and Culture WA. Extent: Insignificant

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 Item 13.7, 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 13.7A, 13.7B, 13.7C, 13.7D, 13.7E and 13.7F	Item 13.7 - Tender 050-18/19 – Maintenance and Construction of Footpaths and Associated Works	s5.23(2)(c)

13. Reports

En Bloc Motion

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

- 1. ADOPTS the Officer Recommendations for items 13.1, 13.4-13.8, 13.10, 13.12; and***
- 2. CONSIDERS items 13.2, 13.3, 13.9, 13.11, 13.13 separately.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.1 66, 68 and 70 (Lots 98, 99 and 100) 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 66, 68 and 70 (Lots 98, 99 and 100) Thomas Street, West Perth – Proposed demolition of all buildings and structures as indicated on the Metropolitan Region Scheme Form One dated 29 January 2019 and as shown on the plans and details received on 5 February 2019, subject to:*
 - 1.1 *a demolition management plan being submitted prior to the commencement of any demolition works on the sites 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;*
 - 1.2 *archive and photographic records of the buildings being prepared in accordance with the Department of Planning, Lands and Heritage’s ‘Guide to Preparing an Archival Record’, to the City’s satisfaction and being submitted to the City prior to the commencement of any demolition works on the sites;*
 - 1.3 *final details of the landscaping, reticulation and perimeter treatment (bollards) being submitted to the City for approval prior to any demolition works occurring on the subject lots;*
 - 1.4 *the Lots being:*
 - a. *stabilised and maintained dust and litter free following the demolition of the buildings to the City’s satisfaction; and*
 - b. *landscaped, reticulated and secured with appropriate perimeter bollards to prevent unauthorised vehicle access, by the landowner and at the landowner’s expense, within 60 days of the completion of the demolition of the buildings with the landscaping being maintained to a high standard thereafter by the landowner;*

(Cont’d)

- 1.5 all stormwater being contained on-site; and*
- 1.6 no vehicle parking being permitted on the sites.*
- 2. as the sites partially fall within an Other Regional Roads reserve under the Metropolitan Region Scheme, the Western Australian Planning Commission be advised of Council's conditional approval for the zoned portions of the Lots under City Planning Scheme No. 2 for consideration as part of its separate determination under the Metropolitan Region Scheme; and*
- 3. Council advises the Western Australian Planning Commission of its disappointment in relation to the rate at which the subject buildings have been allowed to decline and deteriorate to a point which their retention and re-use was unfeasible whilst under the Commission's ownership.*

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.2 581-583 (Lots 6 and 36) Murray Street, West Perth - Change of Use for Level 1 to a Dog Day Care Centre ('Unlisted Use') and Shop ('Retail (General)' use) including Minor Works and Signage

Officer Recommendation

That Council, 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, APPROVES the application for the change of use of Level 1, 581-583 (Lots 6 and 36) Murray Street, West Perth from a Scout hall ('Community and Cultural' use) to a dog day-care centre ('Unlisted Use') and shop ('Retail (General)' use) including minor works and signage, as indicated on the Metropolitan Region Scheme Form One dated 13 December 2018 and as shown on the plans received on 17 December 2018 and 27 February 2019 subject to:-

- 1. the noise mitigation measures specified in Section 6 – Noise Management of the Environmental Noise Assessment prepared by Eco Acoustics dated 1 March 2019 (Ref: 19010691-01b) being implemented in full prior to occupation of the premises, with all management measures being implemented by the operator on an ongoing basis to the satisfaction of the City;*

2. *the hours of operation of the tenancy being limited to 6:30am to 6:30pm Monday to Friday and 10am to 4pm Saturday and Sunday with no animals being kept on the premises overnight;*
3. *the dog behavioural management measures, as outlined in the application, being implemented by the operator at all times to the satisfaction of the City;*
4. *a maximum of 60 dogs being permitted on site at any one time with no dogs being permitted to be kept or cared for external to the building;*
5. *drop-off and pick-up of dogs by customers arriving by car, inclusive of the valet service, only being allowed from cars stopped or parked within the site and not from public streets;*
6. *a final Waste Management Plan, satisfying the City's waste servicing requirements, being submitted for approval by the City prior to the commencement of the dog day-care use, with the waste management measures outlined in the approved waste management plan being implemented by the operator/s on an ongoing basis to the satisfaction of the City;*
7. *the odour management measures outlined in the approved odour management plan being implemented by the operator/s on an ongoing basis to the satisfaction of the City;*
8. *any proposed air-conditioning condensers, external building plant, piping and ducting being located or screened so that they cannot be viewed from any location external to the site and to minimise any visual and noise impact on the adjacent developments, with details of the location and screening of such plant and services being submitted for approval by the City prior to installation;*
9. *final details of all lighting and signage being submitted for approval by the City prior to installation, with a low level of illumination being used for the illuminated signs and no part of any external lighting or illuminated sign to contain flashing, pulsating or flickering lights; and*
10. *any additional uses being subject to a separate application(s) for approval.*

MOTION TO DEFER

Moved Commissioner Hammond, seconded Commissioner McMath

That Council DEFER consideration of the report titled 581-583 (Lots 6 and 36) Murray Street, West Perth - Change of Use for Level 1 to a Dog Day Care Centre ('Unlisted Use') and Shop ('Retail (General)' use) including Minor Works and Signage to a later meeting.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Reason: So that information regarding the effectiveness of noise mitigation and inspection of similar land use in a high-density area can be obtained so Commissioners can get an indication of how noise is managed.

Item 13.3 Key Sector Development Sponsorship – Chamber of Arts and Culture WA

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

1. ***APPROVES a Key Sector Development Sponsorship of \$20,000 per annum (excluding GST), for a period of three years from 1 May 2019 – 30 April 2022 (\$60,000 in total), to become a Keystone Partner of the Chamber of Arts and Culture Western Australia;***
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 three months following the conclusion of the project.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.4 Key Sector Development Sponsorship – FameLab Australia National Final

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

1. **APPROVES** a Key Sector Development Sponsorship of \$15,000 (excluding GST) to Foundation for the WA Museum for the 2019 FameLab Australia National Final;
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 three months following the conclusion of the project.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.5 Key Sector Development Sponsorship – Revelation Interactive

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

1. **APPROVES** sponsorship of \$35,000 (excluding GST) to the Revelation Perth International Film Festival Inc for the 2019 Revelation Interactive;
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 three months following the conclusion of the project.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.6 Strategic Arts Sponsorship – West Australian Ballet Company

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

1. ***APPROVES a Strategic Arts Sponsorship of \$12,000 (excluding GST) to the West Australian Ballet Company for the Community Dress Rehearsal program;***
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 three months following the conclusion of the project.***

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.7 Tender 050-18/19 – Maintenance and Construction of Footpaths and Associated Works

Moved Commissioner Hammond, seconded Commissioner McMath

That Council ACCEPTS the most suitable tender, being that submitted by MCMLXX 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 April 2019 with the option to extend for a further two years in accordance with Confidential Attachment 13.7A – Rates – Normal Hours, Confidential Attachment 13.7B – Rate – Outside Normal Hours, Confidential Attachment 13.7C – Rates – Road Traffic Management and Confidential Attachment 13.7D – Additional Costs for the first year with each subsequent year increase based upon the Consumer Price Index for the preceding year.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.8 Riverside Drive Bus Priority

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

- 1. APPROVES, subject to detail design, the changes proposed by the Public Transport Authority (PTA) to the William Street / Riverside Drive / Mitchell Freeway intersection to facilitate the proposed bus priority measures for Riverside Drive (West) between the Elizabeth Quay Bus Station and Point Lewis Rotary; and*
- 2. NOTES that as part of this proposal the PTA will re-route the 950 bus service along Riverside Drive (West) between the Elizabeth Quay Bus Station and Point Lewis Rotary and that the PTA have committed to keep the 23, 102 and 107 bus services on Mounts Bay Road to serve the local community.*

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.9 Moore Street Level Crossing Closure

Moved Commissioner Hammond, seconded Commissioner McMath

That Council:

1. ***NOTES the submissions made by stakeholders and the general public during the public submissions period of the Moore Street Level Crossing Closure proposal;***
2. ***INITIATES actions in accordance with section 58 of the Land Administration Act 1997, in order to request the Minister for Lands to approve closure of the section of Moore Street within the rail reserve;***
3. ***AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate and accept an appropriate contribution amount by the Public Transport Authority;***
4. ***AUTHORISES the Chief Executive Officer (or an appointed delegate) to negotiate the date of closure with the Public Transport Authority;***
5. ***NOTES the City requested contribution of \$2.085 million consisting of:***
 - a. ***50% contribution to the planned but unfunded upgrade of Moore Street/Lord Street intersection, equating to \$1.425 million of the total cost of \$2.85 million to help mitigate the traffic issues; and***
 - b. ***100% contribution to unplanned upgrades to lighting at a total cost of \$200,000 and CCTV at \$460,000 to help mitigate the public safety concerns.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.10 Financial Statements and Financial Activity Statement for the Period Ended 31 January 2019

Moved Commissioner Hammond, seconded Commissioner McMath

That Council RECEIVES the Financial Statements and the Financial Activity Statement for the period ended 31 January 2019 as detailed in Attachment 13.10A 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 13.11 Budget Reprioritisation – Hampden Road Parklet Trial

Moved Commissioner Hammond, seconded Commissioner McMath

*That Council **APPROVE BY AN ABSOLUTE MAJORITY** the reprioritisation of \$40,000 from ‘PJ 1400-12171 - ACH Database and Portal Project’ to a new capital works project ‘Hampden Road Parklet Trial’.*

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.12 City of Perth Submission on Phase Two of the Local Government Act Review

Moved Commissioner Hammond, seconded Commissioner McMath

*That Council **ENDORSES** the City of Perth’s proposed submission as detailed in Attachment 13.12A to the Department of Local Government, Sport and Cultural Industries in relation to Phase Two of the Local Government Act Review.*

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Hammond and McMath

Against: Nil

Item 13.13 Adoption – City of Perth Outdoor Dining Local Law 2019Officer Recommendation

That Council:

1. *in accordance with section 3.12(4) of the Local Government Act 1995:*
 - 1.1. *NOTES that one submission, attached as Attachment 13.13A, was received during the public submission period in response to the proposed City of Perth Outdoor Dining Local Law 2019; and*
 - 1.2. *CONSIDERS that submission and the amendments made to the local law as detailed within this report;*
2. *NOTES the comments received from the Department of Local Government, Sports and Cultural Industries in response to the public notice period and amendments made to the local law as detailed within this report;*
3. *in accordance with Section 3.12(4) of the Local Government Act 1995, BY AN ABSOLUTE MAJORITY, MAKES the City of Perth Outdoor Dining Local Law 2019 as detailed in Attachment 13.13B; and*
4. *in accordance with Section 3.12(6) of the Local Government Act 1995, GIVES local public notice of the City of Perth Outdoor Dining Local Law 2019.*

The Item titled Adoption – City of Perth Outdoor Dining Local Law 2019 (as detailed in Item 3 and Item 13.13) was inadvertently overlooked for consideration and, for want of a Mover, consequently lapsed. The Item will be presented to the April 2019 Ordinary Council meeting for consideration.

14. Motions of which Previous Notice has been given

Nil

15. Urgent Business

Nil

16. Closure

6.18pm The Deputy Chair Commissioner declared the meeting closed.